

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
**AGENDA ITEM REQUEST**  
for Consideration of Resolution

**AGENDA REQUESTED:** December 13, 2023

**DATE OF REQUEST:** November 22, 2023

**INDIVIDUAL TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED:** Jamie Zech Rule/Agenda Coordinator, (512) 239-3935

**CAPTION: Docket No. 2023-0999-RES.** Consideration of the nomination and appointment of six individuals to the Tax Relief for Pollution Control Property Advisory Committee.

Texas Tax Code, Section 11.31 requires the Texas Commission on Environmental Quality (TCEQ) to form a permanent advisory committee to make recommendations to the TCEQ commissioners on matters relating to property tax exemptions for pollution control property. The advisory committee is required to have representatives from industry, appraisal districts, taxing units, environmental groups, a school district or junior college, and other members who have substantial technical expertise in pollution control technology and environmental engineering. The committee positions to be filled include three industry representatives, one taxing unit representative, one environmental group representative, and one representative from a school or junior college district in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31. A request for applications for nomination was published in the June 30, 2023, issue of the *Texas Register* (48 TexReg 3548). (Elizabeth Sartain, Don Redmond; Non-Rule Project No. 2023-124-OTH-NR)

**Richard C. Chism**  
\_\_\_\_\_  
Director

**Donna F. Huff**  
\_\_\_\_\_  
Division Deputy Director

**Jamie Zech**  
\_\_\_\_\_  
Agenda Coordinator

# Texas Commission on Environmental Quality

## Interoffice Memorandum

**To:** Commissioners **Date:** November 22, 2023

**Thru:** Laurie Gharis, Chief Clerk  
Kelly Keel, Interim Executive Director

**From:** Richard C. Chism, Director *RCC*  
Office of Air

**Docket No.:** 2023-0999-RES

**Subject:** Consideration of the Nomination and Appointment of Six Individuals to the Tax Relief for Pollution Control Property Advisory Committee  
Non-Rule Project No. 2023-124-OTH-NR

### **Background**

House Bill (HB) 3206 and HB 3544, 81st Texas Legislature, 2009, amended Texas Tax Code, §11.31 to require the Texas Commission on Environmental Quality (TCEQ) to form a permanent advisory committee to make recommendations to TCEQ commissioners on matters relating to property tax exemptions for pollution control property. The Tax Relief for Pollution Control Property Advisory Committee (Advisory Committee) consists of 13 members, each of whom serves a four-year, staggered term. The Advisory Committee is required to include representatives from industry, appraisal districts, taxing units, environmental groups, a school or junior college district, and other members who have substantial technical expertise in pollution control technology and environmental engineering.

The committee positions expiring on December 31, 2023 include three industry representatives, one taxing unit representative, one environmental group representative, and one representative from a school or junior college district in which property is located that is or was previously subject to an exemption under Texas Tax Code, §11.31.

The Tax Relief for Pollution Control Property program solicited nominations for the Advisory Committee and received seven, one of which was subsequently withdrawn by the nominee.

### **Requested Action:**

It is recommended that the six current members nominated for reappointment be appointed to serve another four-year term.

### **Recommended Appointments:**

#### *Industry*

- Justin Hyland is a current member of the Advisory Committee and was nominated for reappointment by the Association of Electric Companies of Texas.
- Gregory Maxim is a current member of the Advisory Committee and nominated himself for reappointment.
- Michael Nasi is a current member of the Advisory Committee and nominated himself for reappointment.

#### *Taxing Units*

- Adam Haynes is a current member of the Advisory Committee and nominated himself for reappointment.

#### *Environmental Group*

- Dr. Cyrus Reed is a current member of the Advisory Committee and nominated himself for reappointment.

Commissioners  
Page 2  
November 22, 2023

Re: Docket No. 2023-0999-RES

*School District or Junior College District*

- Lloyd Graham is a current member of the Advisory Committee and nominated himself for reappointment.

**Other Nominations:**

Karen Kahn, P.E., self-nomination withdrawn.

**Key points in the resolution schedule:**

***Texas Register* publication date for solicitation of nominations:** June 30, 2023

**Anticipated appointment agenda date:** December 13, 2023

**Agency contacts:**

Elizabeth Sartain, Project Manager, Air Quality Division, (512) 239-3933

Don Redmond, Staff Attorney, Environmental Law Division, (512) 239-0612

Jamie Zech, Agenda Coordinator, Air Quality Division, (512) 239-3935

**Attachments:**

Recommended Appointments

Map of Nominees

*Texas Register* Publication

cc: Chief Clerk, 2 copies  
Executive Director's Office  
Jim Rizk  
Morgan Johnson  
Krista Kyle  
Office of General Counsel  
Elizabeth Sartain  
Don Redmond  
Jamie Zech

the date of this preliminary hearing. **Upon failure of Double Diamond Utilities, Co. to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** Double Diamond Utilities, Co., the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code § 7.054 and ch. 26 and 30 Texas Administrative Code chs. 30, 70, 305, and 319; Tex. Water Code § 7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §§70.108 and 70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting Jim Sallans, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Sheldon Wayne, Office of Public Interest Counsel, Mail Code 103, at the same P.O. Box address given above, or by telephone at (512) 239-6363.

**Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.**

**In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH."**

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: June 14, 2023

TRD-202302245

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023

### Notice of Water Quality Application

The following notices was issued on June 16, 2023:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

#### INFORMATION SECTION

El Paso Electric Company, which operates Newman Power Station, has applied for a minor amendment to TCEQ Permit No. WQ0000836000 to authorize the ability to retain management of wastewater via evaporation and irrigation and management of wastewater via evaporation only when Zero Liquid Discharge Phase II is fully operational or irrigation tracts are no longer available for use. The existing permit authorizes the disposal of cooling tower blowdown, low volume wastes, metal cleaning wastes, and stormwater at a daily average flow not exceed 1.728 MGD via evaporation or irrigation of non-public access acreage north of the plant consisting of 793 acres. This permit will not authorize discharge of pollutants into water in the state. The facility and land application site are located at 4900 Stan Roberts Sr. Avenue, El Paso County, Texas 79934.

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

#### INFORMATION SECTION

Azteca Milling, L.P., which operates Dawn Corn Milling Facility, has applied for a minor amendment to TCEQ Permit No. WQ0004052000 to authorize reduction of effluent land application area required from 219-acres to 165-acres. The existing permit authorizes the disposal of process wastewater and washwater generated from cooking and washing corn at a daily average flow not exceed 320,000 gallons per day via irrigation of 219 acres. This permit will not authorize discharge of pollutants into water in the state. The facility and land application site are located at 4819 Farm-to-Market (FM) 809 Road, Deaf Smith County, Texas 79025.

TRD-202302252

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023

### Tax Relief for Pollution Control Property Advisory Committee Request for Nominations

The Texas Commission on Environmental Quality (TCEQ) is currently accepting nominations for six members to the Tax Relief for Pollution Control Property Advisory Committee (advisory committee) to serve four-year terms, beginning January 1, 2024 through December 31, 2027.

The following affiliation positions need to be filled on the advisory committee: three industry representatives, one taxing unit representative, one environmental group representative, and one representative from a school or junior college district in which property is located that is or was previously subject to an exemption under Texas Tax Code, §11.31. Current advisory committee members whose terms are expiring may apply for reappointment and must apply to be considered for reappointment.

In 1993, Texas voters approved Proposition 2 (Prop 2), amending the Texas Constitution to authorize the Texas 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 an 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 implemented Prop 2 by enacting Texas Tax Code, §11.31. The TCEQ adopted 30 Texas Administrative Code

Chapter 17, implementing Texas Tax Code, §11.31 and establishing the procedures for obtaining a "positive use determination" under the Tax Relief for Pollution Control Property Program. The goal of the program is to provide tax relief to individuals, companies, and political subdivisions that make capital investments to meet or exceed federal, state, or local environmental rules or regulations.

In 2009, Texas Tax Code, §11.31 was amended to require the TCEQ to form a permanent advisory committee to make recommendations to the TCEQ commissioners on matters relating to property tax exemptions for pollution control property. TCEQ commissioners appoint advisory committee members to serve four-year staggered terms.

The nomination form and instructions are provided on the TCEQ's website at [https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html). Completed nomination forms must be submitted to the TCEQ by 5:00 p.m. CDT on July 31, 2023. Nominations received after that date will only be considered if there are insufficient qualified nominees. Individuals may nominate themselves or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Questions regarding the advisory committee nomination process should be directed by phone to Elizabeth Sartain of the Tax Relief Program at (512) 239-3933 or by email to [txrelief@tceq.texas.gov](mailto:txrelief@tceq.texas.gov).

TRD-202302207

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 20, 2023

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**General Land Office**

**Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program**

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of June 11, 2023 to June 16, 2023. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.25, 30.32, and 30.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, June 23, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, July 23, 2023.

**FEDERAL AGENCY ACTIONS:**

**Applicant:** City of Port Aransas

**Location:** The project site is located in a manmade ditch adjacent to Corpus Christi Bay, approximately 8.9 miles southeast of Aransas Pass, within Nueces County, Texas.

**Latitude and Longitude:** 27.778934, -97.106960

**Project Description:** The applicant proposes to discharge approximately 290 cubic yards of clean fill and box culvert system into 0.27 acre (803 linear feet) of manmade intermittent ditch. The applicant

plans to install a 7-foot by 3-foot box culvert. Once installed, the box culvert is anticipated to improve the flow of stormwater conveyed from State Highway (SH) 361 and adjacently located residential developments. The proposed project would permanently impact 0.27 acre (803 linear feet) of a manmade intermittent ditch. The ditch currently outfalls into a large manmade canal/lake with connectivity to Corpus Christi Bay through existing piping structures that cross underneath the waterbody's embankment. During construction, the existing pipes would be removed and replaced with a 7-foot by 3-foot box culvert outfall structure. The proposed headwall associated with the outfall structure would match the current grade of the embankment system along the manmade canal/lake and impacts below the ordinary high water mark (OHWM) are not anticipated to occur.

The applicant proposed to mitigate for the proposed impacts by utilizing a permittee responsible mitigation (PRM) solution, prepared by Delta Land Services to offset the impacts resulting in a chance of function. The applicant would compensate for the conversion (fill) of 0.27 acres of waterbody (manmade ditch).

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2023-00181. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 23-1296-F1

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from the Texas General Land Office Public Information Officer at 1700 N. Congress Avenue, Austin, Texas 78701, or via email at [pialegal@glo.texas.gov](mailto:pialegal@glo.texas.gov). Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at [federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov).

TRD-202302243

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: June 21, 2023

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**Texas Health and Human Services Commission**

**Public Notice - Texas State Plan for Medical Assistance Amendment**

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act. The proposed amendments will be effective July 1, 2023.

The purpose of the amendments is to update the fee schedules in the current state plan by adjusting fees, rates, or charges for the following services:

Physician Services

The proposed amendment is estimated to result in an annual aggregate expenditure of \$0 for federal fiscal year (FFY) 2023, consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$0 consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$0 consisting of \$0 in federal funds and \$0 in state general revenue.

# Recommended Appointments

# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

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Please complete the following information and indicate if you are nominating another individual or yourself. If you are nominating another person, please provide that nominee's information. For more information and instructions relating to this form, please visit the TCEQ [Tax Relief for Pollution Control Property Advisory Committee](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html) webpage ([https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html)).

Nominator's Name: **Lloyd W. Graham**

Phone Number: [REDACTED]

Email Address: [REDACTED]

I am nominating myself.

I am nominating another individual.

Nominee's Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Email Address:

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

Industry

Environmental Group

Taxing Unit

School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

Provide information regarding the group represented by the nominee.

Separate pages documenting the nominee's qualifications for a position on the advisory committee should be attached. Examples of supporting documentation include a résumé, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

**I submit this application for your consideration and reappointment to continue my service to the Tax Relief for Pollution Control Property Advisory Committee. As the former Superintendent of Schools in multiple school districts, I worked in areas with a great deal of industry and in areas with property that is or was previously subject to exemption under the Section 11.31 of the Tax Code.**

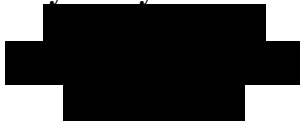
**I continue to have the support of several school districts and/or junior colleges regarding my nomination to service on the Advisory Committee. Some of the supporting individuals have actually written letters of support, which are attached.**

**As outlined on the Vita attached, I have both valuable work experience and educational experience. In addition, I currently serve as the original representative of the School District / Junior College District group. During the last several years, I have worked alongside the members of the Pollution Control Advisory Committee and have developed in-depth knowledge regarding the laws, regulations, and technical expertise needed to review and discuss the various issues regarding section 11.31 of the Tax Code. My relationship with the current members and my experience are great assets to my continued appointment as a member of the Committee. During my tenure as Superintendent of Schools for La Porte ISD and well as an educational consultant, I have established strong and positive relationships with local industry. I believe my interests, skills and background would continue to be beneficial to the Advisory Committee.**

**It would be an honor to continue to serve. Thank you for your consideration.**



**Lloyd Wayne Graham**



**Employment**

- |                         |  |
|-------------------------|--|
| August 2020 – present   | <b>Regional Vice-President Sept. 2022<br/>Consultant 2020-2022</b><br>MoakCasey, Inc.<br>Austin, Texas |
| October 2021            | <b>Interim Superintendent</b><br>Lexington ISD<br>Lexington, Texas                                     |
| March 2008 – July 2020  | <b>Superintendent of Schools</b><br>La Porte Independent School District, La Porte, Texas              |
| March 2006 – 2008       | <b>Superintendent of Schools</b><br>Greenville Independent School District, Greenville, Texas          |
| April 2003 – March 2006 | <b>Superintendent of Schools</b><br>Stafford Municipal School District, Stafford, Texas                |
| March 1996 – April 2003 | <b>Superintendent of Schools</b><br>Round Top-Carmine ISD, Carmine, Texas                              |
| July 1994 – March 1996  | <b>High School Principal</b><br>Round Top-Carmine ISD, Carmine, Texas                                  |
| July 1993 – July 1994   | <b>Vocational Adjustment Coordinator</b><br>South San Antonio ISD, San Antonio, Texas                  |
| Aug. 1989 – July 1993   | <b>Secondary Vocational Teacher</b><br>South San Antonio ISD, San Antonio, Texas                       |

**Education**

- |                    |  |
|--------------------|--|
| Currently Enrolled | <b>Doctoral Fellow, the University of Texas at Austin</b><br>Cooperative Superintendency Program<br>All coursework completed<br>Anticipated advancement for degree Fall 2023 |
| September 2014     | <b>Lamar University Superintendent Academy XXII</b><br>Beaumont, Texas   |

August 1994                    **Master of Education**  
Educational Administration  
Southwest Texas State University, San Marcos

August 1992                    **Bachelor of Applied Arts and Sciences**  
Applied Arts and Sciences  
Southwest Texas State University, San Marcos

May 1976                        **Building Construction**  
Texas A & M University, College Station (no degree)

May 1974                        **High School Diploma**  
Bellville High School, Bellville, Texas

### **Texas Teaching Certifications**

Elementary Self-Contained (1-8)  
Generic Special Education (PK-12)  
Secondary Generic Special Education (6-12)  
Secondary Government (6-12)  
Vocational Education Handicapped (6-12)  
Vocational Industrial CVAE (6-12)  
Mid-Management Administrator (PK-12)  
Superintendent (PK-12)

### **State Appointment**

January 2020                    **Texas Commission for Environmental Quality (TCEQ)**  
Tax Relief; Pollution Control Property Advisory Committee  
Representing Colleges and Public School Districts  
*(Re-appointment. Original appointment January 2012,  
currently serving third term)*

### **Honors and Awards**

October 2022                    **United States Army War College**  
Executive Staff Leadership III  
Center for Strategic Learning  
Carlisle, Pennsylvania

November 2017	<b>National Blue Ribbon School Award</b> <b><i>Jennie Reid Elementary School La Porte ISD</i></b> By Mike Morath, Texas Commissioner of Education Austin, Texas
April 2017	<b>United States Army War College</b> Executive Staff Leadership II Center for Strategic Learning Carlisle, Pennsylvania
April 2016	<b>United States Army War College</b> Executive Staff Leadership I Center for Strategic Leadership Carlisle, Pennsylvania
November 2012	<b>Ambassador Award</b> U.S.-China Peoples Friendship Association Houston, Texas
November 2011	<b>National Blue Ribbon School Award</b> <b><i>Lomax Elementary School La Porte ISD</i></b> Washington, D.C.
May 2003	<b>Honorary Chapter Farmer</b> Round Top-Carmine FFA Carmine, Texas
October 1999	<b>Finalist: State Superintendent of the Year</b> Texas Association of School Boards Annual Convention Houston, Texas
August 1999	<b>Regional Honor Board of Trustees</b> Educational Service Center XIII Austin, Texas
June 1999	<b>Regional Superintendent of the Year</b> Educational Service Center XIII Austin, Texas
January 1994	<b>State of Texas Regular Educator of the Year</b> Texas Council of Administrators of Special Education Austin, Texas



July 27, 2023

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

Re: Re-Nomination for the Tax Relief for Pollution Control Property Advisory Committee

Dear Texas Commission on Environmental Quality:

I am writing in support of the nomination of Mr. Lloyd Graham to continue to serve as the school district/junior college representative on the Tax Relief for Pollution Control Property Advisory Committee.

As a former Superintendent, and current member of the Committee, Mr. Graham has provided important input to the Committee on behalf of school districts and community colleges. His continued presence would be an attribute to both the Committee and the school districts and community colleges he represents. I respectfully request that you approve his nomination.

Sincerely,

Stephen Harrell  
Superintendent of Schools]

Simpson Administration  
Superintendent | Dr. Melissa Duarte  
1700 Ninth Avenue North | Texas City, TX 77590  
OFFICE 409.916.0101 FAX 409.942.2655  
[REDACTED]



July 27, 2023

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

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As a former Superintendent, and current member of the Committee, Mr. Graham has provided important input to the Committee on behalf of school districts and community colleges. His continued presence would be an attribute to both the Committee and the school districts and community colleges he represents. I respectfully request that you approve his nomination.

Sincerely,

A handwritten signature in blue ink that reads "Dr. Melissa Duarte".

Melissa Duarte, Ed.D.  
Superintendent of Schools  
Texas City Independent School District

July 27, 2023

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

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As a former Superintendent, and current member of the Committee, Mr. Graham has provided important input to the Committee on behalf of school districts and community colleges. His continued presence would be an attribute to both the Committee and the school districts and community colleges he represents. I respectfully request that you approve his nomination.

Sincerely,  
*Danny L. Massey*

Superintendent of Schools  
Brazosport ISD



# Gregory-Portland Independent School District

## Office of the Superintendent

Dr. Michelle Cavazos, Superintendent of Schools

Amy Malone, Administrative Assistant

Office: (361) 777-1091 ext. 1018

Fax: (361) 777-1094

July 28, 2023

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

Re: Re-Nomination for the Tax Relief for Pollution Control Property Advisory Committee

Dear Texas Commission on Environmental Quality:

I am writing in support of the nomination of Mr. Lloyd Graham to continue to serve as the school district/junior college representative on the Tax Relief for Pollution Control Property Advisory Committee.

As the current Superintendent of Gregory-Portland Independent School District, I collaborate regularly with Mr. Graham in various areas, including financial and property items. He has the knowledge, skill, and experience to continue to serve well on the Committee. I respectfully request that you approve his nomination.

Please do not hesitate to contact me on my cell at 512-644-7106 if you have any questions or would like any further information.

Best regards,

*Michelle M. Cavazos*

Michelle M. Cavazos, Ph.D.  
Superintendent of Schools  
Gregory-Portland Independent School District



July 27, 2023

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

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I am writing in support of the nomination of Mr. Lloyd Graham to continue to serve as the school district/junior college representative on the Tax Relief for Pollution Control Property Advisory Committee.

As a former Superintendent, and current member of the Committee, Mr. Graham has provided valuable input to the Committee on behalf of local school districts and community colleges. His continued presence would be an attribute to both the Committee and the school districts and community colleges he represents. I respectfully request that you approve his nomination.

Sincerely,

Dr. Randal O'Brien, Ed.D.  
Superintendent of Schools  
Goose Creek Consolidated Independent School District



# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

---

Please complete the following information and indicate if you are nominating another individual or yourself. If you are nominating another person, please provide that nominee's information. For more information and instructions relating to this form, please visit the TCEQ [Tax Relief for Pollution Control Property Advisory Committee](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html) webpage ([https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html)).

Nominator's Name: Adam Haynes

Phone Number: [REDACTED]

Email Address: [REDACTED]

I am nominating myself.

I am nominating another individual.

Nominee's Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Email Address:

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

Industry

Environmental Group

Taxing Unit

School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

Provide information regarding the group represented by the nominee.

Separate pages documenting the nominee's qualifications for a position on the advisory committee should be attached. Examples of supporting documentation include a résumé, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

I am renominating myself, Adam P. Haynes, to the position representing the county taxing units on the Tax Relief for Pollution Control Property Tax Advisory Committee.

I currently serve as the Policy Director for the Conference of Urban Counties. My membership encompasses 35 of the most populous counties in Texas and represents 78% of the state's population.

Most of the requests for tax abatements for pollution control equipment are located within the boundaries of the CUC counties. As such, my participation on the committee is beneficial to ensure the state meets the constitutional mandate of the abatements but does not shift the property tax burden from the abatements to homeowners and small business owners.

Please let me know if you need additional information, or if I can answer any questions. In advance, I offer my thanks and appreciate your timely consideration of this request.

# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

---

Please complete the following information and indicate if you are nominating another individual or yourself. If you are nominating another person, please provide that nominee's information. For more information and instructions relating to this form, please visit the TCEQ [Tax Relief for Pollution Control Property Advisory Committee](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html) webpage ([https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html)).

Nominator's Name: Association of Electric Companies of Texas (AECT)

Phone Number: [REDACTED]

Email Address: [REDACTED]

I am nominating myself.

I am nominating another individual.

Nominee's Name: Justin Hyland

Mailing Address: 1111 Louisiana St., 38<sup>th</sup> Floor

City, State, Zip Code: Houston, TX 77002

Phone Number: [REDACTED]

Email Address: [REDACTED]

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

Industry

Environmental Group

Taxing Unit

School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

Provide information regarding the group represented by the nominee:

**Association of Electric Companies of Texas, Inc.**

The Association of Electric Companies of Texas, Inc. (AECT) is a trade organization that provides a forum for member companies to exchange information about public policy and to communicate with the public and government officials.

AECT is dedicated to reliable, affordable and sustainable electricity to meet the needs of today and support the future growth and economic success of Texas.

Separate pages documenting the nominee's qualifications for a position on the advisory committee should be attached. Examples of supporting documentation include a résumé, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

## **Justin Hyland – Director - Indirect Taxes, CenterPoint Energy**

Justin Hyland leads CenterPoint Energy’s property and sales tax team as the Director of Indirect taxes. In this role, he is responsible for overseeing the Indirect Tax group and indirect tax function within tax department that includes the following: property and sales tax compliance; accounting and reporting on indirect tax matters; handling of tax audits and examinations; tax research and advice given to business units and regulatory group on tax matters; reviewing and contesting property tax assessments; providing expert witness testimony in rate case filings; and monitoring legislative activity and review of current and proposed property and sales tax laws. He is also currently the electric industry representative on the TCEQ Tax Relief for Pollution Control Property Advisory Committee.

Prior to joining CenterPoint, Justin was the Director of Property Taxes for Calpine Corporation and had responsibility for both property and transaction taxes for several years with the company, dating back to 2007. In his role at Calpine he was solely responsible for managing the company’s annual property tax expense spread over 70+ power generation facilities in 17 different states along with various responsibilities related to transaction tax audits and planning as well as mergers and acquisition activity within the tax department. He participated in numerous property tax proceedings for Calpine and was responsible for all property tax exemptions filings and administration for the company.

Mr. Hyland previously was a full-time partner in a small state and local tax consulting firm and a senior manager with KPMG’s State & Local Tax Practice, serving a variety of clients with an emphasis on property and sales taxes for the energy and utility sectors. Justin has over twenty-five years’ experience in state and local tax matters for clients in the utility, energy, manufacturing and airline industries. In his role representing clients, he served as an expert witness in property tax appeals and has prepared materials and participated on a variety of property tax advocacy matters. He has also appeared before numerous panels and administrative boards in representing both clients and corporate employers in contested tax matters.

### **Background**

Mr. Hyland is a graduate of Rice University with Bachelor of Arts degree in Economics and Managerial Studies. He has been a contributing author to *State Taxation of Electric, Natural Gas and Other Public Utilities*, published in 2002 by CCH. Justin has also collaborated with others for articles published in *World Energy* and *Electric Light & Power* and presented at regional TSCPA and Texas Comptroller industry conferences and meetings. He is a licensed Texas Senior Property Tax Consultant and a member of the Institute of Professionals In Taxation. He has attended and completed property tax appraisal and valuation courses and seminars as well as provided expert witness testimony in property tax cases and regulatory matters related to property taxes at CenterPoint Energy.

## **Justin Hyland – Director - Indirect Taxes, CenterPoint Energy (cont'd)**

### **Industry Process and Facilities Experience Related to Property Tax Matters**

- Power Generation Facilities
- Electric & Natural Gas Utilities & Interstate Pipelines
- Chemical Processing Facilities
- Oil Refineries
- Wind Energy Projects
- Telecommunications Equipment
- Light Industrial Manufacturing
- Forest Products/Pulp & Paper Production Facilities
- Terminals & Tank Farm Complexes



Scott Hutchinson, Chair • Michael Gregg, Vice-Chair • Mark Bell, President & CEO

July 26, 2023

Texas Commission on Environmental Quality  
Re: Tax Relief for Pollution Control Property Advisory Committee  
P.O. Box 13087  
Austin, TX 78711-3087

To whom it may concern:

The Association of Electric Companies of Texas (“AECT”) would like to nominate Justin Hyland of CenterPoint Energy to continue to serve on the Tax Relief for Pollution Control Property Advisory Committee in the Industry position. Mr. Hyland has served in this role since 2020, and his current term expires on December 31, 2023. He is well-qualified for the position, with previous experience at Calpine and KPMG, and his current role demonstrates a comprehensive knowledge of complex tax issues.

Thank you for your consideration of Mr. Hyland. We believe he would fill the Industry position thoughtfully and effectively, and will continue to do so for another term.

Sincerely,

Mark Bell

President & CEO

Association of Electric Companies of Texas

# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

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Please complete the following information and indicate if you are nominating another individual or yourself. If you are nominating another person, please provide that nominee's information. For more information and instructions relating to this form, please visit the TCEQ [Tax Relief for Pollution Control Property Advisory Committee](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html) webpage ([https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html)).

Nominator's Name: Greg Maxim

Phone Number: [REDACTED]

Email Address: [REDACTED]

Mailing Address: 16410 N Eldridge Pkwy, Tomball, Texas 77377

I am nominating myself.

I am nominating another individual.

Nominee's Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Email Address:

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

Industry

Environmental Group

Taxing Unit

School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

Provide information regarding the group represented by the nominee.

Separate pages documenting the nominee's qualifications for a position on the advisory committee should be attached. Examples of supporting documentation include a résumé, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.



# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

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Please complete the following information and indicate if you are nominating another individual or yourself. If you are nominating another person, please provide that nominee's information. For more information and instructions relating to this form, please visit the TCEQ [Tax Relief for Pollution Control Property Advisory Committee](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html) webpage ([https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html)).

Nominator's Name: Michael J. Nasi

Phone Number: [REDACTED]

Email Address: [REDACTED]

- I am nominating myself.
- I am nominating another individual.

Nominee's Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Email Address:

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

- Industry
- Environmental Group
- Taxing Unit
- School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

Provide information regarding the group represented by the nominee.

Separate pages documenting the nominee's qualifications for a position on the advisory committee should be attached. Examples of supporting documentation include a résumé, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

## **MICHAEL J. NASI - QUALIFICATIONS SUMMARY**

Mike Nasi is a partner with Jackson Walker LLP where he practices environmental and energy law. Mike attended the University of New Mexico, the University of Texas (BA 1991), the University of Texas School of Law, and the University of Houston Law School (JD 1994). For over 28 years, Mr. Nasi has appeared before state and federal regulatory agencies and appellate courts working on energy and infrastructure project development issues. His clients have ranged from small governmental bodies to state governments; multi-state compacts to state and national industry associations; and small, privately-held companies to multi-national publically-traded corporations.

### **OVERVIEW OF LEGAL EXPERIENCE:**

Mr. Nasi's law practice spans across numerous federal and related state environmental, natural resource and utility regulatory programs with a focus on regulatory compliance counseling and litigation as well as project development incentives and market reforms. His practice spans the following subject matter:

- Carbon Trading and Carbon Capture and Utilization (CCUS)
- State/Federal Clean Air Act issues & Preconstruction & Operating Permits
- Clean Water Act (CWA) permitting, including NPDES discharge permits
- Underground Injection Control (UIC) Well Permitting
- Endangered Species Act Issues, including incidental take permitting
- State and Federal Solid Waste Disposal Act Permitting & Remediation
- State and Federal Environmental Enforcement
- Environmental Audits
- Brownfields Redevelopment, including risk-based remediation

### **ELECTRIC POWER-SPECIFIC EXPERIENCE:**

Mike is counsel for energy and infrastructure interests in state, regional and national litigation and policy initiatives including matters pending before several state and federal agencies and multiple Federal Circuit Courts of Appeals and the Supreme Court of the United States and on energy policy debate in state legislatures across the country.

Mike has been an expert witness and speaker at docketed hearings, legislative proceedings, energy policy events, and classrooms across the country, including invited briefings at the White House and the United Nations, and is published in several trade, law, and business journals on environmental and energy law.

Mr. Nasi participates on advisory boards or as counsel for several state and regional energy research initiatives including the Wyoming Energy Agency (WEA), the Energy Policy Network (EPN), the University of North Dakota's Energy & Environmental Research Center (EERC)

Foundation Board, the Southern States Energy Board (SSEB), and the Energy Council Public Advisory Board (PAB).

Mike is a past Chairman of the State Bar of Texas Environmental and Natural Resources Law Section and served on the adjunct faculty for Rice University's "Leadership & Decision Making in the Energy Industry" course and as a guest lecturer in the "Energy Law & Policy" course at the University of Texas Law School. Most recently, Mr. Nasi has assisted in an adjunct role in the University of Houston Center for Carbon Management in Energy (CCME), including as faculty for the Symposium entitled "Managing CCUS: Risks and Financing," UH Energy 2022-2023 Critical Issues in Energy Symposium Series (December 2022).

Initially as an Assistant Attorney General on behalf of the State of Texas, and subsequently in the private sector both as a utility regulatory and environmental attorney, Mike's entire legal career has involved electric generation issues. In addition to managing an extensive regulatory practice, Mike helps coordinate multi-state outreach efforts regarding regulatory policies and market rules impacting the electric power and mining sectors. It is based on this extensive industry and legal experience that Mike has been relied upon as an expert witness in legislative and regulatory proceedings across the country and in Washington D.C. relating to regulatory matters facing electric generation facilities.

#### CCUS-SPECIFIC LEGAL EXPERIENCE:

- In Texas, Mike has served as the General Counsel of the Clean Carbon Technology of Texas (CCTFT) for nearly 20 years. In that role, they have worked with world-leading CCUS technology companies, power generators, and oil and gas and carbon sequestration experts to compile an extensive understanding of the policies that are needed to make CCUS achievable and developed, supported passage, and coordinated implementation of over 10 separate pieces of major CCUS legislation in Texas. This work led to the most comprehensive CCUS incentive package in the nation and the successful development and operation of the largest CCUS EOR project in the world – the Petra Nova Project in Thompsons, Texas, who Mike also represented as part of the regulatory team that paved the way to successful commissioning of the project. Mr. Nasi's extensive experience gained in his work for the above-referenced Texas entities led to him being a multi-term appointment to the legislatively created Texas Commission on Environmental Quality (TCEQ) Pollution Control Technology Tax Exemption Advisory Committee.
- In Wyoming, Mike has been active in the development of CCUS and EOR policy with state officials, including the WEA and its predecessor, the Wyoming Infrastructure Authority (WIA), including at their Integrated Test Center (ITC) and as a member of the Policy Advisory Board of the Energy Council's Center for Legislative Energy & Environmental Research. Mr. Nasi also represents individual companies pursuing CCUS projects in Wyoming.
- In North Dakota, Jackson Walker has played a significant role in the development of law and policy relating to CCUS and EOR in its capacity as counsel to the Lignite Energy Council (LEC) and with Mike Nasi's appointment to the Advisory Board of the Energy and Environmental Research Center (EERC) Foundation. Mike also represents individual companies pursuing CCUS projects in North Dakota.

- In Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Virginia, and West Virginia, in his role as Special Counsel to the Southern States Energy Board (SSEB) (of which all these states are members), Mike Nasi has participated in briefings, legislative hearings, and regulatory proceedings in support of CCUS policy and technological development. SSEB, in conjunction with the Southeastern Regional Carbon Sequestration Partnership (a.k.a. SECARB), facilitated the Plant Barry pilot scale development of the amine-based carbon capture technology later deployed at commercial scale at Petra Nova. This also involved close coordination of the 10-year carbon sequestration measuring, monitoring, and verification (MMV) pilot project administered by SSEB and SECARB, which further enhanced Mr. Nasi's expertise as it relates to technical and legal issues associated with the Section 45Q tax credit.
- In Washington D.C., Jackson Walker has an active and ongoing practice before the EPA, DOE, and DOI, and Mike Nasi has often served as a resource expert in policy briefings in the West Wing, on Capitol Hill, at the DOE and in his capacity as a member of the National Rural Electric Cooperative Association (NRECA) Environmental Policy Council (EPC) and as Secretary of Energy-appointee to the National Coal Council (NCC). His leadership on CCUS EOR policy development includes his participation in senior DOE policy retreats and his active role in the drafting of a series of reports on both CCUS and grid reliability issues.
- Mr. Nasi was awarded Law 360's "Energy & Environmental Trailblazer Award" for his early work on carbon capture utilization and storage (CCUS) policy and projects.

#### RECOGNITIONS:

- *Chambers USA: America's Leading Lawyers for Business*, Ranked for Environment – Texas
- *The Best Lawyers in America* (Woodward/White Inc.) Awards:
  - Lawyer of the Year – Austin, Environmental Law, 2021
  - Energy Law, 2006-2023
  - Energy Regulatory Law, 2006-2023
  - Environmental Law, 2006-2023
  - Mining Law, 2021-2023
- *Lawdragon* 500 Leading Energy Lawyers, Environment & Energy
- *Who's Who Legal: Texas*, Environment
- Energy & Environmental Trailblazer, *National Law Journal*
- Featured in the *National Law Journal*
- Who's Who in Energy, *Austin Business Journal*
- Top 10 Environmental Attorneys in America Under 40, Environmental Law 360

- Who's Who Texas – Environmental Law
- “Super Lawyer,” *Super Lawyers* (Thomson Reuters)
- “Rising Star,” *Super Lawyers* (Thomson Reuters)

CIVIC INVOLVEMENT:

- The Salvation Army – Central Texas Advisory Board, Chairman
- West Austin Youth Association, Board Member

# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

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Please complete the following information and indicate if you are nominating another individual or yourself. If you are nominating another person, please provide that nominee's information. For more information and instructions relating to this form, please visit the TCEQ [Tax Relief for Pollution Control Property Advisory Committee](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html) webpage ([https://www.tceq.texas.gov/airquality/taxrelief/advisory\\_group.html](https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html)).

Nominator's Name: Cyrus Reed

Phone Number: [REDACTED]

Email Address: [REDACTED]

I am nominating myself.

I am nominating another individual.

Nominee's Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Email Address:

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

Industry

Environmental Group

Taxing Unit

School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

Provide information regarding the group represented by the nominee.

Separate pages documenting the nominee's qualifications for a position on the advisory committee should be attached. Examples of supporting documentation include a résumé, biography, summary of experience, list of publications, recognitions and awards, letters of reference, etc.

# Cyrus Reed

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Work Address: Sierra Club, 6406 North 1-36, Suite 1806, Austin, Texas 78752

## **EDUCATION**

Bachelor of Arts in Comparative Literature & Certificate in Latin American Studies, June 1987, Princeton University

Master's of Arts in Latin American Studies University of Texas at Austin, 1994

Master's of Science in Community and Regional Planning University of Texas at Austin, 1994

PhD in Geography University of Texas at Austin, 2007

## **EMPLOYMENT HISTORY**

Staff Reporter for The Tico Times, the English-language newspaper in San José, Costa Rica, 1988-1990. Covered national and international issues for The Tico Times related to tourism, politics, agriculture, natural resources, etc.

Research Associate, Program Manager and Director, The Texas Center for Policy Studies, Austin, Texas, 1994-2005

Held a variety of positions with the Texas Center for Policy Studies, with a focus on environmental policy issues in Texas related to land use, energy and water and the US-Mexico border region.

Contract Lobbyist, The Sierra Club, Lone Star Chapter, Austin, Texas, 2005-2007

Contract lobbyist for the Lone Star Chapter of the Sierra Club on clean air and clean energy, including energy efficiency, renewable power, ozone mitigation programs and other issues during the 2005 and 2007 Texas legislative sessions.

Conservation Director, The Sierra Club, Lone Star Chapter, Austin, Texas 2007-present

Manage and direct programs and campaigns related to energy, air and water issues in Texas for Lone Star Chapter of the Sierra Club. Also chief lobbyist for Sierra Club at Texas Legislature, serve on two advisory committees at Texas Commission on Environmental Quality including the Prop 2 Advisory Group, and am a member of ERCOT's Reliability and Operations Subcommittee. Member of 2009 and 2014, 2017, 2020 and 2023 Austin Energy Generation Resource Planning Task Force, and former Vice-Chair of the Resource Management Commission for the City of Austin. Currently member of the Electric Utility Commission for the City of Austin.

## **Awards & Recognitions**

- 2014 Clean Air Through Energy Efficiency Conference Outstanding Non-Profit Organization
  
- 2015 Orrin Bonney Award Environmental Awards, Lone Star Chapter Sierra Club

## **Memberships & Affiliations**

Boy Scouts of America

Girl Scouts of America

NASA Soccer Coach

Promiseland Church, Baptistry Ministry



## Other Nomination

# Texas Commission on Environmental Quality

## *Nomination Form for Tax Relief for Pollution Control Property Advisory Committee*

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Nominator's Name: Karen Khan

Phone Number: [REDACTED]

Email Address: [REDACTED]

I am nominating myself.

I am nominating another individual.

Nominee's Name:

Mailing Address:

City, State, Zip Code:

Phone Number:

Email Address:

The following groups have positions open for applications. Please indicate the position(s) that the nominee is qualified to fill.

Industry

Environmental Group

Taxing Unit

School District or Junior College District in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31.

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# Karen E. Khan, PE



Engineering Services Appraiser with experience in ad valorem tax appraisals. Previously, a Project Engineer with experience in managing capital projects of up to \$10.5MM. Also, with expertise in coordinating with multidisciplinary personnel, vendors, and clients to produce specification-compliant proposal, design, and manufacturing documents within a diverse blend of industries.

## EXPERIENCE

### **Pritchard & Abbott, Ft Worth, TX — Director of I&U Appraisals**

AUGUST 2019 - CURRENT

- Complete 18 electric/co-op appraisals, 12 telephone/co-op appraisals, and 28 Louisiana appraisals annually, including 5 refinery appraisals, on average.
- Conduct annual cap rate studies for the Electrical, Chemical, Power, Telephone, and Cable TV industries.
- Maintain the P&A electric, telephone, and cost unit appraisal models, and the electric and telephone co-op appraisal models.
- Train and assist P&A appraisers on the use of the P&A appraisal models.
- Conduct annual site inspections of appraised properties.
- Respond to PTAD out of ratio notices.
- Participate in Appraisal Review Board (ARB) Protest Hearings and Louisiana Tax Commission (LTC) Hearings, as required.

### **Rudolph Foods Company, Dallas, TX — PROJECT ENGINEER**

FEBRUARY 2018 – AUGUST 2019

- Managed ten (10) projects totaling \$10.5MM including Floor & Drain Repairs, Production Expansion, HVAC, Drainage Repair, and QC Lab.
- Tracked project budgets using Excel and creating project schedules in Microsoft Project.
- Wrote CapEx Requests, RFQs, POs, and Receiving Invoices.
- Created As-Built P&IDs, Building Layouts, and Equipment Arrangements using AutoCAD 2017.

### **Forney Corporation, Addison, TX — APPLICATIONS ENGINEER**

AUGUST 2013 - SEPTEMBER 2017

- Created on average five (5) technical proposals each week for companies like GE, Vogt Power, and CMI of values ranging from \$20,000 to \$4MM with a 98% on time submittal rate.
- Configured and sized duct burners and associated piping skids for power plant applications.

### **Forney Corporation, Addison, TX — PROJECT ENGINEER**

NOVEMBER 2009 - AUGUST 2013

- Created P&IDs, GA Drawings, Fabrication Drawings, BOMs, and Operations and Maintenance Manuals (O&Ms) for duct burners, igniters, valve skids, and blower skids used in power plants.
- Calculated piping line sizes and igniter tip orifice sizes.
- Managed design review meetings and resolved engineering issues.
- Completed quality inspections at the company manufacturing facility located in Mexico.

## SKILLS

Professional Engineer  
Six Sigma Yellow Belt  
ACE Associate  
2019 Leadership Academy  
Ad Valorem Tax Appraisals  
Microsoft Project  
AutoCAD 2017  
Proposals  
Budgetary Estimation  
Schedule Creation  
Client and Vendor Relations  
Specification Compliance  
Design and Manufacturing  
Documentation  
Budget Tracking  
Problem Resolution

## AWARDS

Bechtel Personal Performance Award (2005, 2007, and 2008)

## LANGUAGES

Basic Spanish



**Bechtel, Houston, TX — PROCESS SYSTEMS ENGINEER**

JUNE 2004 - August 2008

- Collaborated with multidisciplinary personnel, vendors, and clients such as Conoco-Philips, GASCO, and Chevron, to produce high quality design documents for the process refrigeration, firewater, and utility systems on Gas Plant, LNG facility, and refinery projects.
- Participated in HAZOP Reviews and managed Action Item closures.
- Completed line sizing, compressor, and pump hydraulic calculations.
- Championed the Redlining Work Process to improve communication between multi-national offices by participating in a team to write the company work process; developing the training materials; and leading classroom training sessions for 100+ personnel.
- Promoted a safety culture by managing the safety committee, developing a safety audit, and creating a safety contest.

**Valspar, Garland, TX — PROJECT ENGINEERING INTERN**

MAY 2003 - AUGUST 2003

- Project Manager for multiple small capital projects including Emergency Lighting, Heater Relocation, and WT-4B Conversion.
- Conducted a feasibility study to increase production and save money by using a weigh tank for an additional reactor.
- Constructed P&ID of the chilled water system.

**Kraft Foods, Houston, TX — MANUFACTURING CO-OP**

MAY 2002 - AUGUST 2002

- Investigated and recorded the changeover procedures for H&R Department.
- Improved efficiency in the Packaging Department by organizing information using Excel.
- Began the H&R Product Information Book to improve quality control.

**Kraft Foods, Houston, TX — PROJECT ENGINEERING CO-OP**

SEPTEMBER 2001 - DECEMBER 2001

- Project Manager for the Parking Lot Capital Project with a \$97,000 budget including hiring contractors and a professional engineer, and primary liaison with Kraft Food's neighbors.
- Completed a feasibility study for new Kraft Foods air standards.

**Kraft Foods, Houston, TX — SAFETY CO-OP**

JUNE 2001 - SEPTEMBER 2001

- Implemented OSHA violation abatement plan.
- Conducted plant wide safety inspections.
- Assisted in plant wide safety, maintenance, and environmental inspections with the Safety and Environmental Manager, and the Maintenance Manager.

## **EDUCATION**

**Bachelor of Science, Chemical Engineering**

*University of Texas at Austin, Austin, TX*

SEPTEMBER 2000 - MAY 2004

Overall GPA: 3.2/4.00 Major GPA: 3.3/4.00

**From:** [Karen Khan](#)  
**To:** [TXRELIEF](#)  
**Cc:** [Margaret Earnest](#); [Elizabeth Sartain](#)  
**Subject:** RE: TCEQ Tax Relief for Pollution Control Property Advisory Committee Nomination  
**Date:** Thursday, July 20, 2023 11:35:58 AM  
**Attachments:** [image002.png](#)

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Hello Ms. Morel,

I'm very sorry, but I have to withdraw my nomination. Unfortunately, I believe that I will need to apply when there is an opening in the Appraisal District Representation in 2026. I apologize for any confusion or extra work that this may have caused. Please let me know if I need to do anything else to finalize this request. Thanks for your time and I hope everyone is having a great day.

Regards,

Karen E. Khan, PE  
*Director of Industrial and Utility Appraisals*

***PRITCHARD & ABBOTT, INC.***  
***VALUATION CONSULTANTS***

[www.pandal.com](#)

This 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.

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**From:** TXRELIEF <TXRELIEF@tceq.texas.gov>  
**Sent:** Monday, July 10, 2023 9:29 AM  
**To:** Karen Khan <[REDACTED]>  
**Cc:** Margaret Earnest <margaret.earnest@tceq.texas.gov>; Elizabeth Sartain <Elizabeth.Sartain@Tceq.Texas.Gov>  
**Subject:** RE: TCEQ Tax Relief for Pollution Control Property Advisory Committee Nomination

**CAUTION:** This email originated from outside of Pritchard & Abbott's email system. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Karen,

Thank you for submitting your nomination for yourself. We have received your forms and we will let you know if we have any questions.

Have a great day!

*Everlynn Morel*

Stationary Source Programs Team  
Office of Air | Air Quality Division | Air Quality Planning



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**From:** Karen Khan <[REDACTED]>  
**Sent:** Monday, July 10, 2023 9:04 AM  
**To:** TXRELIEF <[TXRELIEF@tceq.texas.gov](mailto:TXRELIEF@tceq.texas.gov)>  
**Subject:** TCEQ Tax Relief for Pollution Control Property Advisory Committee Nomination

Hello,

Please see my attached form and resume for consideration on the TCEQ Tax Relief for Pollution Control Property Advisory Committee in 2024. Please let me know if I should provide anything else. Thanks for your time and I hope everyone is having a good day.

Regards,

Karen E. Khan, PE  
*Director of Industrial and Utility Appraisals*

***PRITCHARD & ABBOTT, INC.***  
***VALUATION CONSULTANTS***

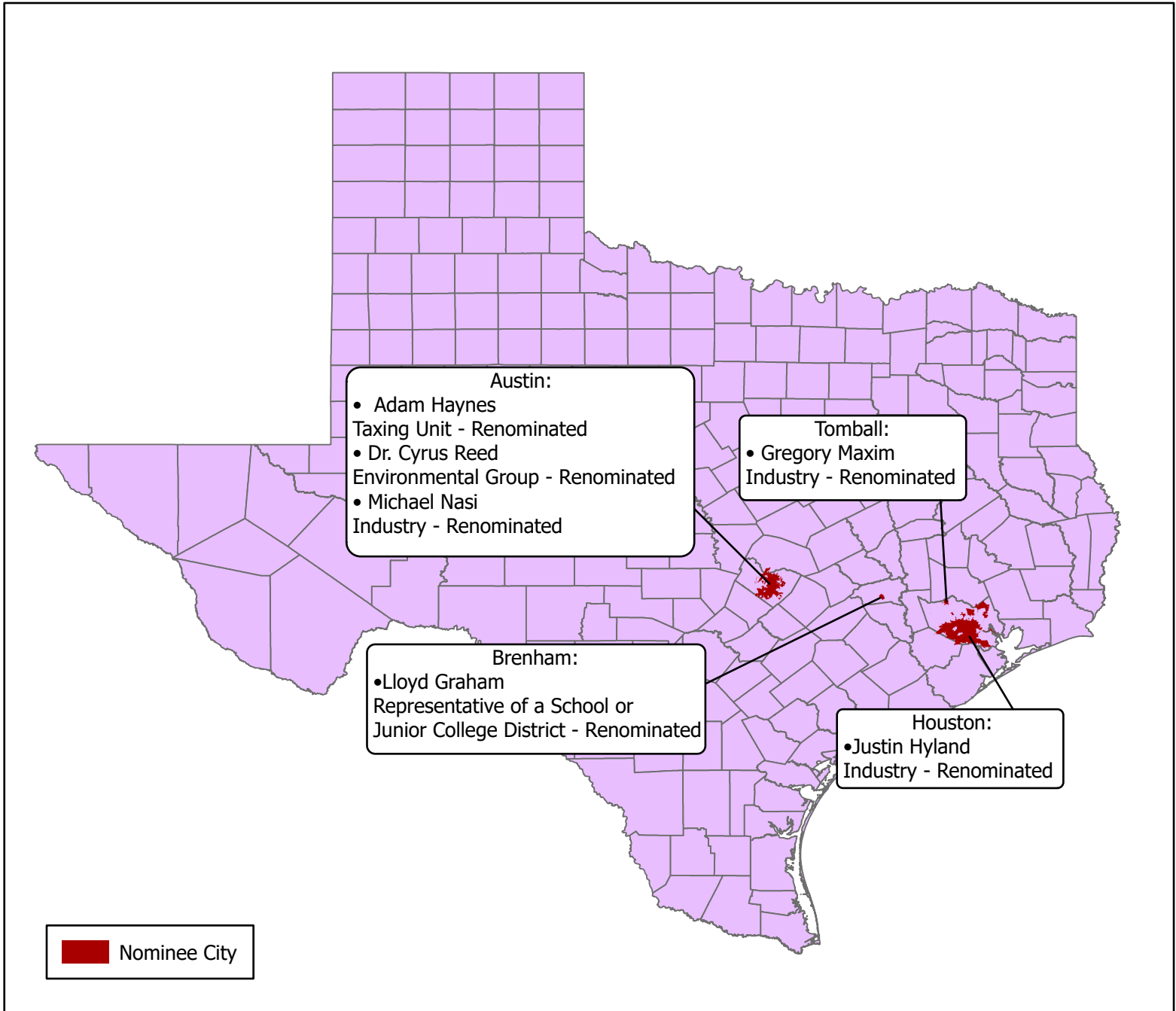


[www.pandal.com](http://www.pandal.com)

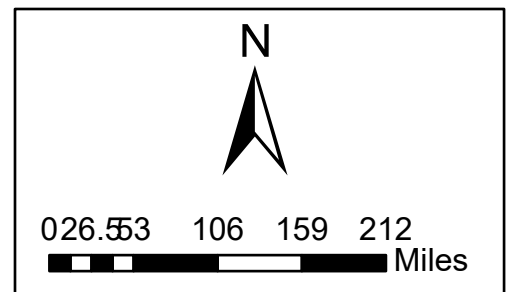
This e-mail message and any attachments are confidential unless specifically noted otherwise. Any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient, please notify me immediately and destroy the original and all copies of this message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



# Location of the Tax Relief for Pollution Control Property Advisory Committee Nominees for Terms Beginning January 1, 2024



Disclaimer: This map was generated by the Air Quality Division of the Texas Commission on Environmental Quality. The product is for informational purposes and not suitable for legal, engineering, or surveying purposes. For information concerning this map, contact the Air Quality Division at (512) 239-3933.



# Texas Commission on Environmental Quality



**A RESOLUTION** Consideration of the Nomination and Appointment of Six Members to the Tax Relief for Pollution Control Property Advisory Committee.  
Docket No. 2023-0999-RES

**WHEREAS**, Section 5.107 of the Texas Water Code provides the Texas Commission on Environmental Quality (Commission) with the authority to create and consult with advisory committees; and

**WHEREAS**, Section 5.7 of 30 Texas Administrative Code states that all members of advisory committees are appointed by and serve at the pleasure of the Commission; and

**WHEREAS**, in accordance with Texas Tax Code Section 11.31(n), the Tax Relief for Pollution Control Property Advisory Committee (the Advisory Committee) is composed of: six representatives from industry; two representatives from appraisal districts; two representatives from taxing units; one representative from an environmental group; one representative who is not a member of any of the aforementioned groups, but has substantial expertise in pollution control technology and environmental engineering; and a representative of a school district or junior college district in which property is located that is or previously was subject to an exemption under Section 11.31 of the Texas Tax Code;

**WHEREAS**, on December 13, 2023, the Commission discussed in an open meeting the appointment of six members to the Advisory Committee to serve four-year terms;



**WHEREAS**, the terms of the following six members of the Advisory Committee expire on December 31, 2023:

- Lloyd Graham, as a representative from a school district or junior college district;
- Adam Haynes, as a representative from a taxing unit;
- Justin Hyland, as a representative from industry;
- Gregory Maxim, as a representative from industry;
- Michael Nasi, as a representative from industry;
- Dr. Cyrus Reed, as a representative from an environmental group;

**WHEREAS**, the Commission published notice in the June 30, 2023 issue of the *Texas Register* soliciting nominations for the Advisory Committee.

**NOW THEREFORE, BE IT RESOLVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** that the following individuals are appointed as members of the Advisory Committee to serve four-year terms expiring December 31, 2027:

- 1) Lloyd Graham, as a representative from a school district or junior college district;
- 2) Adam Haynes, as a representative from a taxing unit;
- 3) Justin Hyland, as a representative from industry;
- 4) Gregory Maxim, as a representative from industry;
- 5) Michael Nasi, as a representative from industry;
- 6) Dr. Cyrus Reed, as a representative from an environmental group;

TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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Jon Niermann, Chairman

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Date Signed