



Jefferson County Appraisal District

P. O. Box 21337
Beaumont, Texas 77720-1337

4610 S. Fourth St.
Beaumont, Texas 77705

(409) 840-9944
(409) 727-4611
Fax (409) 727-5621

CHIEF APPRAISER
Roland R. Bieber, RPA

MEMBERS OF THE BOARD
Charles Lankford, Chairperson
Miriam K. Johnson, Secretary
Eugene Landry
Fred L. Mitchell
C.L. Sherman

December 15, 2009

Agenda Docket Clerk
Office of Chief Clerk
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Via Electronic Transmission to:
<http://www10.tceq.state.tx.us/epic/efilings>

RE: Valero Refining-Texas, L.P.; TCEQ Use Determination No. 06-10280; TCEQ Docket No. 2007-0738-MIS-U; and TCEQ Use Determination No. 06-10279; TCEQ Docket No. 2007-0739-MIS-U ; Jefferson County Appraisal District Response to Valero's Appeal

Dear Sir or Madam:

The Jefferson County Appraisal District intends that this letter constitute its Response to the Appeal of Valero Refining-Texas, L.P., Diamond Shamrock Refining Company, L.P and The Premcor Refining Group (hereinafter, Valero or Appellant), Appellant, of the Commission's Negative Use Determinations previously issued in these matters, for an ultra low sulphur diesel project (No. 06-10280) and a gasoline desulphurization project (No. 06-10279), both located at its facility located at Port Arthur, Jefferson County, Texas.

BACKGROUND:

Valero filed applications for Tax Relief for Pollution Control Property sometime in 2006 or installation of an ultra low sulphur diesel project and also for installation of a gasoline desulphurization project in its facility located in Port Arthur, Jefferson County, Texas. It sought relief under 40 CFR §§ 80.190--80.415. Both projects were designed to produce fuels with a lower sulphur content. One component of the projects was a hydrotreater DHT 246. The Commission denied these applications on March 6, 2007, noting in its rulings that "Valero failed to demonstrate that installation of the devices would result in environmental benefit at the site." From these denials, Valero appealed.

JEFFERSON COUNTY APPRAISAL DISTRICT'S RESPONSE:

It is the position of the Jefferson County Appraisal District, through its Chief Appraiser, that the Negative Use Determinations are proper under Section 11.31 of the Property Tax Code and the rules promulgated by the TCEQ to implement that section for the reasons stated in the determinations. Further, it relies on the briefs submitted by the Executive Director in this matter and adopts those briefs as its own as well as the briefs submitted by any other appraisal district in this matter.

December 15, 2009

Page 2

The Jefferson County Appraisal District urges that the appeals be denied.

Respectfully submitted,



Roland R. Bieber
Chief Appraiser
Jefferson County Appraisal District
P. O. Box 21337
Beaumont, Texas 77729-1337
Telephone: 409 727-4611
Facsimile: 409 727-5621

c:

Parker Wilson, Managing Counsel
Environmental Safety & Regulatory Affairs Law
Valero
One Valero Way
San Antonio, Texas 78269-6000

Rich Walsh, Vice-President &
Assistant General Counsel
Valero
One Valero Way
San Antonio, Texas 78269-6000

Roy Martin, Vice President
Valero
One Valero Way
San Antonio, Texas 78269-6000

Trey Novostad, Director
Ad Valorem Tax
Valero
One Valero Way
San Antonio, Texas 78269-6000

Ollie Grant, Chief Appraiser
Nueces County Appraisal District
210 North Chaparral
Corpus Christi, Texas 78401

December 15, 2009

Page 3

Diane Ball, Chief Appraiser
Moore Central Appraisal District
P. O. Box 717
Dumas, Texas 79029-0717

Jim Robinson, Chief Appraiser
Harris County Appraisal District
P. O. Box 92075
Houston, Texas 77292-0975
Ken Wright, Chief Appraiser
Galveston County Appraisal District
600 Gulf Freeway
Texas City, Texas 77591-2815

Ron Hatlett
TCEQ Small Business & Environmental
Assistance Division MC 110
P. O. Box 13087
Austin, Texas 78711-3087

Guy Henry
D. A. Chris Ekoh
TCEQ Environmental Law Division MC 173
P. O. Box 13087
Austin, Texas 78711-3087

Blas Coy
TCEQ Office of Public Interest Counsel MC 103
P. O. Box 13087
Austin, Texas 78711-3087

Bridget Bohac
TCEQ Office of Public Assistance MC 108
P. O. Box 13087
Austin, Texas 78711-3087

Kyle Lucas
TCEQ Alternative Dispute Resolution Program MC 222
P. O. Box 13087
Austin, Texas 78711-3087

Les Trobman
TCEQ General Counsel
P. O. Box 13087
Austin, Texas 78711-3087