

TCEQ, Chief Engineer's Office  
Tax Relief for Pollution Control Property Advisory Committee  
February 25, 2010  
10:00A.M. – 3:00P.M.  
TCEQ, Austin Campus,  
Bldg. C, Rm. 131E

Minutes

- I. Opening Remarks..... Chance Goodin**  
Mr. Goodin welcomed committee members and referred them to the January 13, 2010, and January 27, 2010, commission agendas direction from the commissioners.
- II. Introduction of each member of the Advisory Committee and Program staff ..... Timothy Reidy**  
Each member of the committee introduced themselves. Mr. Goodin introduced program staff.
- III. Operating procedures ..... Timothy Reidy**  
Member drew lots to determine who would serve two-year terms and who would serve four-year terms.
- Two-Year Terms: Donald Lee, Cyrus Reed, Michael J. Nasi, Gregory P. Maxim, Hon. Eddie Arnold, and Paul Coon
- Four-Year Terms: Roland Bieber, John E Nichols, Bob Adair, Robert Castor, C. Wayne Frazell, Bennett Sandlin, and Leo Scherrer
- A [power point presentation](#) of proposed operating bylaws was presented.
- After a brief discussion and with minor changes the proposed bylaws were adopted unanimously by voice vote.
- III. Selection of committee Chairman ..... Timothy Reidy**  
Nominations were accepted for Committee Chair. Bob Adair and Donald Lee were nominated. Paper ballots were distributed. Bob Adair was elected Chair.
- IV. Over View if Tax Relief Program and House Bills (HB) 3206/3544..... Timothy Reidy**  
A brief overview of the program and [HB 3206/3544](#) was presented by several TCEQ staff. No action was taken.
- V. Issues Table .....Open Discussion**  
Discussion was held about the [TCEQ rules process](#). No action was taken as a result of this discussion.
- A. Equipment and Categories List (ECL) Revisions ..... Open Discussion**  
TCEQ staff explained that during the current rule amendment process, the every three-year review required under [30 Texas Administrative Code 17.14\(b\)](#) would be conducted. This review will lead to additions, deletions and changes to the [ECL](#) including the Part B list. The revised list will contain only items which are eligible for a 100% determination. All partial determinations will be based on the [Cost Analysis Procedure](#). Committee members requested the opportunity to review any proposed changes before the draft rules were made public.

**B. Environmental Benefit at the site..... Open Discussion**

The committee determined that additional information was required in order to have a productive discussion. The committee requested that staff provide a link to the [January 13, 2010](#), commission agenda where there was discussion about this issue. The committee requested that staff provide information about the origins of the environmental benefit at the site. Staff agreed to provide the requested information.

**C. Partial Use Determination Calculation ..... Open Discussion**

The committee determined that they did not have the information necessary to discuss this topic. This topic will be discussed at the March 12, 2010 meeting.

**D. Rules Revision..... Open Discussion**

The discussion started with a request from the committee to review and comment on any proposed rule amendments before the proposal is presented to the commission. Staff explained that in order for these amendments to be effective by January 2011, management review needed to occur by the end of March. The committee determined that they would need to have two meetings during March.

The committee voted to meet at 10:00 AM on March 12 and March 26, 2010.

**IV. Closing Remarks/Action Items..... Bob Adair/Timothy Reidy**

Committee members were thanked for their participation. It was decided that committee members and staff would communicate and provide additional information by sending emails to Timothy Reidy, who will forward the information.

Action Items:

TCEQ staff to provide link to January 13, 2010, commission agenda.

TCEQ staff to provide information about the origins of ‘environmental benefit at the site.’

C. Wayne Frazell to provide information about ECL items M-15 and M-16.

**V Next Meeting Date**

March 12, 2010  
TCEQ Austin Headquarters  
12100 Park 35 Circle  
Building F, Room 2210  
Austin, Texas 78753

## Advisory Group/Committee Meeting Sign-in Sheet

TCEQ - Chief Engineer's Office

Advisory/Stakeholder Group Name: Tax Relief for Pollution Control Property Advisory Committee

Meeting Date: February 25, 2010

Meeting Time: 10:00 am

Meeting Location: Building C, Room 131E

Note: By providing this E-mail address, I hereby authorize the TCEQ to make my E-mail address available to the public. If addressing the committee, please fill out TCEQ Public Participation Form.

Name	Represent	E-mail Address (Optional)	Do you to address the committee? (yes/no)
LEO SCHERRER	SELF	LEO.SCHERRER@YAHOO.COM	
Mike Nasi	Jackson Walker LLP	mnasi@jw.com	
GREG MAXIM	Duff & Phelps	gregory.maxim@duffandphelps.com	
Paul Coon	Luminant for AECT	paul.coon@luminant.com	
Eddie Arnold	Jefferson Co, Tx	eddiearnold@co.jefferson.tx.us	
Kelard Bieber	Jefferson CAD	rrbieber@jcad.org	
C Wayne Frazelle	Rt A	wfrazelle@randair.com	
Jason Watson	IUS	jwatson@indval.com	*
JOHN NICHOLS	Dow Chemical	johnnichols@dow.com	
Bennett Sandlin	Tex. Municipal Lg.	bennett@tml.org	
Cyrus Reed	Sierra Club	CYRUS.REED@SIERRACLUB.ORG	
Virginia Strama	TxOGA	VSTRAMA@TXOGA.ORG	*

