



# Chapter 313 Annual Eligibility Report Form

**Form 50-772**  
(May 2010)

2012

Tax Year covered in this report

Brazosport ISD

School district name

.2195

I&S Tax Rate

1.04

M&O Tax Rate

Chlorine

Project Name

Dow-Mitsui Chlor-Alkali LLC

Company Name

2301 N. Brazosport Blvd

Company Address

(979) 238-3560

Company Contact Information

NOTE: This form must be completed by an authorized representative of each approved applicant and each entity with property subject to the limitation agreement. It must be submitted to the school district by May 15th of every year using information from the previous tax (calendar) year. For limitation agreements where there are multiple company entities that receive a part of the limitation provided by the agreement: 1) each business entity not having a full interest in the agreement should complete a separate form for their proportionate share of required employment and investment information; and, 2) separately, the school district is required to complete an Annual Eligibility Report that provides for each question in this form a sum of the individual answers from reports submitted by each entity so that there is a cumulative Annual Eligibility Report reflecting the entire agreement.

18006381042

Texas Taxpayer ID of Applicant

N/A

Texas Taxpayer ID Reporting Entity (if appropriate)

January 1, 2011

Date of Agreement Approval

The Dow Chemical Company

Original Applicant Name

2014

First complete tax year of the qualifying time period

2015

Last tax year of the qualifying time period

2016

First tax year of the limitation

\$30,000,000

Amount of the limitation at the time of application approval

## QUALIFIED PROPERTY INFORMATION

\$152,772,870

Market Value

\$152,772,870

I&S Taxable Value

\$152,772,870

M&O Taxable Value

Is the business entity in good standing with respect to Tax Code, Chapter 171?  
(Attach printout from Comptroller Web site: <http://www.window.state.tx.us/taxinfo/coasintr.html>) .....  Yes  No

Is the business entity current on all taxes due to the State of Texas? .....  Yes  No

Is the business activity of the project an eligible business activity under Section 313.024(b)? .....  Yes  No

Please identify business activity: Chemical Manufacturing

What was the application review start date for your application (the date your application was determined to be complete)? ..... 11/18/2010  
(This question must only be answered for projects with applications approved after June 1, 2010.)

How many new jobs were based on the qualified property in the year covered by this report? (See note on page 3.) ..... n/a

What is the number of new jobs required for a project in this school district according to 313.021(2)(A)(iv)(b), 313.051(b), as appropriate? ..... 10

If the applicant requested a waiver of minimum jobs requirement, how many new jobs must the approved applicant create under the waiver? ..... n/a

80 percent of New Jobs (0.80 x number of new jobs based on the qualified property in the year covered by this report.) ..... n/a



Chapter 313 Annual Eligibility Report Form

What is the minimum required annual wage for each qualifying job in the year covered by the report? \$56,102

For agreements executed prior to June 19, 2009, please identify which of the two Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A) or §313.051(b). For agreements executed after June 19, 2009, please identify which of the four Tax Code sections is used to determine the wage standard required by the agreement: §313.021(5)(A), §313.021(5)(B), §313.021(3)(E)(ii), or §313.051(b). 313.051(b)

Attach calculations and cite (or attach) exact Texas Workforce Commission data sources. attached

How many qualifying jobs (employees of this entity and employees of a contractor with this entity) were based on the qualified property in the year covered by the report?

Of the qualifying job-holders last year, how many were employees of the approved applicant?

Of the qualifying job-holders last year, how many were employees of an entity contracting with the approved applicant?

If any qualifying job-holders were employees of an entity contracting with the applicant, does the approved applicant or assignee have documentation from the contractor supporting the conclusion that those jobs are qualifying jobs? [X] NA [ ] Yes [ ] No

THE FOLLOWING QUESTIONS APPLY ONLY TO APPROVED APPLICANTS WITH AGREEMENTS THAT REQUIRE THE APPROVED APPLICANT TO PROVIDE A SPECIFIED NUMBER OF JOBS AT A SPECIFIED WAGE.

How many qualifying jobs did the approved applicant commit to create in the year covered by the report?

At what annual wage?

How many qualifying jobs were created at the specified wage?

ENTITIES ARE NOT REQUIRED TO ANSWER THE FOLLOWING FIVE QUESTIONS IF THE YEAR COVERED BY THE REPORT IS AFTER THE QUALIFYING TIME PERIOD OF THEIR AGREEMENT.

What is the qualified investment expended by this entity from the beginning of the qualifying time period through the end of the year covered by this report?

Was any of the land classified as qualified investment? [ ] Yes [X] No

Was any of the qualified Investment leased under a capitalized lease? [ ] Yes [X] No

Was any of the qualified Investment leased under and operating lease? [ ] Yes [X] No

Was any property not owned by the applicant part of the qualified investment? [ ] Yes [X] No

THE FOLLOWING QUESTIONS MUST BE ANSWERED BY ENTITIES HAVING A PARTIAL INTEREST IN AN AGREEMENT.

What was your limitation amount (or portion of original limitation amount) during the year covered by this report? n/a

Please describe your interest in the agreement and identify all the documents creating that interest.



NOTE: For job definitions see TAC §9.1051(14) and Tax Code, §313.021(3). If the agreement includes a definition of "new job" other than TAC §9.1051(14)(C), then please provide the definition "new job" as used in the agreement.

Notwithstanding any waiver by the district of the requirement for the creation of a minimum number of new jobs, or any other job commitment in the agreement, Tax Code 313.024(d) requires that 80 percent of all new jobs be qualifying jobs.

**APPROVAL**

*"I am the authorized representative for the Company submitting this Annual Eligibility Report. I understand that this Report is a government record as defined in Chapter 37 of the Texas Penal Code. The information I am providing on this Report is true and correct to the best of my knowledge and belief."*

Signature

**John Nichols**

Printed name of authorized company representative

**Tax Director**

Title

6/12/2013

Date

**CONTACT INFORMATION FOR AUTHORIZED REPRESENTATIVE****Dow Chemical tax Dept, APB Bldg. 2301 N. Brazosport Blvd, Freeport, TX 77541**

Address

**(979) 238-3560**

Phone

**JENichols@Dow.com**

E-mail



February 12, 2013

**The Dow Chemical Company**  
2301 N. Brazosport Blvd  
Freeport, Texas 77541-3257

Dr. Karin Holacka  
Superintendent  
Brazosport Independent School District  
P. O. Drawer Z  
Freeport, TX 77542

### **Tax Limitation Assignment Request**

Dear Dr. Holacka

Pursuant to Section 8.4 of the Participation Agreement for Limitation on Appraised Value between the Brazosport Independent School District and The Dow Chemical Company dated January 4, 2011, we respectfully request assignment of this agreement from The Dow Chemical Company to a newly formed joint venture company, Dow-Mitsui Chlor-Alkali, LLC. This new company's Texas taxpayer ID# is: 1-80-0638104-2 and the contact information for communications related to this agreement remains unchanged.

We are also pleased to inform you that this project is progressing as planned and aside from this assignment, there are no material changes to report in any of our data or projections as submitted in our original application. We hope this request is viewed as a positive development and appreciate our partnership as we continue to invest in the Brazosport area. Please contact me with any questions you may have in this regard and thank you for your approval of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John Nichols".

John Nichols  
Tax Director  
(979) 238-3560

cc. Dan Schaefer – Chief Financial Officer, BISD



## Franchise Tax Account Status

As of: 06/11/2013 06:27:42 PM

**This Page is Not Sufficient for Filings with the Secretary of State**

### DOW-MITSUI CHLOR-ALKALI LLC

Texas Taxpayer Number 18006381042  
Mailing Address 2030 DOW CTR  
MIDLAND, MI 48674-2030  
Right to Transact Business in Texas ACTIVE  
State of Formation DE  
Effective SOS Registration Date 03/08/2011  
Texas SOS File Number 0801394643  
Registered Agent Name C T CORPORATION SYSTEM  
Registered Office Street Address 350 NORTH ST. PAUL ST., STE. 2900  
DALLAS, TX 75201

Calculations of wages information---Based on Most Recent Data Available

110% of County Average Weekly Wage for all Jobs

Year	Period	Wages
2010	3Q	838
2010	4Q	897
2011	1Q	920
2011	2Q	869

Average= \$881 average weekly salary  
X 1.1 (110%)  
**\$969.10 110% of County Average Weekly Wage for all Jobs**

110% of County Average Weekly Wage for Manufacturing Jobs

Year	Period	Wages
2010	3Q	1,538
2010	4Q	1,744
2011	1Q	2,083
2011	2Q	1,707

Average= \$1,768 average weekly salary  
X 1.1 (110%)  
**\$1,944.80 110% of County Average Weekly Wage for all Jobs**

110 % of County Average Weekly Wage for Manufacturing Jobs in Region

~~(South East Texas Regional Planning Commission)~~ → (Houston - Galveston Area Council)

\$24.52 per hour  
X 40 hr per week  
 \$ 980.8 average weekly salary  
X 1.10 (110%)  
**\$1,078.88**  
X 52 weeks  
**\$56,101.76 110% of County Average Weekly Wage for all Jobs in Region**

### Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

Year	Period	Area	Ownership	Division	Level	Ind Code	Industry	Avg Weekly Wages
2010	1st Qtr	Brazoria County	Total All	00	0	10	Total, All Industries	\$840
2010	2nd Qtr	Brazoria County	Total All	00	0	10	Total, All Industries	\$831
2010	3rd Qtr	Brazoria County	Total All	00	0	10	Total, All Industries	\$838
2010	4th Qtr	Brazoria County	Total All	00	0	10	Total, All Industries	\$897
2011	1st Qtr	Brazoria County	Total All	00	0	10	Total, All Industries	\$920
2011	2nd Qtr	Brazoria County	Total All	00	0	10	Total, All Industries	\$869
2011	2nd Qtr	Brazoria County	Total All	31	2	31-33	Manufacturing	\$1,707
2011	1st Qtr	Brazoria County	Total All	31	2	31-33	Manufacturing	\$2,083
2010	4th Qtr	Brazoria County	Total All	31	2	31-33	Manufacturing	\$1,744
2010	3rd Qtr	Brazoria County	Total All	31	2	31-33	Manufacturing	\$1,538
2010	2nd Qtr	Brazoria County	Total All	31	2	31-33	Manufacturing	\$1,590
2010	1st Qtr	Brazoria County	Total All	31	2	31-33	Manufacturing	\$1,799

**2010 Manufacturing Wages by Council of Government Region  
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
<b>Texas</b>		
<u>1. Panhandle Regional Planning Commission</u>	\$18.60	\$38,683
<u>2. South Plains Association of Governments</u>	\$16.21	\$33,717
<u>3. NORTEX Regional Planning Commission</u>	\$18.34	\$38,153
<u>4. North Central Texas Council of Governments</u>	\$23.45	\$48,777
<u>5. Ark-Tex Council of Governments</u>	\$15.49	\$32,224
<u>6. East Texas Council of Governments</u>	\$17.63	\$36,672
<u>7. West Central Texas Council of Governments</u>	\$17.48	\$36,352
<u>8. Rio Grande Council of Governments</u>	\$15.71	\$32,683
<u>9. Permian Basin Regional Planning Commission</u>	\$19.90	\$41,398
<u>10. Concho Valley Council of Governments</u>	\$15.33	\$31,891
<u>11. Heart of Texas Council of Governments</u>	\$17.91	\$37,257
<u>12. Capital Area Council of Governments</u>	\$25.37	\$52,778
<u>13. Brazos Valley Council of Governments</u>	\$15.24	\$31,705
<u>14. Deep East Texas Council of Governments</u>	\$15.71	\$32,682
<u>15. South East Texas Regional Planning Commission</u>	\$27.56	\$57,333
<u>16. Houston-Galveston Area Council</u>	\$24.52	\$51,002 $\times 1.10$
<u>17. Golden Crescent Regional Planning Commission</u>	\$20.07	\$41,738
<u>18. Alamo Area Council of Governments</u>	\$17.28	\$35,952
<u>19. South Texas Development Council</u>	\$13.27	\$27,601
<u>20. Coastal Bend Council of Governments</u>	\$21.55	\$44,822
<u>21. Lower Rio Grande Valley Development Council</u>	\$14.35	\$29,846
<u>22. Texoma Council of Governments</u>	\$18.10	\$37,651
<u>23. Central Texas Council of Governments</u>	\$17.21	\$35,788
<u>24. Middle Rio Grande Development Council</u>	\$13.21	\$27,471

\$56,102

Source: Texas Occupational Employment and Wages

Data published: June 2011

Data published annually, next update will be June 2012.

Note: Data is not supported by the Bureau of Labor Statistics (BLS).

Wage data is produced from Texas OES data, and is not to be compared to BLS estimates.

Data intended for TAC 313 purposes only.