

Texas Commission on Environmental Quality (TCEQ)  
Office of Air  
Tax Relief for Pollution Control Property Advisory Committee Meeting  
December 4, 2013  
10:00 AM – 10:29 AM

## **Minutes**

### ***Opening Remarks***

1. Call to order.  
Mr. Bob Adair called the meeting to order at 10:00 AM
2. Recognition of committee members present and absent.  
All members except Greg Maxim and Mike Nasi attended.
3. Public comments policy discussion.  
Mr. Adair re-stated the public comment policy. No action was taken.

### ***Upcoming commission agenda item for appointments/re-appointments to advisory committee***

TCEQ staff stated the information concerning the executive director's recommendation was posted at the Commissioners' Agenda Website on November 22, 2013. The item is on the December 11, 2013 Agenda.

### ***Plans for the advisory committee's 2013 annual report***

Mr. Adair stated the committee's bylaws require that they produce an annual report. He plans to gather the necessary information and have a report available for the committee members to review at least one week prior to the next meeting.

### ***Consideration of revisions to Title 30 Texas Administrative Code (TAC) Chapter 17 rules***

TCEQ staff provided the schedule for rule proposal, rulemaking back-up documents, comment period, public hearing, and adoption. Staff invited comments from the committee members concerning the existing rule including the Tier I Table. Discussion ensued as to whether it would be better to provide comments now or during the comment period. While it is possible to provide input at either time, it would probably be better to comment now especially with respect to any additions to the Tier I Table. There was discussion concerning whether new rules including greenhouse gas rules might be impetus for adding items to the Tier I Table. Staff explained items are added based on agency experience with previous Tier II applications which demonstrate an item of equipment is used 100% for pollution control.

Staff briefly referred to the discussion at the September 6, 2013 advisory group meeting concerning how the application processing time frame requirements of House Bill (HB) 1897 will be incorporated into the rule.

30 TAC Chapter 18 will also be updated at the same time as Chapter 17. Since the inception of the program, there have been only two Chapter 18 applications approved.

***Old business***

The agency continues to review the heat recovery steam generator (HRSG) applications. Staff stated that another technical notice of deficiency has been sent to one applicant. Staff continues to review the responses to the most recent notices of deficiency. There was discussion concerning applicability of Tier IV to some of the pending HRSG applications.

***New business***

None

***General comments from the public***

None

***Recognition of advisory committee members who are leaving the committee***

Mr. Adair stated John Nichols' and Leo Scherrer's terms are expiring and they elected not to apply for re-appointment. Appreciation was expressed for their service on the committee.

***Action items***

Mr. Adair stated in light of the rulemaking schedule for Chapter 17, he is inclined to schedule another meeting for late January or early February to provide input on the rule revision. He encouraged members to have discussions prior to the meeting for the purpose of enhancing the productivity of the upcoming meeting.

***Adjourn***

10:29 AM