

Texas Commission on Environmental Quality (TCEQ or Commission)  
Office of Air  
Tax Relief for Pollution Control Property Advisory Committee  
November 8, 2024  
10:00 A.M. – 10:21 A.M.

## **Minutes**

### ***Opening Remarks***

Bob Adair called the meeting to order at 10:00 A.M.

The following Tax Relief for Pollution Control Property Advisory Committee (Committee) members were present: Bob Adair, Charles Allred, Josh Budowsky, Lloyd Graham, Adam Haynes, Justin Hyland, Hugh Landrum, Martha Landwehr, Bill Longley, Greg Maxim, Michael Nasi, and Dr. Cyrus Reed. Quorum was met.

Bob Adair re-stated the public comment policy. No action was taken.

Bob Adair asked for comments from Committee members. There were none.

### ***Introduction of new Advisory Committee member Josh Budowsky***

Bob Adair welcomed the newly appointed member of the Committee, Josh Budowsky, who introduced himself.

### ***Overview of TCEQ Tax Relief for Pollution Control Property Advisory Committee (information for new Advisory Committee member and reminder for other members)***

Elizabeth Sartain with TCEQ gave an overview of the Committee, including the history and makeup of the Committee, meetings, its role to provide advice to the TCEQ commissioners such as for the triennial review and on issues regarding environmental regulations, the annual election for the Committee Chair, and an annual report submitted to the commissioners.

Bob Adair added the Committee is governed by bylaws and reminded the Committee there is a page on TCEQ's website with information about the Committee.

### ***Begin triennial review required by Tax Code §11.31(l) and 30 TAC §17.14(b) 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 the last time the Committee submitted advice to TCEQ was December 1, 2022, and stated a goal to submit advice by December 2025. He explained that the role of the Committee in the triennial review process is to review information on recent Tier II applications, as provided by TCEQ staff, and submit to TCEQ recommendations for changes to the Tier I Table and expedited review list.

Elizabeth Sartain gave an overview of the Tier I Table and the Expedited Review List, also referred to as the (k) list. Rules currently require TCEQ to review the Tier I Table every three years to remove, modify, or add items to the table. Changes to the table require rulemaking.

Bob Adair asked when TCEQ expects to take action on the advice from 2022.

Elizabeth Sartain said she does not have a timeline for rulemaking associated with that advice.

Elizabeth Sartain stated an item on the (k)-list can only be removed if there is compelling evidence that it does not provide pollution control benefits. She added it would be helpful if the Committee gave TCEQ staff a date range for which they should compile a report of Tier II applications that received positive use determinations, and suggested May 1, 2021, through April 30, 2024. The Committee accepted the proposed date range.

Greg Maxim requested the information as soon as possible. Elizabeth Sartain stated TCEQ will send it to Bob Adair for distribution to the committee.

### ***Election of 2025 Advisory Committee Chair (annual election required by Committee bylaws)***

Bob Adair stated that though he is not running for Chair, he is available to serve. He opened the floor for nominations.

Martha Landwehr moved to nominate Bob Adair for Chair, and Michael Nasi seconded the motion.

Adam Haynes made a motion to close nominations. The motion was approved unanimously.

Bob Adair was re-elected as the 2025 Committee Chair unanimously.

### ***Old business***

No old business was discussed.

### ***New business***

Adam Haynes reminded the Committee the 89<sup>th</sup> Legislative Session is starting soon and, since some members will be busy during session, recommended meeting early in the first quarter and late in the second quarter.

Bob Adair reminded the Committee the annual report is due soon and said he will draft it and send it out before the first meeting of 2025.

Greg Maxim asked if TCEQ staff knew when TCEQ might take action on the Committee recommendations from the 2022 triennial review.

Elizabeth Sartain said no but TCEQ would let the Committee know when the Committee's advice would be presented to the TCEQ commissioners and that any action would go through the public review process.

### ***Other comments from the public***

There were no comments from the public.

### ***Adjourn***

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

The meeting adjourned at 10:21 A.M.