

Texas Commission on Environmental Quality (TCEQ)
Office of Air
Tax Relief for Pollution Control Property Advisory
Committee November 28, 2017
10:00 A.M. - 10:09 A.M.

Minutes

Opening Remarks

1. Mr. Bob Adair called the meeting to order at 10:00 A.M.
2. All committee members except Mr. Timothy Jones, Dr. Cyrus Reed, and Mr. Charles Allred attended the meeting.
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.

TCEQ staff update on pending appointments/reappointments to TCEQ Tax Relief for Pollution Control Property Advisory Committee for member positions expiring in 2017

Ms. Shelley Naik of TCEQ stated the commission will consider the Executive Director's recommended appointments on December 13, 2017, and that the recommended appointments are available on the TCEQ's webpage. Mr. Bob Adair expressed thanks and appreciation for the service of Mr. Bennett Sandlin on the committee.

Notice of election for 2018 Advisory Committee Chair after TCEQ appointment/reappointment of member positions expiring in 2017

Mr. Bob Adair stated that the committee usually elects a chair for the next year during the last meeting of the current year. However, considering the pending appointments/reappointments, the election will be held during the first meeting of 2018 so that any new members can vote to select the committee chair.

2018 Advisory Committee meeting dates to be scheduled after TCEQ appointment/reappointment of member positions expiring in 2017

The committee will schedule meetings for 2018 in early 2018.

Other

1. Old Business

Mr. Don Redmond, TCEQ Legal, explained that the HRSG appeals had been split between the Austin and El Paso Courts of Appeal. The El Paso court heard the Tier III appeals. The court upheld the district court's finding in favor of the negative determinations. Brazos Electric Cooperative filed a motion for rehearing and the court denied the petition for rehearing. It is unknown if they plan to appeal to the Texas Supreme Court.

The Tier IV appeals were heard by the Austin court, which ruled in favor of the appellants and reversed the district court's ruling. A motion for re-hearing has been filed by TCEQ and the court has not issued a final decision.

2. ***New Business***

There was no new business discussed.

Other General Comments from the Public

None

Action Items

None

Adjourn

The meeting adjourned at 10:09 A.M.