

Texas Commission on Environmental Quality (TCEQ)  
Office of Air  
Tax Relief for Pollution Control Property Advisory  
Committee September 12, 2016  
10:06 A.M. - 10:22 A.M.

## **Minutes**

### ***Opening Remarks***

1. Mr. Bob Adair called the meeting to order at 10:06 A.M.
2. All committee members attended the meeting via conference call.
3. Mr. Adair re-stated the public comment policy. No action was taken.
4. General comments from committee members and TCEQ staff were solicited. No comments were received.

### ***Prop 2 General Update from TCEQ Staff***

Mr. Ronald Hatlett, TCEQ staff, provided a brief summary of the Tax Relief for Pollution Control Property Program's 2015 Annual Report. As of December 31, 2015, the program had received a total of 19,047 applications. During 2015, the program processed 1,087 applications. Eighty-two percent received positive use determinations, less than 1% received negative use determinations, and 17% were withdrawn or returned. Mr. Hatlett stated that seven appeals were processed so far during 2016.

Ms. Shelley Naik, TCEQ staff, explained that a new application form, instructions, and guidance document were developed and will soon be deployed. In order to meet TCEQ data standards, all Core Data collected by TCEQ programs must be collected and entered into the TCEQ Central Registry System using the Core Data Form. Core Data includes company and facility names, addresses, and general information and contact information.

Mr. Don Redmond, TCEQ Legal staff, provided a brief summary of the Heat Recovery Steam Generator appeals. On December 21, 2015, the Travis County District Court affirmed the TCEQ's negative determinations for the Tier III applications. The applicant appealed the decision. The appeal was transferred to Court of Appeals in El Paso. On September 1, the TCEQ was notified that the District Court affirmed the negative determinations for the Tier IV applications.

## ***Other***

### ***1. Old Business***

#### ***Draft Letter to TCEQ Commissioners***

Mr. Adair discussed the [draft letter](#) addressed to the TCEQ commissioners that he distributed to committee members on September 11. The purpose of the letter is to inform the commissioners that the advisory committee had completed the required every three-year review of the Tier I Table and the Expedited Review List. During its June 13 meeting, the Committee adopted a motion to advise the commission to make no change in the Prop 2 rules. A motion to approve the letter and send it to the TCEQ was made, seconded, and approved.

### ***2. New Business***

Mr. Roland Bieber asked if it would be possible to schedule next year's meetings in advance rather than waiting until the quarter in which the meeting was to be held. Mr. Adair stated that he would work with TCEQ staff to determine room availability.

**3. Other General Comments from the Public**

None

**Action Items**

Mr. Adair will work with TCEQ staff to determine room availability for the next Advisory Committee meeting and for the 2017 quarterly meetings.

**Adjourn**

The meeting adjourned at 10:22 A.M.