

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*  
December 4, 2009

LaDonna Castañuela, Chief Clerk  
Texas Commission on Environmental Quality  
Office of the Chief Clerk, MC-105  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Sartomer Inc. Goodyear Plant  
TCEQ Docket No. 2009-1681-MIS-U; Use Determination No. 13811  
Executive Director's Response to Sartomer Inc. Goodyear Plant's Appeal of the  
Executive Director's Negative Use Determination

Dear Ms. Castañuela:

Enclosed for filing, please find an original and 7 copies of the "*Executive Director's Response to Sartomer Inc. Goodyear Plant's Appeal of the Executive Director's Negative Use Determination.*" I have also attached the following exhibit to assist the Commission in the resolution of this matter:

Exhibit 1 Notice of Deficiency ("NOD") and Response

Please file stamp these documents and return one complete set to Jose L. Caso, Staff Attorney, Environmental Law Division, MC-173. If you have any questions, please do not hesitate to contact me at (512) 239-4309.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose L. Caso", written over a horizontal line.

Jose L. Caso, Staff Attorney  
Environmental Law Division

**TCEQ DOCKET NO. 2009-1681-MIS-U**  
**TCEQ ID NO. 09-13811**

<b>APPEAL OF THE</b>	§	<b>BEFORE THE</b>
<b>EXECUTIVE DIRECTOR'S NEGATIVE</b>	§	
<b>USE DETERMINATION ISSUED TO</b>	§	<b>TEXAS COMMISSION ON</b>
<b>SARTOMER INC. GOODYEAR PLANT</b>	§	
<b>APPLICATION NUMBER: 09-13811</b>	§	<b>ENVIRONMENTAL QUALITY</b>

**EXECUTIVE DIRECTOR'S RESPONSE TO SARTOMER INC. GOODYEAR PLANT'S  
APPEAL OF THE EXECUTIVE DIRECTOR'S NEGATIVE USE DETERMINATION  
ISSUED FOR SARTOMER'S SYNTHETIC RUBBER MANUFACTURING PLANT**

The Executive Director of the Texas Commission on Environmental Quality (the "Commission" or "TCEQ") files this response to the appeal of the Executive Director's Use Determination issued to Sartomer Inc. Goodyear Plant ("Sartomer" or "Appellant") for its Sulfur Removal System at its Synthetic Rubber Manufacturing Plant. The appeal was submitted by Ronald Little of Associated Tax Appraisers on behalf of Sartomer.

For the reasons described below, the Executive Director respectfully requests that the Commission deny the instant appeal and affirm the Executive Director's Tier I negative use determination for a sulfur removal system.

**PROGRAM BACKGROUND**

This appeal of the Executive Director's negative use determination is filed pursuant to H.B. 3121 (77<sup>th</sup> Tex. Legislature, 2001) establishing an appeal process for use determinations and the Commission rules implementing the legislation. *See* TEX. TAX CODE § 11.31 and 30 Tex. Admin. Code § 17.25.

In 1993, the citizens of Texas voted to adopt a tax measure called Proposition 2. Proposition 2 was implemented when Article VIII, § 1-1 was added to the Texas Constitution on November 2, 1993. The amendment allowed the legislature to "exempt from ad valorem taxation all or part of real and personal property used, constructed, acquired, or installed wholly or partly to meet or exceed rules or regulations adopted by any environmental protection agency of the United States, this state, or a political subdivision of this state for the prevention, monitoring, control, or reduction of air, water, or land pollution."

The Texas Legislature codified the constitutional amendment in 1993 as TEX. TAX CODE § 11.31 (effective January 1, 1994). The statutory language in the codified version mirrored the language of Article VIII, § 1-1. In 2001, the legislature amended Section 11.31 when it passed H.B. 3121 (effective September 1, 2001). This bill added several new procedural requirements to § 11.31, including a provision requiring the establishment and implementation of a process to appeal use determinations. *See* TEX. TAX CODE § 11.31(e) and 30 Tex. Admin. Code § 17.25. The

amendment also required the Commission to adopt new rules establishing specific standards for the Executive Director to follow in making use determinations for property that qualified for either full or partial pollution control use determinations. *See* TEX. TAX CODE § 11.31(g).

Appeals under Section 17.25 of the Commission rules may be filed by either the applicant seeking the determination, or by the chief appraiser of the tax appraisal district affected by the determination. TEX. TAX CODE § 11.31(e) and 30 Tex. Admin. Code § 17.25(a)(2). Appellant is required to explain the basis for the appeal. *See* 30 Tex. Admin. Code § 17.25(b)(5). Under Section 11.31(i) of the Tax Code, “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.”

### **PROCEDURAL BACKGROUND**

On or about May 15, 2009, Sartomer filed a Tier I application with the Executive Director seeking a positive use determination under Section 11.31 of the Tax Code for its sulfur removal system at its Sartomer Synthetic Rubber Manufacturing Plant in Jefferson County.

On or about June 9, 2009, technical staff issued an administrative Notice of Deficiency (“NOD”). On July 15, 2009, Sartomer submitted information addressing the issues raised in the NOD, and an updated application in response to the NOD. On July 17, 2009, Sartomer’s application was declared administratively complete. On July 22, 2009, technical staff issued a technical NOD, and on August 22, 2009, Sartomer sent a response to the technical NOD. On September 14, 2009, the Executive Director completed the technical review of the application.

On September 22, 2009, the Executive Director issued a negative Tier I use determination for the sulfur removal system. On October 12, 2009, Sartomer filed a timely appeal with the Office of the Chief Clerk appealing the negative use determination.

### **DESCRIPTION OF THE PROPERTY**

The equipment listed in the Tier I application is a sulfur removal system. The sulfur removal system processes an unknown co-product<sup>1</sup> generated in Sartomer’s facility. Sartomer explains that the sulfur is removed by the “use of liquid/liquid extraction in a vessel,” which is similar to a wet scrubber’s process. “The removed sulfur is contained in the waste water [sic] that is sent to waste water [sic] treatment.”

After the co-product is processed by the sulfur removal system, “it is sold to companies that produce liquid fuels.” As such, the co-product is a component utilized by other companies to produce liquid fuels. Sartomer explains in its first NOD response that the “removal of the sulfur reduces SOx emissions during end use.”

Sartomer described the equipment as follows:

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<sup>1</sup> Sartomer did not identify the co-product in its application or its NOD responses.

“Sulfur Removal Stream. Removed the sulfur from the product. Improved product stewardship. This co-product is used to produce fuels, by removing sulfur thus less SO<sub>x</sub> is produced from combustion during use.”

### APPELLANT’S CLAIMS

Sartomer’s basis for this appeal is that removal of sulfur from its co-product lowers the amount of SO<sub>x</sub> that is emitted during the combustion of fuels that are produced from the co-product, and as such, the negative use determination should be reversed. Sartomer also argues that the sulfur removal system meets or exceeds 30 Tex. Admin. Code § 112.9(a).

### LEGAL ANALYSIS

- 1. The Executive Director’s negative use determination should be affirmed because the sulfur removal system is not installed to “meet or exceed rules and regulations adopted by any environmental protection agency of the United States, Texas, or a political subdivision of Texas, for the prevention, monitoring, control or reduction of air, water, or land pollution.” See 30 Tex. Admin. Code § 17.4(a).**

Sartomer is not entitled to a positive use determination because the sulfur removal system was not installed to meet or exceed an adopted environmental rule or regulation as required by the Tax Relief for Pollution Control Property Program (“TRPCP”) rules. See Tex. Admin. Code § 17.4(a). In order to meet or exceed an environmental rule or regulation for TRPCP purposes, an applicant is required to meet the environmental rule or regulation it cites in its application. Sartomer cannot meet or exceed the rule it cited—30 Tex. Admin. Code § 112.9(a)—because the rule is inapplicable to Sartomer’s use of the sulfur removal system and the co-product. The rule states:

“No person may cause, suffer, allow, or permit emissions of sulfur dioxide (SO<sub>2</sub>) from any liquid fuel-fired steam generator, furnace, or heater to exceed 440 parts per million by volume (ppmv) at actual stack conditions and averaged over a three-hour period.”

30 Tex. Admin. Code § 112.9(a) establishes the maximum SO<sub>2</sub> that can be discharged from a liquid fuel-fired steam generator, furnace, or heater. From the information provided, Sartomer indicated that it will not ignite the co-product in its facility, but will instead ship it to companies that produce liquid fuels. Therefore, Sartomer cannot meet or exceed the cited rule because the cited rule can only be met by the final user of the fuel, i.e. the party that ignites the co-product and, as such, “may cause, suffer, allow, or permit emissions of sulfur dioxide (SO<sub>2</sub>)”. See 30 Tex. Admin. Code § 112.9(a). Sartomer will not cause, suffer, allow, or permit any SO<sub>2</sub> emissions. Therefore, Sartomer is not entitled to a positive use determination because it cannot meet or exceed 30 Tex. Admin. Code § 112.9(a).

**2. The Executive Director's negative use determination should be affirmed because the sulfur removal system does not provide an "environmental benefit at the site" as required by 30 Tex. Admin. Code § 17.15(a).**

In order to obtain a positive use determination, a piece of equipment must provide an environmental benefit at the site where the equipment is located. *See* Step 5 of 30 Tex. Admin. Code § 17.15(a). To demonstrate that there is an environmental benefit at the site, the applicant has to "[d]etermine the environmental benefit that this property provides at the site where it is installed." *See* Draft Guidelines Document for Preparation of Use Determination Applications, January 2008. The sulfur removal system is installed in Sartomer's facility. The sulfur removal system processes Sartomer's co-product, and the co-product is then "sold to companies that produce liquid fuels." *See* Sartomer's July 14, 2009, NOD Response. There will be no environmental benefit at Sartomer's site because the fuel containing the co-product with reduced sulfur will not be ignited in Sartomer's facility. This is evidenced by Sartomer's statement that the "removal of the sulfur reduces SOx emissions during end use." *See* Sartomer's July 14, 2009, NOD Response. As such, Sartomer fails to meet the requirement that there be environmental benefit at the site of the sulfur removal system.

Sartomer is not entitled to a positive use determination because it fails to meet the environmental benefit at the site requirement established by 30 Tex. Admin. Code § 17.15(a).

**3. The Executive Director's negative use determination should be affirmed because the sulfur removal system is production equipment.**

In order to receive a 100% positive use determination, the sulfur removal system must be "used wholly for the control of air, water, and/or land pollution." *See* 30 Tex. Admin. Code § 17.2(14). Sartomer is receiving a production benefit by utilizing its sulfur removal system in order to sell the processed co-product. Equipment that is "used partly for [pollution] control of air, water, and/or land" should apply for a Tier III Positive Use Determination. Sartomer, however, is ineligible for a Tier III Positive Use Determination because, as argued above, the sulfur removal system does not meet or exceed an environmental rule or regulation, or provide an environmental benefit at the site. The quintessential example of equipment used wholly for pollution control is a filter; a filter creates both equipment and installation costs for the facility while providing no production benefits. Sartomer is not entitled to a 100% positive use determination because the sulfur removal system creates a production benefit.

**4. The Executive Director's negative use determination should be affirmed because Sartomer's sulfur removal equipment manufactures or produces a product or provides a service that prevents, monitors, controls, or reduces air, water, or land pollution pursuant to Texas Tax Code § 11.31(a).**

Sartomer's sulfur removal system "manufactures or produces a product or provides a service that prevents, monitors, controls, or reduces air, water, or land pollution." *See* TEX. TAX CODE § 11.31(a). Sartomer's sulfur removal system manufactures or produces a product or provides a service to the buyer of the co-product by removing sulfur from the co-product that will be

utilized to produce liquid fuels. The fuel companies that purchase Sartomer's processed co-product would process the co-product to reduce the amount of sulfur it contains if Sartomer did not process the co-product to reduce the sulfur content beforehand. This is due to the fact that liquid fuel manufacturers must meet maximum sulfur limits established by 30 Tex. Admin. Code § 112.9(a) and other similar rules because the liquid fuel manufacturer must sell a product that will comply with the established environmental regulations.<sup>2</sup> As such, Sartomer is manufacturing a co-product for buyers that prevents, monitors, controls, or reduces air, water, or land pollution.

Sartomer is not entitled to a positive use determination because the method in which the sulfur removal system is utilized by Sartomer actuates a TRPCP ineligibility statute.

**5. The Executive Director's negative use determination should be affirmed because the sulfur removal system does not meet the technical specifications of Equipment and Categories List ("ECL") item A-94.**

Sartomer filed a Tier I application, citing ECL item number A-94 in Part A as the qualifying basis for TRPCP eligibility. *See* 30 Tex. Admin. Code § 17.14(a). The pollution control properties in item A-94 in Part A of the ECL are "Wet or Dry Sorbent Injection Systems." *Id.* The description of the A-94 pollution control properties is:

"Use of a sorbent for flue gas desulfurization or NOx control." *Id.*

The sulfur removal system does not meet the technical specification of ECL item A-94 because the co-product is a liquid, not a flue gas. Therefore, the sulfur removal system is not entitled to a positive use determination because it fails to meet the technical requirements of ECL item A-94.

### CONCLUSION

After careful consideration of the Appeal filed by Sartomer Inc. on Use Determination application number 09-13811, the Executive Director concludes that the original Tier I negative use determination issued to Sartomer was issued correctly. The Appellant failed to provide any legal basis upon which the Commission should reverse the Executive Director's use determination in this case. The Executive Director's use determination in this case is consistent with the terms and mandates set forth in the relevant laws and rules. The averred assertions of the Appellant do not alter the findings and the final negative use determination issued by the Executive Director in this case.

Accordingly, the Executive Director respectfully requests that the Commission deny the instant appeal filed by Sartomer and affirm the Executive Director's Tier I negative use determination.

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<sup>2</sup> Neither Sartomer nor the companies that purchase the co-product could meet or exceed Tex. Admin. Code § 112.9(a) and other similar rules for TRPCP purposes because these rules apply only to the end users of the fuel, and not to the fuel manufacturers.

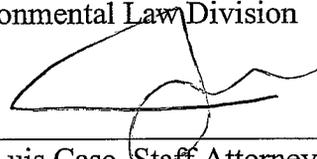
Respectfully submitted,

TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY

Mark Vickery, Executive Director

Robert Martinez, Director  
Environmental Law Division

Guy Henry, Senior Attorney  
Environmental Law Division



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José Luis Caso, Staff Attorney  
Environmental Law Division  
P.O. Box 13087, MC 173  
Austin, Texas 78711-3087

Telephone No. (512) 239-4309

Facsimile No. (512) 239-0606

REPRESENTING THE EXECUTIVE  
DIRECTOR OF THE TEXAS COMMISSION  
ON ENVIRONMENTAL QUALITY

## CERTIFICATE OF SERVICE

I certify that on December 4, 2009, the original and 7 copies of the Executive Director's Response to Sartomer Inc. Goodyear Plant's Appeal of the Executive Director's Use Determination Issued to its Goodyear Plant was filed with the Office of the Chief Clerk, Texas Commission on Environmental Quality and was served by first-class mail, electronic mail, agency mail, or facsimile to all persons on the attached mailing list.



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José Luis Caso, Staff Attorney  
Environmental Law Division  
Texas Commission on Environmental Quality

**MAILING LIST**  
**SARTOMER INC. GOODYEAR PLANT**  
TCEQ Docket No. 2009-1681-MIS-U (UD-09-13811)

Associated Tax Appraisers  
Ad Valorem Tax Consultants  
4543 Post Oak Place, #232  
Houston, Texas 77027  
(281) 497-2200 Fax (713) 627-8454

Dr. Emmanuel Wada  
TCEQ Office of Chief Engineer MC 110  
P.O. Box 13087  
Austin, Texas 78711-3087  
(512) 239-1917 Fax (512) 239-3165

Jim Robinson, Chief Appraiser  
Harris County Appraisal District  
P. O. Box 922004  
Houston, Texas 77292  
(713) 957-7800 Fax (713) 957-5210

Minor Hibbs  
TCEQ Office of Chief Engineer MC 110  
P.O. Box 13087  
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Robert Martinez  
TCEQ Environmental Law Division MC 173  
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Ms. LaDonna Castañuela, Chief Clerk  
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Vic McWherter  
TCEQ Office of Public Interest Counsel MC 103  
P. O. Box 13087  
Austin, Texas 78711-3087  
(512) 239-6363 Fax (512) 239-6377

Kyle Lucas  
TCEQ Alternative Dispute Resolution Program  
MC 222  
P. O. Box 13087  
Austin, Texas 78711-3087  
(512) 239-0687 Fax (512) 239-4015

# Exhibit 1

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 09, 2009

ASSOCIATED TAX APPRAISERS  
RONALD P LITTLE  
4543 POST OAK PLACE #232  
HOUSTON TX 77027-

This letter is to inform you that during the administrative review of Use Determination Application, 13811, the reviewer has determined that additional information is required. This application was filed for the following facility:

SARTOMER INC. GOODYEAR PLANT  
11455 IH 10  
BEAUMONT TX 77705

The additional information required is:

Issue 1: The property description in your application is not adequate to communicate the nature and use of the sulfur removal system. It is not clear what product has the sulfur removed, what fuel is made from the product, or where the fuel is burned. Please provide a clear description of the components in the sulfur removal system, where the system is located, what product is produced (including if the fuel is liquid or solid) and how it is used, whether the system reduces emissions at the facility, what happens to the removed sulfur, and any other relevant information, as well as a process flow diagram showing all components of the entire system, its relation to fuel production, and its relation to the rest of the facility. Please note that ECL number A-168 is for wet or dry scrubbers, which may not be appropriate for this item.

Issue 2: For item 10 on page 4 of 5 in the application, an incorrect entry appears to have been made for the decision flow chart (DFC) box that the item reached. Please note that under the current DFC, box 7 is for Tier IV items, which is inconsistent with this application.

Issue 3: Only an original application was submitted, although 30 TAC 17.10(a)(1) requires both an original and a copy. Please submit both an original and a copy of the revised application.

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Please provide the missing and/or incomplete information as soon as possible. As per 30 TAC 17.12(2)(A) the applicant must respond to a notice of deficiency (NOD) by providing the

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additional information required within 30 days of receipt of the NOD or the application will be returned. Once the additional information has been received the administrative review of this application will resume. If you have any questions or require any assistance in developing the additional required information please contact the Tax Relief for Pollution Control Property Program at (512) 239-0012. Your response may be faxed to 512/239-5768, electronically mailed to [txrelief@tceq.state.tx.us](mailto:txrelief@tceq.state.tx.us), or sent by U.S. Mail.

Sincerely,



Joseph Thomas

Tax Relief for Pollution Control Property Program

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**ASSOCIATED TAX APPRAISERS**

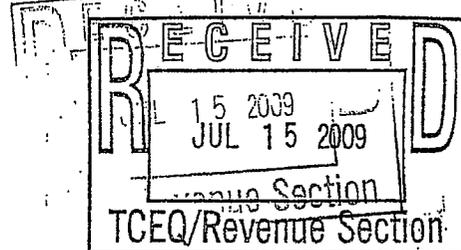
**AD VALOREM TAX CONSULTANTS**

July 14, 2009

VIA FedEX TRK# 797750486035

Mr. Joseph Thomas  
Texas Commission on Environmental Quality  
Tax Relief for Pollution Control Property Program  
12100 Park 35 Circle, Bldg F MC110  
Austin, Texas 78753-1808

Re: **Application No(s):** 13811  
**Company Name:** Sartomer Inc. Goodyear Plant  
**Street Address:** 11455 IH 10  
Beaumont, TX 77005



Dear Mr. Thomas:

Pursuant to 30 Texas Administrative Code 17.12(2)(A), please allow this correspondence to serve as our formal response to your Notice of Deficiency, which was received on June 15, 2009, regarding Use Determination Application No. 13811. In that regard, enclosed please find an original and one (1) copy of the revised Application for Tax Relief for Pollution Control Property.

Further in response to your request for information regarding the pollution control property, please be advised that the product is a co-product produced at this facility. It is sold to companies that produce liquid fuels. The removal of the sulfur reduces SOx emissions during end use. The sulfur is removed by a liquid/liquid extraction process which would be similar to a wet scrubber. The remaining descriptions and diagrams of the process is confidential.

We hope this response satisfies any and all requirements of the Texas Commission on Environmental Quality in regard to the enclosed applications for the use determination of pollution control property. If there are any addition materials or information that the TCEQ may need, please do not hesitate to contact us.

We appreciate your cooperation in regard to this matter, and look forward to hearing from you.

Sincerely yours,

Associated Tax Appraisers

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
*Protecting Texas by Reducing and Preventing Pollution*

July 17, 2009

ASSOCIATED TAX APPRAISERS  
RONALD P LITTLE  
4543 POST OAK PLACE #232  
HOUSTON TX 77027 -

This letter is to inform you that on 7/17/2009, Use Determination Application, 13811 (self assigned tracking number), was declared to be administratively complete. This application was filed for the following facility:

SARTOMER INC. GOODYEAR PLANT  
11455 IH 10  
BEAUMONT TX 77705

The next step in the Use Determination Application process is the technical review of the application. If this is a Tier I, II, or III application the technical review will be completed within sixty days of the administrative complete date. If this is a Tier IV application the technical review will be completed within 30 days of the administrative complete date. If additional technical information is required a notice of deficiency letter (NOD) will be issued. The time period between the issuance of the NOD and the receipt of the response is not counted in determining the length of the technical review. The TCEQ will notify you after the technical review has been completed. In accordance with the statute, the TCEQ has mailed a notice of receipt of this Use Determination Application to the JEFFERSON County Appraisal District. Please contact the Tax Relief for Pollution Control Property Program at (512) 239-3100 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Thomas".

Joseph Thomas  
Program Specialist  
Tax Relief for Pollution Control Property Program

Buddy Garcia, *Chairman*  
Larry R. Soward, *Commissioner*  
Bryan W. Shaw, Ph.D., *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 22, 2009

ASSOCIATED TAX APPRAISERS  
RONALD P LITTLE  
4543 POST OAK PLACE #232  
HOUSTON TX 77027

This letter is to inform you that during the technical review of Use Determination Application, 13811, for:

SARTOMER INC. GOODYEAR PLANT  
11455 IH 10  
BEAUMONT TX 77705

the reviewer has determined that the following information is missing and/or incomplete:

What equipment is used to remove the sulfur? What happens to the sulfur. Sulfur recovery units are customarily filed as Tier III applications.

Please provide this additional information as soon as possible. As per 30 TAC 17.12(2) the applicant must respond to a notice of deficiency (NOD) by providing the additional information required within 30 days of receipt of the NOD or the application will be returned. Once the additional information has been received the technical review of this application will resume. If you have any questions or require assistance in developing the additional required information please contact the Tax Relief for Pollution Control Property Program at (512) 239-6348. Your response may be faxed to 512/239-5678, electronically mailed to [rhatlett@tceq.state.tx.us](mailto:rhatlett@tceq.state.tx.us), or sent by U.S. Mail to:

Tax Relief for Pollution MC110  
PO Box 13087  
Austin TX 78711-3087

Sincerely,

A handwritten signature in black ink, appearing to read "R Hatlett", written over a horizontal line.

Ronald Hatlett  
Tax Relief for Pollution Control Property Program

App No.	NoD Request	NoD Response
13810		
13811	What equipment is used to remove the sulfur? What happens to the sulfur? Sulfur recovery units are customarily filed as Tier III applications.	The sulfur is removed by use of liquid/liquid extraction in a vessel. The removed sulfur is contained in the waste water that is sent to waste water treatment. ✓
13812		
13814	Based on the description provided this piping is part of the facility production equipment, an ECL item A-112 does not cover piping. It applies only to the replacement of pumps, valves or seals. If the pipe joints were welded then A-114 might apply.	Propane is used as a refrigerant which is used to cool production and control equipment. Leaking of propane would violate fugitive VOC requirements for the facility. ✓  A-114
13813	What subsection of 30 TAC 308 is being met by the upgrade to this drain piping?	The improved flows that would prevent spills are associated with 30 TAC Chapter 327 which would be more appropriate. ✓
App No.	NoD Request	NoD Response
13802	Rule 40 CFE 12226	
13803	40 CFE 12226	