

Texas Commission on Environmental Quality (TCEQ)
Office of Air
Tax Relief for Pollution Control Property Advisory Committee
September 12, 2025
Meeting held in-person, online, and by phone
9:01 A.M. – 9:21 A.M.

Minutes

Opening Remarks

Bob Adair called the meeting to order at 9:01 A.M.

The following Tax Relief for Pollution Control Property Advisory Committee (Committee) members were present: Bob Adair, Charles Allred, Lloyd Graham, Justin Hyland, Hugh Landrum, Bill Longley, and Dr. Cyrus Reed. Emily Lindley attended for Martha Landwehr. Quorum was met.

Bob Adair restated the public comment policy. No action was taken.

Bob Adair asked for general comments from Committee members and TCEQ staff. There were none.

Update on plan to appoint/reappoint members to the TCEQ Tax Relief for Pollution Control Property Advisory Committee

Melissa Altman with TCEQ stated notice of the vacancies was published in the *Texas Register*, posted on the TCEQ program website, and sent to GovDelivery subscribers to solicit applicants for seven members to the committee. TCEQ accepted nominations from June 6, 2025, through July 8, 2025. The Executive Director's recommendations for appointments will be presented at the Commissioner's agenda meeting on November 19, 2025. The appointments will serve a four-year term starting January 1, 2026, through December 31, 2029.

Summary by TCEQ staff of proposed revisions to Texas Administrative Code Chapters 17 and 18

Everlynne Morel with TCEQ summarized the proposed revisions and stated they will document the triennial review, update the Tier I Tables, allow for the agency to require electronic submittal of applications, update the title of Chapter 18, and propose other changes. Everlynne also stated the Commissioners approved the proposed publication at the August 20, 2025, agenda. A virtual public hearing is scheduled for September 29, 2025. The comment period ends on October 6, 2025, and adoption is expected in early 2026.

Dr. Cyrus Reed asked if the Committee will submit a public comment in support of the changes or as individual organizations.

Bob Adair stated the Committee may submit a letter and suggested including a statement in support of the advice made by the Committee.

Dr. Cyrus Reed suggested a motion be made that the Committee reaffirms support of the rulemaking for amending the Tier I Tables in 30 Texas Administrative Code (TAC) Chapter 17 and 18 as advised by the committee in December 2022.

Bob Adair asked if the recommendation to amend item A-115 was included.

Everlynn Morel confirmed amendment to item A-115 was included in the proposed rulemaking to remove the requirement that external floating roofs be used to comply with 30 TAC §115.112 which expands applicability of item A-115 to the entire state.

Dr. Cyrus Reed recommended reaffirming support for both the Tier I Table review made by the Committee and changes to item A-115.

Bob Gifford with TCEQ suggested providing a comment during the public comment period that is currently open.

Bob Adair suggested making a motion to support the proposed rulemaking of the Tier I Tables submitted by the Committee in 2022 and recent proposal to revise Tier I Table item A-115.

Dr. Cyrus Reed made a motion to support the proposed rulemaking as articulated by Bob Adair with a second from Lloyd Graham.

A vote was taken and the motion passed.

Bob Adair stated he will draft a letter and send it to the Committee before sending it to the Commissioners and TCEQ staff.

Dr. Cyrus Reed added individual comments can be made during the public comment period.

Continue review of: Nonexclusive List in Tax Code §11.31(k) and Figure: 30 TAC §17.17(b); and Tier I Table in Figure: 30 TAC §17.14(a) Note: Tentative goal to submit advice to Commission in December 2025.

Bob Adair stated this item was discussed together with the previous item.

Old business

No old business was discussed.

New business

Dr. Cyrus Reed asked when the Committee will do another review.

Bob Adair stated one of the proposed rules is to remove the requirement to review every three years and asked TCEQ staff to confirm.

Everlynn Morel confirmed part of the rulemaking is to remove the regulatory requirement for triennial review of the Tier I Tables and the Committee can provide advice at any time.

Other comments from the public

There were no comments from the public.

Adjourn

A motion to adjourn was made by Lloyd Graham with a second from Bill Longley.

The meeting adjourned at 9:21 A.M.