

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AGENDA ITEM REQUEST

AGENDA REQUESTED: January 27, 2010

DATE OF REQUEST: January 8, 2010

NAME & NUMBER OF PERSON TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED: Kerry Howard, 239-0556

CAPTION: Docket No. 2009-2029-MIS. Consideration of the nomination and appointment of the following five positions to serve on the Tax Relief for Pollution Control Property Advisory Committee: 1) representatives of industry; 2) representatives of appraisal districts; 3) representatives of taxing units; 4) representative of environmental groups; and 5) individuals who are not a member of the other groups listed but have substantial technical expertise in pollution control technology and environmental engineering.

House Bills 3206 and 3544, 81st Legislature (2009), amended Texas Tax Code (TTC), §11.31 to require the Texas Commission on Environmental Quality (TCEQ) to form a permanent advisory committee that will make recommendations to the TCEQ commissioners on matters relating to property tax exemptions for pollution control property. TTC, §11.31(n) requires the advisory committee to have representatives from: industry; appraisal districts; taxing units; environmental groups; and members who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. (Emmanuel Wada, Guy Henry)



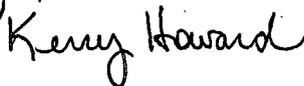
Chief Engineer for Susan M. Holdebrunn



Division Director



Agenda Coordinator



Copy to CCC Secretary? NO X YES

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Commissioners **Date:** January 8, 2010
Thru: LaDonna Castañuela
Office of the Chief Clerk
From: *SM* Susana M. Hildebrand, P.E., Chief Engineer
Docket No.: 2009-2029-MIS
Subject: Consideration of the nomination and appointment of individuals to serve on the Tax Relief for Pollution Control Property Advisory Committee.

Background

House Bills (HB) 3206 and 3544, 81st Legislature (2009), amended Texas Tax Code (TTC), §11.31 to require the Texas Commission on Environmental Quality (TCEQ) to form a permanent advisory committee that will make recommendations to the TCEQ commissioners on matters relating to property tax exemptions for pollution control property. The new TTC, §11.31(n) requires the advisory committee to have representatives from: industry; appraisal districts; taxing units; environmental groups; and members who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group, but did exempt the advisory committee from the size, composition, and duration requirements of Texas Government Code, Chapter 2110; however, the advisory committee is still required to comply with the requirements for balanced representation in Texas Water Code, §5.107.

Advisory Committee Recommended Members

Mr. John E Nichols, Texas Chemical Council, Representing Industry

Summary of his qualification as follows:

- He participated in drafting HB 1920 to establish Tax Relief Program and constitutional amendment.
- He has prepared and filed numerous Tax Relief applications.
- He has Bachelor and Master in Petroleum Engineering and a Master in Land Economics and Real Estate.
- He works for Dow Chemical.
- He was nominated by the Texas Chemical Council.
- His reference includes: Texas Taxpayers and Research Association, Texas Chemical Council, Texas Workforce Commission.

Mr. Bob Adair, Texas Oil and Gas Association, Representing Industry

Summary of his qualification as follows:

- He has 22 yeas experience in corporate property tax.
- He works for Conoco Philips.
- He was nominated by the Texas Oil and Gas Association.

Commissioners

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Mr. Paul Coon, Association of Electric Companies of Texas, Representing Industry

Summary of his qualification as follows:

- He has 28 years experience in utility industry.
- He was a technical contributor on Tax Relief applications for two years.
- He was nominated by Association of Electric Companies of Texas.

Mr. Michael J. Nasi, Clean Coal Foundation, Representing Industry

Summary of his qualification as follows:

- He is the founder of the Climate Change and Carbon Management Group.
- He has experience instate and federal tax policy development.
- He is a frequent speaker at seminars and conferences related to energy and environmental law.
- He was nominated by the Southwestern Electric Power Company.

Mr. Robert Castor, Freescale Semiconductor, Representing Industry

Summary of his qualification as follows:

- He has 3 years experience in environmental compliance.
- He is responsible for maintaining compliance with federal, state, and local regulations pertaining to wastewater, air emissions, storm water, ground water, refrigerants and equipment signoff.
- He manages the monitoring and measurement program for the Austin sites, and investigates and implements resource conservation projects.

Mr. Gregory P. Maxim, Duff and Phelps, Representing Industry

Summary of his qualification as follows:

- He has 20 years experience in property tax.
- He has worked for Pritchard and Abbott, Inc., performing complex appraisals.
- He has worked for Exxon USA, Ernst & Young, Deloitte Tax, and Duff and Phelps providing engineering and tax services.

Mr. Roland R. Bieber, Chief Appraiser, Representing Appraisal District

Summary of his qualification as follows:

- He has been Chief Appraiser for Jefferson County for 25 years.
- He has served on previous Tax Relief work groups.
- He was nominated by Texas Association of Appraisal Districts.

Mr. C. Wayne Frazell, P.E., CEM, RPA, Representing Appraisal Districts

Summary of his qualification as follows:

- He has five years experience in appraisals of industrial property.
- He has 22 years experience in the electrical utility industry.
- He is an Engineer/Appraiser working for Pritchard & Abbott, Inc. (P&A) since January of 2005.
- He participated on the Tax Relief Predetermined Equipment Work Group and on the Heat Recovery Steam Turbine Generator Advisory Committee.

The Honorable Eddie Arnold, County Judge, Jefferson County, Commissioner Precinct 1, Representing Taxing Units

Summary of his qualification as follows:

- He was elected to Commissioner's Court of Jefferson County on January 1, 2005.
- The Governor appointed him to the South East Texas Regional Review Committee.
- He is a member of South East Texas Regional Planning Commission.

- He is a member of Texas Association of Counties.
- He is a board member of Conference of Urban Counties.
- He was nominated by Texas Association of Counties.

Mr. Don Lee, Representing Taxing Units

Summary of his qualification as follows:

- He is the Executive Director of Texas Conference of Urban Counties.
- He provides analysis of legislation, state agency rulemaking and attorney general opinions to urban county officials.

Mr. Bennett Sandlin, Representing Taxing Units

Summary of his qualification as follows:

- He is the General Counsel for the Texas Municipal League.
- He previously served on Tax Relief for Pollution Control Advisory Committee.

Dr. Cyrus Reed, Representing Environmental Groups

Summary of his qualification as follows:

- He was nominated by Lone Star Chapter of the Sierra Club.
- He has worked for the Texas Center for Policy Studies for 24 years.
- He is employed by the Sierra Club since 2008.
- He has participated on every Tax Relief for Pollution Control work group since 1995.

Leo Scherrer, P.E., Technical Expert - Independent

Summary of his qualification as follows:

- He is a licensed professional engineer in Texas.
- He is a licensed senior property tax consultant in Texas.
- He is a certified member of the Institute for Professionals in Taxation.
- He has 34 years experience in pollution control working for Dow Chemical Company.
- He has 15 years experience in industrial property tax.

Advisory Committee Nominations

1. Industry

1. John E. Nichols, The Dow Chemical Company, nominated by Texas Chemical Council
2. Tom Ballou, Sherwin Alumina Co, nominated by Texas Chemical Council
3. Rohit Sharma, LyondellBasell Industries, nominated by Texas Chemical Council
4. Marise Lada Textor, Texas Petrochemicals, nominated by Texas Chemical Council
5. Bob Adair, ConocoPhillips Company, Texas Oil and Gas Association
6. James LeBas, Consultant, nominated by Texas Oil and Gas Association
7. Paul Coon, Luminant Power, nominated by Association of Electrical Companies of Texas

8. Michael J. Nasi, Clean Coal Technology Foundation, AEP Southwestern Electric Power Company (He also applied to represent an environmental group), self nominated
9. R. Gregg West, DCP Midstream LLC, self nominated
10. Robert Castor, Freescale Semiconductor, self nominated
11. Vance R. Darr, PL Propylene LLC, self nominated
12. Richard Aust, AES Deepwater, nominated by Good Company and Associates
13. Ryan Sewell, Redi-Mix, LLC, self nominated
14. David Lamar Armstrong, A. C. C. P., self nominated
15. Gregory P. Maxim, Consultant, Duff and Phelps, self nominated
16. Robert Daniel, Consultant, Thomson Reuters Property Tax, nominated by Tenaska, Inc.
17. Scott Johnson, Consultant, Industrial Complex Property Group, self nominated
18. Gregory W. Kort, Consultant, Popp Gray & Hutchenson LLP, self nominated
19. Trey Novosad, Consultant, Popp Gray & Hutchenson LLP, self nominated
20. John Michael Grizzaffi, Consultant, Vantage One Tax Solutions, Inc., self nominated
21. Mark Andrews, Consultant, K. E. Andrews & Company, nominated by Crosstex Energy Services

2. Appraisal Districts

1. Roland R. Bieber, Chief Appraiser, Jefferson County Appraisal District, nominated by Texas Association of Appraisal Districts
2. C. Wayne Frazell, P.E., CEM, RPA, Pritchard & Abbott, Inc. Valuation Consultants, self nominated

3. Taxing Unit

1. Bennett Sandlin, Texas Municipal League, self nominated
2. Donald Lee, Texas Conference of Urban Counties (TCUC), nominated TCUC
3. The Honorable Eddie Arnold, County Judge Jefferson County, Commissioner Precinct 1, Texas Association of Counties (TAC), nominated by TAC

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4. Environmental Group

1. Dr. Cyrus Reed, Sierra Club, self nominated
2. Michael J. Nasi, Clean Coal Technology Foundation, AEP Southwestern Electric Power Company (He also applied to represent industry), self nominated

5. Individuals who are not members of the other groups listed but have substantial technical expertise in pollution control technology and environmental engineering.

1. Charles E. Hall, WORLD Environmental, self nominated
2. Leo Scherrer, P.E., Independent, Retired, self nominated

Attachments

Applications Received

cc: Chief Clerk, 5 copies
Executive Director's Office
Susana M. Hildebrand, P.E.
Kevin Patteson
Curtis Seaton
Daniel Womack
Office of General Counsel
Emmanuel Wada, Ph.D., P.E.

AN ACT

relating to the implementation of the exemption from ad valorem taxation for pollution control property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.31, Tax Code, is amended by adding Subsections (g-1) and (n) to read as follows:

(g-1) The standards and methods for making a determination under this section that are established in the rules adopted under Subsection (g) apply uniformly to all applications for determinations under this section, including applications relating to facilities, devices, or methods for the control of air, water, or land pollution included on a list adopted by the Texas Commission on Environmental Quality under Subsection (k).

(n) The Texas Commission on Environmental Quality shall establish a permanent advisory committee consisting of representatives of industry, appraisal districts, taxing units, and environmental groups, as well as members who are not representatives of any of those entities but have substantial technical expertise in pollution control technology and environmental engineering, to advise the commission regarding the implementation of this section. Chapter 2110, Government Code,

does not apply to the size, composition, or duration of the advisory committee.

SECTION 2. As soon as practicable after the effective date of this Act, the Texas Commission on Environmental Quality shall appoint the initial members of the advisory committee under Section 11.31(n), Tax Code, as added by this Act.

SECTION 3. (a) The change in law made by this Act applies only to a determination under Section 11.31, Tax Code:

(1) issued before the effective date of this Act that is not final as of the effective date of this Act or issued on or after the effective date of this Act; and

(2) the application for which:

(A) was filed before the effective date of this Act but not before January 1, 2009; or

(B) is filed on or after the effective date of this Act.

(b) A determination under Section 11.31, Tax Code, that is final as of the effective date of this Act or the application for which was filed before January 1, 2009, is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act applies only to ad valorem taxes imposed for a tax year beginning on or after the effective date of this Act.

SECTION 5. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 3206 was passed by the House on May 15, 2009, by the following vote: Yeas 140, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3206 was passed by the Senate on May 27, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

AN ACT

relating to the standards, methods, and procedures used by governmental bodies in taking certain actions and managing certain information, including standards, methods, and procedures relating to electronic notices by the Texas Commission on Environmental Quality, electronically stored information provided by a governmental body, confidentiality of e-mail addresses provided to a governmental body, and determinations regarding whether property is pollution control property for ad valorem tax purposes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5.128, Water Code, is amended to read as follows:

Sec. 5.128. ELECTRONIC REPORTING TO COMMISSION; ELECTRONIC TRANSMISSION OF INFORMATION BY COMMISSION; REDUCTION OF DUPLICATE REPORTING. (a) The commission shall encourage the use of electronic reporting through the Internet, to the extent practicable, for reports required by the commission. Notwithstanding any other law, the commission may:

(1) adjust fees as necessary to encourage electronic reporting and the use of the commission's electronic document

receiving system. An electronic report must be submitted in a format prescribed by the commission. The commission may consult with the Department of Information Resources on developing a simple format for use in implementing this subsection; and

(2) utilize electronic means of transmission of information, including notices, orders, and decisions issued or sent by the commission.

(b) The commission shall strive to reduce duplication in reporting requirements throughout the agency.

SECTION 2. Sections 11.31(c), (d), (e), and (i), Tax Code, are amended to read as follows:

(c) In applying for an exemption under this section, a person seeking the exemption shall present in a permit application or permit exemption request to the executive director of the Texas [~~Natural Resource Conservation~~] Commission on Environmental Quality information detailing:

(1) the anticipated environmental benefits from the installation of the facility, device, or method for the control of air, water, or land pollution;

(2) the estimated cost of the pollution control facility, device, or method; and

(3) the purpose of the installation of such facility, device, or method, and the proportion of the installation that is pollution control property.

If the installation includes property that is not used wholly for the control of air, water, or land pollution, the person seeking the exemption shall also present such financial or other data as the executive director requires by rule for the determination of the proportion of the installation that is pollution control property.

(d) Following submission of the information required by Subsection (c), the executive director of the Texas [~~Natural Resource Conservation~~] Commission on Environmental Quality shall determine if the facility, device, or method is used wholly or partly as a facility, device, or method for the control of air, water, or land pollution. As soon as practicable, the executive director shall send notice by regular mail or by electronic means to the chief appraiser of the appraisal district for the county in which the property is located that the person has applied for a determination under this subsection. The executive director shall issue a letter to the person stating the executive director's determination of whether the facility, device, or method is used wholly or partly to control pollution and, if applicable, the proportion of the property that is pollution control property. The executive director shall send a copy of the letter by regular mail or by electronic means to the chief appraiser of the appraisal district for the county in which the property is located.

(e) Not later than the 20th day after the date of receipt of

the letter issued by the executive director, the person seeking the exemption or the chief appraiser may appeal the executive director's determination to the Texas [~~Natural Resource Conservation~~] Commission on Environmental Quality. The commission shall consider the appeal at the next regularly scheduled meeting of the commission for which adequate notice may be given. The person seeking the determination and the chief appraiser may testify at the meeting. The commission may remand the matter to the executive director for a new determination or deny the appeal and affirm the executive director's determination. On issuance of a new determination, the executive director shall issue a letter to the person seeking the determination and provide a copy to the chief appraiser as provided by Subsection (d). A new determination of the executive director may be appealed to the commission in the manner provided by this subsection. A proceeding under this subsection is not a contested case for purposes of Chapter 2001, Government Code.

(i) A person seeking an exemption under this section shall provide to the chief appraiser a copy of the letter issued by the executive director of the Texas [~~Natural Resource Conservation~~] Commission on Environmental Quality under Subsection (d) determining that the facility, device, or method is used wholly or partly as pollution control property. The chief appraiser shall accept a final determination by the executive director as

conclusive evidence that the facility, device, or method is used wholly or partly as pollution control property.

SECTION 3. Section 11.31, Tax Code, is amended by adding Subsections (g-1) and (n) to read as follows:

(g-1) The standards and methods for making a determination under this section that are established in the rules adopted under Subsection (g) apply uniformly to all applications for determinations under this section, including applications relating to facilities, devices, or methods for the control of air, water, or land pollution included on a list adopted by the Texas Commission on Environmental Quality under Subsection (k).

(n) The Texas Commission on Environmental Quality shall establish a permanent advisory committee consisting of representatives of industry, appraisal districts, taxing units, and environmental groups, as well as members who are not representatives of any of those entities but have substantial technical expertise in pollution control technology and environmental engineering, to advise the commission regarding the implementation of this section. Chapter 2110, Government Code, does not apply to the size, composition, or duration of the advisory committee.

SECTION 4. As soon as practicable after the effective date of this Act, the Texas Commission on Environmental Quality shall appoint the initial members of the advisory committee under Section

11.31(n), Tax Code, as added by this Act.

SECTION 5. (a) The change in law made by Sections 11.31(g-1) and (n), Tax Code, applies only to a determination that is not final on the effective date of this Act on an application that was filed on or after January 1, 2009.

(b) A determination that is not final on the effective date of this Act on an application that was filed before January 1, 2009, is governed by the law in effect before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 6. The change in law made by Sections 11.31(g-1) and (n), Tax Code, applies only to ad valorem taxes imposed for a tax year beginning on or after the effective date of this Act.

SECTION 7. Section 552.137, Government Code, is amended to read as follows:

Sec. 552.137. CONFIDENTIALITY OF CERTAIN E-MAIL ADDRESSES.

(a) Except as otherwise provided by this section, an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body is confidential and not subject to disclosure under this chapter.

(b) Confidential information described by this section that relates to a member of the public may be disclosed if the member of the public affirmatively consents to its release.

(c) Subsection (a) does not apply to an e-mail address:

(1) provided to a governmental body by a person who has

a contractual relationship with the governmental body or by the contractor's agent;

(2) provided to a governmental body by a vendor who seeks to contract with the governmental body or by the vendor's agent;

(3) contained in a response to a request for bids or proposals, contained in a response to similar invitations soliciting offers or information relating to a potential contract, or provided to a governmental body in the course of negotiating the terms of a contract or potential contract; [~~or~~]

(4) provided to a governmental body on a letterhead, coversheet, printed document, or other document made available to the public; or

(5) provided to a governmental body for the purpose of providing public comment on or receiving notices related to an application for a license as defined by Section 2001.003(2) of this code, or receiving orders or decisions from a governmental body.

(d) Subsection (a) does not prevent a governmental body from disclosing an e-mail address for any reason to another governmental body or to a federal agency.

SECTION 8. Section 552.228, Government Code, is amended to read as follows:

Sec. 552.228. PROVIDING SUITABLE COPY OF PUBLIC INFORMATION WITHIN REASONABLE TIME. (a) It shall be a policy of a

governmental body to provide a suitable copy of public information within a reasonable time after the date on which the copy is requested.

(b) If public information exists in an electronic or magnetic medium, the requestor may request a copy [~~either on paper or~~] in an electronic medium, such as on diskette or on magnetic tape. A governmental body shall provide a copy in the requested medium if:

(1) the governmental body has the technological ability to produce a copy of the requested information in the requested medium;

(2) the governmental body is not required to purchase any software or hardware to accommodate the request; and

(3) provision of a copy of the information in the requested medium will not violate the terms of any copyright agreement between the governmental body and a third party.

(c) If a governmental body is unable to comply with a request to produce a copy of information in a requested medium for any of the reasons described by this section, the governmental body shall provide [~~a paper copy of the requested information or~~] a copy in another medium that is acceptable to the requestor. A governmental body is not required to copy information onto a diskette or other material provided by the requestor but may use its own supplies.

SECTION 9. The changes in law made to Section 552.228, Government Code, by this Act apply only to requests received by the

agency on or after September 1, 2009. Requests received by the agency before the effective date of this Act are governed by the former law, and that law is continued in effect for that purpose.

SECTION 10. Except as otherwise provided by this Act, this Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 3544 was passed by the House on May 5, 2009, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3544 on May 25, 2009, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3544 was passed by the Senate, with amendments, on May 22, 2009, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

John E. Nichols

**Application Package for Industry Member –
Tax Relief for Pollution Control Property Advisory Committee**

December 15, 2009

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

TCC is a statewide trade association representing over 70 chemical manufacturers with more than 200 Texas facilities. The Texas chemical industry has invested more than \$50 billion in physical assets in the state and pays over \$1 billion annually in state and local taxes. TCC's members provide approximately 70,000 direct jobs and over 400,000 indirect jobs to Texans across the state. TCC member companies manufacture products that improve the quality of life for all Americans. The products manufactured in Texas account for 60 percent of the U.S. chemical production, which

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

■ **John E. Nichols, CMI**, is Director of U.S. State & Local Tax for The Dow Chemical Company. He is a former fee appraiser for the firm of Kennedy Holtkamp, Inc. and has worked as a Petroleum Engineer for Dowell Schlumberger, Inc. He has served as a member of the Texas Task Force on Appraisal Reform (TFAR) and the Texas Comptroller of Public Accounts' Tax Advisory Group and is a current member of the Committee on State Taxation, Institute for Professionals in Taxation, Texas Taxpayers and Research Association, Tax Executives Institute, National Tax Association, and the International Association of Assessing Officers. His writings have been published in the Journal of Property Tax Management and have received the Institute for Professionals in Taxation's Literary Award. He has received Bachelors and Masters Degrees in Petroleum Engineering from Texas A&M University and a Masters Degree in Land Economics and Real Estate also from Texas A&M University.

Other qualifications include:

- Participation in the legislative drafting process pursuant to passage of legislation enabling Constitutional balloting (Proposition 2).
- Design and initiation of use determination work process for The Dow Chemical Company during first year of exemption applicability (1994).
- 20 years of state & local tax experience.
- Dow and subsidiaries currently hold ~6% of use determinations granted in Texas

References:

- Dale Craymer, Texas Taxpayers and Research Association
- Hector Rivero, Texas Chemical Council
- Tom Pauken, Chairman, Texas Workforce Commission (fmr. TFAR Chairman)

Tax Relief Advisory Committee
Application Review Summary

Name:	John E. Nichols
Organization:	The Dow Chemical Company

Affiliation:

Industry	App. District	Taxing Unit	Environmental Group	Individual
X				

Type:	Chemical Manufacturing, Nominated by Texas Chemical Council
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Years of Experience:	20 years in state and local tax work.
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Experience and Education:	Dow is responsible for approximately 6% of Tax Relief filings. Participated in drafting HB 1920 and constitutional amendment. Bachelors and Masters in Petroleum Engineering and a Masters in Land Economics and Real Estate. Numerous affiliations with property tax organizations. Has prepared and filed Tax Relief applications.
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References:	Dale Craymer, Texas Taxpayers and Research Association Hector Rivero, Texas Chemical Council Tom Pauken, Chairman, Texas Workforce Commission
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Staff Comments:	Program staff has had several interactions with Mr. Nichols during the life of the program. He has shown himself to be knowledgeable about the tax relief program.
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Recommendation:	
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RECEIVED
DEC 03 2009
AIR QUALITY
DIVISION

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position FOR:

JOHN E. NICHOLS

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

4 pages VIA FAX (512) 239-6188

RECEIVED
DEC 03 2009
AIR QUALITY
DIVISION

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Texas is home to dozens of chemical manufacturers and is the number 1 chemical exporting state in the U.S. The chemical industry makes a substantial investment in environmental quality and is a key participant in the pollution control property exemption process.

The Dow Chemical Company is a global manufacturer of specialty and basic chemicals and has a substantial presence in the state of Texas where ~35% of its global manufacturing takes place.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

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- DEC 23 1995 10:10 AM
- **John E. Nichols, CMI**, is Director of U.S. State & Local Tax for The Dow Chemical Company. He is a former fee appraiser for the firm of Kennedy Holtkamp, Inc. and has worked as a Petroleum Engineer for Dowell Schlumberger, Inc. He has served as a member of the Texas Task Force on Appraisal Reform (TFAR) and the Texas Comptroller of Public Accounts' Tax Advisory Group and is a current member of the Committee on State Taxation, Institute for Professionals in Taxation, Texas Taxpayers and Research Association, Tax Executives Institute, National Tax Association, and the International Association of Assessing Officers. His writings have been published in the Journal of Property Tax Management and have received the Institute for Professionals in Taxation's Literary Award. He has received Bachelors and Masters Degrees in Petroleum Engineering from Texas A&M University and a Masters Degree in Land Economics and Real Estate also from Texas A&M University.

Other qualifications include:

- Participation in the legislative drafting process pursuant to passage of legislation enabling Constitutional balloting (Proposition 2).
- Design and initiation of use determination work process for The Dow Chemical Company during first year of exemption applicability (1994).
- 20 years of state & local tax experience.
- Dow and subsidiaries currently hold ~6% of use determinations granted in Texas

References:

- Dale Craymer, Texas Taxpayers and Research Association
- Hector Rivero, Texas Chemical Council
- Tom Pauken, Chairman, Texas Workforce Commission (fmr. TFAR Chairman)

Tom Ballou

**Application Package for Industry Member –
Tax Relief for Pollution Control Property Advisory Committee**

December 15, 2009

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

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Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

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- 2. Appraisal district(s)
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- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

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Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
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Austin, TX 78753

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http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

Tom Ballou, Jr.

Tom is the Legal and External Affairs Coordinator at The Sherwin Alumina Company located on the North shore of Corpus Christi Bay. He has worked in legal, environmental and public affairs at the facility under both the current and former ownership for 18 years.

Tom took his undergraduate degree at the University of Virginia, his Masters Degree in Environmental Management at the University of Texas and his law degree at the University of Houston. Prior to joining Sherwin (then Reynolds Metals Company), he practiced commercial, tax and environmental law in San Antonio and Corpus Christi for 10 years representing a range of clients including recycling and chemical manufacturing firms. He is admitted to practice in Texas courts (1982) and U.S. Tax court (1985).

Tom has worked in the Chemical Industry since 1985 and for the Sherwin Alumina Company and its predecessor, Reynolds Metals Company at its Corpus Christi facility since 1991, managing environmental and external affairs, including all permitting, compliance matters, agency and legislative relationships for 17 years prior to assuming the coordinating role for the company's legal matters.

Tom is involved with the Texas Chemical Council, serving on both the Air Conservation and the Water and Waste Management Committees. He currently works with a number of regulatory agency task groups including TCEQ's water supply and water quality workgroups and Clean Rivers. He is active with the Gulf of Mexico Program and Coalition, serving as Industry representative on the GMP Public Communication Committee and served as Freshwater Resources Taskgroup chairman for the Corpus Christi Bays National Estuary Program. He is an active member of several Port Industries of Corpus Christi committees and serves as the San Patricio County representative the Corpus Christi Regional Air Quality Committee, Industry representative on the Region N Water Planning Group and President of the San Patricio County Rural Rail Transportation District and an Industry representative on the Nueces Estuary Advisory Committee.

Tom and his wife, Trish, live in Ingleside and New Braunfels, TX and have one son, Tom III. He is a retired U. S. Navy Reservist (CAPT.).

Address: P. O. Box 9911

Corpus Christi, TX 78469

Phone : 361-777-2352

Cell: 361-232-7575/361-549-6795

FAX: 361-777-2684

e-mail: tballou@sherwinalumina.com

Rohit Sharma

Application Package for Industry Member –

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Submit by E-mail

Print Form

ROHIT K. SHARMA, R.E.M.

2855 Martina Dr. Friendswood, Texas 77546 281-756-0120

OBJECTIVE:

Use my experience and strong interpersonal skills to lead and positively impact an organization

ACCOMPLISHMENTS:

- Led the company advocacy efforts on the implementation of the 8-hour Ozone standard in a non-attainment area.
- As Vice Chair of the Texas Chemical Council Air Committee, leading industry advocacy efforts on permitting, enforcement, and new rule making.
- Led company efforts to engage the EPA on MON and Remediation MACT rules
- Conducted due diligence for the Business Team during an acquisition
- Led company efforts to implement Title V compliance systems as well as best EH&S management practices. Resulted in consistency of interpretations and reduction of non-compliance risk
- Implemented a behavioral safety program to reduce site injuries and risks

EXPERIENCE:

January 2005 to Present

LyondellBasell Industries – Houston, Texas; Corporate Environmental Issues Manager

- Leading the company EH&S advocacy efforts on federal and state regulatory activity
- Write regulatory summaries of emerging rules as well as interpretations of existing rules for manufacturing sites
- Leading a multi-business team to develop official company positions on issues such as Climate Change, Energy Efficiency, Water Resources, Animal Testing, Air Toxics Emissions, and Bio-monitoring.
- Leading the Fuels Business Environmental Issues Team on community outreach, permit negotiations, enforcement issues, and interaction with local and state stakeholders
- Leading the company Ozone Standard Compliance Team to develop the NOx and VOC control strategy
- As Vice-Chair of the Texas Chemical Council (TCC) Air Committee, leading industry advocacy
- As the BakerBotts Texas Industry Projects (TIP) Group Chair, advocating on critical industry issues
- Leading an industry group on 8 hour ozone standard science and advocacy issues
- Writing global EH&S protocols and standards
- Conducting EH&S training sessions

October 2000 to January 2005

Celanese Chemical Company – Houston, Texas; Regional Air Issues Leader

- Provided environmental regulatory guidance, support and training to multiple chemical manufacturing facilities located in Texas, Kentucky, North Carolina, and Virginia
- Led projects such as NSR and Title V Permitting
- Organized a multi-department project team to ensure consistent implementation of federal and state air rules
- Developed EH&S audit protocols and lead international compliance audits to identify and manage risks
- Led the Texas Chemical Council (TCC) Title V Workgroup to formulate industry positions on Title V Deviation Reporting, Compliance Certifications and Enforcement issues
- Conducted due diligence for the Business Team during acquisitions and mergers

October 1999 to October 2000

KMCO / Southcoast Terminals – Houston, Texas; EH&S Manager

- Developed and led the Air, Wastewater and RCRA permitting & compliance strategy for three specialty chemical manufacturing sites.
- Supervised four EH&S personnel.
- Implemented an effective EH&S Incident Reporting & Investigation Program and a Behavioral Safety Program
- Held briefings with surrounding community leaders during permit actions and citizen complaints
- Conducted site HSE training such as HAZWOPER, Hazcom, Hearing Protection, and PPE

February 1991 to October 1999

ARCO CHEMICAL COMPANY - Houston, Texas; Senior Environmental Engineer

- Led the consistent implementation of Title V compliance programs across multiple manufacturing facilities
- Formed compliance strategies and prepared the following documents: Wastewater Discharge Permits, Class I Hazardous Deepwell Permits, EPA No-Migration Deepwell Petitions, State Air Permits, RCRA Haz Waste Permit & Compliance Plans, SARA 313 Reports, Waste Minimization Reports, Emissions Inventory Report, and SPCC Plans.
- Led a multi-department project team to evaluate a facility's wastewater effluent toxicity and recommended controls
- Led the site's Environmental, New Hire, and Emergency Medical training
- Engaged the community in the local Community Advisory Panel (CAP)

June 1989 to February 1991

RIEDEL-PETERSON ENVIRONMENTAL SERVICES - Houston, Texas; Project Manager

- Conducted site assessments, categorized hazardous wastes, developed strategies for laboratory testing and on-site remediation activities for EPA Superfund sites
- Ensured the safety of site personnel by conducting Emergency Medical Technician duties and industrial hygiene monitoring
- Project leader on hazardous material emergency responses such as chemical railcar derailments, chemical tanker truck accidents, cargo ship container leaks, barge spills, and chemical manufacturing facility accidents

August 1988 to May 1989

UNIVERSITY OF TEXAS MEDICAL SCHOOL

Department of Neurobiology & Anatomy - Houston, Texas; Research Assistant

- Conducted experiments with large neurons to understand the cellular basis of learning and memory

EDUCATION :

- BS in Biology, August 1988 - TEXAS A&M UNIVERSITY at College Station, Texas
- MS in Environmental Management, December 1994 - UNIVERSITY OF HOUSTON at Clear Lake, Texas

TRAINING / CERTIFICATIONS:

- Registered Environmental Manager (REM) with the National Registry of Environmental Professionals
- Emergency Response Team Member
- Association of American Railroads (AAR) Hazardous Materials In Rail Transportation
- Department of Transportation (DOT) Training
- Ammerman Media Training
- Root Cause Analysis Training
- Zenger Miller Frontline Leadership Training
- Six Sigma Transactional Green Belt
- Emergency Medical Technician Training

INDUSTRY PRESENTATIONS AND ACTIVITIES:

- Presentation on Infrared (IR) Camera Technology, AWMA Hot Air Topics Conference in Houston (2005)
- Presentation on IR Camera Technology, Greater Houston Partnership (2006)
- Presentation on IR Camera Use in the Petrochemical Industry, AWMA Conference in New Orleans (2006)
- Presentation on IR Camera Technology, City Mayor's Forum in Pasadena, TX (2007)
- Presentation on IR Camera Use in the Petrochem Industry, NPRA Maintenance & Reliability Forum in San Antonio (2008)
- Greenhouse Gas Management presentation, Education Committee Symposium, Newtown Square, PA (2007)
- SIP Panel Moderator and Presentation, AWMA Hot Air Topics Conference (2006, 2007, 2009)
- Ozone NAAQS Standard Update, Texas Chemical Council EH&S Seminar in Galveston, TX (2007)
- Ozone NAAQS Standard Update Presentation to The Houston Business Roundtable (2007, 2008)
- Ozone NAAQS Standard Update Presentation to Alvin, Texas Chamber of Commerce (2008)
- Provide tour of Houston Ship Channel and Petrochemical Facilities, TCEQ Commissioner Larry Soward (2007), TCEQ Chairman Buddy Garcia (2007), and TCEQ Commissioner Dr. Bryan Shaw (2008)
- Appointed to Governor Perry's Blue Ribbon Committee for Environmental Excellence Awards (2008)
- Presentation on Maintenance, Startup, and Shutdown permitting, RMT Environmental Seminar, (2009)

Marise Lada Textor

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Biographical Summary for Marise Lada Textor

EDUCATION AND CREDENTIALS

B.S. and M.S. degrees in chemical engineering from Cornell University, 1976 and 1978
Registered Professional Engineer, Chemical Engineering, Texas and California
Six Sigma Greenbelt certified, Honeywell

EXPERIENCE SUMMARY

- 2008 to Present – Corporate Director Regulatory Affairs, Texas Petrochemicals, Houston, Texas
- 2007 to 2008 – Senior Corporate Director, Environmental, Health, Safety, and Security, Texas Petrochemicals, Houston, Texas
- 2006 to 2007 – Independent consultant
- 2002 to 2006 – Global Health, Safety, and Environmental Director, Honeywell Electronic Materials business, Spokane, Washington
- 1997 to 2002 – Health, Environmental, and Safety Manager, Honeywell chemical plant, Hopewell, Virginia
- 1994 to 1997 – Unit Manager, Water and Ecology Group, Chevron Research and Technology Company, Richmond, California
- 1991 to 1994 – Health, Safety, and Environmental Manager, Chevron oil refinery and chemical plant complex, Port Arthur, Texas
- 1985 to 1991 – Environmental Supervisor, Chevron oil refinery, El Paso, Texas
- 1978 to 1985 – various process engineering positions within Chevron

EXTERNAL MEMBERSHIPS AND PARTICIPATION

- Member, Texas Chemical Council Air and Water committees – active participation in work groups to develop comments on regulatory issues and provided analysis for air-related bills in the 2009 Texas Legislative session
- Chair, East Harris County Manufacturers Association Environmental Committee
- Member, Texas Industry Project (TIP) – co-chair the Enforcement Committee and member of Steering Committee, participate in issues development projects
- Member, Greater Houston Partnership Environmental Policy, Air, and Climate Change committees and subcommittees
- Member, Air & Waste Management Association
- Member, National Association of Environmental Managers
- Member, American Society of Safety Engineers
- Numerous and varied former activities including co-chair of Virginia Chemical Council environmental committee, appointed (by City Councilperson) member of Citizens Advisory Committee to El Paso City Council, led original organizational efforts and first chair of Southeast Texas Environmental Managers (STEM), chair of Water Committee for Virginia Manufacturer's Association, member of committee to evaluate and advocate regarding regulatory issues on behalf of Chevron operations throughout the state of Texas, member of special advisory committee to the City of San Francisco Water Utilities district

Marise Lada Textor, P.E.

Texas Petrochemicals, 5151 San Felipe Sulte 800, Houston, TX 77056

1-713-840-2410 or 1-713-703-8245

marise.textor@txpetrochem.com

Results driven senior leader in Environmental, Safety, Health, and Security function. Extensive domestic and international experience in positions of increasing responsibility in oil, chemical, discrete manufacturing, and metals industries. Track record of year over year performance enhancements, accomplishing strategic and project objectives, and driving culture change. Wide variety of leadership roles influencing external organizations.

Demonstrated skills in:

- Global leadership
- Multi-facility oversight
- Regulatory compliance
- Strategic planning and execution
- Organizational effectiveness
- Due diligence / property transfer
- Incident investigation / root cause analyses
- Developing positive community and government relationships
- International compliance and management systems auditing
- ISO 14001 Lead Auditor trained
- Negotiating, influencing, regulatory advocacy
- Six Sigma, Green Belt certified (Honeywell)

PROFESSIONAL EXPERIENCE

TEXAS PETROCHEMICALS INC.

HOUSTON, TEXAS

2007 – present

Corporate Director – Regulatory Affairs

2008 – present

Lead corporate environmental and safety regulatory advocacy. Represent company on trade association committees and to government agencies. Develop and implement strategies to gain advantages and benefits for company operations. Develop strategic relationships on behalf of the company with external stakeholders.

- Led negotiation for innovative compliance agreement resulting in substantial compliance benefits to company.
- Leadership role in several industry trade association environmental regulatory advocacy committees

Senior Corporate Director, Environmental, Health, Safety, and Security (EHSS)

2007 - 2008

Lead corporate EHSS functions. Develop/implement strategies to drive culture and performance. \$9 million budget. Member of corporate Operations leadership team and CEO's extended leadership team.

- Initiated/led corporate Process Safety team to enhance culture and performance. Published procedures, established electronic Management of Change, selected corrective action tracking system.
- Led EHSS due diligence for potential \$2 billion acquisition covering operations on 4 continents.
- Wrote corporate EHSS policy to establish company philosophy and decision-making guide.
- Championed corporate EHSS Leadership Responsibility training for all leaders and exempt staff.
- Two of three operating plants achieved more than 450 days without a recordable injury.
- Drove elimination of frequent water permit exceedances resulting in fully compliant operation.
- Established corporate Product Stewardship function. Identified needs, hired staff, championed goals.

GLOBAL ENVIRONMENTAL & SAFETY SERVICES INC.

2006 - 2007

Owner / Consultant

Cloudfroft, New Mexico

HONEYWELL INTERNATIONAL INC.

1997 – 2006

Global Health, Safety, Environmental Director

2002 – 2006

Specialty Materials Business Group / Electronic Materials, Spokane WA

Developed and led execution of strategies to drive environmental and safety performance improvements and culture change in Electronic Materials Business Unit and over 20 facilities in US, Asia Pacific, Canada, and UK.

- Achieved 45% reduction in injuries – total case rate of 1.2.
- Completed environmental / safety aspects of due diligence for 20 acquisitions, divestitures, site closures, and property transfers in US, Asia, Europe including a \$300M potential acquisition.
- Proactively drove management systems implementation and safety accountability and involvement process to change culture by establishing "leading" activities and safety accountabilities at all levels of the organization.
- Effectively upgraded facility conformance to legal and company requirements by leading or participating in 15 systems/compliance audits, leading annual compliance assurance process, and driving corrective actions.
- Instituted ergonomics program and intensive plant safety reviews, successfully reducing hazards & injuries.

Health, Safety, Environmental Manager

1997 – 2002

Chemical plant (800 employees), Hopewell VA

Directed all environmental, safety, process safety, occupational health, emergency response, and security matters at one of Honeywell's largest and most complex chemical plants. Managed department of 15 to 20 environmental, safety, and industrial hygiene professionals. Member of facility leadership team.

- Achieved 60% reduction in environmental excursions and 50% reduction in injuries – total case rate of 1.3. Chartered and championed targeted environmental and safety action teams.
- Developed and delivered strategic communications to senior corporate management and key external audiences with consequent buy-in to significant facility capital projects and performance management strategy.
- Drove environmental and safety compliance upgrades, effectively enhancing site performance.
- Successfully reduced risks by implementing root cause methodology and Kaizen hazard elimination process.
- Managed all aspects of EPA multimedia audit, in partnership with legal counsel, with successful outcomes.
- Negotiated consent orders and Supplemental Environmental Projects, considered win-win by all parties.
- Professionally represented Honeywell in air and water regulatory advocacy to address company-specific needs.
- Effectively re-designed and re-built organization to enhance effectiveness.

CHEVRON CORPORATION

1978 – 1997

Unit Manager, Water and Ecology Group, Health, Environment, and Safety Group

1994 – 1997

Chevron Research and Technology, Richmond CA

Managed shared services department of 25 senior environmental professionals, recognized nationally among external professional peers, who delivered water, ecology, eco-toxicology, and bioremediation services including consulting, technical services, product registration technical support, leg/reg advocacy, research and development, and management of outside leveraged research. Customers included all Chevron Operating Companies and facilities world wide. Responsible for annual operating budget and department revenue of \$4 million.

- Member of organization strategic planning and leadership team to align portfolio with customer needs and value.
- Successfully aligned department with business, customers, safety, and financials, thus enhancing performance.

Health, Safety, Environmental Manager

1991 – 1994

Oil Refinery (200,000 barrels per operating day), Port Arthur TX

Led all refinery environmental, safety, and occupational health matters. As member of Refinery Leadership Team, participated in major restructuring, downsizing, and cultural transformation initiatives.

- Developed and implemented proactive strategies for complex issues, successfully upgrading performance.
- Led innovative and cost-effective risk-based perimeter protection solution for soils and groundwater management.
- Proactively developed positive working relationships and facility credibility with government agencies.
- Negotiated sensitive, complex compliance issues with successful outcomes considered win-win by all parties.
- Represented Chevron in state level regulatory advocacy. NOx emissions success saved \$20 million.
- Effectively managed environmental and safety due diligence to support facility sale.

Environmental Leader

1985 – 1991

Oil Refinery (75,000 barrels per operating day), El Paso TX

- Developed environmental compliance and permitting programs and groundwater investigation/cleanup.
- Successfully obtained air, water, and RCRA Part B hazardous waste permits, supporting business needs.
- Developed positive working relationships with government agencies and presence in community environmental forums, establishing facility credibility and mutual cooperative atmosphere.
- Filled interim site Technical Superintendent position for 3 months.

Process Engineering Leader

1982 – 1985

Operations Assistant

1982

Process Engineer

1981 – 1982

Process Design Engineer

1978 – 1981

EDUCATION AND PROFESSIONAL CERTIFICATIONS AND AFFILIATIONS

BS, MS, Chemical Engineering, Cornell University, Ithaca, New York

Professional Engineer, Chemical Engineering, California and Texas

Member, American Society of Safety Engineers (ASSE) and Air and Waste Management Association (AWMA)

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- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address: dhastings@txoga.org

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us

- Fax the application package to 512-239-6188

- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087

- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

Bob Adair

Resume' for TCEQ Tax Relief for Pollution Control Property Advisory Committee

ConocoPhillips Company
P.O. Box 2197
Houston, TX 77252-2197

Office pending with move
Cell (281) 235-6558
bob.adair@conocophillips.com

Expertise

Property tax planning, abatements, valuation, state rules and regulations, and legislation are primary expertise. Reputation of effective and ethical coordination of property tax research, evaluation, and collaborative action, communicating in a professional manner with state and local government officials, including: governors' staff and appointees; state tax officials; chief appraisers/assessors and their contract appraisal firms; county judges and council members; mayors; and school superintendents and finance/business managers.

Experience

2006 - Current

ConocoPhillips Company

Houston, TX

Senior Consultant, Corporate Real Estate – Property Tax, Real Estate, Right of Way and Claims. Primary responsibilities and accomplishments:

- Property tax valuations, exemptions, and other related matters for a Texas refinery and cogeneration plant (Brazoria County), Pennsylvania refinery, oil and gas minerals/equipment in South Texas, corporate office, and other properties.
- Oversight of Louisiana property tax legislation, state rules, regulations, and policies.
- State and local tax representative on business development projects.
- Leader of Property Tax Refineries Team for all U.S. refineries.
- Coordinator of property tax forecast to business units for all U.S. properties.

2000 - 2006

Entergy Corporation

The Woodlands, TX

Tax Advisor, State & Local Taxes, Corporate Tax Department. Primary responsibilities and accomplishments:

- Property tax assessed values and exemptions for the largest property taxpayer in Louisiana.
- Secured tax abatement and/or payment-in-lieu-of-tax agreements for merchant power plants in Florida, Illinois, Louisiana, North Carolina, South Carolina, and Texas. Early development tax abatement/incentives work in 21 other states.
- Member of government/industry team to determine valuation and payment-in-lieu-of-tax agreement for politically sensitive nuclear power plant near New York City.
- Due diligence and tax forecasts for acquisition and construction projects.
- Received the only Distinguished Service Award from the Louisiana Association of Tax Representatives.

1987-2000

Shell Oil Company

Houston, TX

Positions as **Tax Representative, Sr. Tax Representative, and Property Tax Manager – Tejas**. Responsible for property tax valuations, abatements, tax rate reviews, state rules and regulations, legislation and other matters. Properties in six states included refineries, chemical plants, gas plants, oil and gas minerals/equipment, pipelines, marine and marketing terminals, service stations, and other properties.

1982-1987

Dresser Industries, Inc.

Dallas, TX

Property Tax Administrator. Responsible for property taxes in Louisiana and part of Texas, and consulted with company clients in California, Minnesota, Nevada, Wyoming, and other states.

Industry Positions

Member, Refineries Property Tax Subcommittee, Texas Oil and Gas Association
Chairman, Property Tax Committee, Louisiana Mid-Continent Oil and Gas Association
Past President, Louisiana Association of Tax Representatives
Former Chairman, Property Tax Committee, MS/AL Mid-Continent Oil and Gas Association
Former Member, Select Committee on Tax Incentives, Louisiana Board of Commerce & Industry
Former Member, Planning Committee, Wichita State University Public Utilities Appraisal Program (around 40 state tax administrators and industry representatives)

Speaking Engagements

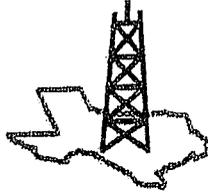
Institute for Professionals in Taxation
National Association of Property Tax Representatives – Transportation, Electrics, and Communication
Southeastern Association of Tax Administrators
Wichita State University Public Utilities Appraisal Program
American Petroleum Institute
Texas Oil and Gas Association
Other state tax and industry associations

Education / Professional Designations

Certified Member (Property), Institute for Professionals in Taxation	1988
Bachelor of Business Administration - Accounting Major, Economics Minor Stephen F. Austin State University, Nacogdoches, Texas	1982
Associate in Arts – Tyler Junior College, Tyler, Texas	1979

Personal

Married, three children, active in church, member of Kingwood Pops Orchestra. Enjoy time with family, jogging, biking, and various other activities.



TEXAS OIL & GAS ASSOCIATION

December 15, 2009

I. Roy Buckley
CHAIRMAN

Robert L. Lourey, Austin
VICE PRESIDENT

William L. Endis, Austin
VICE PRESIDENT, ENVIRONMENTAL AFFAIRS

Debbie Mammola Hastings, Austin
VICE PRESIDENT, ENVIRONMENTAL AFFAIRS

Bernaman W. Soltree, Austin
VICE PRESIDENT, GOVERNMENT AFFAIRS

Jim Sierra, Austin
VICE PRESIDENT, BUSINESS

District
Vice-Presidents

David W. Kilham, Laredo
SOUTH TEXAS

Harold D. Courson, Amarillo
HILL COUNTRY

Lance R. Byrd, Dallas
NORTH CENTRAL TEXAS

Dan Allen Hughes, Jr., Beryville
HILL COUNTRY

Allan D. Frizzell, Abilene
WEST CENTRAL TEXAS

Curtis W. Mewbourne, Tyler
EAST TEXAS

Alan L. Smith, Houston
HILL COUNTRY

Grant A. Billingsley, Midland
HILL COUNTRY

W. M. Hacker, Jr., Wichita Falls
NORTH TEXAS

Mr. Ron Hatlett
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Submitted via email: Txrelief@toeq.state.tx.us

RE: Tax Relief for Pollution Control Property Advisory Committee

Dear Mr. Hatlett,

On behalf of the Texas Oil and Gas Association (TxOGA), thank you for the opportunity to participate in the nomination process for the Tax Relief for Pollution Control Property Advisory Committee. TxOGA respectfully submits two nominations in the industry category, James LeBas and Bob Adair. These gentlemen are both qualified and willing to serve the Advisory Committee in fulfilling the goals of the committee to make recommendations to the TCEQ on matters relating to property tax exemptions for pollution control property and the implementation of Texas Tax Code (TTC) Section 11.31.

TxOGA is the largest and oldest petroleum organization in Texas, representing over 4,000 members. The membership of TxOGA produces in excess of 90 percent of Texas' crude oil and natural gas, operates nearly 100 percent of the state's refining capacity, and is responsible for the vast majority of the state's pipelines. We feel that James LeBas and Bob Adair would be excellent industry representatives.

Attached please find the applications and biographies for James LeBas and Bob Adair. I would welcome any questions or comments you have regarding these nominations. I can be reached by email at dastings@txoga.org or by phone at 512.478.6631.

Again, thank you for the opportunity to participate in the nominations process on this very important issue.

Sincerely,

Deb Hastings
Vice President for Environmental Affairs

Attachments



Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

The Texas Oil & Gas Association is the petroleum trade association in Texas which unites the Texas oil and gas industry to work for a common good. Founded in 1919, it is the oldest and largest organization in the state representing petroleum interests and continues to serve as the only organization in the state which embraces all segments of this industry.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Debbie Mamula Hastings

Mailing Address:

304 W. 13th Street

City, State, Zip:

Austin, TX 78701

Phone Number:

+1 (512) 478-6631

E-mail Address: dhastings@txoga.org

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

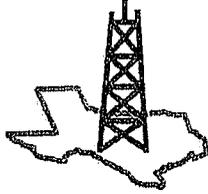
Print Form

James LeBas

2009

James LeBas is a consultant on Texas tax and fiscal matters. Past and present clients include the Texas Oil and Gas Association, Koch Companies, Association of Electric Companies of Texas, and other taxpayers. He is registered with the Texas Ethics Commission and is a member of the Texas Taxpayers and Research Association. Mr. LeBas was previously director of financial analysis for the Perry-Sharp Tax Reform Commission, during which time he was also chief financial officer for the Water Development Board. LeBas served six years as the state's chief revenue estimator in the Texas Comptroller's Office, and preceding that, performed budget and planning analysis for Governors Richards and Bush. Mr. LeBas received his Bachelor's degree and MBA in 1983 and 1985, respectively, from the University of Texas. He and wife Susan have two daughters, ages 18 and 20.





TEXAS OIL & GAS ASSOCIATION

I. Roe Buckley
CHAIRMAN

December 15, 2009

Robert L. Looney, Austin
VICE PRESIDENT

William L. Finis, Austin
VICE PRESIDENT FOR REGULATORY AFFAIRS

Debbie Mammola Hastings, Austin
VICE PRESIDENT FOR ENVIRONMENTAL AFFAIRS

Bernard W. Sebree, Austin
VICE PRESIDENT FOR GOVERNMENTAL AFFAIRS

Jim Sierra, Austin
VICE PRESIDENT FOR PERSONNEL

Mr. Ron Hatlett
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Submitted via email: Txrelief@tceq.state.tx.us

RE: Tax Relief for Pollution Control Property Advisory Committee

District
Vice-Presidents

Dear Mr. Hatlett,

David W. Killam, Lawde
SOUTH WEST TEXAS

Harold D. Courson, Amarillo
THE PANHANDLE

Lance R. Byrd, Dallas
NORTH CENTRAL TEXAS

Dan Allen Hughes, Jr., Bayville
THE LOWER RIO GRANDE

Allan D. Frizzell, Abilene
WEST CENTRAL TEXAS

Curtis W. Meadowsome, Tyler
EAST TEXAS

Alan L. Smith, Houston
THE BAY AREA

Grant A. Billingsley, Midland
THE FURNACE TOWN

W. M. Thacker, Jr., Wichita Falls
NORTH TEXAS

On behalf of the Texas Oil and Gas Association (TxOGA), thank you for the opportunity to participate in the nomination process for the Tax Relief for Pollution Control Property Advisory Committee. TxOGA respectfully submits two nominations in the industry category, James LeBas and Bob Adair. These gentlemen are both qualified and willing to serve the Advisory Committee in fulfilling the goals of the committee to make recommendations to the TCEQ on matters relating to property tax exemptions for pollution control property and the implementation of Texas Tax Code (TTC) Section 11.31.

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Attached please find the applications and biographies for James LeBas and Bob Adair. I would welcome any questions or comments you have regarding these nominations. I can be reached by email at dhastings@txoga.org or by phone at 512.478.6631.

Again, thank you for the opportunity to participate in the nominations process on this very important issue.

Sincerely,

Deb Hastings
Vice President for Environmental Affairs

Attachments



Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

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Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address: Paul.Coon@luminant.com

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

The Association of Electric Companies of Texas (AECT) is an industry trade association representing electric companies in Texas. Organized in 1978, AECT provides a forum for member companies' representatives to exchange information on their industry, and to communicate with state and federal governmental officials.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Walt Baum

Mailing Address:

1005 Congress Ave, Ste 600

City, State, Zip:

Austin, Texas 78701

Phone Number:

+1 (512) 474-6725

E-mail Address: walt@aect.net

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Nomination for representation of Association of Electric Companies of Texas (AECT) on behalf of industry on the Tax Relief for Pollution Control Property Advisory Committee

Paul Coon- Air Permitting Manager, Luminant

Paul has been employed for 28 years with Luminant Power and predecessor companies held by Texas Utilities Company and TXU Corporation. His primary experience has been in air permitting for generation, mining, and oil & gas, with additional experience in transmission & distribution environmental issues, underground storage tanks (UST), Polychlorinated Biphenyls (PCBs), and general waste issues.

Paul is currently Air Permitting Manager for Luminant, reporting to the Director of Environmental Generation, and is responsible for all air permitting for generation and mining projects. As part of his job responsibilities, he reviews proposed capital and O&M projects to assure compliance with applicable air permitting requirements. He has been the primary technical contributor for Luminant Proposition 2 use determination applications for the past two years.



December 15, 2009

Vicki Oswald
Chair

John W. Fainter, Jr.
President & CEO

Wallon L. Baum, III
Executive Vice President

Russell C. Mullins
Corporate Secretary

By Electronic & Mail Delivery

Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087

Re: Tax Relief for Pollution Control Property Advisory Committee

Dear Sir or Madam:

The Association of Electric Companies of Texas ("AECT") appreciates the opportunity to nominate Paul Coon, Air Permitting Manager- Luminant, to represent AECT on behalf of industry on the Tax Relief for Pollution Control Property Advisory Committee.

AECT is an industry trade association representing electric companies in Texas. Organized in 1978, AECT provides a forum for member companies' representatives to exchange information on their industry, and to communicate with state and federal governmental officials.

AECT appreciates the opportunity to nominate Paul Coon to serve on the Tax Relief for Pollution Control Property Advisory Committee. If you should have any questions, please contact Walt Baum at (512) 474-6725.

Sincerely,

John W. Fainter, Jr.
AECT President and CEO

Member Companies

AEP SWEPCCO

AEP Texas

CenterPoint Energy

Direct Energy

El Paso Electric Company

Entergy Texas

Exelon Generation

Luminant

NRG Texas

Oncor

PNM Resources

Reliant Energy

TXU Energy

Xcel Energy

1005 Congress, Suite 600
Austin, Texas 78701
Phone: (512) 474-6725
Fax: (512) 474-9670
www.aect.net
info@aect.net

Texas Commission on Environmental Quality
Tax Relief for Pollution Control Property Advisory Committee

RECEIVED
DEC 15 2009
AIR QUALITY
DIVISION

Application for Advisory Committee Position

Nominee's Name: Michael J. Nasi

Mailing Address: 100 Congress Ave., Suite 1100

City, State, Zip: Austin, Texas 78701

Phone Number: 512-236-2216

Fax Number: 512-391-2194

E-mail Address: mnasi@jw.com

Please List the group that the nominee is qualified to represent:

1. Industry
2. Environmental Group

Please provide additional information about group represented by nominee:

I serve as General Counsel to the Clean Coal Technology Foundation of Texas and can represent the unique perspective of coal-based electric generation facilities that are in the process of developing technologies to capture and sequester carbon dioxide while maintaining full compliance with emission limits on all currently regulated air pollutants. I also represent companies in the gas-fired, biomass, and nuclear energy business. In addition to electric generation facilities, I am familiar with the pollution control technologies deployed by the steel recycling, steel manufacturing, surface mining, and solid waste industries.

Please indicate if you are nominating yourself or another individual:

1. I am nominating Myself.



Southwestern Electric
Power Company
400 W. 15th St., Suite 1500
Austin, TX 78701-1677
AEP.com
RECEIVED
AIR QUALITY
DIVISION

December 15, 2009

Via Electronic Submission – txrelief@tceq.state.tx.us

Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087

Re: Tax Relief for Pollution Control Property Advisory Committee

To Whom it May Concern :

I am writing to recommend that Mike Nasi be appointed to serve on the Tax Relief for Pollution Control Property Advisory Committee. I have known and worked closely with Mike for several years and believe he has proven to be a capable attorney, trustworthy person, and reliable friend. He represents clients and coalitions that include companies using a wide range of electric generation technologies, as well as other members of the regulated community. His diversity of experience should benefit the Committee as it assesses existing and emerging technologies for qualification as "pollution control property" under the TCEQ's Pollution Control Property Program.

Mr. Nasi has in-depth experience with the Pollution Control Property Program dating back to the Program's infancy and he has been integrally involved in statutory and regulatory developments impacting the program over the past 3 years. On behalf of the Clean Coal Technology Foundation of Texas, he has worked within the TCEQ's informal advisory committee regarding the Pollution Control Property Program, developed and submitted comments on rulemaking impacting the Program, and submitted amicus briefs to the Texas Attorney General when that office recently developed and issued an advisory opinion regarding the Program.

In working with Mr. Nasi at the Texas Capitol, I have come to trust his judgment in developing policy recommendations regarding the Pollution Control Property Program. He has consistently advocated for a fair and reasonable interpretation of the Constitutional Amendment that forms the basis of the Program while consistently advising his clients not to advocate for too broad a reading of that Amendment or the existing statutory framework. His approach has earned the respect of Legislators in my opinion as they have come to trust that he will take



RECEIVED
Southwestern Electric
Power Company
400 W. 15th St., Suite 1500
Austin, TX 78701-1677
AEP.com
AIR QUALITY
DIVISION

December 15, 2009

Via Electronic Submission – txrelief@tceq.state.tx.us

Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087

Re: Tax Relief for Pollution Control Property Advisory Committee

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December 15, 2009

Page 2

RECEIVED

DEC 15 2009

AIR QUALITY
DIVISION

reasonable positions and offer balanced solutions as they develop new policies regarding the Program.

Please let me know if there is any additional information I can offer to support Mr. Nasi's inclusion on the Tax Relief for Pollution Control Property Advisory Committee. Thanks for your consideration.

Sincerely,



Gary J. Gibbs, P.E.
Manager of Government & Environmental
Affairs

Michael J. Nasi



Biography

Michael J. Nasi is the founder of the firm's Climate Change and Carbon Management group and is also active in the firm's Environmental and Energy practice areas. Mr. Nasi's law practice primarily focuses on regulatory permitting in the air, water, injection well, reclamation, and waste programs for facilities in the renewable energy, electric power generation, mining, steel manufacturing, and brownfield redevelopment industries. He is active in state and federal energy, regulatory, and related tax policy development on behalf of individual companies and associations. He practices before the EPA, TCEQ, the Texas Railroad Commission and the Texas Legislature.

Publications & Speaking Engagements

Mr. Nasi is frequently an invited speaker at seminars and conferences related to his areas of energy and environmental law in Texas and throughout the country. Recent presentations include the following:

- "The Texas Edge: Overview and Hypothetical," "The Texas Edge Part II: Legislative and Policy Initiatives," and "The Texas Edge, Part III: Experience with and Demand for CO₂," *Carbon and Climate Change Conference*, Austin, TX (February 17-18, 2010)
- "Legal Impacts on and Strategies for Ash Management in Light of New Federal Regulations Regarding CCB Disposal and Mine Placement," *Future Of Coal Combustion Products (CCP) Regulatory, Legal Technical and New Markets*, Houston, TX (March 29-30, 2010)
- "General Assembly II – Clean Carbon Technology Costs and Incentives," *Clean Carbon Policy Summit and Expo*, Austin, TX (October 27, 2009)
- "GHG Legislation or Regulation – Impairing Texas Plans to Meet Growing Electric Power Needs," *Texas Public Policy Foundation Policy Primer: Aces Wild! Cap & Trade and a Look at the American Clean Energy & Security Act*, Austin, TX (September 17, 2009)
- "Carbon Capture and Storage (CCS) Legislative Update," *Texas Alliance of Energy Producers*, Abilene, TX (September 14, 2009)
- "Energy, Environmental & Natural Resources Legislative Update," *Industry Council on the Environment Legislative Updates: Energy and Environmental Issues*, Austin, TX (July 16, 2009)
- "Lignite Legislative Update – 81st Texas Legislature," *Texas Mining and Reclamation Association Annual Meeting*, Boerne, TX (July 16, 2009)
- "Energy, Environmental & Natural Resources Legislative Update," *Jackson Walker Legislative Update*, Houston, TX (July 7, 2009)
- "Energy, Environmental & Natural Resources Legislative Update," *Jackson Walker Legislative Update Breakfast*, Houston, TX (June 9, 2009)
- "Transportation Fuels," *US-Mexico Border Energy Forum XVI*, Houston, TX (October 14, 2009)

Michael J. Nasi

Partner

Austin Office
 100 Congress Avenue
 Suite 1100
 Austin, Texas 78701
 512.236.2216
 mnasi@jw.com
 www.jw.com

Practice Areas

Agriculture
 Biodiesel
 Climate Change & Carbon Management
 Energy
 Environmental
 Legislative
 Renewable Energy
 Toxic Tort

Memberships

Mr. Nasi is a member of the Environmental and Natural Resources Section of the State Bar; the Travis County Bar Association (Administrative Law Section); and the American Bar Association Section of Environment, Energy, and Resources. He serves as the Chairman of the Education Committee and the Sustainability Task Force for the State Bar of Texas Environmental & Natural Resource Law Section. He also serves as a Board Member and Treasurer for the Sustainable Biodiesel Alliance.

Community Involvement

Mr. Nasi is a Board Member for the Salvation Army – Austin, where he Co-Chairs the Development Committee.

Awards

Mr. Nasi has been honored in *Who's Who – Texas* for Environmental Law, in *The Best Lawyers in America* under Environmental Law, as a "Rising Star" by *Texas Monthly Magazine*, and as an "Up and Coming" leader by *Chambers U.S.A.* in the area of Environmental Law. He was also a finalist in the Tenth Annual "Austin Under 40 Awards."

Admitted

Texas, 1994
 United States District Court for the Northern District of Texas

Education

B.A., Government and History, The University of Texas at Austin, 1991
 J.D., Environmental Law, University of Houston Law Center, 1994

- Master of Ceremonies for the Texas General Counsel Forum's *3rd Quarterly Event – Houston Chapter*, Houston, TX (July 22, 2009)
 - "Renewable Fuels/Biofuels," *Amp Up Your Fleet: 2009 Advancing the Choice Conference*, Humble, TX (June 24, 2009)
 - "Clean Coal: State of the Industry Panel," "Bio Energy: Novel Technologies & Projects," and "Solar: Semiconductor for Solar," *Clean Technology Conference and Expo 2009*, Houston, TX (May 4-5, 2009)
 - "Clean Coal Technology – Realistic Energy Planning for the 21st Century," Geological Society of America – South-Central Section's *43rd Annual Meeting*, Dallas, TX (March 16, 2009)
 - "Carbon Storage Options and Opportunities," Gasification Technologies Council's *2009 Winter Meeting*, Austin, TX (February 5, 2009)
 - "Sequestration Case Study" and "Incentives for Carbon Capture and Storage," *Carbon and Climate Change Conference*, Austin, TX (February 3-4, 2009)
 - "Current Incentives for Clean Technology," *2008 Clean Carbon Policy Summit & Project Expo*, Austin, TX (October 9, 2008)
 - "State Regulatory and Legislative Policy Update," *3rd Annual Texas Biofuels Conference*, Austin, TX (September 18, 2008)
 - "Energy Planning Texas Style – We Need it All," *2008 Texas Environmental Superconference*, Austin, TX (August 7, 2008)
 - "Understanding and Working with the Current Incentives for CCS in Texas," UT CLE, *2008 The University of Texas at Austin Carbon and Climate Change*, Austin, TX (April 25, 2008)
 - "Latest Developments in Carbon Capture & Sequestration," *Air & Waste Management Association Environmental Law & Regulatory Symposium*, Austin, TX (April 24, 2008)
 - "Regulatory Issues and Public Perception Impacting Coal Combustion Product Utilization," *EERC Coal Ash for Professionals Training Course*, San Antonio, TX (March 11, 2008)
- Mr. Nasi attended the University of Texas School of Law prior to graduation.

Mr. Nasi authors chapters for the Environmental Law Handbook in West Publishing's Texas Practice Series on Environmental Enforcement, Oil & Hazardous Substance Spill Reporting & Response, and Brownfield Redevelopment. He has authored articles on air quality, waste permitting, Brownfield redevelopment, environmental enforcement, and other environmental law issues in numerous trade journals and publications, including the Texas Environmental Law Journal. Recent articles include:

- Co-author, "If You Build It, They Will Come: The Texas Offshore Carbon Repository and Its Role in the Future of Carbon-Based Energy," *Texas Journal of Oil, Gas, and Energy Law* (forthcoming 2010)
- Co-author, "How Carbon Capture and Storage Can Protect the Planet and the Global Economy," *Petroleum Journal* (forthcoming 2010)
- Co-author, "Environmental & Energy Legislative Update on the 81st Texas Legislature: Key Victories for Clean Carbon, Quiet Victories for Renewables, and as for the Rest, a Chub to the Head," *Texas Environmental Superconference* (August 2009)
- Co-author, "Carbon Regulation Backgrounder," *The University of Texas School of Law 2009 Carbon and Climate Change*, Austin, TX (February 2009)
- Co-author, "Congressional Update on Selected Carbon Storage Issues," *The University of Texas School of Law 2009 Carbon and Climate Change*, Austin, TX (February 2009)

Mr. Nasi also authored the following:

U.S. EPA Finalizes Endangerment Finding for Greenhouse Gases
EPA's New Greenhouse Gas Reporting Rule and Future Steps by EPA to Regulate Greenhouse Gas Emissions
EPA's New Greenhouse Gas Reporting Rule and Future Steps by EPA to Regulate Greenhouse Gas Emissions
Lawyer: Texas to be Nation's Leader in Clean Carbon Technology
Texas Legislature Passes Clean Sweep on Clean Carbon Incentives
Renewable Energy Scores Some Key Victories in 2009 Texas Legislative Session, Despite Solar Setbacks
Solar Power Incentives: American Recovery and Reinvestment Act of 2009
U.S. Congress Passes \$787 Billion Stimulus Bill
D.C. Circuit Court Reinstates CAIR and EPA Issues Interpretative Memo Regarding CO2 Regulation in PSD Permits Preservation Through 'Clean Coal' Technology
Court of Appeals Vacates and Remands the EPA's Clean Air Interstate Rule (CAIR); Texas Rulemaking Impacted
SAVE THE DATE: Clean Carbon Policy Summit & Project Expo
Carbon Management Webinar - Legislative, Regulatory, and Litigation Update
Significant State Incentives for Power Projects Become Law

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AIR QUALITY
DIVISION

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address: scofieo@dcpmidstream.com

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

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DEC 03 2009

AIR QUALITY
DIVISION

**R. Gregg West, Director, Property Tax
DCP Midstream, LLC**

5718 Westheimer, Suite 1900
Houston, Texas 77057
713-735-3908 Business
720-944-0200 Fax
rwest@dcpmidstream.com

Education:

B.A., General Studies, 1979, Louisiana Tech University, Ruston, LA
M.B.A., Marketing, 1981, Louisiana Tech University, Ruston, LA

Career Certifications and Education:

Senior Property Tax Consultant – Registered License with the State of Texas, May 2006

CMI-Property Tax designation from the Institute of Professionals in Taxation, October 2005

IPT Intermediate Real Property Tax School, University of Cincinnati, November, 2003

Wichita State University Symposium on Ad Valorem Taxation of Utilities, August 1999, 2000 and 2001.

IPT Advanced Personal Property Tax School, University of Tennessee, September 2001

IPT Intermediate Personal Property Tax School, University of Georgia, October 2000

IPT Property Tax School, Texas A&M University, August 1999

Professional Memberships:

Institute for Professionals in Taxation, Affiliate Member
Texas Oil & Gas Association, Affiliate Member
Louisiana Association of Tax Representatives, Member
Kansas Association of Tax Representatives, Member
Oklahoma Association of Tax Representatives, Member

Career Highlights:

- Created an "in-house" property tax department at DCP Midstream responsible for corporate compliance and tax strategy.
- Managing the implementation of Burr Wolff's PTS Corporate software for Devon Energy's Midstream Division assets.
- Managed the filing of a state utility rendition with the State of Kansas for Devon Energy's gas gathering assets in southern Kansas.
- Managed the tax appeals for Devon Energy with the States of Kansas and Wyoming.
- Developed and implemented unit appraisal valuations for Mitchell Energy's gas gathering assets. The unit valuations resulted in a reduction of approximately \$30MM in gas gathering asset value over a 3-year period.

- Managed the development of an underground natural gas storage project in southern Michigan for Tejas Power. The development included locating a suitable geological formation, surface site and initial engineering plan.
- Managed the joint venture partnerships of Tejas Power's gas gathering and gas storage assets. The management included responsibility for the profitability of those assets.
- Marketed the North American natural gas production of Kerr McGee Corporation. The responsibilities included the negotiation and administration of sales and transportation agreements in multi states and Canada.

Employment:

DCP Midstream, LLC 2007 – Present

Director, Property Tax

Responsible for the creation and management of a team to administer the corporate compliance and property tax strategy.

AMKAR Property Tax Management, Inc. 2006 – 2007

Founder and President

Responsible for the administrative compliance of various clients in a multi-state region.

National Property Tax Management 2005 – 2006

Account Executive

Responsible for the administrative compliance of various clients in a multi-state region.

Burr Wolff LP 2004 – 2005

Regional Compliance Manager

Managed a team responsible for the administrative compliance of various clients in a multi-state region. Responsible for the profit and loss management of various client contracts.

Mitchell/Devon Energy Corporation 1996 — 2004

Senior Business Analyst and Senior Property Tax Representative

Negotiated property values for oil & gas and personal property assets including: mineral interests, pipelines, compressors, processing plants, office buildings and vehicles. Responsible for the administrative compliance concerning renditions, protests, review boards and tax statements. Also responsible for the preparation of tax projections for annual budgets, operations and acquisitions.

Quest Energy Consulting 1995 — 1996

Sole Proprietor

Tejas Power Corporation 1989 — 1995

Project Manager, Joint Venture Manager, Corporate Administration Manager

Kerr McGee Corporation 1981 — 1989

Natural Gas Sales Representative

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**AIR QUALITY
DIVISION**

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- E-mail application packages to txrelief@tceq.state.tx.us
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PO Box 13087
Austin, TX 78711-3087
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12100 Park 35 Circle, Building A
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Fax:

E-mail Address:

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Submit by E-mail

Print Form

EDUCATION / CERTIFICATIONS

- Wake Forest University, 1999; Master of Business Administration
- Virginia Polytechnic Institute, 1995; Master of Science, Environmental Science and Engineering
- Texas A&M University, 1985; Bachelor of Science, Bio-Chemistry
- Registered Professional Engineer – Texas, North Carolina, Virginia
- Registered Property Tax Consultant – Texas

SUMMARY OF ENVIRONMENTAL AND PROPERTY TAX EXPERIENCE

THOMSON REUTERS PROPERTY TAX; Austin, TX 2008 – Present

Manager

- Completed obsolescence analysis and property tax valuations for chemical manufacturing facilities, pharmaceutical plants, power plants, refineries and renewable energy facilities.
- Reviewed and identified pollution control assets, prepared and submitted applications for pollution control property tax exemptions in Texas, Ohio and New Jersey for a wide variety of industries including chemical, electrical, refining, pharmaceutical and food processing.

SIEMENS WATER TECHNOLOGIES / US FILTER; Austin, TX 2002 – 2008

Business Development / Support Engineer / Operations Manager

- Prepared operational proposals and provided engineering support for wastewater treatment systems for a variety of industries including:
 - Coal fired power plant flue gas desulfurization systems
 - Fertilizer plant gypstack wastewater treatment and deep well injection
 - High rate anaerobic wastewater treatment and waste to energy systems for the food and beverage industry
 - Fluidized bed reactors and waste to energy systems for the paper industry
- Directed the operation and maintenance of multiple ultrapure water systems and wastewater treatment systems for semiconductor plants including:
 - Reverse osmosis; microfiltration; ultra-violet light; ion exchange
 - Acid/alkali waste neutralization; fluoride waste-water treatment; flocculation and clarification; filter presses and sludge handling systems

KONICA MANUFACTURING USA, INC.; Greensboro, NC 1995 – 2000

Utilities Manager / Environmental Engineer

- Directed operation, engineering and maintenance of a central utilities plant supporting the manufacture of color photographic paper. Equipment included de-ionized water system, waste-water treatment system, dual fuel boilers, refrigeration and compressed air systems.
- Initiated, managed and completed numerous improvement projects including wastewater reclamation and rain water collection systems; waste solvent recycling system; and chiller retrofit to remove CFC refrigerants.
- Managed all aspects of corporate environmental compliance program including preparation and submittal of the Title V air permit; preparation of regulatory reports for RCRA, FIFRA, Toxic Release Inventories and local industrial wastewater pretreatment reporting.

UNITED STATES NAVY 1985 – 1995 (Active); 1995 – 2007 (Reserves)

Naval Flight Officer and Project Officer for Naval Research Lab

- Reviewed Environmental Impact Statements for closure of bombing and live ordinance ranges
- Conducted research into advanced oxidation for use in treating gray water aboard ships
- Conducted research into chlorine dioxide generators and use in treating ballast water for invasive species and activated carbon filtration for de-chlorination of treated ballast water

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Freescale Semiconductor is a global leader in the design and manufacture of embedded semiconductors for the automotive, consumer, industrial and networking markets. The company is based in Austin, Texas, and has design, research and development, manufacturing or sales operations in more than 20 countries. In Austin Freescale operates two wafer manufacturing facilities; each with an Environment, Health, and Safety (EHS) department.

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Submit by E-mail

Print Form

Robert Michael Castor

- Education:** Bachelors of Science, Chemical Engineering
Degree Focus: Environmental Engineering
August 2007, The University of Texas at Austin
- Professional Groups:** Clean Air Force of Central Texas Technical Advisory Committee, Semiconductor Environment, Safety, and Health Association (SESHA), Industries Sustainability Leadership for Austin (ISLA), American Institute of Chemical Engineering (AIChE), and National Organization of Gay and Lesbian Scientists and Technical Professionals (NOGLSTP).
- Experience:** **Environmental Compliance, Awareness & Communications**
Freescale Semiconductor Inc
May 2006 – Present
- Leadership:** EHS Awareness and Communications Team, Environmental Resource Conservation Team, Hazardous Materials Response Team
- Work Description:** Maintain compliance with federal, state, and local regulations pertaining to wastewater, air emissions, storm water, ground water, refrigerants, RMP/PSM, and equipment signoff. Manage the monitoring and measurement program for the Austin sites, and investigate and implement resource conservation projects.
- Wastewater:** Primarily regulated by the City of Austin the wastewater program consists of monthly compliance sampling, compiling quarterly self-monitoring reports, managing the on-site industrial wastewater pH neutralization system and the fluoride precipitation/removal process by overseeing operators and maintenance personnel, and their training. New processes are reviewed as needed to ensure compliance with the site permit.
- Air Emissions:** The air program is primarily dictated through a TCEQ operating permit where monthly calculations estimate emissions rates for manufacturing chemicals, tanks, combustion equipment, and fugitive sources. Operations include 9 acid scrubbers, one ammonia scrubber, 1 VOC thermal oxidizer, and various point of use abatement devices. Also included in the program is management of IFC requirements relating to toxic and highly toxic compressed gas cylinder catastrophic release scenarios. New processes are reviewed as needed an applicable updates to the site air permit are made annually.
- Storm & Ground Water:** The site maintains a TPDES general permit managing a series of 4 sedimentation/filtration ponds, 3 retention ponds, 1 irrigation storage/reclaim pond, and 1 detention pond. Rainfall from the industrial portion of the site is collected and re-used for irrigation. Proximity to the Edwards Aquifer recharge zone requires careful management of the site SWPPP and the SPCC Plans. Annual monitoring of 7 monitoring wells and the irrigation pond are used to show compliance with the permit. Quarterly and monthly inspections called out by both SWPPP and SPCC plans are conducted to manage pond maintenance and potential spill remediation.
- Refrigerants, RMP/PSM:** EPA and OSHA regulations dictate the management of these site programs. Maintaining a refrigeration equipment inventory as well as a list of RMP and PSM regulated substances satisfies these requirements. New processes and chemicals are reviewed as needed to determine applicability to regulations.
- Equipment Signoff:** Each piece of equipment on the site must go through a series of safety and environmental checks before it can be released to manufacturing. Once installed equipment is subjected to various checks ensuring compliance with all aspects of EHS

themed regulations. The equipment then requires final signoff from the EHS group; the program manages upwards of 200 equipment moves, installations, and decommissions each year.

Monitoring and measurement: An internal requirement, this program is designed to track and monitor many aspects of the site EHS operations to produce weekly, monthly, quarterly, and annual metrics for injury and illness rates, TCIR, resource conservation, utility consumption, and regulatory compliance.

Projects of Note: Waste acid treatment/waste chemical reclaim (2.3 million lbs/year recycled waste)
VOC abatement efficiency improvements (50% reduction in utility consumption)
Industrial wastewater reclaim study (200 million gallons/year wastewater reduction)
Various gross margin/utility reduction projects (\$800,000 annual savings realized)

Other Projects: Corporate carbon footprint analysis, Green House Gas (GHG) regulation impact preparations, Airborne Molecular Contamination (AMC) tracking, sampling, and assays, industrial waste treatment with lime, annual Toxic Release Inventory (TRI) report, pollution control equipment property tax credits, and the global EHS rebranding initiative.

Certifications: Engineer in Training (EIT) with the Texas Board of Professional Engineers (TBPE), HazMat Incident Command

Technical Skills: Familiarity with environmental regulations specific to the City of Austin Code of Ordinances, Texas Administrative Code, and Code of Federal Regulations; adept with gas flow and emissions calculations, air abatement equipment, water treatment technologies, and acid neutralization calculations. Proficient in technical memoranda writing, regulatory compliance report writing,

Awards: Engineering Week Foundation -- New Faces in Engineering Recognition 2009

Academic Experience: **Undergraduate Research, UT Austin**
Performed computational modeling of nano particle interactions in complex polymer matrices using FORTRAN 90/95, as well as coding three-dimensional Fourier Transforms

Awards: Herbert Hoover Young Engineer Award, Texas Regional Science Fair; Engineering division 1st place

Memberships: President and Cofounder of Glimpse engineering education outreach student organization, Longhorn Band, National Society of Collegiate Scholars.

Contact Information:

Voice: 512/895-3608 (Office) 512/413-9499 (Cell)

Fax: 512/895-3222 (Office)

Email: robert.castor@freescale.com (office) castorm@gmail.com (personal)

Physical Address: Office -- Home --
Freescale Semiconductor Inc. 2717 Wilcrest Dr.
6501 West William Cannon Dr. Austin, TX. 78748
Mail Drop OE26
Austin, TX 78735

Castor, Robert

Texas Commission on Environmental Quality

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Vance R. Darr, P.E.
2951 Marina Bay Drive, STE 130-264
League City, TX 77573

Home: 281-334-9315
Mobile: 832-492-2725
E-mail: vance.darr@verizon.net

CAREER OBJECTIVES

To maintain a challenging position in the field of environmental engineering that allows continued application of expertise and knowledge towards the success of the company. Continue growth and development of leadership skills and technical knowledge.

PROFESSIONAL EXPERIENCE

PETROLOGISTICS, JULY, 2008 – CURRENT

Environmental Manager, PL Propylene LLC July, 2008 - Current

Construction – Conduct a multi-media environmental assessment to identify regulatory requirements. Develop an environmental management program to ensure compliance with applicable regulatory requirements during the project construction phase. Review plant design and construction progress to promote and ensure cost-effective environmental solutions. Projects include a facility assessment, site remediation, and environmental permitting.

Operation – Participate with the management team to establish a culture for the organization. Prepare a personnel strategy and operating budget. Secure superior personnel, vendors, contractors, and consultants. Manage a \$1MM/year environmental operating budget.

Compliance – Develop an environmental management system that will sustain a compliant environmental program. Projects include a roles and responsibilities document, environmental compliance calendar, and environmental operating procedures.

LYONDELL CHEMICAL COMPANY, SEPTEMBER, 2000 – JULY, 2008

Principal Environmental Engineer, Bayport Choate Plant December, 2003 – July, 2008

Site Environmental Contact – Direct manufacturing operations to ensure the site maintains compliance with Federal and State environmental air and waste regulations, operation of the potable water system, and the oil pollution prevention program. Review proposed physical and operational changes and identify solutions for environmental compliance. Develop and present environmental training for Lyondell and contract personnel. Provide on-call environmental support during unit upsets. Coordinate contractor resources for spill mitigation.

Agency Contact – Interact with regulatory agencies during emission event investigations and compliance audits. Agencies include TCEQ, EPA, USCG, TPWD, and GLO. Prepare written responses to agency requests for additional information. Peer review all environmental correspondence prior to submittal.

LDAR Team Leader – Supervise two in-house technicians and four external contractors. Manage the LDAR program to ensure the program is in compliance and within budget. Resolve issues with personnel conflict, contractor resources, and equipment reliability. Lead an LDAR Improvement Team to share best practices and identify and implement improvement opportunities. Review and approve 3rd party audit protocol and reports.

Turnaround Coordinator – Manage all environmental aspects associated with the plant turnaround. Lead a group of one environmental engineer, three environmental technicians, and 20+ contractors to support the turnaround organization to facilitate a successful turnaround with no reportable environmental incidents.

Permitting and Authorizations – Prepare NSR and Title V air permit applications. Prepare regulatory interpretations and implementation strategies for existing and new regulations. Review potential Title V deviations and provide regulatory compliance determinations. Perform dispersion modeling, health effects review, BACT analysis, and negotiate favorable permit conditions. Mentor three environmental professionals, one environmental contractor, and one co-op student.

Emergency Operations – Environmental liaison on the Emergency Operations Center (EOC) team. Responsible for securing environmental resources, managing agency communications, and supporting the Health and Safety liaison. Also, trained industrial firefighter and day fire brigade member.

Professional Engineer – Conduct regulatory assessment of the site Spill Prevention, Control, and Countermeasure (SPCC) Plans and affected facilities. Identify and initiate improvements to fully comply with regulatory requirements. Complete Professional Engineer certification confirming the adequacy site SPCC Plans.

Improvement Teams – Lead a multi-discipline Environmental Improvement Team (EIT) consisting of 12 members. Facilitate changes in environmental procedures, promote completion environmental expense projects, and implement solutions for environmental issues and employee suggestions. Participate on the Employee Health, Safety, and Environmental Committee (EHSEC), and the Reliability Improvement Team (RIT).

Environmental Management System – Developed a IntelliRegs and MS Access based system for managing the Title V verification of compliance program. Established a process to identify and document environmental monitoring variables (EMV's). Automated the review of EMV's using the DCS and Aspen IP-21, and established an assessment frequency based on reasonable inquiry. Expanded the scope of the system to include other environmental media. Direct the work of three environmental professionals to maintain the system.

Incident Investigation Leader – Lead multi-discipline investigation teams to resolve company incidents. Identify the root cause, contributing factors, and propose appropriate corrective actions to prevent recurrence. Present analysis and findings to site leadership and secure resources for timely mitigation of the root cause.

Senior Environmental Engineer, Corporate U.S. Manufacturing September, 2000 – December, 2003

Advocacy – Participate in the Texas Chemical Council (TCC) and Texas Industry Project (TIP) activities. Conduct regulatory analysis and prepare public comments for new and proposed regulatory changes. Contributed specifically to advocacy efforts for TCEQ upset regulations and Permit By Rule protectiveness reviews, and EPA Organic Liquids Distribution (OLD) and Off-Site Waste Recovery Operations (OSWRO) MACT standards.

Subject Matter Expert – Provide regulatory expertise in the area of Federal and State environmental air regulations. Regulatory expertise includes NSPS (Subparts, D, VV, DDD, NNN, RRR), NESHAP (Subparts J, V, FF), and MACT (HON, MON, Subparts F/G/H, FFFF, ZZZZ, DDDDD). Complete regulatory interpretations by researching agency background documents and best-practices sharing with industrial peers. Issue approved company-wide regulatory interpretations.

New Rule Implementation – Responsible for review, advocacy, implementation, and interpretation of assigned environmental regulations. Facilitated and presented company-wide training for the Federal MON regulations and the Credible Evidence Rules. Prepared and presented a TCEQ air permitting fundamentals course to the Texas facilities. Lead a team to implement the TCEQ emissions event and maintenance regulations at all Texas facilities.

Auditing – Complete corporate environmental regulatory audits and assess Texas and Florida facilities for compliance with air, waste, wastewater, and potable water regulatory requirements and internal company standards. Conduct interviews and records reviews to accurately assess the regulated facilities. Identify improvement opportunities and solutions for cost effective environmental compliance.

EASTMAN CHEMICAL COMPANY, DECEMBER 1990 – SEPTEMBER, 2000

**Senior Chemical Engineer, Environmental Affairs, Texas Eastman Plant
September, 1996 – September, 2000**

Advocacy – Participated in the Texas Chemical Council (TCC) and Texas Industry Project (TIP) activities. Contributed to specific advocacy efforts for TCEQ Enhanced Monitoring Protocol, the TCEQ Standard Exemption protectiveness reviews, and the TCEQ visible emissions regulations.

New Rule Implementation – Lead a team of environmental professionals to implement the Hazardous Organic NESHAP (HON) regulations for nine affected process units. Conducted regulatory reviews and prepared regulatory interpretations, checklists, and training materials for effective implementation of the regulations.

Title V Permitting – Responsible for implementing the Title V permitting program for the Texas facilities. Lead teams of professionals from the Polymers organization, and separately the Utilities organization, to conduct regulatory assessments and prepare Title V permit applications.

**Advanced Chemical Engineer, Environmental Compliance, Texas Eastman Plant
September, 1993 – September, 1997**

Regulatory Oversight – Provided regulatory expertise in the area of Federal and State environmental air regulations to the Texas facilities. Reviewed operational changes proposed by plant operations and advise regarding regulatory requirements and limitations. Prepared, negotiated, and implemented environmental permitting actions for the associated operational changes. Direct agency inspections to facilitate a favorable outcome.

Compliance Assessment Team – Led the environmental air initiative to review all Texas facilities for compliance with the applicable regulations. Reviewed applicable TCEQ and EPA regulations and prepared associated audit materials. Conducted audits of the regulated facilities. Proposed and implemented solutions, both operational and permit-based, to achieve cost effective compliance with the environmental air regulations.

New Rule Implementation – Participated in a team to implement the Benzene Waste NESHAP regulations. Conducted regulatory reviews and provided regulatory interpretations and checklists for effective implementation of the rules.

**Advanced Process Engineer, Polyethylene Manufacturing, Texas Eastman Plant
December, 1990 – September, 1993**

Process Improvement – Identified opportunities to improve process performance in eight high pressure polyethylene manufacturing units. Prepared and implemented capital improvement projects. Conducted full factorial experiments to optimize plant performance. Interacted with the marketing group to determine customer needs for new products, and completed production trials to develop new trial products for customer evaluation.

Statistical Process Control (SPC) – Participated in an operational workgroup to implement SPC. Identified production-critical variables and trended data to identify statically based upper and lower control limits. Developed control strategies and prepared and implemented operating procedures that incorporated those statically based control strategies.

TEXAS INSTRUMENTS (1998-1990), ENGINEER CO-OP, MANUFACTURING TECHNICIAN

GLITSCH, INCORPORATED (1987-1988), ENGINEER CO-OP

RELEVANT TRAINING

Water Quality/Storm Water Seminar, TCEQ, September 2009

Atmospheric Dispersion Modeling, Trinity Consultants – March 2008
Air Permits Workshop, TCEQ – November 1993, December 1996, March 2001, September 2006, October 2007
EHS Seminar, TCC/ACIT – June 2006, June 2007
HAZWOPER General Site Worker Certification – December 2005, May 2007, July 2009
Enforcement Issues Conference, Baker Botts – May 2007
RCRA Hazardous Waste Seminar, McCoy and Associates – March 2007
DOT Hazardous Materials Transportation, Lyondell – October 2001, January 2007
New Hire Mentoring, Lyondell – May 2006
Facilitative Leadership, Interaction Associates – October 2001, May 2006
HSE Employee Development Process, Leadership Training, Lyondell – February 2006
Targeted Selection: Quick Hire, DDI – February 2006
Root Cause Analysis Practitioner Training, Apollo – March 2005
Leadership Training, Dale Carnegie – February 2005
Miscellaneous Organic NESHAP Workshop, ACC – October 2003
Air Emissions Inventory Seminar, TCEQ – February 2001
SOCMI Wastewater NSPS Subpart YYY Air Forum, CMA – May 1999
Hazardous Organic NESHAP Workshop, CMA – May 1994, September 1996, March 1998
Dispersion Modeling Fundamentals, Trinity Consultants
Problem Solving and Decision Making, Kepner- Tregoe
Selecting Materials of Construction, AIChE
Fundamental Statistical Methods and Statistical Process Control, Eastman Kodak
Failure Mode, Effect and Criticality Analysis, Eastman Kodak
Design of Experiments with RS/Discover, Eastman Kodak

EDUCATIONAL BACKGROUND

The University of Texas at Austin
Bachelor of Science in Chemical Engineering, Fall 1990

INTERESTS AND ACTIVITIES

Lieutenant, League City Fire Department

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

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Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address: richard.aust@aes.com

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Mr. Aust is the Environmental and Compliance Manager of AES Deepwater. He has extensive experience implementing programs related to environmental and NERC compliance. He is currently working on a battery storage project to be located at the AES Deepwater site. This innovative energy storage technology has not been considered in the Texas market to date and presents important issues to be addressed by this Advisory Committee. Mr. Aust's broad industry experience and unique insights into emerging technologies will add significant value to the Committee's discussion.

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Name:

Mailing Address:

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Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

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Submit by E-mail

Print Form

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Phone Number:

Fax:

E-mail Address:

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Please provide additional information about group represented by nominee.

Ryan Sewell has over ten years of experience as an environmental professional in the ready mixed concrete and aggregates industry. He has worked predominantly in Texas since 2002.

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2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

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Print Form

U.S. Concrete

- Reduced company liability by increasing compliance with state and federal regulations. Worked directly with operations to improve facility Best Management Practices (BMPs) and reduced the number of air and storm water permit exceedances.
- Worked closely with plant personnel to design and implement plant layouts, that utilize concepts such as water recycling, water conservation, and water treatment to meet effluent limitations of TPDES permits. Extensive experience designing passive treatment systems, that rely heavily on wetland vegetation for low maintenance treatment of facility effluent. All facility designs are produced using Autocad and MapInfo GIS.
- Streamlined departmental process for permitting Portable Concrete Batch Plants in the State of Texas. Completed numerous (approximately 30-40) portable permit applications for concrete batch plants and soil stabilization facilities. Reduced permit application time by approximately 50%.
- Prepared and implemented Storm Water Pollution Prevention Plans (SWP3) and Spill Prevention Control and Countermeasure (SPCC) Plans for approximately fifty ready mix concrete, cement treated materials, and packaged products facilities in Texas.
- Regular speaker at the Texas Aggregate and Concrete Association annual environmental seminar and presented at the National Ready Mixed Concrete Association - annual Concrete Works conference in 2009.

Texas Industries, Inc.

- Developed a Microsoft Access database applications using Visual Basic for storing Texas and Louisiana facility information, storm water monitoring data, and permitting information. The application also electronically produces EPA Discharge Monitoring Reports (DMRs), reducing preparation time by 75%.
- Conducted field activities for various Phase I Environmental Site Assessments and organized Phase II subsurface investigations. Experienced in environmental drilling, monitoring well installation, soil sampling, groundwater monitoring, and surface water monitoring.
- Organized emergency response and cleanup activities for petroleum spills at facility and jobsite locations.

C-K Associates, Inc.

- Coordinated regional office's role in the Louisiana DEQ Source Water Assessment Program. Responsible for overseeing collection of field data, QA/QC, and transmission of data to corporate office in Baton Rouge, LA. Experienced with Trimble Global Positioning Systems (GPS). Knowledgeable of various coordinate systems and how they apply to GPS.
- Responsible for implementing data management and reduction methods using Pathfinder Office, that cut overall project expenses by 25%. These methods were included in the project's Standard Operating Procedures Manual presented to the Louisiana DEQ.
- Played key role in NEPA projects for LaDOTD in Monroe and Bossier City, LA. Responsibilities included conducting Phase I Environmental Site Assessments and reviewing potential impacts on endangered and threatened species.

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Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

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OPERATION UNDER CONTROL OF HSA, USDA, CBP,
USCG, APMS & MARPOL ACT OF 1973, 1978
DEAL WITH FOREIGN VESSELS OPERATING
IN GULF OF MEXICO.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

RONALD JERRY ARMSTRONG

Mailing Address:

4034 N BARNETT WAY

City, State, Zip:

MISSOURI CITY, TX, 77459

Phone Number:

281-499 8164

E-mail Address:

ACCPI @ AOL.COM

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Resume of

David Lamar Armstrong

Summary: Started Medical Waste Transport Company in November 20, 1993 from scratch and built it into a thriving firm with 360 customers when it was sold in 1997 to move into the Marine Pollution Control (MARPOL) industry forming the beginning of A.C.C.P., Inc.

Education: BS – Food Science from Texas A&M; 1992

References:

Dr. Don Couch, VMO, USDA – 832-250-4042

Adam D Phan, USDA, CBP, HSA, Agricultural Specialist – 832-549-6949

ACCP operates under the control of USDA, Homeland Security, US Customs and Border Protection, (TX FT BEND CO. 01-FG) United States Coast Guard, MARPOL Treaty of 1978, APHIS (Animal, Plant, Health, Inspection, Service) regulations as set forth in Regulations. CFR 318.13, 318.58, 318.82, Title 9 CFR 94.5 and Title 7 CFR 330.400 of the federal code. ACCP has received permits from EPA (Environmental Protection Agency) permitting us to transport Hazardous Materials and TNRCC/TCEQ of Texas to recycle wood products.

MARPOL Act of 1978 (April): “Marine pollution means the introduction by man, directly or indirectly, of substances or energy into the marine environment resulting or likely to result in such deleterious effects as harm to living resources, **hazards** to human health, **hindrance to marine activities** including fishing, impairment of quality for use of sea and reduction of amenities.”

This convention was held on April 1978 by eight nations located along the Persian Gulf where they signed an agreement that was based upon the original 1973 IMO International Convention. They agreed in principle to stop polluting the waters surrounding their countries. The problem with the agreement became obvious since it lacked enforcement and only eight nations agreed to it. Another convention was held in 1980 and again in 1982

to hammer out details and enforcement where approximately 32 countries signed an agreement to stop polluting the oceans. Today there are approximately 162 nations that agree in principle to stop polluting the oceans. Unfortunately enforcement is a hit and miss program. Some countries such as South Africa, Australia, European Union, USA, and others are very strict and enforcement of the rules is carried out.

The Gulf of Mexico is supposed to be off limits for any dumping but enforcement of this rule is still lagging. In an effort to stop this, some member nations require vessels entering their ports to prove compliance of the current regulations while others do not. The primary enforcement agencies in the Texas Ports are still the APHIS (Animal, Plant, Health, Inspection, **and Service**) of USDA and the USCG (United States Coast Guard).

There is overwhelming evidence that not all vessels are following the rules. Recently problems have been popping up from pests hiding in Chinese wood packing material. Infestation from the Asian Longhorned Beetle (ALB), Bovine Spongiform Encephalopathy (BSE), Giant African Snail, Medfly, Soybean Rust, Sudden Oak Death (SOD), Vesicular Stomatitis, and others has invaded our shores. These problems have led to a new regulation, namely the WPM (ISPM #15) passed by 162 nation in September 2004 and to be enforced 9/16/5.

The mission of APHIS is to protect and ensure that our nation is provided with safe and affordable food. Without the protection of APHIS, America's animal and plant resources from agricultural pests and diseases, threats to our food supply and to our Nation's economy would be enormous. For example, if the Mediterranean fruit fly and Asian Longhorned beetle, two major agricultural pests, were left unchecked by APHIS, production and marketing losses of several billions of dollars would occur annually in this country. And, if APHIS was not on the job as the first line of defense, 24 hours a day, 7 days a week, animal diseases such as foot-and-mouth disease and bovine Spongiform Encephalopathy (mad cow disease) could devastate our livestock industry and our food supply. All these plant and animal **pests and disease** threats could cost billions of dollars in lost domestic and international markets and have a huge impact on US consumers, by APHIS

has aggressively and successfully worked to prevent and respond to these situations.

Experience:

1992 – 1993: Worked in publishing industry for DM Armstrong Publishing

1993 – Present: ALLIED CCOTAMINATION CONTROL AND PROTECTION (ACCP) INC.

- Started WOB with his mother in the field of Medical Waste Transportation. By passing out flyers door to door he and his mother built the business to 360 new customers and sold it in 1997.
- Applied for and received Compliance Agreement from USDA to transport APHIS waste in July 1996.
- Applied for and received Compliance Agreement from USDA to treat APHIS waste in May of 2000.
- Currently under Compliance Agreement with HSA (Homeland Security Agency), USDA (United States Department of Agriculture), CBP (Customs and Border Protection), and USCG (United States Coast Guard).
- Currently ACCP Inc. employs 6 employees.

Since conception of ACCP statistics:

- Transported and treated regulated waste from 10,662 foreign vessels.
- Transported and treated 101,851 containers of MARPOL & APHIS waste.
- Removed 392,160 cubic yards of WPM waste from foreign vessels.
- Removed and transported 12,236 drums of oily rags and petroleum products from foreign vessels.
- Removed, transported, and treated 9,554 cubic meters of APHIS waste from foreign vessels.
- Removed, transported and treated 26,190 cubic meters of MARPOL waste from foreign vessels.

On an average each vessel has approximately 9.5 containers of APHIS/MARPOL waste.

Texas Commission on Environmental Quality

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Submit by E-mail

Print Form

Professional Credentials

Gregory P. Maxim

Director

Duff & Phelps, LLC

Contact Information:

Phone: 512-671-5580

Fax: 512-671-5501

Mobile: 512-484-1779

E-mail Address:

gregory.maxim@duffandphelps.com

Office Address:

919 Congress Avenue

Suite 1450

Austin, TX 78701

Greg Maxim is a Director in the Austin, Texas office of Duff & Phelps, LLC and is part of the Property Tax Advisory Practice.

Professional Experience:

- Greg has more than 20 years of valuation and consulting experience within the energy industry which has provided him a wealth of knowledge in the development of:
 - Ad valorem complex property valuations,
 - property tax management compliance,
 - mergers and acquisitions due diligence,
 - purchase price allocation,
 - and tax incentive consulting.
- His work, particularly in the valuation and property tax consulting venues, has given him a broad range of national experience in the refining, chemical, and utility business sectors.
- Greg's consulting career began with the valuation and consulting firm, Pritchard & Abbott, Inc., where his responsibilities included supervision of the firm's industrial department, development of major complex property valuations, and expert testimony for litigation purposes. Greg then joined Exxon USA where he represented the corporation's oil and gas properties through out the US. As a consultant with Ernst & Young and then Deloitte Tax, Greg expanded his consulting career managing property tax departments, performing engineering and appraisal services for not only energy-related clients, but also a range of other types of complex properties such as the pulp & paper, high-tech electronics, materials etc...
- His past industrial engineering experience focused on electromechanical assembly operations with an emphasis on project engineering and productivity programs.

Education & Certifications:

- B.S. – Mechanical Engineering Technology, Texas A&M University, College Station, TX
- Certified Property Tax Consultant – State of Texas
- Registered Professional Appraiser – Board of Tax Professional Examiners – State of Texas

Professional Associations & Affiliations:

- Institute for Professionals in Taxation (IPT), Member
- American Society of Appraisers (ASA), Candidate

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RECEIVED

DEC 14 2009

**AIR QUALITY
DIVISION**

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RECEIVED

DEC 15 2009

**AIR QUALITY
DIVISION**

Please indicate if you are nominating yourself or another individual.

- 1. I am nominating myself.
- 2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

David Johnson, Director of Tax and Finance

Mailing Address:

Tenaska, Inc., 1044 N. 115th St., Ste. 400

City, State, Zip:

Omaha, NE 68154

Phone Number:

+1 (402) 691-9533

E-mail Address:

djohnson@tenaska.com

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

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- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

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http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

EDUCATION / CERTIFICATIONS

- Wake Forest University, 1999; Master of Business Administration
- Virginia Polytechnic Institute, 1995; Master of Science, Environmental Science and Engineering
- Texas A&M University, 1985; Bachelor of Science, Bio-Chemistry
- Registered Professional Engineer – Texas, North Carolina, Virginia
- Registered Property Tax Consultant – Texas

SUMMARY OF ENVIRONMENTAL AND PROPERTY TAX EXPERIENCE

THOMSON REUTERS PROPERTY TAX; Austin, TX 2008 – Present

Manager

- Completed obsolescence analysis and property tax valuations for chemical manufacturing facilities, pharmaceutical plants, power plants, refineries and renewable energy facilities.
- Reviewed and identified pollution control assets, prepared and submitted applications for pollution control property tax exemptions in Texas, Ohio and New Jersey for a wide variety of industries including chemical, electrical, refining, pharmaceutical and food processing.

SIEMENS WATER TECHNOLOGIES / US FILTER; Austin, TX 2002 – 2008

Business Development / Support Engineer / Operations Manager

- Prepared operational proposals and provided engineering support for wastewater treatment systems for a variety of industries including:
 - Coal fired power plant flue gas desulfurization systems
 - Fertilizer plant gypstack wastewater treatment and deep well injection
 - High rate anaerobic wastewater treatment and waste to energy systems for the food and beverage industry
 - Fluidized bed reactors and waste to energy systems for the paper industry
- Directed the operation and maintenance of multiple ultrapure water systems and wastewater treatment systems for semiconductor plants including:
 - Reverse osmosis; microfiltration; ultra-violet light; ion exchange
 - Acid/alkali waste neutralization; fluoride waste-water treatment; flocculation and clarification; filter presses and sludge handling systems

KONICA MANUFACTURING USA, INC.; Greensboro, NC 1995 – 2000

Utilities Manager / Environmental Engineer

- Directed operation, engineering and maintenance of a central utilities plant supporting the manufacture of color photographic paper. Equipment included de-ionized water system, waste-water treatment system, dual fuel boilers, refrigeration and compressed air systems.
- Initiated, managed and completed numerous improvement projects including wastewater reclamation and rain water collection systems; waste solvent recycling system; and chiller retrofit to remove CFC refrigerants.
- Managed all aspects of corporate environmental compliance program including preparation and submittal of the Title V air permit; preparation of regulatory reports for RCRA, FIFRA, Toxic Release Inventories and local industrial wastewater pretreatment reporting.

UNITED STATES NAVY 1985 – 1995 (Active); 1995 – 2007 (Reserves)

Naval Flight Officer and Project Officer for Naval Research Lab

- Reviewed Environmental Impact Statements for closure of bombing and live ordinance ranges
- Conducted research into advanced oxidation for use in treating gray water aboard ships
- Conducted research into chlorine dioxide generators and use in treating ballast water for invasive species and activated carbon filtration for de-chlorination of treated ballast water

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**AIR QUALITY
DIVISION**

Texas Commission on Environmental Quality
Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

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**AIR QUALITY
DIVISION**

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

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AIR QUALITY
DIVISION

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- 1. I am nominating myself.
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INDUSTRIAL COMPLEX PROPERTY GROUP NOV 20 2009

Tel: 210-691-5300
Fax: 210-691-5301
AIR QUALITY DIVISION

From: Scott Johnson

To: TCEQ Tax Relief Program
Fax number: 1512-239-6188
Date & Time: 11/20/2009 1:35:09 PM
Subject: Nominee for committee
Pages: 5

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NOV 30 2008

**AIR QUALITY
DIVISION**

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Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

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Please provide additional information about group represented by nominee.

Gregory W. Kort, P.E., ASA, CMI is the Director of Complex Property Appraisals for Popp, Gray & Hutcheson, LLP in Austin, Texas. Popp, Gray & Hutcheson, LLP is a recognized leader in the property tax field. Industry we represent include petroleum refineries, chemical plants, electric power generation facilities, breweries, pipelines, and other business personal property.

Please indicate if you are nominating yourself or another individual.

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Submit by E-mail

Print Form

Gregory W. Kort, P.E., ASA, CMI is the Director of Complex Property Appraisals for Popp, Gray & Hutcheson, LLP in Austin, Texas. He has over 10 years of valuation experience in ad valorem tax, purchase price allocations, and studies for fair market value in continued use and in exchange. Properties he has been engaged on include petroleum refineries, chemical plants, electric power generation facilities, breweries, pipelines, and other business personal property.

Prior to joining Popp, Gray & Hutcheson, LLP, Mr. Kort was a Director for American Appraisal Associates. Mr. Kort is a Certified Member of the Institute (CMI) in the Institute for Professionals in Taxation, certified in Wisconsin as a Professional Engineer (P.E.), licensed as a Certified General Appraiser in Texas and Wisconsin, and is an Accredited Senior Appraiser (ASA) of the American Society of Appraisers. Mr. Kort graduated from Michigan Technological University in 1994, earning a Bachelor of Science in Chemical Engineering and received his MBA from DeVry University in 2002.

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AIR QUALITY
DIVISION

Gregory W. Kort, P.E., ASA, CMI

Popp, Gray & Hutcheson, LLP
1301 South Mopac, Ste 430
Austin, TX 78746
Work Phone (512) 473-2661
greg@property-tax.com

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EDUCATION

DeVry University - Keller Graduate School of Management – Milwaukee, WI
Master of Business Administration, June 2002
Cumulative GPA – 3.63

Michigan Technological University - Houghton, MI
Bachelors of Science, Chemical Engineering, May 1994
Cumulative GPA – 3.08, Cum Laude

EXPERIENCE

Present – Director, Complex Property Appraisals, Popp, Gray & Hutcheson, LLP, Austin, TX
Responsible for providing property tax consulting services for complex industrial properties. Properties represented include real and personal property for oil refineries, chemical plants, gas processing facilities, electrical power plants, telecommunications facilities, and high-tech manufacturing facilities.

1998 to 2007 – Director & Vice President, American Appraisal Associates, Dallas, TX
Responsible for managing full-service client relationships and the development, execution, and review of valuation engagements. Properties valued include tangible and intangible assets for oil refineries, chemical plants, gas processing facilities, electrical power plants, nuclear power plants, telecommunications facilities, and high-tech manufacturing facilities. Current position requires extensive client interaction, business development, project management, and providing formal and individual training to develop valuation skills of professional staff members. Joined the firm in 1998 as an associate appraiser in Milwaukee, WI. Transferred in 2005 to the Dallas office and was promoted to Director & Vice President.

1995 to 1998 – Project Engineer, US Filter (Water Services Corporation), Waukesha, WI
Engineered custom water treatment equipment including reverse osmosis, ultrafiltration, nanofiltration, media filtration, water softening, ion exchange, and mixed/twin bed deionizers. Responsibilities include proposal development, sales engineering, customer support, project scheduling, equipment engineering, system PLC and electrical design, project/budget management, and quality review.

1994 to 1995 – Project Engineer, Rust Environment & Infrastructure (Earth Tech), Naperville, IL
Engineered hazardous waste facilities in the Pacific Rim for Waste Management International. Provided the process design for fuels blending, waste stabilization, potable water system, and physical/chemical treatment of the landfill leachate. Project activities included piping and instrument diagrams, process equipment specifications, general arrangements, and instrument specifications.

PROFESSIONAL REGISTRATION

Registered Professional Engineer (“PE”) – State of Wisconsin, #34640
Certified General Real Estate Appraiser - State of Wisconsin #1289; State of Texas, #TX-1336582-G
Senior Property Tax Consultant – State of Texas, #10234

PROFESSIONAL AFFILIATIONS

American Society of Appraisers ("ASA"), ASA Designation - Machinery and Technical Specialties
Institute for Professionals in Taxation ("IPT"), Certified Member of the Institute ("CMI")

RELEVANT PAPERS & PRESENTATIONS

- Institute for Professionals in Taxation - "Think Global, Appraise Local: Economic Obsolescence in Today's Economy", 2009 Property Tax Symposium in Tampa, Florida
- Western States Petroleum Association - "Alon USA v. Howard County Appraisal District", 2009 Property Tax Educational Forum in Lake Tahoe, California
- Western States Petroleum Association - "Environmental Regulations - Impacts on Industrial Property Value", 2008 Property Tax Educational Forum in Lake Tahoe, California
- Institute for Professionals in Taxation - "Environmental Regulations - Impacts on Industrial Property Value", 2007 Property Tax Symposium in Indian Wells, California
- Western States Petroleum Association - "2003 Update on Refinery Sales & Market Derived Economic Obsolescence", 2003 Property Tax Educational Forum in Tempe, Arizona
- Western States Petroleum Association - "Sales Comparison Approach to Value, An Update on Oil Refinery Transactions - 2002", 2002 Property Tax Educational Forum in Oxnard, Arizona
- Western States Petroleum Association - "Cost Approach to Value for Refining and Petrochemical Facilities", 2001 Property Tax Educational Forum in Oxnard, Arizona

VALUATION & SPECIAL COURSES

American Society of Appraisers

Introduction to Business Valuation, Part I
Introduction to Machinery and Equipment Valuation
Machinery and Equipment Valuation Methodology
Machinery and Equipment Valuation - Advanced Topics and Case Studies
Machinery and Equipment Valuation - Advanced Topics and Report Writing
Uniform Standards of Professional Appraisal Practice

Appraisal Institute

Advanced Income Capitalization
Appraisal Principles
Appraisal Procedures
Basic Income Capitalization

Institute for Professionals in Taxation ("IPT")

Basic Property Tax School
Intermediate Real Property Tax School

Purvin & Gertz, Inc.

Fundamentals of Refining Economics

Society of Depreciation Professionals

Basic Depreciation

Western States Petroleum Association ("WSPA")

Property Tax Educational Forum

Wichita State University

Appraisal for Ad Valorem Taxation of Communications, Energy, & Transportation Properties

References

Alon USA Energy, Inc.

Harlin Dean

General Counsel

972-367-3702

Harlin.Dean@ALONUSA.com

ChevronPhillips Chemical Company, LP

Arlen Allison

Real Estate & Property Tax Manager

832-813-4713

allisad@cpchem.com

ConocoPhillips

Donna Lawrence

Senior Consultant

281-293-2935

Donna.k.lawrence@conocophillips.com

Murphy Oil Corporation

David Morgan

Senior Staff Ad Valorem Tax Representative

870-864-6425

David_morgan@murphyoilcorp.com

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

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City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Large industrial clients who own chemical and refinery processing facilities.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
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Name:

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http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

List of Qualifications

1. **Technical Background** – *B.S. Chemical Engineering; Texas A&M University*
2. **Property Tax Experience** - Worked in Property Tax field for 10 plus years
3. **Assessor Experience** – *Capitol Appraisal Group; Reviewed, appealed, processed, TNRCC/TCEQ applications while representing the Assessor during my employment at CAGI which involved appraising complex industrial properties for various appraisal districts across the State of Texas.*
4. **Industry Experience** – *Valero Energy Corporation; Researched, completed applications, and appealed TCEQ property tax exemptions for numerous environmental projects at refineries, convenience stores, and Valero's corporate office. Also completed similar environmental exemption applications in other states including Oklahoma and New Jersey.*
5. **Consultant Experience** – *Popp, Gray, & Hutcheson LLP; currently employed as a property tax consultant. The firm's clients include several large industrial companies who own chemical and refining assets in Texas.*

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Please provide additional information about group represented by nominee.

I have worked in industry for 30 Years. I have a degree in Electrical Engineering plus post graduate degrees in Business. I have represented businesses to obtain Pollution Control Use Determinations and Ad Valorem Tax exemptions. I am a candidate Machinery and Equipment ASA Appraiser.

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http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

J. Michael Grizzaffi

3800 Grandview Drive
Carrollton, Texas 75007
Email: ajmg1@verizon.net

Phone: 972-991-2210 Ext 113 Cell: 214-534-6082

PROFESSIONAL EXPERIENCE

Vantage One Tax Solutions, Inc. – Dallas, Texas **November 2004 - Present**
Principal owner of Ad Valorem Tax Consulting Firm.

Brookhaven College – Farmers Branch, Texas **November, 2001- May 2004**
Part time adjunct math instructor.

Adaptive Broadband – Dallas, Texas **September, 2000 – May 2001**
RF Systems Engineering
Establishing a new engineering office in Dallas to support system deployments and customers for Adaptive Broadband wireless point to multipoint U-NII band products. Working as RF Systems engineer analyzing deployments for RF coverage and interference. Planning cell sites with using EDX software. Business downsized by 75% of workforce in May and subsequently applied for Chapter 11.

Spectrapoint Wireless – Dallas, Texas **1995 - 2000**
Integration and Test Manager
Responsible for initial integration and design verification testing of the engineering development hardware systems. Placed major emphasis on agency testing for the Spectrapoint LMDS equipment.

- Used commercial test equipment to substitute for unavailable components to obtain first ever LMDS transmitter certification for the United States and Canada
- Used system components to develop a test set to support testing of power control software. Eliminated necessity to ship expensive system hardware to Germany and support with on site personnel

Spectrapoint evolved from Texas Instruments. It was purchased by Bosch and then Motorola. Motorola ceased operations of Spectrapoint in October 2000.

Texas Instruments, Incorporated – Lewisville, Texas **1985 – 1995**
Team Lead
Responsible for system integration and test within the factory and integration and test at the field location.

- Developed test set using LORAN to substitute for limited GPS satellite availability to permit captive flight testing year round and around the clock.
- Managed captive flight test program. Testing included missile on board inertial guidance, GPS navigation system, and UHF radio telemetry systems.

Texas Instruments, Incorporated – Austin, Texas **1976 - 1985**
Section Manager

- Designed an emulator development tool for custom token ring chip for IBM. This chip set was designed to be IBM's entry product for token ring networks.
- Developed a modem card for use in a laptop computer.
- Obtained FCC part 68 agency approval of the modem.

Lead Engineer

- Developed a Vision system to interface to an automated inspection system for assembly line operations.

Marketing Product Planner

- Analyzed the office and the industrial market to define applications for personal computer products including estimated served market for various products along with business plans to support decision analysis of new product development.
- Digital systems hardware development of minicomputer systems.

J. Michael Grizzaffi

Texas Instruments, Incorporated – Dallas, Texas

1968 - 1976

Design Engineer

- Circuit design of the digital data subsystem (DDS) for the Voyager spacecraft. The DDS controls the tape drive motors to precisely control the tape motion for data recording. The spacecraft is still operational and is presently located at the edge of the solar system
- Hardware design for military infrared reconnaissance systems.

Collins Radio Company – Dallas, Texas

1966 - 1968

Reliability Engineer

Circuit analysis and reliability predictions for microwave systems group.

Education

University of Texas – Dallas
University of Dallas
Texas Tech University

MS, Management and Administrative Science
MBA, Engineering Management
BS, Electrical Engineering

Southern Methodist University
University of Texas – Austin

Graduate Courses: Digital Electronics
 Communications Theory
 Structured Programming
 Computer Architectures

Affiliations

Registered Professional Engineer – 79375 (Emeritus)
Sigma Iota Epsilon – Honorary Management Fraternity
American Society of Appraisers – Mechanical and Equipment Appraiser Candidate

J. Michael Grizzaffi

Texas Commission on Environmental Quality

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- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Has experience in pollution control equipment in refining, gas processing and treating, hazardous waste, oil & gas production, pipelines, utilities, drilling and energy services.

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BIO AND QUALIFICATIONS OF PRINCIPAL APPRAISERS

Mark A. Andrews, ASA, President

Mr. Andrews is President of K. E. Andrews & Company which maintains offices in Dallas, Austin and Denver. The firm employs over seventy people, with 27 professionals including petroleum and chemical engineers, petroleum geologists and certified appraisers in both machinery and equipment and business valuations. Mr. Andrews has personally performed the following types of valuation assignments over the past 30 years: fair market value appraisals, ad valorem tax appraisals, estate tax appraisals, purchase price asset allocations, gift tax appraisals, business and stock valuations, intangible asset appraisals and appraisal review. Mr. Andrews is a senior member of the American Society of Appraisers and is a certified senior appraiser with a designation in machinery and technical specialties/oil & gas. He has performed fair market value opinions of the energy industry ranging from hundreds of thousands of dollars up to \$6.5 billion dollars. Mr. Andrews has been qualified as an expert in over 25 states and the Province of Alberta. Mr. Andrews represents assessed properties across the United States on behalf of Natural Gas Processing and Treating, Underground Storage Facilities, Crude Oil Refineries and Terminals, Drilling Companies, Oil & Gas Properties, Electric Generation and Hazardous Waste Disposal.

Mr. Andrews experience in the area of Pollution Control in Texas and throughout the United States gives him insight into a wide and diverse asset base as well as the requirements of numerous other states throughout the United States.

Pollution Control Experience

Oil & Gas Equipment

Drilling Rigs

Gas Processing

Gas Treating

Sulphur Processing and Disposal

Oil Refineries

Liquids Fractionation

Oil & Liquids Pipeline

Mining (Gold, Coal and Uranium)

Electric Generation

Gasoline Storage and Disposals

Oil Terminals

Hazardous Waste

Level 3 Radioactive Waste

Gas Pipeline and Compression

Education

Bachelor of Arts and Sciences Finance, Dallas Baptist University

Professional Affiliation

American Society of Appraisers (ASA), Senior Member

Society of Petroleum Engineers (SPE)

Society of Depreciation Professionals (SDP), Senior Member

Texas Association of Property Tax Professionals (TAPTP)

Texas Department of Licensing & Regulation (TDLR), Licensed Certified Senior Tax Consultant

Continuing Education

Grader of Demonstration Appraisals for ASA

Texas A&M Gas Plant & Refinery Seminar

Petroleum Geology, University of Tulsa

Utilities & Railroads Valuation, Lincoln Land Institute

Advanced Income Approach Lincoln Land Institute

How to Buy a Business, Rice University

Basic Reservoir Engineering for the Oil & Gas Professional, University of Texas

Introduction to Mine and Quarry Valuation, IAAO

Advanced Application of the Cost Approach, American Society of Appraisers

Appraisal Review, American Society of Appraisers

Refining, Petrochemical & Gas Plant Appraisal, Texas A & M

Advanced Income Approach, TAPTP

Appraisal of Industrial Property, TAPTP

Boards & Committees

HomeBank Chairman of the Board(2007 to present)

HomeBank Board of Directors (1990 to 2007)

HomeBank Loan & Discount Committee (1990 to present)

Oil & Gas Committee Texas Association of Property Tax Professionals (1985 to present)

Speeches/Seminars

Gas Processing & Pipeline Valuations, Canadian Property Tax Assoc., Victoria, CAN

Gas Pipeline Evaluations, COPAS, Oklahoma City, OK

Gas Processing & Pipeline Valuations, COPAS, Dallas, TX

December 7, 2009

Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

To Whom It May Concern:

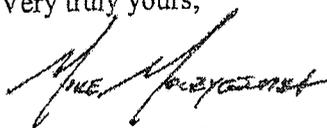
RE: Application for Advisory Committee Position

We are pleased to refer Mark Andrews, President of K.E. Andrews and Company, for a position on the Tax Relief for Pollution Control Advisory Committee. We believe Mr. Andrews would provide valuable insight and knowledge regarding pollution control equipment relative to the Natural Gas Midstream industry. With over 30 years experience in the property tax field, he also has much experience in dealing with the Texas Appraisal Districts and the property tax issues related to midstream assets.

Mr. Andrews' firm has represented our interests as they have related to our oil and gas related property tax assessments in the state of Texas for the past six years or so. His diverse background will contribute to the balanced representation that the Texas Commission on Environmental Quality is seeking. His experience in property tax consulting in addition to his formal education, professional affiliations and continuing education make him a sound candidate for appointment to this committee.

Should you have any questions or concerns regarding this recommendation, please do not hesitate to contact me.

Very truly yours,



Mike Moczygamba
Tax Manager

**WASTE CONTROL
SPECIALISTS LLC**

November 24, 2009

To Whom It May Concern
Texas Commission on Environmental Quality

RE: Tax Relief for Pollution Control Advisory Committee Recommendation

We are pleased to refer Mark Andrews for a position on the Tax Relief for Pollution Control Advisory Committee. We believe Mr. Andrews would provide valuable insight and knowledge regarding pollution control and other equipment relative to the hazardous and radioactive waste industry. Mr. Andrews has assisted our company with property tax and other appraisals for over five years. With over 30 years experience in the property tax field, he also has much experience in dealing with the Texas Appraisal Districts and the property tax issues related to other industries – particularly oil and gas.

Mr. Andrews' diverse background will contribute to the balanced representation that the Texas Commission on Environmental Quality is seeking. The attached biography demonstrates Mr. Andrews' experience and knowledge which will benefit the advisory committee. His experience in property tax consulting in addition to his formal education, professional affiliations and continuing education make him a sound candidate for appointment to this committee.

Sincerely,



Rod Baltzer
President

Corporate
5130 LBJ Freeway, Ste. 1700
Three Lincoln Centre
Dallas, TX 75240
Ph. 972.715.9800
F. 972.446.1419

Facility
P.O. Box 1129
Andrews, TX 79714
Ph. 888.789.2783
F. 575.394.3427

PIONEER

NATURAL RESOURCES

Pioneer Natural Resources USA, Inc.
5205 N. O' Connor Blvd., Suite 200
Irving, Texas 75039-3746
Tel: (972) 444-9001 Fax: (972) 969-3587

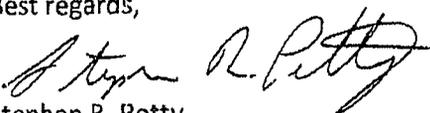
December 12, 2009

RE: Texas Commission on Environmental Quality

We are pleased to refer Mark Andrews for a position on the Tax Relief for Pollution Control Advisory Committee. With over 30 years experience in the property tax field, Mark has been a trusted advisor to Pioneer and to the oil and gas industry. Mark has vast experience in dealing with the Texas Appraisal Districts and the property tax issues surrounding pollution control and other oil field equipment and we believe he will provide valuable insight and knowledge to the committee.

Mark's diverse background will contribute to the balanced representation that the Texas Commission on Environmental Quality is seeking. The attached biography demonstrates his experience and knowledge which should greatly benefit the advisory committee. His experience in property tax consulting in addition to his formal education, professional affiliations and continuing education make him an excellent candidate for appointment to this committee.

Best regards,



Stephan R. Petty
Vice President - Tax



CROSSTEX
ENERGY SERVICES

December 9, 2009

Texas Commission on Environmental Quality
Tax Relief for Pollution Control Property Advisory Committee

We are pleased to refer Mark Andrews for a position on the Tax Relief for Pollution Control Advisory Committee. We believe Mr. Andrews would provide valuable insight and knowledge regarding pollution control equipment relative to the oil and gas industry. With over 30 years experience in the property tax field, he also has much experience in dealing with the Texas Appraisal Districts and the property tax issues related to the midstream industry.

Mr. Andrews' diverse background will contribute to the balanced representation that the Texas Commission on Environmental Quality is seeking. The attached biography demonstrates Mr. Andrews' experience and knowledge which will benefit the advisory committee. His experience in property tax consulting in addition to his formal education, professional affiliations and continuing education make him a sound candidate for appointment to this committee.

Crosstex Energy L.P. is an independent midstream company engaged in the gathering, transmission, processing and marketing of natural gas and natural gas liquids. We are headquartered in Dallas, Texas and operate approximately 900 miles of pipeline and three processing plants in Texas. Mr. Andrews has provided consulting services for Crosstex related to property tax issues and other property valuation matters over the past six years.

Respectfully,

Susan McAden
Chief Accounting Officer

2501 Cedar Springs • Suite 100 • Dallas, Texas 75201
Phone 214.953.9500 • Fax 214.953.9501 • www.crosstexenergy.com
NASDAQ symbols: XTEX (MLP), XTXI (Corporation)

Texas Commission on Environmental Quality

We recommend Mr. Mark Andrews for a position on the Tax Relief for Pollution Control Advisory Committee. Mr. Andrews has provided excellent service and guidance to our company, Targa Resources, Inc. and its predecessor Dynegy Inc for well over 15 years. Targa is a midstream natural gas company, with well over \$3 billion in assets, a substantial portion of which are located across the state of Texas.

Mr. Andrews will provide valuable insight and knowledge regarding pollution control equipment relative to the natural gas midstream industry. With over 30 years' experience in the property tax field, he has significant experience in dealing with the Texas Appraisal Districts and the property tax issues related to midstream assets.

Mr. Andrews' diverse background will contribute to the balanced representation that the Texas Commission on Environmental Quality is seeking. The attached biography demonstrates Mr. Andrews' experience and knowledge, which will benefit the advisory committee. His experience in property tax consulting in addition to his formal education, professional affiliations and continuing education make him an excellent candidate for appointment to this committee.

We thoroughly trust and respect the service we have come to expect from Mr. Andrews and admire his expertise in our industry. Our working relationship is very enjoyable. We believe he'd be an excellent candidate and be able to contribute significantly to the goals and objectives of the Commission.

Please feel free to contact either John D. Thompson, VP -Tax at 713.584.1580 or myself at 713.584.1477 should you have any further questions regarding the breadth of experience, knowledge, working relationships or expertise of Mr. Andrews.

Sincerely,

Dorothy Pearson
Sr. Manager Sales/Use/Excise/Property Tax

And

John D. Thompson
VP- Tax

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

I am the Chief Appraiser of the Jefferson County Appraisal District, the office responsible for ad valorem taxation for Jefferson County. The Jefferson CAD is comprised of approximately 151,000 accounts, with a total appraised value of over \$26,000,000,000. Jefferson County has a heavy concentration of industry, accounting for almost half of the District's values. Also, the Texas Association of Appraisal Districts has nominated me to represent the 235 appraisal districts in the State of Texas that are members of that organization.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.

2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

ROLAND R. BIEBER

EDUCATION:

Bachelor of Administration Degree in Accounting, Lamar University
May, 1983

PROPERTY TAX EXPERIENCE:

Chief Deputy Assessor-Collector, City of Port Arthur, Texas
1974 - 1976

Tax Assessor-Collector, City of Port Arthur, Texas
1976 - 1980

Administrative Coordinator, Jefferson County Appraisal District, Groves, Texas
1981 - 1984

Chief Appraiser, Jefferson County Appraisal District, Groves, Texas
1984 - Present

RESPONSIBILITIES:

Responsible for the appraisal and administration of approximately 151,000 property accounts in Jefferson County with an estimated total appraised value of \$26,000,000,000. Oversees an office of 45 employees with a total budget of approximately \$6,000,000.

DESIGNATIONS:

Registered Professional Appraiser (RPA) by the Board of Tax Professional Examiners
Registered Texas Assessor-Collector (RTA) by the Board of Tax Professional Examiners

PROFESSIONAL MEMBERSHIPS AND SERVICE:

Member, Past President:	Texas Association of Appraisal Districts
Member, Past Chairman:	Metropolitan Council of Appraisal Districts
Member:	International Association of Appraisal Districts
Member:	Texas Commission on Environmental Quality, Advisory Group for the Predetermined Equipment List (PEL) – 2007
Instructor:	Texas Association of Appraisal Districts Chief Appraiser Institute
Committees:	Texas Association of Appraisal Districts: Industry Liaison and Legislative Committees

Recipient of Earl Luna Award, Texas Association of Appraisal Districts, 1992



Texas Association of Appraisal Districts

7700 Chevy Chase Drive, Building One, Suite 425 Austin, Texas 78752-1558 512/467-0402 FAX: 512/452-0427

December 7, 2009

Ron Hatlett
Texas Commission on Environmental Quality
Tax Relief Program
MC 110, TCEQ
PO Box 13087
Austin, TX 78711-3087

Dear Mr. Hatlett:

On behalf of the Executive Board of the Texas Association of Appraisal Districts, Inc., I would like to support **Roland Bieber**, chief appraiser of the **Jefferson County Appraisal District**, for membership on the TCEQ permanent advisory committee to provide input regarding property tax exemptions for pollution control property.

The executive board and I believe Mr. Bieber would an excellent representative of the appraisal district community. Please feel free to contact me if you have any questions or need more information.

Sincerely,

Michael A. Barnett
Chief Appraiser, Smith County Appraisal District
2009 President, Texas Association of Appraisal Districts, Inc.

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address: wfrazell@pandai.com

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Works for Pritchard & Abbott Inc. valuation consultants that provide appraisal services to approximately 50% of all county appraisal districts in Texas.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.

2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tecq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

TXRELIEF - Tax Advisory Application Documents attached.

From: "Wayne Frazell" <wfrazell@pandai.com>
To: <txrelief@tceq.state.tx.us>
Date: 11/30/2009 9:06 AM
Subject: Tax Advisory Application Documents attached.
Attachments: Tax_Advisory_Application.pdf; CWFrazell Bio.pdf; W Frazell Resume.pdf

C. Wayne Frazell, PE, CEM
B.S., Electrical Engineering



PRITCHARD & ABBOTT, Inc.
4900 Overton Commons Court
Fort Worth, Texas 76132-3687
817-926-7861 (voice) 817-927-5314 (fax)

e-mail message and any attachments are confidential unless specifically noted otherwise . Any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient, please notify me immediately and destroy the original and all copies of this message and any attachments.

C. WAYNE FRAZELL, P.E., CEM, RPA

**Professional
Experience:**

Engineer/Appraiser for Engineering Services, - Pritchard & Abbott, Inc. [Fort Worth] - Responsible for Utility, Industrial, and associated facility equipment appraisals in Texas and other states with additional management responsibility, January 2005-Present;

Engineer/Estimator, - Texas AirSystems, Inc. [Irving] - Services offered include design and pricing of commercial/Industrial Heating and Air-conditioning Equipment, 2003-2004;

Independent Energy Consultant [Fort Worth] - Services offered include energy audits and an energy use study used in the DOE rule making process for commercial/Industrial Air-conditioning efficiency standards. 2002-2003;

Senior Engineer -Energy Services, - TXU [Dallas] - Analyzed energy use data and audited facilities to find energy saving opportunities which were presented to customers. 2000-2002;

Senior Engineer -Energy Services, - TXU [Dallas] - Provided energy consulting and information to sales representatives and customers. 1992-2000;

Staff Engineer -Conservation and Load Management, - TXU [Dallas] - Provided technical assistance to marketing department and field organizations for development and implementation of energy-related programs. 1986-1992;

Engineer -Transmission Design and Construction, - Texas Electric Services Co. (now part of TXU) [Fort Worth] - Designed and managed construction of electric transmission facilities. 1982-1986.;

Junior Engineer - Odessa Transmission, - Texas Electric Services Co. (now part of TXU) [Odessa] - Performed field engineering for transmission line maintenance and substation construction. 1980-1982.;

Education:

Conroe, Texas, Public Schools;

Texas A&M University, Bachelor of Science, Electrical Engineering, 1980.

**Memberships and
Professional
Designations:**

Texas State Board of Registration for Professional Engineers, Certificate Number 63895, 1988;

Association of Energy Engineers Certified Energy Manager, Certificate Number 8197, 2000;

Texas Board of Tax Professional Examiners Registered Professional Appraiser, Certificate Number 71278, 2009;

American Society of Heating, Refrigeration, and Air-Conditioning Engineers, Member Number 02048228 since 1987;
Chairman ASHRAE Electrical Systems Technical Committee 2003-Present;
Secretary ASHRAE Guideline Project Committee, Measurement of Energy and Demand Savings. 1994-2002;
Member ASHRAE Thermal Storage Technical Committee 1995-2003;

Institute of Electrical and Electronics Engineers Member Number 07227945, 1980.

C. Wayne Frazell, P.E., CEM.
Engineer/Appraiser
Pritchard & Abbott, Inc.
Valuation Consultants

Wayne Frazell is an Engineer/Appraiser working for Pritchard & Abbott, Inc. (P&A) since January of 2005. P&A is the largest property tax appraisal consulting firm in Texas providing appraisal services to approximately half of the counties in Texas, several parishes in Louisiana, and various counties in Oklahoma and Nebraska. Specifically Wayne maintains computer models for the appraisal of electric cooperatives, telephone cooperatives, and electric generating plants. He conducts unit appraisals of major electric and telephone utilities in Texas. Wayne appraises various industrial properties in Texas and Louisiana including several oil refineries and a nuclear power plant. Wayne is an internal technical resource and is responsible for disseminating information and policies to promote appraisal uniformity at all four P&A district offices.

His past experience includes 22 years working for TXU including two years in substation maintenance/construction, four years designing and managing construction of electric transmission lines, and sixteen years providing energy conservation analysis and consulting.

Wayne has a Bachelor of Science degree in Electrical Engineering from Texas A&M University, is a Registered Professional Engineer in Texas and is a Certified Energy Manager.

Wayne helped author the original ASHRAE Guideline 14 Measurement of Energy and Demand Savings. He also authored an energy use study used in the DOE rule making process for commercial/industrial air-conditioning efficiency standards in 2003.

Telephone: 817-370-3216
Fax: 817-927-5314
Email: wfrazell@pandai.com

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

EMail

11/25/2009

9:04 am

Tx relief

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

I am general counsel for the Texas Municipal League (TML), and would serve as TML's representative on behalf of our 1,100 member cities. TML serves as a membership and lobbying group for those cities. I previously served on a Prop 2 advisory committee at the TNRCC, and follow the issue closely.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

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Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address: donlee@cuc.org

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

The Texas Conference of Urban Counties is a non-profit organization composed of 35 member counties. Member counties represent nearly 80% of the population of Texas.

The Urban Counties supports and coordinates communications among member counties, studies policies and programs of the State of Texas that affect urban counties, advocates county issues, primarily at the state level, and provides training and education programs appropriate for urban county officials.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.

2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Michael Vasquez

Mailing Address:

500 West 13th

City, State, Zip:

Austin, Texas 78701

Phone Number:

+1 (512) 476-6174

E-mail Address:

michael.vasquez@cuc.org

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

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- Fax the application package to 512-239-6188
- Mail application packages to:
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Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

Thank you for applying to serve on the advisory committee. Questions regarding the committee can be directed by phone to Ron Hatlett of the Tax Relief Program at 512-239-6348 or by e-mail to txrelief@tceq.state.tx.us. Additional information is available at the TCEQ Tax Relief for Pollution Control Property Advisory Committee Web page at:

http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

Donald Lee

Executive Director, Texas Conference of Urban Counties

Executive Director, Public Power Pool

President, Association Power

Donald Lee has worked in Texas county government for over 20 years. Since 1995, Mr. Lee has served as the Executive Director of the Texas Conference of Urban Counties, an association comprised of 35 of Texas' largest counties. From 1984 to 1994, he worked on the staff of the Harris County Judge, where he served as the Legislative Coordinator from 1990 to 1994. Mr. Lee holds a Bachelor of Science degree from the University of Houston-Downtown.

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

House Bills 3206 and 3544, enacted during the Regular Session of the 81st Legislature, require the Texas Commission on Environmental Quality (TCEQ) to establish a permanent advisory committee to advise the commission on the implementation of Texas Tax Code, §11.31. The TCEQ is requesting advisory committee applications from individuals who represent the following groups: industry; appraisal districts; taxing units; environmental groups; and individuals who are not representatives of any of the aforementioned entities but have substantial technical expertise in pollution control technology and environmental engineering. The legislation did not specify the total number of members from each group but Texas Water Code, §5.107 requires the advisory committee to have balanced representation. Advisory committee members are expected to be appointed by the commission in January 2010 and the initial committee meeting is tentatively scheduled for February 2010.

Advisory committee applications must be received by 5:00 p.m. on December 15, 2009.

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

Please check the group that the nominee is qualified to represent.

- 1. Industry
- 2. Appraisal district(s)
- 3. Taxing unit
- 4. Environmental group
- 5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Commissioner Arnold serves on the Jefferson County Commissioners Court, representing Precinct #1. He has been nominated to serve on this advisory committee by the Texas Association of Counties (TAC), a statewide organization for county government. TAC provides services that include continuing education, several self-insurance pools, legal research, data on counties, representing county interests in the legislative process and informing counties of issues that affect them and their taxpayers.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.
2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Gene Terry, Executive Director

Mailing Address:

Texas Association of Counties
P.O. Box 2131

City, State, Zip:

Austin, Texas 78768-2131

Phone Number:

+1 (512) 478-8753

E-mail Address: genet@county.org

Please attach separate pages documenting the nominee's qualifications for a position on the advisory committee. Examples of supporting documentation include a resume, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

All applications must be received by 5:00 p.m. on December 15, 2009. Applications submitted after that date will only be considered if there are insufficient qualified individuals in specific groups. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Please submit the completed application, along with any supporting materials, as one package. All application packages should reference the Tax Relief for Pollution Control Property Advisory Committee. Application packages may be submitted using either the e-mail, fax, or mail address listed below.

- E-mail application packages to txrelief@tceq.state.tx.us
- Fax the application package to 512-239-6188
- Mail application packages to:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
PO Box 13087
Austin, TX 78711-3087
- For overnight mail service or courier, the physical address is:
Texas Commission on Environmental Quality
Tax Relief Program, MC-110
12100 Park 35 Circle, Building A
Austin, TX 78753

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http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

Please complete the information below. If you are nominating another person, please provide that nominee's information.

Nominee's Name:

Cyrus Reed

Mailing Address:

~~1202~~ 1202 SAN ANTONIO

City, State, Zip:

Austin, TX 78701

Phone Number:

512-477-1729

Fax:

512-477-8526

E-mail Address:

Cyrus.reed@SierraClub.org

Please check the group that the nominee is qualified to represent.

1. Industry

2. Appraisal district(s)

3. Taxing unit

4. Environmental group

5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution control technology and environmental engineering.

Please provide additional information about group represented by nominee.

Sierra Club has more than
20,000 members throughout Texas and
supported the legislation that created
the...

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.

2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

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CYRUS B.H. REED

4205 Ave. F
Austin, Texas 78751
Cyrus.reed@sierraclub.org

(512) 419-7260 (h)
(512) 740-4086 (w)

PUBLIC POLICY

EXPERIENCE: Conservation Director, Lone Star Chapter, Sierra Club January 2008-Present

Responsible for running a variety of issue areas and policy programs related to industrial development, clean energy, clean air and radioactive waste on both the state and local level for the Texas office of the nation's oldest and largest conservation organization. Work with local Sierra Club groups to promote sustainable local programs. Also serve as Sierra Club's main lobbyist on clean energy issues during legislative session.

Lobbyist, Lone Star Sierra Club, etc.

Spring, 2005 and 2007

During the spring legislative session of the Texas Legislature, worked as independent political lobbyist for Lone Star Chapter of the Sierra Club, as well as several prominent environmental lawyers. Working on issues related to management of clean air, clean energy, energy efficiency, radioactive waste, water conservation, permitting and enforcement.

Director, Texas Center for Policy Studies, Austin, TX

2002-2007

Direct 501-C-3 research and policy organization and oversee budget of approximately \$120,000.

Project Director, Texas Center for Policy Studies, Austin, TX

1994-2002

Directed a variety of projects, including Border Trade and Environment Project, which examines the environmental impacts of economic integration and NAFTA on Mexico and the Texas-Mexico border; and Texas Fee and Tax Reform Project, which examines ways to promote pollution prevention and raise monies for environmental protection in State of Texas. Also co-contributor of Texas Environmental Almanac, a resource guide to the environment in Texas published by UT-Press and Texas Environmental Profiles (www.texasep.org), a website with comprehensive Texas environmental information.

Intern, Legislative Oversight Committee on Worker's Compensation

1992-93

Helped design a method for awarding benefits to workers suffering from chronic pain syndromes and loss of strength. Helped conduct a statistical sample of injured workers to compare the costs of old and new worker's compensation systems.

Staff Reporter, The Tico Times, San Jose, Costa Rica

1989-90

Reported on a variety of issues, including land tenure, tourism, Central American politics, agricultural policy, bats, hurricanes and plane crashes for Central America's largest English-language newspaper.

EDUCATION: University of Texas-Austin; PhD, Geography Earned PhD in 2007
• Concentration in Water and Resource Management, Political Ecology and US-Mexico Border
• **Dissertation Project:** *The Texas-Mexico Water Dispute and its Resolution(?): Agricultural Liquid Discourse and Practice along the Rio Conchos, Chihuahua*

University of Texas-Austin, MS in Community & Regional Planning 1990-94
• Concentration in Community Development, Water Planning and US-Mexico Border
• **Master's Thesis:** *The Ties that Bind: Community Based Organizations and Water and Wastewater Treatment Service in the Colonias of Hidalgo County, Texas*

University of Texas-Austin, MA in Latin American Studies 1990-94
• Concentration in U.S. - Mexico Border Studies, Latin American Development Studies
• **Research Paper:** *Flexible Accumulation and Regional Development: The Effects of Export Expansion in Three Mexican Secondary Cities*

Princeton University, Bachelor of Arts (BA) in Comparative Literature 1983-87
• Concentration in Latin American Literature, Literary Criticism
• Certificate in Latin American Studies
• Senior Thesis: *Fact and Fiction: A Literary Biography of Ariel Dorfman*

RESEARCH, AWARDS and

TEACHING: Summer Research Fellowship, Environmental Science Institute, UT Austin, 2003
Awarded competitive fellowship to conduct preliminary PHD research, including site selection of case studies in Chihuahua, Mexico. Research conducted in 2003.

Summer Travel Research Veselka Grant, Department of Geography, UT Austin 2003
Travel grant helped defray preliminary PHD field research in Chihuahua.

Teaching Assistant in Community and Regional Planning, UT Austin, 1993
TA for Graduate Course in Planning Methods. Helped design homework assignments and course material.

Research Assistant for Community and Regional Planning Professor 1992
Conducted research for professor in CRP program on flexible production in Mexico.

U.S. Congress, Office of Technology Assistance Grant 1992
Researched possible effects of North American Free Trade Agreement on Mexico's electronics sector for U.S. Congress's technology research division. Conducted surveys in Baja California, Nuevo Laredo and Guadalajara

Mike Hogg Scholar 1991
Conducted surveys of industrial facilities in San Luis Potosí, Aguascalientes and León, Mexico.

LANGUAGES: Near-Native Fluency in Spanish
Proficiency in Portuguese

11, 27, 2003 10:01

RECENT PUBLICATIONS:

2004. *Energy Use in the North American Cement Industry in North America, 1990-2001*. Authors: Marisa Jacott, Fronteras Comunes, Cyrus Reed, TCPS, Amy Taylor and Mark Winfield, Pembina Institute for Sustainable Development

2003. "The CEC's Trade and Environment Program: Cutting-Edge Analysis, but Untapped Potential," in Greening NAFTA: The Experience and Potential of the North American Commission for Environmental Cooperation, David Markell and John Knox, eds. Stanford University Press. With Mary Kelly.

2003. "Making Polluters Pay: Environmentally Responsible Ways that Texas Can Raise New State Funds," *State Tax Notes* (Volume 28: No. 3, April 21, 2003), pp. 283-299.

2002. "The Forestry Industry in the State of Chihuahua: Economic, Ecological and Social Impacts Post-Nafta," in The Environmental Effects of Free Trade. North American Commission on Environmental Cooperation, Montreal, Canada. With María Teresa Guerrero, Mary Kelly and Brandon Vegter.

2002. "The Generation and Management of Hazardous Wastes and Transboundary Hazardous Waste Shipments between Mexico, Canada and the United States, 1990-2000," in The Environmental Effects of Free Trade. North American Commission on Environmental Cooperation, Montreal, Canada. With Marisa Jacott and Mark Winfield.

2001. *Finding Common Ground: A Public Interest Proposal for BECC/NADBANK Reform*; Authors: TCPS, North American Integration and Development Center, William C. Velasquez Institute.

2000. The Texas Environmental Almanac, 2nd Edition University of Texas-Press. With Mary Sanger.

Texas Commission on Environmental Quality

Tax Relief for Pollution Control Property Advisory Committee

Application for Advisory Committee Position

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Mailing Address:

City, State, Zip:

Phone Number:

Fax:

E-mail Address:

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- 3. Taxing unit
- 4. Environmental group
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Please provide additional information about group represented by nominee.

World Environmental is committed to providing effective, and efficient environmental compliance, assessment and remediation consulting to business and industry. In addition to traditional environmental consulting, World has extensive experience in tax relief for pollution control property. Since 2008, World has filed over \$59,000,000 in pollution control applications receiving over \$39,000,000 in positive use determinations with over \$16,000,000 in applications still under review. These applications have encompassed numerous diverse industries and a variety of Pollution Control Equipment.

Please indicate if you are nominating yourself or another individual.

1. I am nominating myself.

2. I am nominating another individual whose contact information is provided above. My contact information is:

Name:

Mailing Address:

City, State, Zip:

Phone Number:

E-mail Address:

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http://www.tceq.state.tx.us/implementation/air/rules/taxadvisory/tax_advisory.html

Submit by E-mail

Print Form

Attachment 2

Charles "Dude" Hall Resume/Biography/Publications



Charles "Dude" Hall
Principal

Education

B.S. Animal Science, Texas A&M University, 1986

Professional Overview

Mr. Hall has over 20 years of professional experience in project and personnel management and the environmental consulting field. He has conducted numerous environmental audits, for a variety of clients, and works with regulated activities to implement environmental compliance and management systems, to include certification to ISO 14001 standards. Mr. Hall has extensive experience with the NPDES Storm Water Program, including the Multi-Sector, Construction and individual permits. He has managed and/or conducted over 500 Phase I Environmental Site Assessments (ESAs) nationwide. Mr. Hall's experience also includes Phase II and Phase III ESAs, underground storage tank (UST) removals, waste classification, environmental investigations, risk based assessments/closures under state voluntary closure programs, regulatory negotiations, and tax relief for pollution control equipment. While in the U.S. Marine Corps, he served as a Hazardous Materials/Environmental Officer. In this capacity, he established the first hazardous materials/hazardous waste control program at 29 U.S. Marine Reserve units in 17 states.

Mr. Hall also has extensive management experience in both the environmental consulting and military arenas. In the military, Mr. Hall served in all aspects of leadership and over all resource management. As a Marine officer, Col Hall has been responsible for the efficient and effective operations of organizations as large as 1,000 individuals. As a principal for World Environmental he is responsible for profit and loss, client development and management, and product quality. He has also supervised the day-to-day operational activities of multiple offices, ensuring project staffing requirements, deadlines and budgets were met. He has been responsible for Quality Assurance/Quality Control, Health and Safety, and Information Technology programs.

Professional Experience

WORLD Environmental, Principal

SESTECH Environmental, Vice President

SECOR International, Senior Project Manager

RUST Environment & Infrastructure/RUST Lichliter Jameson, Project Manager

United States Marine Corps, Captain, Environmental and Hazardous Materials Officer/Combat Engineer

Project Experience

NPDES Storm Water Permitting

- Managed and completed the TPDES storm water permitting for all Waste Management Houston area landfills, hauling companies and transfer station under the newly issued TPDES Multi-Sector General Permit, TXR050000, issued August 15, 2006. The project



included development of site specific Storm Water Pollution Prevention Plans, recommendation of Best Management Practices, development of SWPPP Site Maps, training of site personnel and a two hour, "train the trainer" program for all site managers.

- Managed and coordinated a field pilot test for Total Suspended Solids (TSS) management at a central Texas landfill. The pilot test utilized a variety of Best Management Practices in combination to determine the most effective and efficient combinations and applications. The new and existing technologies including Turf Reinforcement Matting (TRM), Hydroseed, compost blankets and berms, mulch berms, flocculants, and sedimentation ponds.
- Completed a No Exposure Certification of a petroleum lubricants bulk packaging and distribution facility that 1) did meet the Standard Industrial Classification (SIC) code requirements for TPDES regulation; and 2) did discharge storm water. However, based on the unique operational design, storm water segregation and storm water flows, "storm water discharges associated with industrial activity" did not emanate from the facility. This permitting approach saved the facility thousands of dollars over the life of the permit.
- Re-permitted a light industrial facility based on some minor construction (<\$1,000) that allowed the facility to terminate a waste water discharge permit and re-permit under the simpler and less cumbersome storm water permitting rules. This involved extensive negotiations with the State of Florida and the local municipality, development of the required Storm Water Pollution Prevention Plan, filing the Notice of Intent, and completing on-site training for facility personnel. Concurrently, successfully negotiated dismissal of a Notice of Violation (NOV) received while operating under the former wastewater discharge permit. These efforts resulted in actual cost savings for the client of over \$30,000 per year in monitoring, analytical and consulting fees as well as cost avoidance of fines and penalties that could have been associated with the NOV. These cost savings were achieved while maintaining compliance with all local, state and federal environmental rules and regulations.
- Resolved a water quality problem related to suspended silt and sediment from very fine clays, which were the result of construction activities. The construction activities and physical properties of the clays resulted in elevated levels of suspended solids in the storm water discharge that could not be treated with conventional operational or engineering Best Management Practices (BMPs). Concerns regarding the discharge included exceedances of TPDES Benchmark levels by five times the allowable levels for iron as well as the complaints of downstream property owners regarding the impact to their property and water quality. Due to operational considerations, treatment of the runoff was required and a naturally-based chitosan product, was utilized to promote settling of the suspended solids. Implementation of this Best Management Practice (BMP) resulted in significant reductions of silt and sediment in the discharge. Complaints from downstream property owners ceased and the TNRCC Regional storm water inspectors tacitly approved the process.
- Supervised the transition of over 35 industrial facilities from the NPDES Multi-Sector permit to the Texas Pollutant Discharge Elimination System (TPDES) permit



- Developed and implemented a unique storm water management and sampling program to alleviate the bulk of the storm water sampling burden from operational facilities. The service includes visual sample analysis, chemical analysis (when required), documentation of sample events, completion of Discharge Monitoring Reports, and other required documentation. All documentation and reports are accessible via the web.
- Prepared a comprehensive storm water guidance manual for a major Oil Company's Oil and Gas Extraction division. The manual is utilized at over 50 production sites throughout Texas, Louisiana, New Mexico, Colorado and South America. The manual was designed to permit onsite field personnel to evaluate the applicability of the National Pollution Discharge Elimination System (NPDES) / State Pollution Discharge Elimination System (SPDES) regulations and design / implement a storm water pollution prevention plan (SWPPP) for facilities meeting the applicability criteria.
- Procured, constructed, and installed custom sampling and monitoring equipment for a major oil and gas exploration and production company to monitor and sample surface water quality. Equipment was designed to monitor for a variety of parameters, and sample as well as trigger an audible alarm when specified levels were exceeded. Systems required the integration of ISCO, Hydrolab, and Campbell Scientific equipment in order to meet the monitoring, sampling, and data logging capabilities specified by the client. Information obtained was utilized in litigation defense.
- Compared and contrasted the effects of the NPDES Multi-Sector General Permit (MSGP) for a waste management operation in the client's non-delegated states (Texas, Oklahoma, and Louisiana). Review entailed analysis of the operational, administrative, and fiscal impacts of application under the MSGP. Provided conclusions and recommendations for each type of facility (landfills, hauling companies, transfer stations, and municipal recycling facilities) based on this analysis.
- Successfully transitioned 23 client landfills in Texas and Oklahoma from the Baseline General to the Multi-Sector General Permit. Effort included permit application, Endangered Species and National Historic Preservation Act compliance reviews, site-specific SWPPP preparation, and storm water pollution prevention training. Conversion saved each landfill approximately 50% in NPDES compliance costs over the life of the permit.
- Managed the preparation of SWPPPs to comply with both the Baseline General Permit and the MSGP to allow the client's facility the flexibility of maintaining cost-efficient coverage under the Baseline General Permit, while allowing easy and inexpensive transition to the MSGP in the event the EPA allows the Baseline General Permit to expire. Previous analysis indicated conversion to the MSGP would be more expensive for the client's 38 hauling companies than maintaining coverage under the Baseline General Permit. However, with the pending expiration of the Baseline General Permit, the client did not want to incur the cost of re-writing their SWPPPs should the Baseline General Permit be allowed to expire. Therefore, coverage was maintained under the Baseline General Permit, although the client's SWPPPs were prepared to comply with both the permits.



- Coordinated storm water sampling efforts for U.S. Naval facilities in Texas to ensure effluent levels were in compliance with those of their permit. Also conducted training for key facility personnel as required by the NPDES permit to address pollution prevention, development, and implementation of Best Management Practices (BMPs).
- Conducted a written survey in 24 states for the operator of a nationwide truck plaza chain to determine state-by state NPDES compliance requirements. Client had received conflicting information regarding NPDES compliance and, though their operations were not regulated by the NPDES permit, certain states required NPDES compliance based on storm water discharges that were impacting water quality. Assigned a risk factor to each state, allowing client to prioritize their compliance efforts.
- Prepared the SWPPP and obtained the necessary NPDES construction permits for construction of a new landfill in San Antonio, Texas. Subsequently prepared the SWPPP for the industrial activities at the site and activities and filed the Notice of Termination for construction activities upon completion of landfill construction.
- Prepared 21 Storm Water Pollution Prevention Plans (SWPPPs) within a six-week period for waste management hauling companies and landfills located across Texas. Plans were completed on time and under budget to meet the regulatory deadlines imposed under the NPDES General Permit.
- Conducted storm water sampling and reporting, in addition to annual compliance evaluations, at eight landfills in central and north Texas. Work involved manual and automated semi-annual sampling, annual reporting, and completion of the annual compliance evaluation for each facility, along with subsequent modifications to the SWPPP.

Regulatory Negotiations & Permitting

- Managed the renewal effort for a RCRA Part B Permit. Due to recent changes in the regulations, the renewal process also entailed preparation and submission of a permit for the discharge of industrial solid waste to a Publicly Owned Treatment Works (POTW), under Senate Bill 1281. The 1281 Permit application included a review and engineering certification of the existing waste water processing system, aboveground tanks inspections, certifications and compatibility assessment of the proposed waste streams. Upon completion and submission of this permit to the TCEQ, the RCRA Part B permit renewal process was initiated.

The RCRA Part B permit renewal entailed the conceptual design and operational plans for three main areas, an 8,700 square foot Drum Storage Warehouse, a three bay Bulk Unloading Area and a Tank Farm containing 16 aboveground storage tanks totaling 807,500 gallons of liquid storage capacity. This effort required civil, electrical and process engineering to: develop preliminary civil designs for structures, containment areas and roads; develop P&ID drawings of all process areas and equipment; conduct electrical classification, venting and explosion proof analyses of each area; prepare/update facility descriptions for each area; and prepare, sign and Professional Engineer seal engineering reports for each area.



Due to the client's operational requirements, this project was fast-tracked and was completed in six weeks. TCEQ comments to the permit application were negligible and were completed in less than one hour.

- Managed a complex asbestos abatement project involving tenant exposure and the decontamination of alcoholic beverages. Due to the circumstances of the project, the potential for litigation was high and extensive agency and attorney coordination was required. Ultimately project completion required the coordination among ten separate entities, including two attorney offices and two regulatory agencies, the CT Department of Environmental Protection (CDEP) and the CT Department of Consumer Protection (CDCP), the agency charged with overseeing the sale and distribution of liquor. Abatement of the spaces and all of the liquor stored in the spaces, entailed extensive coordination and creative problem solving. This project was completed in a three-week period. Due to the detailed negotiation and coordination efforts and ability to meet the needs of all parties, there were no fines levied by the regulatory agencies, and individual parties filed no lawsuits.
- Managed a unique project relating to the discharge of accumulated fire fighting effluent and storm water from a landfill construction cell. In 2002 a tire recycling facility adjacent to a landfill caught fire and burned for three days, resulting in approximately five million gallons of water to evacuate before cell construction could resume. Due to the unique nature of the event, there was no legal permit mechanism under which the discharge could be authorized. Therefore, negotiations were initiated with the Texas Commission on Environmental Quality (TCEQ), both in Austin and the regional office, to develop a sampling protocol that would demonstrate the discharge would not adversely impact the surface waters. Discharge of the accumulated storm water and fire fighting effluent commenced 13 working days after notification and with the consensus of the TCEQ.
- Retained by a confidential client to investigate the potential encroachment of jurisdictional wetlands and the potential violation of Section 301 of the Clean Water Act. After conducting a preliminary investigation and determining that wetland encroachment had occurred the US Army Corps of Engineers (COE) was notified and a wetlands delineation was initiated. The wetlands delineation determined that roughly 2.5 acres of wetlands had been inadvertently graded and filled. Negotiations with the COE resulted in a wetlands restoration plan and restoration of the impacted wetlands. Based on the proactive approach and the client's compliance history no fines were levied. This coupled with the restoration vice mitigation resulted in a cost savings of \$15,000 to \$20,000 for the client.

Environmental Management Systems, Environmental Audits and Regulatory Compliance

- Conducted an environmental audit of a Texas-based Naturally Occurring Radioactive Material (NORM) disposal facility for a company evaluating the risk and potential liability associated with NORM disposal at the facility. As a deep well injection unit disposing of NORM wastes, the facility was regulated by the Texas Natural Resources Conservation Commission (TNRCC) for environmental issues, the Texas Department of Health (TDH) for radiation-related issues, and the Texas Railroad Commission (RRC) for the well operation



and disposal. The audit required review of the applicable regulations and coordination with each of the aforementioned agencies, as well as federal entities, to verify compliance. In addition, an assessment of other NORM disposers was conducted to determine risk-sharing potential.

- Assisted a Houston-based Forging facility in developing an Environmental Management System (EMS) in order to obtain the ISO 14001 certification. This project involved; conducting an environmental compliance audit, the development of an environmental policy, an environmental manual, development of policies and procedures to support the EMS, initial training for employees and training for internal auditors. Pursuit of the ISO 14001 certification required compliance with existing Federal and State regulations. To this extent, SECOR provided consulting services for NPDES compliance, air permitting, source reduction and waste minimization, solid waste management, and the preparation of a Spill Prevention Control and Countermeasures (SPCC) Plan. The facility received ISO 14001 certification in October of 1998, six months after project initiation.
- Managed environmental compliance audits of 115 Port of Houston Authority (PHA) tenants. The audits were intended to provide a baseline compliance status of each of the tenants, and determine whether or not the PHA may be subject to any potential liability due to the non-compliance of its tenant(s). The initial audits were conducted utilizing a checklist-format that reviewed each facility for compliance with: RCRA (Resource Conservation and Recovery Act) regulations for hazardous waste generation requirements, underground storage tank compliance, SPCC (Spill Prevention Control and Countermeasures) plans for ASTs (Aboveground Storage Tanks); wetlands; air emission requirements under the Clean Air Act; compliance with the NPDES (National Pollutant Discharge Elimination System) under the Clean Water Act; Emergency Planning and Community Right to Know Requirements; and the Toxic Substances Control Act (TOSCA). Upon completion of the audits, the results were input into a database for management and tracking by the PHA.
- Completed an Environmental Compliance Audit of an international tool and die fabricator engaged in the manufacture of small, precision-turned components for parts in medical products, automotive components and IT appliances. The audit addressed all areas of compliance to include air, water, and waste and was in preparation for the facility's pursuit of ISO 14001 registration.
- Assisted a landfill in San Antonio, and hauling facility in Austin, Texas, during a one-week period to conduct an environmental health and safety self-audit in preparation for a corporate audit. Management areas inspected included air regulations, surface water regulations, groundwater regulation, Safe Drinking Water Standards, DOT compliance, Hazardous Waste Disposal regulations, petroleum storage tank compliance, Lock out Tag out, compressed gas management, hot work operations and emergency management and contingency plans.
- Conducted environmental audits of industrial crane manufacturing and maintenance facilities in Houston Texas, and in Houma, Louisiana, in conjunction with Phase I ESAs. Audits consisted of an on-site records review and inspection for compliance with applicable



regulations, such as petroleum storage tank compliance, hazardous waste storage and disposal, storm water regulations, the Safe Drinking Water Act, and the Clean Air Act.

- Managed and prepared local and permit-specific tasks for incorporation into the Compliance Management System (CMS) database for five client landfills. Also, discrepancies noted during environmental audits and inspections were entered into the Compliance Action Reporting System (CARS) database for resolution tracking. Both CMS and CARS are proprietary copyrighted software systems used to ensure compliance with all federal, state, local, and permit-specific regulations.
- Developed and implemented a comprehensive health and safety manual for a nationwide solid waste disposal company for landfill and hauling operations. Approximately 10 sites throughout Texas and Arkansas are currently utilizing this manual to assist site managers design and document their health and safety meetings. This manual also provides onsite field personnel the ability to reference a standardized manual for their health and safety requirements.

Phase I and Phase II Environmental Site Assessments (ESAs)

- Managed and/or conducted over 500 Phase I ESAs nationwide. Properties involved industrial; undeveloped land; nursing/retirement; manufacturing; trucking operations; landfills/land disposal; and hazardous waste treatment, storage, and disposal.
- Conducted a Phase I ESA of over 1,000 acres of agricultural and industrial property impacted by municipal landfill operations, aircraft cleaning activities, and battery manufacturing operations. Involved five separate tracts of land and included a comprehensive regulatory review of adjacent industrial activities to determine compliance status and discern potential impacts to the subject property.
- Conducted a Phase I ESA and Phase II Sampling and Analysis Program (SAP) for approximately 800 acres of agricultural land. Required sampling to determine the impact of former oil and gas exploration activities on the property.
- Completed a Phase I ESA and a Phase II sampling and analysis plan for a city's solid waste transfer station. Required sampling to determine baseline contaminant levels of the property prior to sale, since the property encompassed a portion of a closed municipal landfill and former sewage treatment plants.

Other Environmental Services

- Coordinated efforts to develop a standard operating procedure for handling automobiles and other vehicles that had been impacted by the flood waters resulting from Hurricane Katrina for a nation-wide auto salvage company. In the wake of Hurricane Katrina there were few governmental directives in place for the proper handling of vehicles and other debris. The project required coordination with the Louisiana DEP, the Department of Motor Vehicles and



the State Troopers to develop a SOP that meet the needs of each entity for human health and environmental protection. Detailed procedures were developed for inspecting, transporting, and cleaning all vehicles. Personal Protective Equipment (PPE) requirements were outlined for employees, drivers, customers and others that could come into contact with the vehicles. Immunization recommendations were included to safeguard workers from bacterial infection.

- Prepared an Environmental Security Plan for a major oil and gas services company to address appropriate security measures for the internal handling and management of hazardous materials, operation of their onsite water well, distribution system and waste water treatment system and physical plant security.
- Supervised the completion of over 30 Spill Prevention Control and Countermeasures (SPCC) plans throughout the state of Texas.
- Completed several indoor air quality mold surveys involving site visits, air sample collection and evaluation and preparation of reports to include recommendations. All surveys were conducted and completed in conjunction with a Certified Industrial Hygienist.
- Researched and prepared an application to the Texas Natural Resource Conservation Commission (TNRCC) to modify a special provision included in a wastewater discharge permit. The TNRCC approved the request.
- Coordinated and conducted the removal of multiple USTs. Included tank removal, closure report preparation, conducting a Limited Site Assessment to determine the extent of contamination, and Leaking Petroleum Storage Tank Remediation Fund Application preparation.
- Conducted an investigation of fecal coliform levels, and successfully rebutted city and state allegations that the client was responsible for elevated fecal coliform levels in ditches adjacent to their property.
- Supervised the compilation of Texas and Louisiana Solid Waste Regulations in a computer-based checklist for a waste management company to ensure compliance with all regulations on a daily, weekly, monthly, and annual basis.

Professional Memberships

- Society of American Military Engineers
- Society of Texas Environmental Professionals
- Water Environment Federation
- American Society of Civil Engineers
- Greater Houston Partnership

Professional Training and Continuing Education Courses

- Hazardous Material and Waste Control, Naval Safety School, 1990



- Underground Storage Tank Compliance, Environmental Resource Center, 1991
- Emergency Response to Hazardous Materials Incidents, USEPA, 1991
- Compliance Management Systems Training, 1992
- NPDES Multi-sector Permit Workshop, National Storm Water Center, 1995
- Construction Safety Awareness Training, 1996
- Environmental Health and Safety Peer Auditor Training, WMX Technologies, 1997
- Environmental Management Systems, TCEQ/ERM CVS 2002
- USEPA Emergency Response Certification, 1991
- DOT Hazardous Materials Shipments Certification, 1994
- 40-Hour OSHA Health & Safety Certification, 1992
- 8-Hour OSHA Health & Safety Annual Update Certification, 2000

Other Related Activities

U.S. Marine Corps Reserve; Rank - Colonel, with past commands and/or assignments at the Platoon, Company, Battalion, Regiment and Wing/Division levels.

Publications, Presentations and Patents

Hall, C. E., *NPDES Storm Water Compliance for the Hardwood Industry*, National Hardwood Lumber Association, Dallas, Texas, 1993.

Hall, C. E., *Storm Water Compliance, Options and Alternatives for Industry and Construction*, American Society of Civil Engineers (ASCE), Texas Section, Houston, Texas, April 1997.

Hall, C. E., *Compliance with the New Storm Water Regulations*, ASCE, Texas Section, Arlington, Texas, October 1997. (One of six technical papers/presentations to be awarded Best of Session.)

Hall, C. E. and **W. H. Hunt**, *Storm Water Compliance, A Case Study*, ASCE, Texas Section, Arlington, Texas, October 1997.

Hall, C. E., *Environmental Data Resources, Due Diligence at Dawn*, Panelist, The Devil in the Details, Houston, Texas, November 1997.

TPDES Storm Water Compliance Short Course, Presented by **Charles E. Hall**, Angie Darbonne, Damian Vickerman, SESTECH Environmental, December 2001

NPDES Storm Water Compliance for the Oil and Gas Industry, Presented to Conoco USSA, by **Charles E. Hall**, SESTECH Environmental, June 2002

Co-Inventor of the I-Chem Storm Water Sampler working in conjunction with Nalge Nunc International, <http://www.ichembrand.com/default.asp>, Patent Pending, 2003

Attachment 3

Table 1

World Environmental – Pollution Control Applications Filed

World Environmental - Pollution Control Applications Filed As of November 2009

Client	Applications Filed	Applied Value (\$)	Determined Value (\$)	Pending Value (\$)
Oil Storage Terminal 1	Air	11,331,355.00	11,315,659.00	
	Automatic Gauge-Valve	897,842.00	897,842.00	
	Solid Waste	4,960,329.00	3,139,733.00	
	Spill	483,957.00	483,957.00	
	Wastewater	362,183.00	360,887.00	
Oil Storage Terminal 2	Air	2,135,039.00	2,135,039.00	
	Shutdown	492,398.00	492,398.00	
	Solid Waste	2,493,298.00	1,867,290.00	
	Spill	15,500.00	15,500.00	
	Internal Floating Roofs	4,041,000.00	4,041,000.00	
	Automatic Shutdown	1,175,500.00	1,175,500.00	
	Dikes	1,046,542.00	1,046,542.00	
	Internal Coating	337,400.00	0.00	
	Vapor Control	2,309,850.00	2,270,850.00	
	IFR Repairs	1,626,900.00	1,626,900.00	
	Upgrade Secondary	2,928,000.00	2,835,000.00	
Electroplating Co.	Wastewater	841,865.07	841,865.07	
	Stormwater	27,705.00	27,705.00	
	Dust Collectors	38,401.44	38,401.44	
	Scrubbers	524,631.54	524,631.54	
Heavy Equipment Manufacturer	Chip Bin	30,000.00	0.00	
	Sweepers	28,220.00	28,220.00	
	Dust Collection	195,179.00	195,179.00	
	Mart & Part	269,723.00	0.00	
	Paint Booth	84,131.68	84,131.68	
	Secondary Drum	30,000.00	30,000.00	
	Water Monitor	12,000.00	12,000.00	
CSD Transfer Station	Concrete + Pavement	79,274.38		79,274.38
	Maintenance 1	68,409.00		68,409.00
	Maintenance 2	22,400.00		22,400.00
	Sweeper	18,000.00	18,000.00	
	Buffer + Vacuum Tier II	13,009.85	0.00	
	Track Hoes + Skid	409,894.93	0.00	
Dry Feed/Chem Dist.	Automatic Shutoff	14,500.00	14,500.00	
	Emission Controls	1,968,262.00		1,968,262.00
	Leak Protection	100,991.00		100,991.00
	Paving + Stormwater	284,181.00		284,181.00
	2nd Containment	310,531.00		310,531.00
	Wastewater	46,181.00	46,181.00	
	Water Recycler	5,750.00		5,750.00
Landfill 1	Monitoring & Liners	3,558,572.00	3,558,572.00	
	Paintbooth	79,569.00		79,569.00
	Stormwater	60,327.00		60,327.00
	Streets & Fences	255,421.00		255,421.00
	UST	19,981.00	19,981.00	
Collision Center	Air	61,000.00	61,000.00	
	Stormwater	113,500.00		113,500.00
	Waste	17,500.00		17,500.00
Auto Dealer 1	Exhaust Collection	30,000.00		30,000.00

World Environmental - Pollution Control Applications Filed As of November 2009

	Stormwater	27,000.00	27,000.00	
	Waste	27,500.00		27,500.00
Auto Dealer 2	Air	29,000.00		29,000.00
	AST	20,000.00	20,000.00	
	Stormwater	588,880.00		588,880.00
	Waste	5,000.00		5,000.00
Specialty Surface Coating	Stormwater & Paving	181,095.61		181,095.61
	MEK Recycling	750.00		750.00
	Paint Booths	826,563.10		826,563.10
	Dust Collectors	98,803.10	98,803.10	
	Secondary Containment	6,175.00		6,175.00
Valve Distributor 1	Stormwater	981,158.00		981,158.00
	Spill & Leak	1,100.00	1,100.00	
	Spill & Leak 2	1,100.00		1,100.00
Valve Distributor 2	Stormwater	828,163.00		828,163.00
Landfill 2	Gas Probes	36,373.00		36,373.00
	Groundwater Monitors	13,997.00		13,997.00
	Retention Pond	135,000.00		135,000.00
	Sweeper Watering Truck	79,402.00		79,402.00
Landfill 3	Gas Probes	35,476.00		35,476.00
	Groundwater Monitors	21,567.00		21,567.00
	Liners	8,926,860.00		8,926,860.00
	Watering Truck	49,525.00		49,525.00
Landfill 4	Gas Probes	33,665.00		33,665.00
	Groundwater Monitors	20,110.00		20,110.00
	Watering Truck	49,525.00		49,525.00
Totals		59,279,991.70	39,351,367.83	16,273,000.09

Attachment 4

**Table 2
References**



WORLD ENVIRONMENTAL POLLUTION CONTROL
EXEMPTION REFERENCES

Company	Name	Phone Number/Email
Cameron International	John Miller	713-856-1586 john.c.miller@c-a-m.com
Waste Corporation of America	Harold Hutson	281-459-4441 hhutson@wcamerica.com
Sprint Ft. Bend Landfill	James Goodyear	281-690-5075 Jim.goodyear@sprint-logistics.com
Oiltanking	Clayton Curtis	281-457-7910 Clayton.curtis@oiltanking.com

230 Spring Hill Dr., Ste 340
Spring (Houston), Texas 77386
Phone: 832-295-0685
Fax: 832-295-0784
www.worldenv.com



November 30, 2009

Texas Commission on Environmental Quality
Tax Relief Program, MC - 110
12100 Park 35 Circle, Bldg A
Austin, TX 78753

Re: Tax Relief for Pollution Control Property Advisory Committee Nomination

Ladies and Gentlemen:

Attached please find my application for appointment to the Advisory Committee for Tax Relief for Pollution Control Property (Attachment 1). I am a Principal of WORLD Environmental (WORLD), a full service environmental consulting firm, located in Spring, Texas, just north of Houston. I have been engaged in the environmental consulting industry for over 20 years and as a result have a broad range of experience with virtually every industry located in the State of Texas from oil and gas, to solid waste, petrochemical to manufacturing, and real estate to coatings. A copy of my resume is included as Attachment 2.

Since 2008, WORLD has included in its service listing, tax exemptions for Pollution Control Equipment (PCE). We have actively pursued this market niche, preparing and submitting almost \$60,000,000 in PCE packages for a broad range of industry, including; the oil and gas, solid waste, electroplating, manufacturing, chemical, automotive, manufacturing/distribution, and coating sectors. Of the \$60,000,000 in PCE applications submitted almost \$40,000,000 has been approved with over \$16,000,000 still pending review. Of those packages completed we have over a 91% success rate for positive use determinations, (Attachment 3).

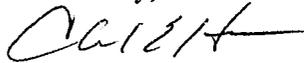
I am, along with my staff, actively engaged in the PCE program. We know and understand the rules and regulations and we have dealt extensively with PCE personnel, both at the TCEQ and multiple County Appraisal Districts. Furthermore, we understand the application of the program across a broad spectrum of Texas' industry. I have included several references that can attest to our services and knowledge of the program in Attachment 4, please feel free to contact them.

*230 Spring Hill Drive
Suite 340
Spring, Texas 77386
Phone: 832-295-0685
Fax: 832-295-0784*

With over 23 years in the United States Marine Corps (active duty and reserves), as well as numerous civic and sports organizations, I have a history of service. I would consider it an honor to be selected to continue that service to the State of Texas as a member of the Tax Relief for Pollution Control Property Advisory Committee.

I can be reached at 832-295-0685 or on my cell phone at 281-731-0413 with any questions or comments. Thank you for your consideration, I look forward to working with you.

Sincerely,



Charles E. Hall
Principal

Attachments

*230 Spring Hill Drive
Suite 340
Spring, Texas 77386
Phone: 832-295-0685
Fax: 832-295-0784*

Attachment 1

TCEQ Application for Advisory Committee Position

Texas Commission on Environmental Quality
Tax Relief for Pollution Control Property Advisory Committee
Application for Advisory Committee Position

Nominee's Name: Leo John Scherrer
Mailing Address: 365 Comal Avenue
City, State, Zip: New Braunfels, TX 78130
Phone Number: (512) 581-2541
Fax:
E-mail Address: leoscherrer@yahoo.com

Please check the group the nominee is qualified to represent.

1. Industry
2. Appraisal district(s)
3. Taxing Unit
4. Environmental group

✓

5. Individual who is not a member of the other groups listed but has substantial technical expertise in pollution technology and environmental engineering.

Please provide additional information about group represented by nominee.

I am retired from The Dow Chemical Company after 34 years of service. I have over 19 years of chemical production experience which included a diverse range of pollution control equipment. In addition to chemical production I also have had direct management responsibility for meeting state and federal pollution control regulations.

I have 15 years of experience in Property tax management for The Dow Chemical Company.

Please indicate if you are nominating yourself or another individual.

I am nominating myself.

Bio

Leo John Scherrer

Retiree from The Dow Chemical Company April, 2009 with 34 years of service. My career includes 19+ years of chemical production responsibilities in world scale chemical facilities located in Freeport, Texas. I had direct responsibilities to meet state and federal pollution control regulations in a chemical production environment. I have had direct management responsibility over a diverse range of pollution control equipment including, but not limited to, waste water treatment, bio-oxidation, thermal oxidizers, thermal heat recovery oxidizers, RCRA facilities, air emission monitoring, scrubbers, strippers, vent recovery systems, secondary containment and flare systems. I have reviewed Spill Prevention and Countermeasure Control plans and I have written procedures for the operation of pollution control equipment.

Following my production career with Dow Chemical I joined the company's finance department where I worked as a senior property tax specialist where I have 15 years of experience in industrial property tax. I have personally filed applications for Use Determinations for pollution control equipment.

Education:

B.S. Chemical Engineering University of Missouri - Rolla Science and Technology

Work Experience:

Monsanto Chemical Company – Carondelet

Student co-op 1973 – 1975

The Dow Chemical Company – Freeport, TX

1976 – 1979 Brine and Chlorine production

1980 -1985 Phenol and Acetone production

1986 – 1990 Vinyl Chloride production

1991 – 1995 Ethylene plant construction and startup

1996 – 2009 Property Tax management

Certifications:

Licensed Professional Engineer – Texas

Licensed Senior Property Tax Consultant – Texas

Certified Member of the Institute for Professionals in Taxation

Brazosport Chamber of Commerce – member

Conservation Society – New Braunfels – member

Heritage Society – New Braunfels - member