



LYNN M. MOAK, PARTNER

DANIEL T. CASEY, PARTNER

August 29, 2012

Local Government Assistance & Economic Analysis
Texas Comptroller of Public Accounts
P.O. Box 13528
Austin, Texas 78711-3528

RE: Application to the Deer Park Independent School District from Ineos USA

To the Local Government Assistance & Economic Analysis Division:

By copy of this letter transmitting the application for review to the Comptroller's Office, the Deer Park Independent School District is notifying the Applicant Ineos USA, LLC of its intent to consider the application for appraised value limitation on qualified property. The Applicant submitted the Application to the school district on July 16, 2012. The Board voted to accept the application on July 16, 2012. The application has been determined complete. The applicant has indicated that it has engaged a surveyor to delineate the boundaries of the project area and will update the detailed maps submitted with the Application with the survey boundaries upon its completion, which will be within the next 45-60 days.

We have confirmed with the Applicant that the signature on the notarized page is the signature of the authorized business representative. The school district has determined that the wage information included in the application represents the most recent wage data available at the time of the application. The wage the Applicant has committed to paying on this project is well above the required statutory minimums.

A paper copy of the application will be hand delivered to your office today. In accordance with 34 Tex. Admin Code §9.1054, a copy of the application will be submitted to the Harris County Appraisal District.

Please feel free to contact me with questions.

Sincerely,

Dan Casey
School District Consultant

Cc: Chief Appraiser
Harris County Appraisal District

David Webb, Deer Park ISD

www.moakcasey.com

Phone 512-485-7878

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Fax 512-485-7888

**APPLICATION FOR APPRAISED VALUE LIMITATION
ON QUALIFIED PROPERTY**

SUBMITTED BY

INEOS USA LLC

TO

DEER PARK ISD

JULY 16, 2012

ATTACHMENT 1

See application



Application for Appraised Value Limitation on Qualified Property

(Tax Code, Chapter 313, Subchapter B or C)

Form 50-296
(Revised May 2010)

INSTRUCTIONS: This application must be completed and filed with the school district. In order for an application to be processed, the governing body (school board) must elect to consider an application, but — by Comptroller rule — the school board may elect to consider the application only after the school district has received a completed application. Texas Tax Code, Section 313.025 requires that any completed application and any supplemental materials received by the school district must be forwarded within seven days to the Comptroller of Public Accounts.

If the school board elects to consider the application, the school district must:

- notify the Comptroller that the school board has elected to consider the application.

This notice must include:

- the date on which the school district received the application;
- the date the school district determined that the application was complete;
- the date the school board decided to consider the application; and
- a request that the comptroller prepare an economic impact analysis of the application;
- provide a copy of the notice to the appraisal district;
- must complete the sections of the application reserved for the school district and provide information required in the Comptroller rules located at 34 Texas Administrative Code (TAC) Section 9.1054; and
- forward the original completed application to the Comptroller in a three-ring binder with tabs separating each section of the documents, in addition to an electronic copy on CD. See 34 TAC Chapter 9, Subchapter F.

The governing body may, at its discretion, allow the applicant to supplement or amend the application after the filing date, subject to the restrictions in 34 TAC Chapter 9, Subchapter F.

When the Comptroller receives the notice and required information from the school district, the Comptroller will publish all submitted application materials on its Web site. The Comptroller is authorized to treat some application information as confidential and withhold it from publication on the Internet. To do so, however, the information must be segregated and comply with the other requirements set out in the Comptroller rules as explained in the Confidentiality Notice below.

The Comptroller will independently determine whether the application has been completed according to the Comptroller's rules (34 TAC Chapter 9, Subchapter F). If the Comptroller finds the application is not complete, the Comptroller will request additional materials from the school district. When the Comptroller determines that the application is complete, it will send the school district a notice indicating so. The Comptroller will determine the eligibility of the project, make a recommendation to the school board regarding the application and prepare an economic impact evaluation by the 90th day after the Comptroller receives a complete application—as determined by the Comptroller.

The school board must approve or disapprove the application before the 151st day after the application review start date (the date the application is finally determined to be complete), unless an extension is granted. The Comptroller and school district are authorized to request additional information from the applicant that is reasonably necessary to complete the recommendation, economic impact evaluation or consider the application at any time during the application review period.

Please visit the Comptroller's Web site to find out more about the program at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/index.html>. There are links on this Web page to the Chapter 313 statute, rules and forms. Information about minimum limitation values for particular districts and wage standards may also be found at that site.

SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION

Authorized School District Representative		Date application received by district
First Name	Last Name	
Title		
School District Name		
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	E-mail Address	

I authorize the consultant to provide and obtain information related to this application..... Yes No

Will consultant be primary contact? Yes No



SCHOOL DISTRICT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized School District Consultant (If Applicable)

Form fields for Daniel T. Casey, Partner at Moak, Casey & Associates LLP, Austin, TX. Includes contact information like phone number 512-485-7878 and email dcasey@moakcasey.com.

I am the authorized representative for the school district to which this application is being submitted. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code.

Signature field with handwritten signature and date 7/14/2012.

Has the district determined this application complete? [X] Yes [] No

If yes, date determined complete. 8/29/2012

Have you completed the school finance documents required by TAC 9.1054(c)(3)? [] Yes [X] No

SCHOOL DISTRICT CHECKLIST AND REQUESTED ATTACHMENTS

Table with 4 columns: Checklist, Page X of 16, and Check Completed. Lists 6 items such as 'Date application received by the ISD' and 'School finance documents described in TAC 9.1054(c)(3)'. Checkmarks and 'will supplement' are present.

APPLICANT INFORMATION - CERTIFICATION OF APPLICATION

Authorized Business Representative (Applicant)

First Name Tim	Last Name Avery	
Title Chief Financial Officer		
Organization INEOS USA, LLC		
Street Address Marina View Building, Suite 500, 2600 South Shore Boulevard		
Mailing Address		
City League City	State TX	ZIP 77573
Phone Number 281-535-6611	Fax Number 281-535-6765	
Mobile Number (optional)	Business e-mail Address timothy.avery@ineos.com	

Will a company official other than the authorized business representative be responsible for responding to future information requests? Yes No

If yes, please fill out contact information for that person.

First Name	Last Name	
Title		
Organization		
Street Address		
Mailing Address		
City	State	ZIP
Phone Number	Fax Number	
Mobile Number (optional)	E-mail Address	

I authorize the consultant to provide and obtain information related to this application... Yes No

Will consultant be primary contact? Yes No



APPLICANT INFORMATION - CERTIFICATION OF APPLICATION (CONTINUED)

Authorized Company Consultant (If Applicable)

First Name D. Dale	Last Name Cummings	
Title Partner		
Firm Name Cummings Westlake LLC		
Street Address 12837 Louetta Rd, Suite 201		
Mailing Address 12837 Louetta Rd, Suite 201		
City Cypress	State TX	ZIP 77429
Phone Number 713-266-4456 x1	Fax Number 713-266-2333	
Business email Address dcummings@cwlp.net		

I am the authorized representative for the business entity for the purpose of filing this application. I understand that this application is a government record as defined in Chapter 37 of the Texas Penal Code. The information contained in this application is true and correct to the best of my knowledge and belief.

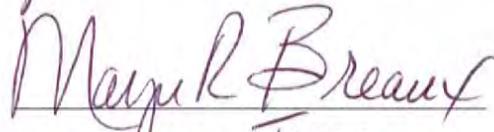
I hereby certify and affirm that the business entity I represent is in good standing under the laws of the state in which the business entity was organized and that no delinquent taxes are owed to the State of Texas.

Signature (Authorized Business Representative (Applicant)) 	Date July 11, 2012
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GIVEN under my hand and seal of office this 11 day of July, 2012



(Notary Seal)


Notary Public, State of Texas

My commission expires 7/23/14

If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Texas Penal Code § 37.10.

FEES AND PAYMENTS

Enclosed is proof of application fee paid to the school district.

For the purpose of this question, "payments to the school district" include any and all payments or transfers of things of value made to the school district or to any person or persons in any form if such payment or transfer of thing of value being provided is in recognition of, anticipation of, or consideration for the agreement for limitation on appraised value.

Please answer only either A OR B:

A. Will any "payments to the school district" that you may make in order to receive a property tax value limitation agreement result in payments that are not in compliance with Tax Code, 313.027(i)? Yes No

B. If "payments to the school district" will only be determined by a formula or methodology without a specific amount being specified, could such method result in "payments to the school district" that are not in compliance with Tax Code §313.027(i)? Yes No

BUSINESS APPLICANT INFORMATION

Legal Name under which application is made

Ineos USA, LLC

Texas Taxpayer I.D. Number of entity subject to Tax Code, Chapter 171 (11 digits)

12019819338

NAICS code

325211 - HDPE; 325199 - Ethylene Oxide

Is the applicant a party to any other Chapter 313 agreements? Yes No

If yes, please list name of school district and year of agreement.

APPLICANT BUSINESS STRUCTURE

Registered to do business in Texas with the Texas Secretary of State? Yes No

Identify business organization of applicant (corporation, limited liability corporation, etc.)

Limited liability corporation

1. Is the applicant a combined group, or comprised of members of a combined group, as defined by Texas Tax Code Chapter 171.0001(7)? Yes No
If so, please attach documentation of the combined group membership and contact information.

2. Is the applicant current on all tax payments due to the State of Texas? Yes No

3. Are all applicant members of the combined group current on all tax payments due to the State of Texas? NA Yes No

If the answer to either question is no, please explain and/or disclose any history of default, delinquencies and/or any material litigation, including litigation involving the State of Texas. (Use attachment if necessary.)



ELIGIBILITY UNDER TAX CODE CHAPTER 313.024

- Are you an entity to which Tax Code, Chapter 171 applies?
The property will be used as an integral part, or as a necessary auxiliary part, in one of the following activities:
(1) manufacturing
(2) research and development.
(3) a clean coal project, as defined by Section 5.001, Water Code
(4) an advanced clean energy project, as defined by Section 382.003, Health and Safety Code
(5) renewable energy electric generation
(6) electric power generation using integrated gasification combined cycle technology.
(7) nuclear electric power generation
(8) a computer center that is used as an integral part or as a necessary auxiliary part for the activity conducted by applicant in one or more activities described by Subdivisions (1) through (7)
Are you requesting that any of the land be classified as qualified investment?
Will any of the proposed qualified investment be leased under a capitalized lease?
Will any of the proposed qualified investment be leased under an operating lease?
Are you including property that is owned by a person other than the applicant?
Will any property be pooled or proposed to be pooled with property owned by the applicant in determining the amount of your qualified investment?

PROJECT DESCRIPTION

Provide a detailed description of the scope of the proposed project, including, at a minimum, the type and planned use of real and tangible personal property, the nature of the business, a timeline for property construction or installation, and any other relevant information. (Use attachments as necessary)

See Attachment # 4

Describe the ability of your company to locate or relocate in another state or another region of the state.

See Attachment # 4A

PROJECT CHARACTERISTICS (CHECK ALL THAT APPLY)

- New Jobs, Relocation from Out-of-State, Consolidation, Construct New Facility, Expansion, Relocation within Texas, New Business / Start-up, Purchase Machinery & Equipment, Expand Existing Facility

PROJECTED TIMELINE

Begin Construction Q2 2013, Construction Complete Q4 2015, Purchase Machinery & Equipment Q2 2013*, Begin Hiring New Employees Q2-Q3 2015, Fully Operational Q4 2015

Do you propose to construct a new building or to erect or affix a new improvement after your application review start date (date your application is finally determined to be complete)?

When do you anticipate the new buildings or improvements will be placed in service? Q4 2015

*INEOS will spend significant capital for detailed engineering work and progress payments for long lead time machinery and equipment in 4Q 2012

ECONOMIC INCENTIVES

Identify state programs the project will apply for:

State Source	Amount
Texas Enterprise Fund	Unknown at this time
City of La Porte	\$1,000,000
Total	

Will other incentives be offered by local units of government? Yes No

Please use the following box for additional details regarding incentives. (Use attachments if necessary.)

Company has applied for a tax abatement agreement with Harris County in accordance with Tax Code Chapter 312. No tax abatement agreement has been negotiated or signed at the time this application is filed.

THE PROPERTY

Identify county or counties in which the proposed project will be located Harris

Central Appraisal District (CAD) that will be responsible for appraising the property Harris

Will this CAD be acting on behalf of another CAD to appraise this property? Yes No

List all taxing entities that have jurisdiction for the property and the portion of project within each entity

County: Harris (100%) City: n/a (project is in the industrial district of the City of La Porte)
(Name and percent of project) (Name and percent of project)

Hospital District: Harris County (100%) Water District: n/a
(Name and percent of project) (Name and percent of project)

Other (describe): See Attachment 5 Other (describe): n/a
(Name and percent of project) (Name and percent of project)

Is the project located entirely within this ISD? Yes No

If not, please provide additional information on the project scope and size to assist in the economic analysis.



INVESTMENT

NOTE: The minimum amount of qualified investment required to qualify for an appraised value limitation and the minimum amount of appraised value limitation vary depending on whether the school district is classified as rural, and the taxable value of the property within the school district. For assistance in determining estimates of these minimums, access the Comptroller's Web site at www.window.state.tx.us/taxinfo/proptax/hb1200/values.html.

At the time of application, what is the estimated minimum qualified investment required for this school district? \$80,000,000

What is the amount of appraised value limitation for which you are applying? \$80,000,000

What is your total estimated qualified investment? \$ 750,000,000

NOTE: See 313.021(1) for full definition. Generally, Qualified Investment is the sum of the investment in tangible personal property and buildings and new improvements made between beginning of the qualifying time period (date of application final approval by the school district) and the end of the second complete tax year.

What is the anticipated date of application approval? November 30, 2012

What is the anticipated date of the beginning of the qualifying time period? November 30, 2012

What is the total estimated investment for this project for the period from the time of application submission to the end of the limitation period? \$1,150,000,000

Describe the qualified investment.[See 313.021(1).]

Attach the following items to this application:

- (1) a specific and detailed description of the qualified investment you propose to make on the property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
(2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your minimum qualified investment and
(3) a map of the qualified investment showing location of new buildings or new improvements with vicinity map.

Do you intend to make at least the minimum qualified investment required by Tax Code §313.023 (or 313.053 for rural school districts) for the relevant school district category during the qualifying time period? [X] Yes [] No

Except for new equipment described in Tax Code §151.318(q) or (q-1), is the proposed tangible personal property to be placed in service for the first time:

- (1) in or on the new building or other new improvement for which you are applying? [X] Yes [] No
(2) if not in or on the new building or other new improvement for which you are applying for an appraised value limitation, is the personal property necessary and ancillary to the business conducted in the new building or other new improvement? [X] Yes [] No
(3) on the same parcel of land as the building for which you are applying for an appraised value limitation? [X] Yes [] No

("First placed in service" means the first use of the property by the taxpayer.)

Will the investment in real or personal property you propose be counted toward the minimum qualified investment required by Tax Code §313.023, (or 313.053 for rural school districts) be first placed in service in this state during the applicable qualifying time period? [X] Yes [] No

Does the investment in tangible personal property meet the requirements of Tax Code §313.021(1)? [X] Yes [] No

If the proposed investment includes a building or a permanent, non-removable component of a building, does it house tangible personal property? [X] Yes [] No

QUALIFIED PROPERTY

Describe the qualified property. [See 313.021(2)] (If qualified investment describes qualified property exactly you may skip items (1), (2) and (3) below.)

Attach the following items to this application:

- (1) a specific and detailed description of the qualified property for which you are requesting an appraised value limitation as defined by Tax Code §313.021,
(2) a description of any new buildings, proposed improvements or personal property which you intend to include as part of your qualified property and
(3) a map of the qualified property showing location of new buildings or new improvements – with vicinity map.

Land

Is the land on which you propose new construction or improvements currently located in an area designated as a reinvestment zone under Tax Code Chapter 311 or 312 or as an enterprise zone under Government Code Chapter 2303? [] Yes [X] No

If you answered "no" to the question above, what is the anticipated date on which you will submit proof of a reinvestment zone with boundaries encompassing the land on which you propose new construction or improvements? October 31, 2012

Will the applicant own the land by the date of agreement execution? [X] Yes [] No

Will the project be on leased land? [] Yes [X] No

QUALIFIED PROPERTY (CONTINUED)

If the land upon which the new building or new improvement is to be built is part of the qualified property described by §313.021(2)(A), please attach complete documentation, including:

1. Legal description of the land
2. Each existing appraisal parcel number of the land on which the improvements will be constructed, regardless of whether or not all of the land described in the current parcel will become qualified property
3. Owner
4. The current taxable value of the land. Attach estimate if land is part of larger parcel.
5. A detailed map (with a vicinity map) showing the location of the land

Attach a map of the reinvestment zone boundaries, certified to be accurate by either the governmental entity creating the zone, the local appraisal district, or a licensed surveyor. (With vicinity map)

Attach the order, resolution or ordinance establishing the zone, and the guidelines and criteria for creating the zone, if applicable.

Miscellaneous

Is the proposed project a building or new improvement to an existing facility? Yes No

Attach a description of any existing improvements and include existing appraisal district account numbers.

List current market value of existing property at site as of most recent tax year. See Attachments 12 and 12A 2012
(Market Value) (Tax Year)

Is any of the existing property subject to a value limitation agreement under Tax Code 313? Yes No

Will all of the property for which you are requesting an appraised value limitation be free of a tax abatement agreement entered into by a school district for the duration of the limitation? Yes No

WAGE AND EMPLOYMENT INFORMATION

What is the estimated number of permanent jobs (more than 1,600 hours a year), with the applicant or a contractor of the applicant, on the proposed qualified property during the last complete quarter before the application review start date (date your application is finally determined to be complete)? 313*

The last complete calendar quarter before application review start date is the:

First Quarter Second Quarter Third Quarter Fourth Quarter of 2012
(year)

What were the number of permanent jobs (more than 1,600 hours a year) this applicant had in Texas during the most recent quarter reported to the TWC?
1,227

Note: For job definitions see TAC §9.1051(14) and Tax Code 313.021(3). If the applicant intends to apply a definition for "new job" other than TAC §9.1051(14)(C), then please provide the definition of "new job" as used in this application. Not applicable

Total number of new jobs that will have been created when fully operational 25

Do you plan to create at least 25 new jobs (at least 10 new jobs for rural school districts) on the land and in connection with the new building or other improvement? Yes No

Do you intend to request that the governing body waive the minimum new job creation requirement, as provided under Tax Code §313.025(f-1)? Yes No

If you answered "yes" to the question above, attach evidence documenting that the new job creation requirement above exceeds the number of employees necessary for the operation, according to industry standards. **Note: Even if a minimum new job waiver is provided, 80% of all new jobs must be qualifying jobs pursuant to Texas Tax Code, §313.024(d).**

What is the maximum number of qualifying jobs meeting all criteria of §313.021(3) you are committing to create? 20

If this project creates more than 1,000 new jobs, the minimum required wage for this project is 110% of the average county weekly wage for all jobs as described by 313.021(3)(E)(ii).

If this project creates less than 1,000 new jobs, does this district have territory in a county that meets the demographic characteristics of 313.051(2)? (see table of information showing this district characteristic at <http://www.window.state.tx.us/taxinfo/proptax/hb1200/values.html>)

If yes, the applicant must meet wage standard described in 313.051(b) (110% of the regional average weekly wage for manufacturing)

If no, the applicant shall designate one of the wage standards set out in §§313.021(5)(A) or 313.021(5)(B).

***None of the current 313 employees at INEOS's manufacturing plant will be included in the 25 new permanent jobs that will be created.**

WAGE AND EMPLOYMENT INFORMATION (CONTINUED)

For the following three wage calculations please include on an attachment the four most recent quarters of data for each wage calculation. Show the average and the 110% calculation. Include documentation from TWC Web site. The final actual statutory minimum annual wage requirement for the applicant for each qualifying job — which may differ slightly from this estimate — will be based on information from the four quarterly periods for which data were available at the time of the application review start date (date of a completed application). See TAC §9.1051(7).

110% of the county average weekly wage for all jobs (all industries) in the county is \$1,335

110% of the county average weekly wage for manufacturing jobs in the county is \$1,663

110% of the county average weekly wage for manufacturing jobs in the region is \$1,136

Please identify which Tax Code section you are using to estimate the wage standard required for this project:

§313.021(5)(A) or §313.021(5)(B) or §313.021(3)(E)(ii), or §313.051(b)?

What is the estimated minimum required annual wage for each qualifying job based on the qualified property? \$59,082

What is the estimated minimum required annual wage you are committing to pay for each of the qualifying jobs you create on the qualified property? \$60,000

Will 80% of all new jobs created by the owner be qualifying jobs as defined by 313.021(3)? Yes No

Will each qualifying job require at least 1,600 of work a year? Yes No

Will any of the qualifying jobs be jobs transferred from one area of the state to another? Yes No

Will any of the qualifying jobs be retained jobs? Yes No

Will any of the qualifying jobs be created to replace a previous employee? Yes No

Will any required qualifying jobs be filled by employees of contractors? Yes No

If yes, what percent? 40%

Does the applicant or contractor of the applicant offer to pay at least 80% of the employee's health insurance premium for each qualifying job? Yes No

Describe each type of benefits to be offered to qualifying jobholders. (Use attachments as necessary.)

See Attachment 15

ECONOMIC IMPACT

Is an Economic Impact Analysis attached (If supplied by other than the Comptroller's office)? Yes No

Is Schedule A completed and signed for all years and attached? Yes No

Is Schedule B completed and signed for all years and attached? Yes No

Is Schedule C (Application) completed and signed for all years and attached? Yes No

Is Schedule D completed and signed for all years and attached? Yes No

Note: Excel spreadsheet versions of schedules are available for download and printing at URL listed below.

If there are any other payments made in the state or economic information that you believe should be included in the economic analysis, please attach a separate schedule showing the amount for each year affected, including an explanation.

CONFIDENTIALITY NOTICE

**Property Tax Limitation Agreement Applications
Texas Government Code Chapter 313
Confidential Information Submitted to the Comptroller**

Generally, an application for property tax value limitation, the information provided therein, and documents submitted in support thereof, are considered public information subject to release under the Texas Public Information Act.

There is an exception, outlined below, by which information will be withheld from disclosure.

The Comptroller's office will withhold information from public release if:

- 1) it describes the specific processes or business activities to be conducted or the specific tangible personal property to be located on real property covered by the application;
- 2) the information has been segregated in the application from other information in the application; and
- 3) the party requesting confidentiality provides the Comptroller's office a list of the documents for which confidentiality is sought and for each document lists the specific reasons, including any relevant legal authority, stating why the material is believed to be confidential.

All applications and parts of applications which are not segregated and marked as confidential as outlined above will be considered public information and will be posted on the internet.

Such information properly identified as confidential will be withheld from public release unless and until the governing body of the school district acts on the application, or we are directed to do so by a ruling from the Attorney General.

Other information in the custody of a school district or the comptroller submitted in connection with the application, including information related to the economic impact of a project or the essential elements of eligibility under Texas Tax Code, Chapter 313, such as

the nature and amount of the projected investment, employment, wages, and benefits, will not be considered confidential business information and will be posted on the internet.

All documents submitted to the Comptroller, as well as all information in the application once the school district acts thereon, are subject to public release unless specific parts of the application or documents submitted with the application are identified as confidential. Any person seeking to limit disclosure of such submitted records is advised to consult with their legal counsel regarding disclosure issues and also to take the appropriate precautions to safeguard copyrighted material, trade secrets, or any other proprietary information. The Comptroller assumes no obligation or responsibility relating to the disclosure or nondisclosure of information submitted by respondents. A person seeking to limit disclosure of information must submit in writing specific detailed reasons, including any relevant legal authority, stating why that person believes the material to be confidential.

The following outlines how the Comptroller's office will handle requests for information submitted under the Texas Public Information Act for application portions and submitted records appropriately identified as confidential.

- This office shall forward the request for records and a copy of the documents at issue to the Texas Attorney General's office for an opinion on whether such information may be withheld from disclosure under the Texas Public Information Act.
- The Comptroller will notify the person who submitted the application/documents when the information is forwarded to the Attorney General's office.
- Please be aware that this Office is obligated to comply with an Attorney General's decision, including release of information ruled public even if it was marked confidential.



COMPANY CHECKLIST AND REQUESTED ATTACHMENTS

	Checklist	Page X of 16	Check Completed
1	Certification pages signed and dated by Authorized Business Representative (applicant)	4 of 16	✓
2	Proof of Payment of Application Fee (Attachment)	5 of 16	✓
3	For applicant members, documentation of Combined Group membership under Texas Tax Code 171.0001(7) (if Applicable) (Attachment)	5 of 16	✓
4	Detailed description of the project	6 of 16	✓
5	If project is located in more than one district, name other districts and list percentage in each district (Attachment)	7 of 16	✓
6	Description of Qualified Investment (Attachment)	8 of 16	✓
7	Map of qualified investment showing location of new buildings or new improvements with vicinity map.	8 of 16	✓
8	Description of Qualified Property (Attachment)	8 of 16	✓
9	Map of qualified property showing location of new buildings or new improvements with vicinity map	8 of 16	✓
10	Description of Land (Attachment)	9 of 16	✓
11	A detailed map showing location of the land with vicinity map.	9 of 16	✓
12	A description of all existing (if any) improvements (Attachment)	9 of 16	✓
13	Request for Waiver of Job Creation Requirement (if applicable) (Attachment)	9 of 16	✓
14	Calculation of three possible wage requirements with TWC documentation. (Attachment)	10 of 16	✓
15	Description of Benefits	10 of 16	✓
16	Economic Impact (if applicable)	10 of 16	✓
17	Schedule A completed and signed	13 of 16	✓
18	Schedule B completed and signed	14 of 16	✓
19	Schedule C (Application) completed and signed	15 of 16	✓
20	Schedule D completed and signed	16 of 16	✓
21	Map of Reinvestment Zone (Attachment) (Showing the actual or proposed boundaries and size, Certified to be accurate by either the government entity creating the zone, the local appraisal district, or a licensed surveyor, with vicinity map)*	9 of 16	✓
22	Order, Resolution, or Ordinance Establishing the Zone (Attachment)*	9 of 16	✓
23	Legal Description of Reinvestment Zone (Attachment)*	9 of 16	✓
24	Guidelines and Criteria for Reinvestment Zone(Attachment)*	9 of 16	✓

*To be submitted with application or before date of final application approval by school board.

Schedule A (Rev. May 2010): Investment

Form 50-296

Applicant Name: INEOS USA LLC
 ISD Name: Deer Park ISD

PROPERTY INVESTMENT AMOUNTS

(Estimated Investment in each year. Do not put cumulative totals.)

	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying Investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals) Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment) Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property) Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property) Complete tax years of qualifying time period Value Limitation Period Continue to Maintain Viable Presence Post-Settle-Up Period Post-Settle-Up Period	Year	2012	\$ -	\$ -	\$ -	\$ -	\$ -
	2012-2013	2012	\$ 78,000,000	\$ 2,000,000	\$ -	\$ -	\$ 80,000,000.00
	2013-2014	2013	\$ 234,000,000	\$ 6,000,000	\$ 240,000,000	\$ -	\$ 240,000,000.00
	2014-2015	2014	\$ 495,000,000	\$ 15,000,000	\$ 510,000,000	\$ -	\$ 510,000,000.00
	2015-2016	2015	\$ 290,000,000	\$ 30,000,000	\$ -	\$ -	\$ 320,000,000.00
	2016-2017	2016					
	2017-2018	2017					
	2018-2019	2018					
	2019-2020	2019					
	2020-2021	2020					
	2021-2022	2021					
	2022-2023	2022					
	2023-2024	2023					
	2024-2025	2024					
	2025-2026	2025					
2026-2027	2026						
2027-2028	2027						

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.

Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D). For the purposes of investment, please list amount invested each year, not cumulative totals.

Column B: [For the years outside the qualifying time period, this number should simply represent the planned investment in tangible personal property]. Include estimates of investment for "replacement" property-property that is part of original agreement but scheduled for probable replacement during limitation period. The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).

Column D: For the years outside the qualifying time period, this number should simply represent the planned investment in new buildings or nonremovable components of buildings. Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value-for planning, construction and operation of the facility. The most significant example for many projects would be land. Other examples may be items such as professional services, etc. Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.

Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE:  DATE: July 11, 2012

Schedule B (Rev. May 2010): Estimated Market And Taxable Value
INEOS USA LLC

Form 50-296

Applicant Name
 ISD Name

Deer Park ISD

Applicant Name ISD Name	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property			Reductions from Market Value	Estimated Taxable Value	Final taxable value for M&O--after all reductions
				Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements	Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"			
	pre-year 1	2012-2013	2012	\$ 2,309,617	\$ -	\$ -	\$ -	\$ 2,309,617	\$ 2,309,617
	1	2013-2014	2013	\$ 2,309,617	\$ -	\$ -	\$ -	\$ 2,309,617	\$ 2,309,617
	2	2014-2015	2014	\$ 2,309,617	\$ 4,994,245	\$ 103,577,170	\$ 5,971,400	\$ 104,909,632	\$ 104,909,632
	3	2015-2016	2015	\$ 2,309,617	\$ 18,041,830	\$ 374,172,415	\$ 21,571,800	\$ 372,952,062	\$ 80,000,000
	4	2016-2017	2016	\$ 2,309,617	\$ 50,255,000	\$ 1,042,245,000	\$ 60,087,500	\$ 1,034,722,117	\$ 80,000,000
	5	2017-2018	2017	\$ 2,309,617	\$ 48,496,100	\$ 1,010,977,700	\$ 58,271,100	\$ 1,003,512,317	\$ 80,000,000
	6	2018-2019	2018	\$ 2,309,617	\$ 46,798,700	\$ 980,648,400	\$ 56,509,600	\$ 973,247,117	\$ 80,000,000
	7	2019-2020	2019	\$ 2,309,617	\$ 45,160,700	\$ 951,228,900	\$ 54,801,400	\$ 943,897,817	\$ 80,000,000
	8	2020-2021	2020	\$ 2,309,617	\$ 43,580,100	\$ 894,155,200	\$ 51,575,400	\$ 888,469,517	\$ 80,000,000
	9	2021-2022	2021	\$ 2,309,617	\$ 42,054,800	\$ 840,505,900	\$ 48,540,800	\$ 836,329,517	\$ 80,000,000
	10	2022-2023	2022	\$ 2,309,617	\$ 40,582,900	\$ 790,075,500	\$ 45,686,200	\$ 787,281,817	\$ 80,000,000
	11	2023-2024	2023	\$ 2,309,617	\$ 39,162,500	\$ 742,671,000	\$ 43,000,800	\$ 741,142,317	\$ 741,142,317
	12	2024-2025	2024	\$ 2,309,617	\$ 37,791,800	\$ 698,110,700	\$ 40,474,600	\$ 697,737,517	\$ 697,737,517
	13	2025-2026	2025	\$ 2,309,617	\$ 36,469,100	\$ 656,224,100	\$ 38,098,100	\$ 656,904,717	\$ 656,904,717
	14	2026-2027	2026	\$ 2,309,617	\$ 35,192,700	\$ 616,850,700	\$ 35,862,400	\$ 618,490,617	\$ 618,490,617
	15	2027-2028	2027	\$ 2,309,617	\$ 33,961,000	\$ 579,839,700	\$ 33,759,000	\$ 582,351,317	\$ 582,351,317
Tax Credit Period (with 50% cap on credit)									
Credit Settle-Up Period									
Post- Settle-Up Period									
Post- Settle-Up Period									

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed enter these amounts for future years.



SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE July 10, 2017

Applicant Name
ISD Name

INEOS USA LLC
Deer Park ISD

Schedule C - Application: Employment Information

Form 50-296

Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs	
			Column A: Number of Construction FTE's or man- hours (specify [FTE])	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
pre-year 1	2012-2013	2012	0		0	0	0	0
Complete tax years of qualifying time period	1	2013	1,900	\$ 72,800	0		0	
	2	2014	2,000	\$ 72,800	0		0	
Tax Credit Period (with 50% cap on credit)	3	2015	1,000	\$ 72,800	10	\$ 60,000	8	\$ 60,000
	4	2016			25	\$ 60,000	20	\$ 60,000
	5	2017			25	\$ 60,000	20	\$ 60,000
	6	2018			25	\$ 60,000	20	\$ 60,000
	7	2019			25	\$ 60,000	20	\$ 60,000
	8	2020			25	\$ 60,000	20	\$ 60,000
	9	2021			25	\$ 60,000	20	\$ 60,000
Credit Settle-Up Period	10	2022			25	\$ 60,000	20	\$ 60,000
	11	2023			25	\$ 60,000	20	\$ 60,000
	12	2024			25	\$ 60,000	20	\$ 60,000
	13	2025			25	\$ 60,000	20	\$ 60,000
Post-Settle-Up Period	14	2026			25	\$ 60,000	20	\$ 60,000
	15	2027			25	\$ 60,000	20	\$ 60,000

Notes: For job definitions see TAC §9.1051(14) and Tax Code §313.021(3).

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE JULY 11, 2012

Schedule D: (Rev. May 2010): Other Tax Information

Applicant Name

INEOS USA LLC

ISD Name

Deer Park ISD

Form 50-296

				Sales Tax Information			Other Property Tax Abatements Sought				
				Sales Taxable Expenditures		Franchise Tax	County	City	Hospital	Other	
	Year	School Year (YYYY-YYYY)	Tax/Calendar Year YYYY	Column F: Estimate of total annual expenditures* subject to state sales tax	Column G: Estimate of total annual expenditures* made in Texas NOT subject to sales tax	Column H: Estimate of Franchise tax due from (or attributable to) the applicant	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	Fill in percentage exemption requested or granted in each year of the Agreement	
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals)		2012-2013	2012								
Tax Credit Period (with 50% cap on credit)	1	2013-2014	2013	\$ 1,000,000			TBD	N/A	N/A	N/A	
	2	2014-2015	2014	\$ 1,000,000			TBD	N/A	N/A	N/A	
	3	2015-2016	2015	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	4	2016-2017	2016	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	5	2017-2018	2017	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	6	2018-2019	2018	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	7	2019-2020	2019	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	8	2020-2021	2020	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	9	2021-2022	2021	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	10	2022-2023	2022	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	11	2023-2024	2023	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	12	2024-2025	2024	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	13	2025-2026	2025	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	14	2026-2027	2026	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	
	15	2027-2028	2027	\$ 1,000,000	\$ 1,270,000,000	\$ 2,200,000	TBD	N/A	N/A	N/A	

*For planning, construction and operation of the facility.

JULY 11, 2012
DATE

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

ATTACHMENT 2

Copy of check attached

Proof of payment of filing fee received by the
Comptroller of Public Accounts per TAC Rule
§9.1054 (b)(5)

*(Page Inserted by Office of Texas Comptroller of Public
Accounts)*

ATTACHMENT 3

See attached documentation of combined group membership

Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

15104061559

2012

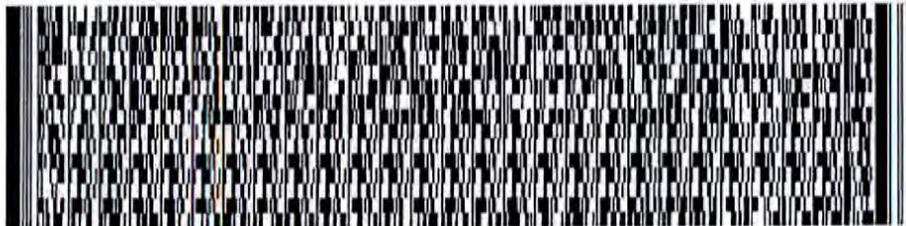
INEOS PARTNERS & SUBSIDIARIES

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (If none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INEOS INVESTMENT HOLDING COMPANY	■ 32017825822	■ <input type="checkbox"/>
2. INEOS US INVESTMENT HOLDING COMPANY LLC	■ 800083374	■ <input checked="" type="checkbox"/>
3. INEOS HOLDING COMPANY LLC	■ 32020359314	■ <input type="checkbox"/>
4. INEOS USA LLC	■ 12019819338	■ <input type="checkbox"/>
5. INEOS PIPELINE INVESTMENT COMPANY	■ 363215183	■ <input type="checkbox"/>
6. INEOS POLYMERS INC.	■ 13634256997	■ <input type="checkbox"/>
7. INEOS CHOCOLATE BAYOU PIPELINE HOLDING CO.	■ 32017825822	■ <input checked="" type="checkbox"/>
8. INEOS LLC	■ 17214804951	■ <input type="checkbox"/>
9. INEOS PARTNERS, INC	■ 15104061559	■ <input type="checkbox"/>
10. INEOS AMERICAS, LLC	■ 17213837127	■ <input type="checkbox"/>
11. INEOS DELAWARE II LLC	■ 208041080	■ <input checked="" type="checkbox"/>
12. INEOS POLYETHYLENE HOLDING COMPANY	■ 32016369590	■ <input checked="" type="checkbox"/>
13. INEOS OLEFINS LP	■ 32035954828	■ <input checked="" type="checkbox"/>
14. INEOS POLYETHYLENE NORTH AMERICA	■ 760695812	■ <input checked="" type="checkbox"/>
15. INEOS TECHNOLOGY SERVICES COMPANY LLC	■ 341859543	■ <input checked="" type="checkbox"/>
16. INEOS US INTERMEDIATE FINANCE	■ 204929405	■ <input checked="" type="checkbox"/>
17. INEOS DELAWARE LLC	■ 208041044	■ <input checked="" type="checkbox"/>
18. INEOS POLYPROYLENE LLC	■ 954717853	■ <input checked="" type="checkbox"/>
19. INEOS CHLOR AMERICAS, INC.	■ 15104060551	■ <input type="checkbox"/>
20. EVC RIGID FILM, INC.	■ 134075717	■ <input checked="" type="checkbox"/>
21. INEOS US FINANCE LLC	■ 721503967	■ <input checked="" type="checkbox"/>

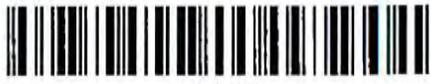
Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.

ptrol ly



VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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Texas Franchise Tax Extension Affiliate List

■ Tcode 13298

■ Reporting entity taxpayer number

■ Report year

Reporting entity taxpayer name

15104061559

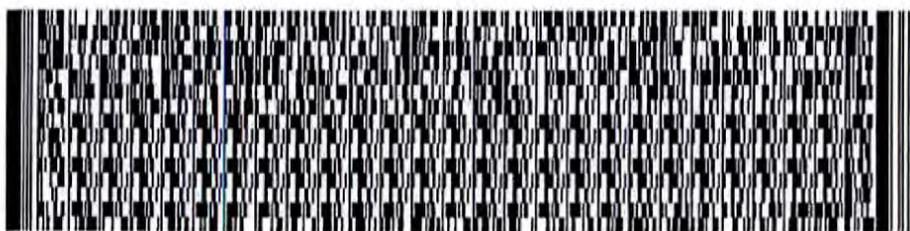
2012

INEOS PARTNERS & SUBSIDIARIES

LEGAL NAME OF AFFILIATE	AFFILIATE'S TEXAS TAXPAYER NUMBER (if none, enter FEI number)	CHECK BOX IF AFFILIATE DOES NOT HAVE NEXUS IN TEXAS
1. INEOS ABS USA CORPORATION	12606244478	<input type="checkbox"/>
2. STYROLUTION AMERICA LLC	260768059	<input type="checkbox"/>
3. INEOS INTERMEDIATE INVESTMENT CO.	810632735	<input type="checkbox"/>
4. INEOS BIO USA LLC	12641871632	<input type="checkbox"/>
5. STYROLUTION INDUSTRIES US LLC	32041827521	<input type="checkbox"/>
6. INEOS MELAMINES LLC	18004441475	<input type="checkbox"/>
7. STYROLUTION INDUSTRIES US II LLC	452129857	<input checked="" type="checkbox"/>
8. INEOS FLUOR AMERICAS LLC	17429842119	<input type="checkbox"/>
9. INEOS NEW PLANET BIO ENERGY LLC	12641873364	<input type="checkbox"/>
10. INEOS US HOLDING COMPANY II LLC	000000000	<input checked="" type="checkbox"/>
11. STYROLUTION USA LLC	263356856	<input type="checkbox"/>
12. STYROLUTION US HOLDING LLC	900759723	<input type="checkbox"/>
13. INEOS CHOCOLATE BAYOU PIPELINE	32017520712	<input type="checkbox"/>
14.		<input type="checkbox"/>
15.		<input type="checkbox"/>
16.		<input type="checkbox"/>
17.		<input type="checkbox"/>
18.		<input type="checkbox"/>
19.		<input type="checkbox"/>
20.		<input type="checkbox"/>
21.		<input type="checkbox"/>

Note: To file an extension request for a reporting entity and its affiliates, Form 05-164 (Texas Franchise Tax Extension Request) must be submitted with this affiliate list. The filing of this list by itself does not constitute a properly filed Extension Request.

Do not file this form when requesting a second extension.



VE/DE	<input type="checkbox"/>	FM	<input type="checkbox"/>
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Texas Franchise Tax Extension Request

■ Tcode 13258 ANNUAL

■ Taxpayer number	■ Report year	Due date
15104061559	2012	05/15/2012

Taxpayer name INEOS PARTNERS & SUBSIDIARIES					Secretary of State file number or Comptroller file number 0029479580	
Mailing address 2600 SOUTH SHORE BLVD., SUITE 250						
City LEAGUE CITY	State TX	Country	ZIP Code 77573	Plus 4	Check box if the address has changed ■ <input type="checkbox"/>	
Check box if this is a combined report <input checked="" type="checkbox"/>						

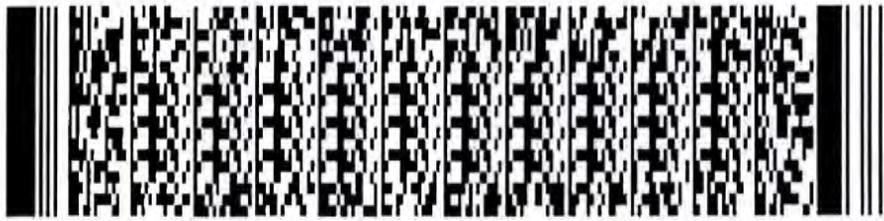
1. Check this box if you will be using your 2008 Temporary Credit for Business Loss Carryforward for the report year for which you are requesting this extension (see instructions) 1.
2. Check this box if you will begin using your 1992 Temporary Credit for the report year for which you are requesting this extension (see instructions) 2.
3. Extension payment (Dollars and cents) 3. ■ 3800000.00

If this extension is for a combined group, you must also complete and submit Form 05-165. Note to mandatory Electronic Fund Transfer(EFT) payers: When requesting a second extension do not submit an Affiliate List Form 05-165.

Print or type name <i>Rebecca Gray</i>		Area code and phone number (281) 535-6000
I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief.		Mail original to: Texas Comptroller of Public Accounts P.O. Box 149348 Austin, TX 78714-9348
sign here ▶ <i>Rebecca Gray</i>	Date <i>5/14/12</i>	

If you have any questions regarding franchise tax, you may contact the Texas Comptroller's field office in your area or call (800) 252-1381 or (512) 463-4600. Instructions for each report year are online at www.window.state.tx.us/taxinfo/taxforms/05-forms.html.

Taxpayers who paid \$10,000 or more during the preceding fiscal year (Sept. 1 thru Aug. 31) are required to electronically pay their franchise tax. For more information visit www.window.state.tx.us/webfile/req_franchise.html.



VE/DE	<input type="checkbox"/>
PM Date	<input type="text"/>



1062



Susan Combs
Texas Comptroller of Public Accounts

INEOS PARTNERS
15104061559

Identification #: 67292 Location #: 32241

Transaction Complete

Please remember that you must file any required tax returns separately

Trace #: 15040585

Total Amount	\$3,800,000.00
Settlement Date	05/15/2012
Tax Type	13080 - Franchise Tax Extension
Filing Period	2011 - (yearly)

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IMPORTANT: DO NOT USE THE BACK BUTTON ON YOUR BROWSER WHILE USING TEXNET.



Taxable Entity Search Results

Franchise Tax Certification of Account Status

This Certification Not Sufficient for Filings with Secretary of State

Obtain a certification sufficient for filings with the Secretary of State.

Certification of Account Status

Officers And Directors Information

Entity Information:

INEOS USA LLC
2600 S SHORE BLVD STE 250 C/O
CHRISTINE HENRY
LEAGUE CITY, TX 77573-3091

Status:

**TEMPORARY GOOD STANDING
through July 16, 2012**

Registered Agent:

C T CORPORATION SYSTEM
350 N. ST. PAUL ST. STE. 2900
DALLAS, TX 75201

Registered Agent Resignation Date:

State of Formation:

DE

File Number:

0800472776

SOS Registration Date:

March 29, 2005

Taxpayer Number:

12019819338

texas.gov | [Statewide Search from the Texas State Library](#) | [State Link Policy](#) | [Texas Homeland Security](#)

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ATTACHMENT 4

INEOS USA LLC plans to build two chemical production facilities, a high density polyethylene (HDPE) unit and an ethylene oxide/ethylene glycol (EO/EG) unit, within its existing Battleground Manufacturing Facility (BMC) located at 1230 Independence Parkway in La Porte, Texas.

The HDPE unit will be constructed adjacent to other existing polymer units at the site and add 470,000 metric tons of production capacity. The HDPE expansion is estimated to cover 10 acres of land.

The EO/EG unit will add 550,000 metric tons of ethylene oxide/ethylene glycol capacity. The EO/EG expansion will cover approximately 72 acres of land on an undeveloped part of the BMC site property.

INEOS is guaranteeing the creation of 25 permanent jobs, of which 80% will be qualifying jobs. Employment may exceed 25 permanent jobs if both production units are constructed.

New property necessary for the production of HDPE and EO/EG includes, but is not limited to, the following:

- Reactors
- Distillation columns
- Tanks and other vessels
- Heat exchangers
- Rotors
- Pumps
- Valves
- Compressors
- Motors and motor control centers
- Cooling tower
- Transformers
- Process control systems
- Flare stacks
- Dryers
- Manufacturing buildings
- Piping and extruders
- Pollution control equipment
- Process control buildings
- Product storage silos
- Cogeneration plant
- Alkoxylation unit
- Rail car siding, spurs, and switching equipment
- Rail car loading equipment and associated buildings
- Packaging unit and warehouse

ATTACHMENT 4A

INEOS is a global manufacturer of petrochemicals and specialty chemicals. It comprises 15 businesses each with a major chemical heritage. Its production network spans 65 manufacturing facilities in 13 countries throughout the world.

INEOS has the ability to locate a new facility in many countries around the world as well as numerous existing facilities in the United States.

ATTACHMENT 5

The project is located in the following taxing jurisdictions:

- Harris County (100%)
- Deer Park ISD (100%)
- Harris County Flood Control District (100%)
- Port of Houston Authority (100%)
- Harris County Hospital District (100%)
- Harris County Education Department (100%)
- San Jacinto College District (100%)

ATTACHMENT 6

Product storage silos INEOS USA LLC plans to build two chemical production facilities, a high density polyethylene (HDPE) unit and an ethylene oxide/ethylene glycol (EO/EG) unit, within its existing Battleground Manufacturing Facility (BMC) located at 1230 Independence Parkway in La Porte, Texas.

The HDPE unit will be constructed adjacent to other existing polymer units at the site and add 470,000 metric tons of production capacity. The HDPE expansion is estimated to cover 10 acres of land.

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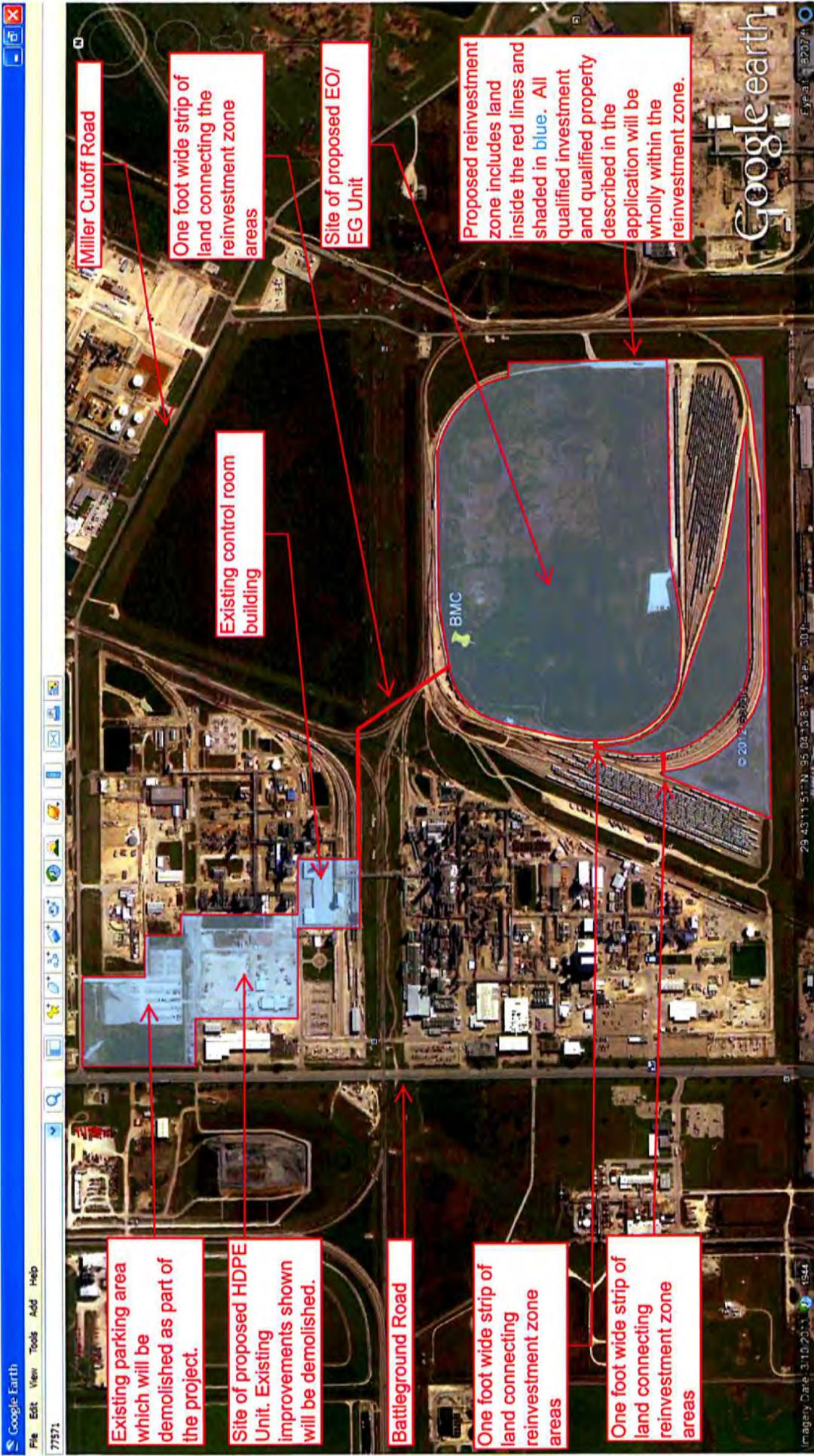
INEOS is guaranteeing the creation of 25 permanent jobs, of which 80% will be qualifying jobs. Employment may exceed 25 permanent jobs if both production units are constructed.

New property necessary for the production of HDPE and EO/EG includes, but is not limited to, the following:

- Reactors
- Distillation columns
- Tanks and other vessels
- Heat exchangers
- Rotors
- Pumps
- Valves
- Compressors
- Motors and motor control centers
- Cooling tower
- Transformers
- Process control systems
- Flare stacks
- Dryers
- Manufacturing buildings
- Piping and extruders
- Pollution control equipment
- Process control buildings
- Product storage silos
- Cogeneration plant
- Alkoxylation unit
- Rail car siding, spurs, and switching equipment
- Rail car loading equipment and associated buildings
- Packaging unit and warehouse

ATTACHMENT 7

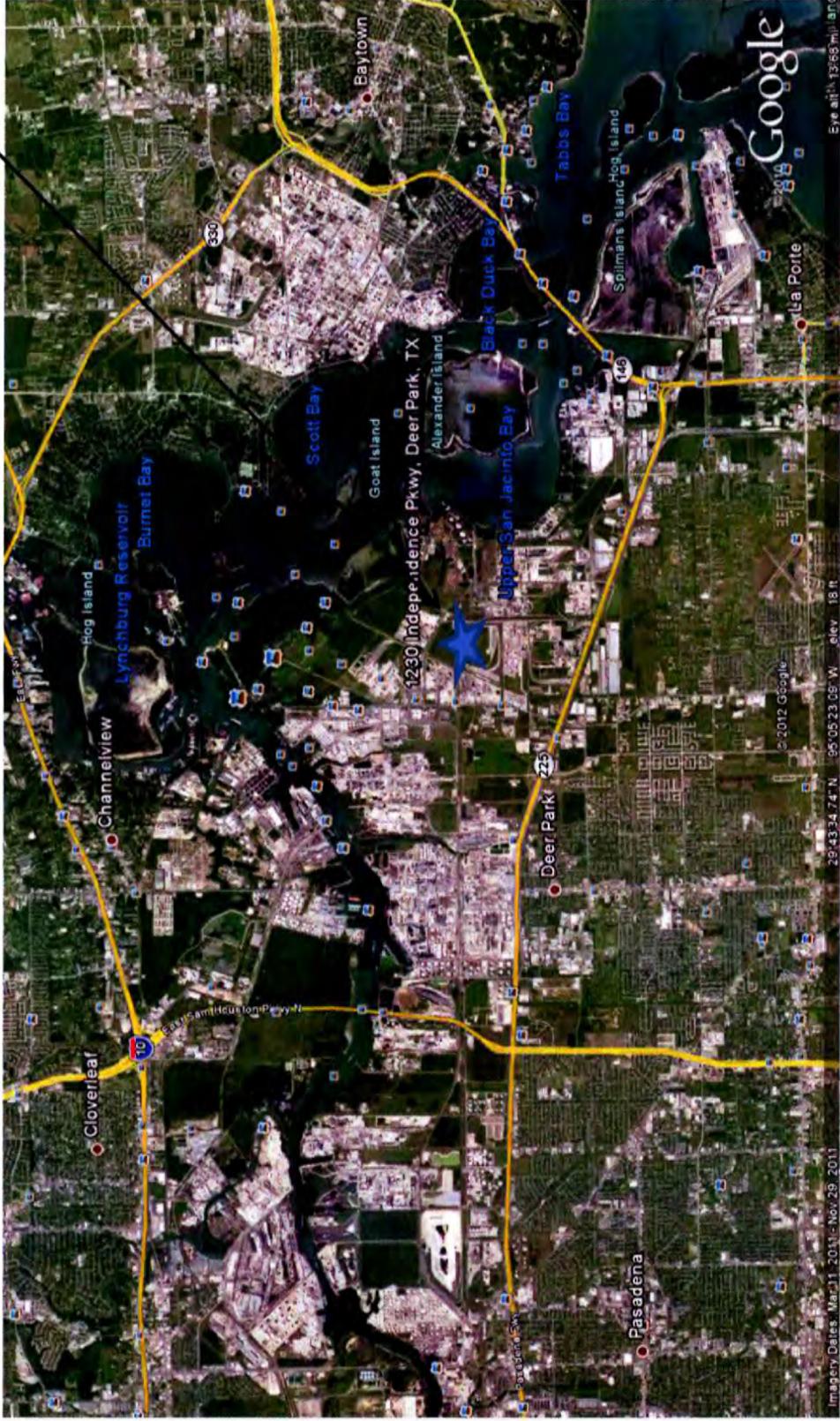
See attached maps



INEOS USA LLC Proposed Reinvestment Zone

INEOS Vicinity Map

Project
Site



Deer Park ISD Map



ATTACHMENT 8

INEOS USA LLC plans to build two chemical production facilities, a high density polyethylene (HDPE) unit and an ethylene oxide/ethylene glycol (EO/EG) unit, within its existing Battleground Manufacturing Facility (BMC) located at 1230 Independence Parkway in La Porte, Texas.

The HDPE unit will be constructed adjacent to other existing polymer units at the site and add 470,000 metric tons of production capacity. The HDPE expansion is estimated to cover 10 acres of land.

The EO/EG unit will add 550,000 metric tons of ethylene oxide/ethylene glycol capacity. The EO/EG expansion will cover approximately 72 acres of land on an undeveloped part of the BMC site property.

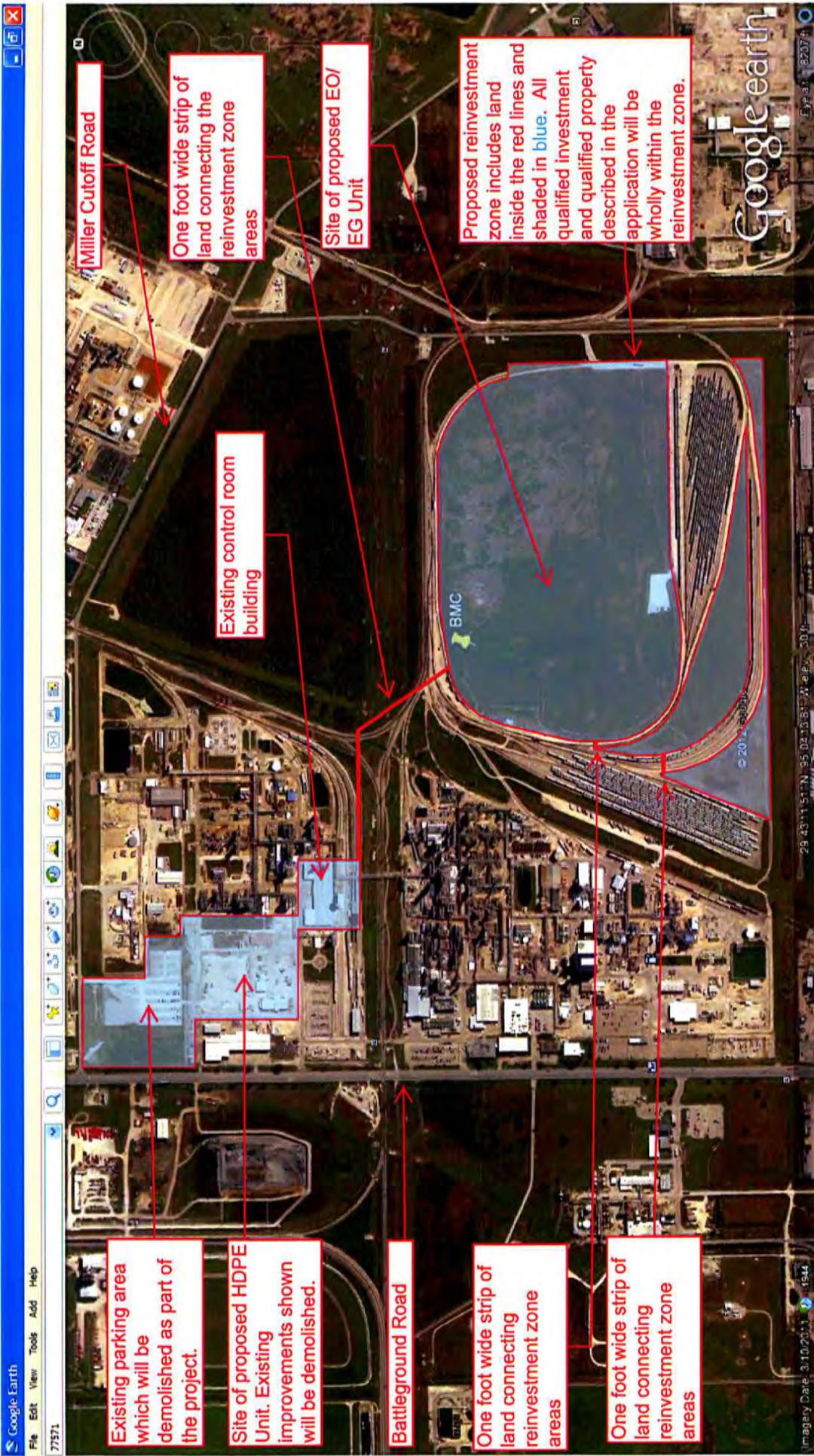
INEOS is guaranteeing the creation of 25 permanent jobs, of which 80% will be qualifying jobs. Employment may exceed 25 permanent jobs if both production units are constructed.

New property necessary for the production of HDPE and EO/EG includes, but is not limited to, the following:

- Reactors
- Distillation columns
- Tanks and other vessels
- Heat exchangers
- Rotors
- Pumps
- Valves
- Compressors
- Motors and motor control centers
- Cooling tower
- Transformers
- Process control systems
- Flare stacks
- Dryers
- Manufacturing buildings
- Piping and extruders
- Pollution control equipment
- Process control buildings
- Product storage silos
- Cogeneration plant
- Alkoxylation unit
- Rail car siding, spurs, and switching equipment
- Rail car loading equipment and associated buildings
- Packaging unit and warehouse

ATTACHMENT 9

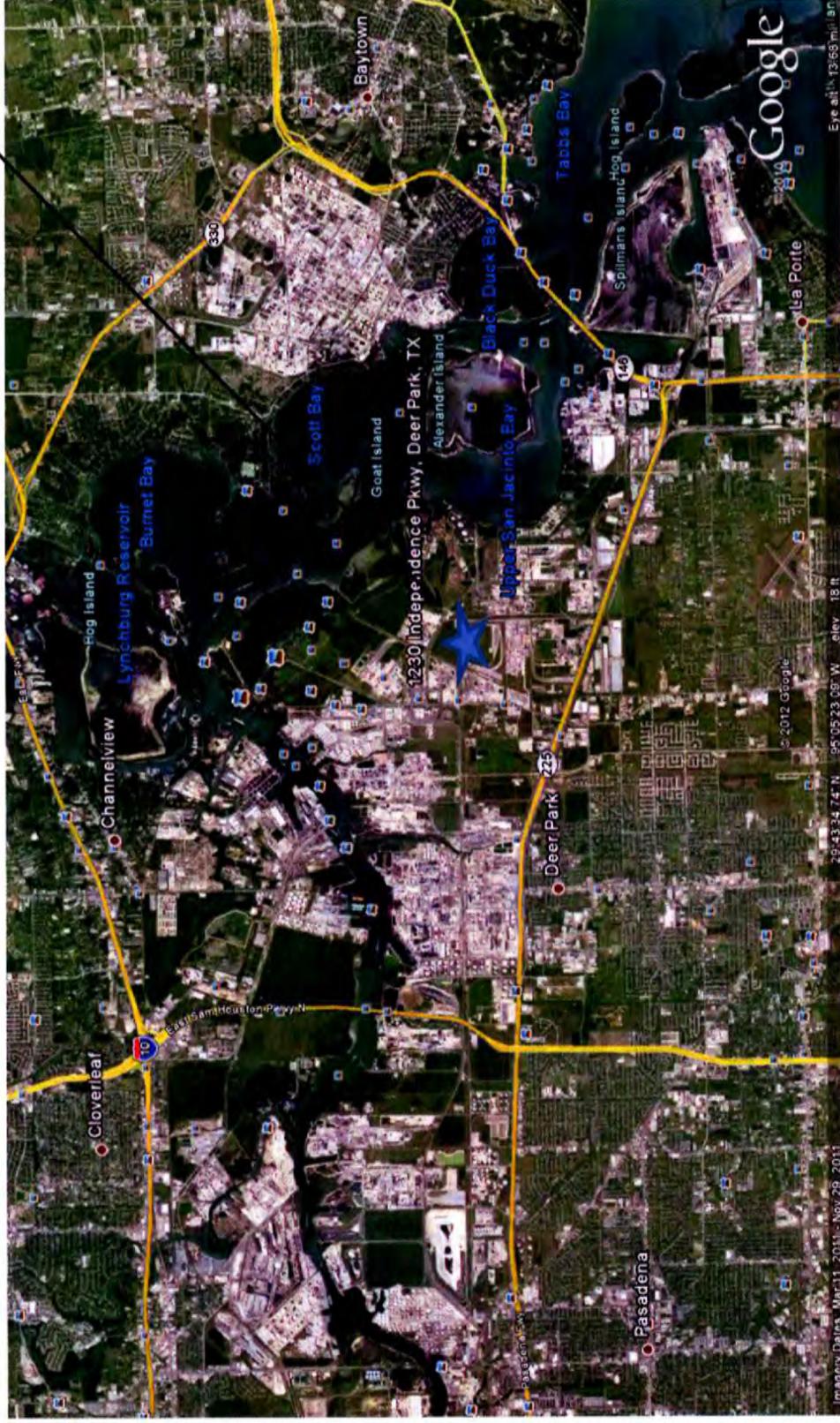
See attached maps



INEOS USA LLC Proposed Reinvestment Zone

INEOS Vicinity Map

Project
Site



Deer Park ISD Map



ATTACHMENT 10

The legal description of the proposed reinvestment zone will be provided upon completion of the survey.

The reinvestment zone will consist of property owned by INEOS. In addition a one-foot wide strip of land in the reinvestment zone will cross land owned by Centerpoint Energy, Exxon Pipeline Company, and the Harris County Navigation District. No qualified investment or qualified property will be constructed on any land that INEOS does not own.

ATTACHMENT 11

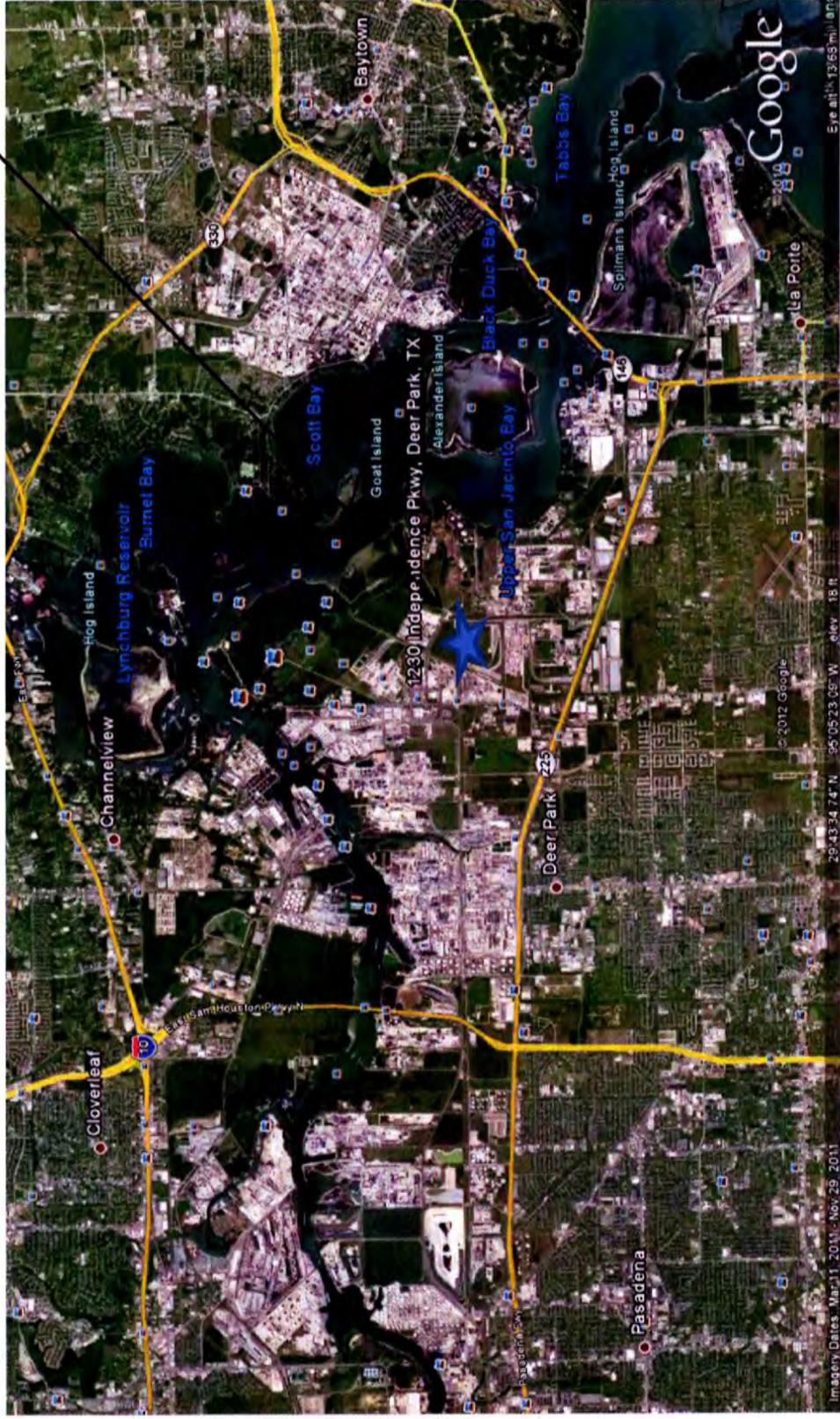
Please see attached maps



INEOS USA LLC Proposed Reinvestment Zone

INEOS Vicinity Map

Project
Site



Deer Park ISD Map



ATTACHMENT 12

INEOS has existing chemical processing units at the Battleground Manufacturing Facility. These assets consist of the following:

- 5 Polyethylene production units
- Polypropylene unit
- Polyolefins Technical Center used for product development
- Pollution control equipment

The improvements listed above are assessed by Harris County Appraisal District.

The Harris County Appraisal District account numbers and the most recent property values are shown in Exhibit 12A.

It should be noted that the proposed reinvestment zone will exclude *practically all of the existing improvements and the new improvements will be constructed on land where no existing improvements are located wherever possible.* Exceptions, which INEOS believes are minor, are as follows:

- One existing control building valued at \$1,451,380 as of January 1 2012 will be included in the reinvestment zone. The existing control building is part of HCAD account number 041-002-005-0130.
- A one-foot wide crossing of several existing rail lines will be in the reinvestment zone. INEOS has 25 miles (132,000 feet) of existing rail lines on their property and the portion of these lines that will be in the reinvestment zone will be minimal. Based upon an estimate of a one-foot wide crossing of 18 existing rail lines, this equates to .0001364 of the total rail lines at the site. In 2012 rail lines at the site were valued at \$10,052,410. Therefore, INEOS believes that the value of existing rail lines in the reinvestment zone is \$1,371 ($\$10,052,410 \times .0001364$).
- The reinvestment zone will also include part of several existing paved roads and parking areas in the plant. The total value of existing plant roads and parking areas is \$69,130 in the 2012 property tax appraisal of the plant by Harris County Appraisal District's valuation contractor. INEOS estimates that the values of existing roads parking areas in the plant that will be in the reinvestment zone are valued at no more than \$69,130. A portion of the existing paved roads and parking areas will be demolished to facilitate the construction of the new process units.

INEOS will request that Harris County Appraisal District create new property account numbers for the property that is the subject of this application so as to be able to track the increased value attributable to the qualified property.

ATTACHMENT 12 A

Harris County Appraisal District account numbers and 2011 final and 2012 proposed values for affected INEOS property accounts are shown below and in the supporting attachments.

HCAD Property Account Number	2011 Final Appraised Value	2012 Proposed Appraised Value
041-002-005-0122	\$177,542	\$177,542
041-002-005-0123	\$2,200,914	\$2,200,914
041-002-005-0130	\$42,103,693	\$40,442,003
041-002-005-0131	\$12,190,240	\$12,299,530

Also please see attached map prepared by HCAD showing INEOS real property parcels.

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
0410020050122

Tax Year: 2012



Owner and Property Information									
Owner Name & Mailing Address: INEOS USA LLC 2600 S SHORE BLVD STE 500 LEAGUE CITY TX 77573-2944					Legal Description: TR 1M-1A ABST 46 A MCCORMICK 2600 MILLER CUTRD LA PORTE TX 77571				
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Map Facet	Key Map®
C2 -- Real, Vacant Commercial	4400 -- Vacant Industrial Land	--	0	430,634 SF	0	0	9001.04	6056D	539A

Value Status Information

Capped Account	Value Status	Notice Date	Shared CAD
No	Noticed	06/22/2012	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	ARB Status	2011 Rate	2012 Rate
None	002	DEER PARK ISD	Not Certified	1.396700	
	040	HARRIS COUNTY	Not Certified	0.391170	
	041	HARRIS CO FLOOD CNTRL	Not Certified	0.028090	
	042	PORT OF HOUSTON AUTHY	Not Certified	0.018560	
	043	HARRIS CO HOSP DIST	Not Certified	0.192160	
	044	HARRIS CO EDUC DEPT	Not Certified	0.006581	
	047	SAN JACINTO COM COL D	Not Certified	0.185602	

Valuations

Value as of January 1, 2011			Value as of January 1, 2012		
	Market	Appraised		Market	Appraised
Land	177,542		Land	177,542	
Improvement	0		Improvement	0	
Total	177,542	177,542	Total	177,542	177,542

Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	4400 -- Vacant Industrial Land	AC6	AC	2.4280	1.00	1.00	0.90	Shape or Size	0.90	21,780.00	19,602.00	47,594
2	4400 -- Vacant Industrial Land	AC8	AC	7.4580	1.00	1.00	0.80	Shape or Size	0.80	21,780.00	17,424.00	129,948

Building

Vacant (No Building Data)												
---------------------------	--	--	--	--	--	--	--	--	--	--	--	--

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
0410020050123

Tax Year: 2012



Owner and Property Information									
Owner Name & Mailing Address: INEOS USA LLC 2600 S SHORE BLVD STE 500 LEAGUE CITY TX 77573-2944				Legal Description: TRS 4E-1A 4F 4J-1 4J-2 & 4K-1 ABST 46 A MCCORMICK					
				Property Address: 0 INDEPENDENCE PKY S LA PORTE TX 77571					
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Map Facet	Key Map®
D2 -- Real, Unqualified Agricultural Land	4400 -- Vacant Industrial Land	--	0	6,288,325 SF	0	0	9001.04	6156C	539F

Value Status Information

Capped Account	Value Status	Notice Date	Shared CAD
No	Noticed	04/05/2012	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	ARB Status	2011 Rate	2012 Rate
None	002	DEER PARK ISD	Not Certified	1.396700	
	040	HARRIS COUNTY	Not Certified	0.391170	
	041	HARRIS CO FLOOD CNTRL	Not Certified	0.028090	
	042	PORT OF HOUSTON AUTHY	Not Certified	0.018560	
	043	HARRIS CO HOSP DIST	Not Certified	0.192160	
	044	HARRIS CO EDUC DEPT	Not Certified	0.006581	
	047	SAN JACINTO COM COL D	Not Certified	0.185602	

Valuations

Value as of January 1, 2011			Value as of January 1, 2012		
	Market	Appraised		Market	Appraised
Land	2,200,914		Land	2,200,914	
Improvement	0		Improvement	0	
Total	2,200,914	2,200,914	Total	2,200,914	2,200,914

Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	4400 -- Vacant Industrial Land	ACO	AC	144.3601	1.00	1.00	0.70	Shape or Size	0.70	21,780.00	15,246.00	2,200,914

Building

Vacant (No Building Data)												
---------------------------	--	--	--	--	--	--	--	--	--	--	--	--

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
0410020050130

Tax Year: 2012



Owner and Property Information									
Owner Name & Mailing Address: INEOS USA LLC 2600 S SHORE BLVD STE 500 LEAGUE CITY TX 77573-2944					Legal Description: TR 1M (PC IMPS*0410020050131) ABST 46 A MCCORMICK				
					Property Address: 1230 INDEPENDENCE PKY S LA PORTE TX 77571				
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Building Area	Net Rentable Area	Neighborhood	Map Facet	Key Map®
F2 -- Real, Industrial	4416 -- Chemical and Allied Products	--	0	3,759,132 SF	0	0	9001.04	6056D	539A

Value Status Information

Capped Account	Value Status	Notice Date	Hearing Status	Shared CAD
No	Noticed	4/13/2012	Scheduled : 7/31/2012 8:00:00 AM	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	ARB Status	2011 Rate	2012 Rate
None	002	DEER PARK ISD	Not Certified	1.396700	
	040	HARRIS COUNTY	Not Certified	0.391170	
	041	HARRIS CO FLOOD CNTRL	Not Certified	0.028090	
	042	PORT OF HOUSTON AUTHY	Not Certified	0.018560	
	043	HARRIS CO HOSP DIST	Not Certified	0.192160	
	044	HARRIS CO EDUC DEPT	Not Certified	0.006581	
	047	SAN JACINTO COM COL D	Not Certified	0.185602	

Valuations

Value as of January 1, 2011			Value as of January 1, 2012		
	Market	Appraised		Market	Appraised
Land	1,730,813		Land	1,730,813	
Improvement	40,372,880		Improvement	38,711,190	
Total	42,103,693	42,103,693	Total	40,442,003	40,442,003

Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	4416 -- Chemical and Allied Products	AC6	AC	18.0000	1.00	1.00	1.00	--	1.00	21,780.00	21,780.00	392,040
2	4416 -- Chemical and Allied Products	AC8	AC	68.2978	1.00	1.00	0.90	Shape or Size	0.90	21,780.00	19,602.00	1,338,773

Building

Vacant (No Building Data)												
---------------------------	--	--	--	--	--	--	--	--	--	--	--	--

HARRIS COUNTY APPRAISAL DISTRICT
 REAL PROPERTY ACCOUNT INFORMATION
0410020050131

Tax Year: 2012



Owner and Property Information									
Owner Name & Mailing Address: INEOS USA LLC %PROPERTY TAX 2600 S SHORE BLVD STE 500 LEAGUE CITY TX 77573-2944					Legal Description: TR 1M (IMPS ONLY) (LAND*0410020050130) POLLUTION CONTROL ABST 46 A MCCORMICK				
					Property Address: 1230 INDEPENDENCE PKY S LA PORTE TX 77571				
State Class Code	Land Use Code	Building Class	Total Units	Land Area	Total Living Area	Net Rentable Area	Neighborhood	Map Facet	Key Map®
F2 -- Real, Industrial	3300 -- Industrial Imps Only Land	--	0	0 SF	0	0	9001.04	6056D	539A

Value Status Information

Capped Account	Value Status	Notice Date	Hearing Status	Shared CAD
No	Noticed	4/27/2012	Scheduled : 7/31/2012 8:00:00 AM	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	ARB Status	2011 Rate	2012 Rate
Pollution Control	002	DEER PARK ISD	Not Certified	1.396700	
	040	HARRIS COUNTY	Not Certified	0.391170	
	041	HARRIS CO FLOOD CNTRL	Not Certified	0.028090	
	042	PORT OF HOUSTON AUTHY	Not Certified	0.018560	
	043	HARRIS CO HOSP DIST	Not Certified	0.192160	
	044	HARRIS CO EDUC DEPT	Not Certified	0.006581	
	047	SAN JACINTO COM COL D	Not Certified	0.185602	

Valuations

Value as of January 1, 2011			Value as of January 1, 2012		
	Market	Appraised		Market	Appraised
Land	0		Land	0	
Improvement	12,190,240		Improvement	12,299,530	
Total	12,190,240	12,190,240	Total	12,299,530	12,299,530

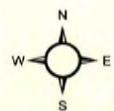
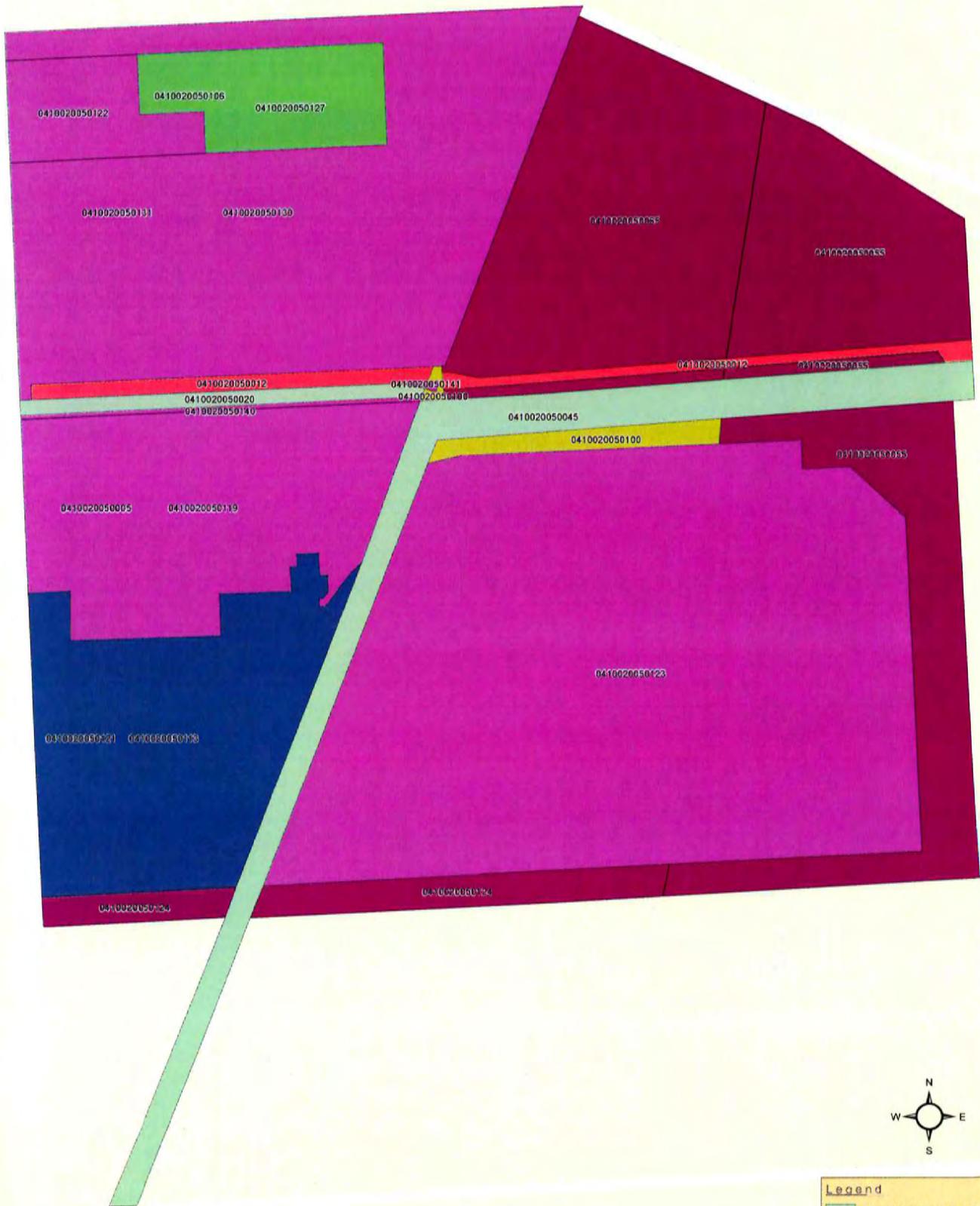
Land

Market Value Land												
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price	Value
1	3300 -- Industrial Imps Only Land	--	GR	0	1.00	1.00	1.00	--	1.00	0.00	0.00	0

Building

Vacant (No Building Data)												
---------------------------	--	--	--	--	--	--	--	--	--	--	--	--

INEOS USA LLC LANDS



Legend	
	CENTERPOINT ENERGY HOU ELE
	EXXON PIPELINE 00695
	INEOS USA LLC
	METTON AMERICA INC
	NAVIGATION DISTRICT
	OCCIDENTAL CHEMICAL CORP
	SOLVAY CHEMICALS INC

ATTACHMENT 12A



Geospatial or map data maintained by the Harris County Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries.

ATTACHMENT 13

Not Applicable

ATTACHMENT 14

The calculation of the three possible wage requirements with TWC documentation is attached. INEOS has chosen to use \$60,000 as the wage rate for permanent jobs. This amount exceeds 110% of the current regional wage rate of \$53,711.

INEOS USA, LLC
ATTACHMENT TO CHAPTER 313 APPLICATION

CHAPTER 313 WAGE CALCULATION - ALL JOBS - ALL INDUSTRIES

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2012	\$ 1,340	\$ 69,680
FOURTH	2011	\$ 1,239	\$ 64,428
THIRD	2011	\$ 1,158	\$ 60,216
SECOND	2011	\$ 1,118	\$ 58,136
AVERAGE		\$ 1,214	\$ 63,115
		X 110%	110%
		\$ 1,335	\$ 69,427

CHAPTER 313 WAGE CALCULATION - MANUFACTURING JOBS

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
FIRST	2012	\$ 1,686	\$ 87,672
FOURTH	2011	\$ 1,555	\$ 80,860
THIRD	2011	\$ 1,426	\$ 74,152
SECOND	2011	\$ 1,380	\$ 71,760
AVERAGE		\$ 1,512	\$ 78,611
		X 110%	110%
		\$ 1,663	\$ 86,472

CHAPTER 313 WAGE CALCULATION - REGIONAL WAGE RATE

QUARTER	YEAR	AVG WEEKLY WAGES*	ANNUALIZED
	2011	\$ 1,033	\$ 53,711
		X 110%	110%
		\$ 1,136	\$ 59,082

* SEE ATTACHED TWC DOCUMENTATION

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

<input type="text" value="2012"/>	<input type="text" value="1st Qtr"/>	<input type="text" value="Harris County"/>	<input type="text" value="Total All"/>	<input type="text" value="00"/>	<input type="text" value="0"/>	<input type="text" value="10"/>	<input type="text" value="Total, All Industries"/>	<input type="text" value="\$1,340"/>
<input type="text" value="Year"/>	<input type="text" value="Period"/>	<input type="text" value="Area"/>	<input type="text" value="Ownership"/>	<input type="text" value="Division"/>	<input type="text" value="Level"/>	<input type="text" value="Ind Code"/>	<input type="text" value="Industry"/>	<input type="text" value="Avg Weekly Wages"/>

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
2011	2nd Qtr	Harris County	Total All	00	0	10	Total, All Industries	\$1,118
2011	3rd Qtr	Harris County	Total All	00	0	10	Total, All Industries	\$1,158
2011	4th Qtr	Harris County	Total All	00	0	10	Total, All Industries	\$1,240

Quarterly Employment and Wages (QCEW)

[Back](#)

Page 1 of 1 (40 results/page)

<input type="text" value="2012"/>	<input type="text" value="1st Qtr"/>	<input type="text" value="Harris County"/>	<input type="text" value="Total All"/>	<input type="text" value="31"/>	<input type="text" value="2"/>	<input type="text" value="31-33"/>	<input type="text" value="Manufacturing"/>	<input type="text" value="\$1,686"/>
<input type="text" value="Year"/>	<input type="text" value="Period"/>	<input type="text" value="Area"/>	<input type="text" value="Ownership"/>	<input type="text" value="Division"/>	<input type="text" value="Level"/>	<input type="text" value="Ind Code"/>	<input type="text" value="Industry"/>	<input type="text" value="Avg Weekly Wages"/>

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
2011	2nd Qtr	Harris County	Total All	31	2	31-33	Manufacturing	\$1,380
2011	3rd Qtr	Harris County	Total All	31	2	31-33	Manufacturing	\$1,426
2011	4th Qtr	Harris County	Total All	31	2	31-33	Manufacturing	\$1,556

**2011 Manufacturing Wages by Council of Government Region
Wages for All Occupations**

COG	Wages	
	Hourly	Annual
Texas	\$22.89	\$47,610
1. Panhandle Regional Planning Commission	\$19.32	\$40,196
2. South Plains Association of Governments	\$16.45	\$34,210
3. NORTEX Regional Planning Commission	\$18.14	\$37,733
4. North Central Texas Council of Governments	\$24.03	\$49,986
5. Ark-Tex Council of Governments	\$16.52	\$34,366
6. East Texas Council of Governments	\$18.27	\$37,995
7. West Central Texas Council of Governments	\$17.76	\$36,949
8. Rio Grande Council of Governments	\$15.69	\$32,635
9. Permian Basin Regional Planning Commission	\$21.32	\$44,349
10. Concho Valley Council of Governments	\$15.92	\$33,123
11. Heart of Texas Council of Governments	\$18.82	\$39,150
12. Capital Area Council of Governments	\$26.46	\$55,047
13. Brazos Valley Council of Governments	\$15.71	\$33,718
14. Deep East Texas Council of Governments	\$15.48	\$32,207
15. South East Texas Regional Planning Commission	\$28.23	\$58,724
16. Houston-Galveston Area Council	\$25.82	\$53,711
17. Golden Crescent Regional Planning Commission	\$20.58	\$42,391
18. Alamo Area Council of Governments	\$18.00	\$37,439
19. South Texas Development Council	\$13.85	\$28,806
20. Coastal Bend Council of Governments	\$22.35	\$46,489
21. Lower Rio Grande Valley Development Council	\$15.08	\$31,365
22. Texoma Council of Governments	\$20.76	\$43,190
23. Central Texas Council of Governments	\$16.17	\$33,642
24. Middle Rio Grande Development Council	\$13.65	\$28,382

$110\% \times \$53,711 =$
\$59,082

Source: Texas Occupational Employment and Wages

Data published: July 2012

Data published annually, next update will be summer 2013

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.

ATTACHMENT 15

INEOS provides its employees with benefits including but not limited to the following:

- Medical Coverage (company pays 80% of employee health insurance premiums)
- Dental Plan
- Flexible Spending Accounts (“FSA’s”)
- Group Life Insurance
- Paid Holidays
- Paid Vacation
- 401(k) Retirement Savings Plan

ATTACHMENT 16

The economic impact study will be performed by the Comptroller at a future date.

ATTACHMENT 17

Please see attached Schedule A

Schedule A (Rev. May 2010): Investment

Form 50-296

Applicant Name: INEOS USA LLC
 ISD Name: Deer Park ISD

PROPERTY INVESTMENT AMOUNTS

(Estimated investment in each year. Do not put cumulative totals.)

Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year below) YYYY	Column A: Tangible Personal Property The amount of new investment (original cost) placed in service during this year	Column B: Building or permanent nonremovable component of building (annual amount only)	Column C: Sum of A and B Qualifying investment (during the qualifying time period)	Column D: Other investment that is not qualified investment but investment affecting economic impact and total value	Column E: Total Investment (A+B+D)
The year preceding the first complete tax year of the qualifying time period (assuming no deferrals) Investment made before filing complete application with district (neither qualified property nor eligible to become qualified investment) Investment made after filing complete application with district, but before final board approval of application (eligible to become qualified property) Investment made after final board approval of application and before Jan. 1 of first complete tax year of qualifying time period (qualified investment and eligible to become qualified property) Complete tax years of qualifying time period Value Limitation Period Continue to Maintain Viable Presence Post-Settle-Up Period Post-Settle-Up Period	1	2012-2013	\$ -	\$ -	\$ -	\$ -	\$ -
	2	2012-2013	\$ 78,000,000	\$ 2,000,000	\$ 80,000,000	\$ -	\$ 80,000,000
	3	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	4	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	5	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	6	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	7	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	8	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	9	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	10	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	11	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	12	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	13	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	14	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -
	15	2013-2014	\$ -	\$ -	\$ -	\$ -	\$ -

Qualifying Time Period usually begins with the final board approval of the application and extends generally for the following two complete tax years.
 Column A: This represents the total dollar amount of planned investment in tangible personal property the applicant considers qualified investment - as defined in Tax Code §313.021(1)(A)-(D).
 For the purposes of investment, please list amount invested each year, not cumulative totals.
 Column B: The total dollar amount of planned investment each year in buildings or nonremovable component of buildings that the applicant considers qualified investment under Tax Code §313.021(1)(E).
 Column C: Dollar value of other investment that may not be qualified investment but that may affect economic impact and total value for planning, construction and operation of the facility. The most significant example for many projects would be land. Other examples may be terms such as professional services, etc.
 Note: Land can be listed as part of investment during the "pre-year 1" time period. It cannot be part of qualifying investment.
 Notes: For advanced clean energy projects, nuclear projects, projects with deferred qualifying time periods, and projects with lengthy application review periods, insert additional rows as needed.
 This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE:  DATE: July 11, 2012

ATTACHMENT 18

Please see attached Schedule B

Schedule B (Rev. May 2010): Estimated Market And Taxable Value

Form 50-296

INEOS USA LLC

Applicant Name
ISD Name

Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Qualified Property		Estimated Total Market Value of tangible personal property in the new building or "in or on the new improvement"	Reductions from Market Value	Estimated Taxable Value	
			Estimated Market Value of Land	Estimated Total Market Value of new buildings or other new improvements			Final taxable value for I&S - after all reductions	Final taxable value for M&O - after all reductions
pre-year 1	2012-2013	2012	\$ 2,309,617	\$ -	\$ -	\$ -	\$ 2,309,617	\$ 2,309,617
1	2013-2014	2013	\$ 2,309,617	\$ -	\$ -	\$ -	\$ 2,309,617	\$ 2,309,617
2	2014-2015	2014	\$ 2,309,617	\$ 4,994,245	\$ 103,577,170	\$ 5,971,400	\$ 104,909,632	\$ 104,909,632
3	2015-2016	2015	\$ 2,309,617	\$ 18,041,830	\$ 374,172,415	\$ 21,571,800	\$ 372,952,062	\$ 80,000,000
4	2016-2017	2016	\$ 2,309,617	\$ 50,255,000	\$ 1,042,245,000	\$ 60,087,500	\$ 1,034,722,117	\$ 80,000,000
5	2017-2018	2017	\$ 2,309,617	\$ 48,496,100	\$ 1,010,977,700	\$ 58,271,100	\$ 1,003,512,317	\$ 80,000,000
6	2018-2019	2018	\$ 2,309,617	\$ 46,798,700	\$ 980,648,400	\$ 56,509,600	\$ 973,247,117	\$ 80,000,000
7	2019-2020	2019	\$ 2,309,617	\$ 45,160,700	\$ 951,228,900	\$ 54,801,400	\$ 943,897,817	\$ 80,000,000
8	2020-2021	2020	\$ 2,309,617	\$ 43,580,100	\$ 894,155,200	\$ 51,575,400	\$ 888,469,517	\$ 80,000,000
9	2021-2022	2021	\$ 2,309,617	\$ 42,054,800	\$ 840,505,900	\$ 48,540,800	\$ 836,329,517	\$ 80,000,000
10	2022-2023	2022	\$ 2,309,617	\$ 40,582,900	\$ 790,075,500	\$ 45,686,200	\$ 787,281,817	\$ 80,000,000
11	2023-2024	2023	\$ 2,309,617	\$ 39,162,500	\$ 742,671,000	\$ 43,000,800	\$ 741,142,317	\$ 741,142,317
12	2024-2025	2024	\$ 2,309,617	\$ 37,791,800	\$ 698,110,700	\$ 40,474,600	\$ 697,737,517	\$ 697,737,517
13	2025-2026	2025	\$ 2,309,617	\$ 36,469,100	\$ 656,224,100	\$ 38,098,100	\$ 656,904,717	\$ 656,904,717
14	2026-2027	2026	\$ 2,309,617	\$ 35,192,700	\$ 616,850,700	\$ 35,862,400	\$ 618,490,617	\$ 618,490,617
15	2027-2028	2027	\$ 2,309,617	\$ 33,961,000	\$ 579,839,700	\$ 33,759,000	\$ 582,351,317	\$ 582,351,317

Notes: Market value in future years is good faith estimate of future taxable value for the purposes of property taxation. This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed enter these amounts for future years.

SIGNATURE OF AUTHORIZED COMPANY REPRESENTATIVE

DATE July 10, 2012

ATTACHMENT 19

Please see attached Schedule C

Schedule C- Application: Employment Information

Applicant Name
INEOS USA LLC
ISD Name
Deer Park ISD

Form 50-296

	Year	School Year (YYYY-YYYY)	Tax Year (Fill in actual tax year) YYYY	Construction		New Jobs		Qualifying Jobs	
				Column A: Number of Construction FTE's or man- hours (specify [FTE])	Column B: Average annual wage rates for construction workers	Column C: Number of new jobs applicant commits to create (cumulative)	Column D: Average annual wage rate for all new jobs.	Column E: Number of qualifying jobs applicant commits to create meeting all criteria of Sec. 313.021(3) (cumulative)	Column F: Average annual wage of qualifying jobs
	pre-year 1	2012-2013	2012	0	0	0	0	0	0
	1	2013-2014	2013	1,900	\$ 72,800	0		0	
	2	2014-2015	2014	2,000	\$ 72,800	0		0	
	3	2015-2016	2015	1,000	\$ 72,800	10	\$ 60,000	8	\$ 60,000
	4	2016-2017	2016			25	\$ 60,000	20	\$ 60,000
	5	2017-2018	2017			25	\$ 60,000	20	\$ 60,000
	6	2018-2019	2018			25	\$ 60,000	20	\$ 60,000
	7	2019-2020	2019			25	\$ 60,000	20	\$ 60,000
	8	2020-2021	2020			25	\$ 60,000	20	\$ 60,000
	9	2021-2022	2021			25	\$ 60,000	20	\$ 60,000
	10	2022-2023	2022			25	\$ 60,000	20	\$ 60,000
	11	2023-2024	2023			25	\$ 60,000	20	\$ 60,000
	12	2024-2025	2024			25	\$ 60,000	20	\$ 60,000
	13	2025-2026	2025			25	\$ 60,000	20	\$ 60,000
	14	2026-2027	2026			25	\$ 60,000	20	\$ 60,000
	15	2027-2029	2027			25	\$ 60,000	20	\$ 60,000
Tax Credit Period (with 50% cap on credit)									
Credit Settle-Up Period									
Post- Settle-Up Period									
Post- Settle-Up Period									

Notes: For job definitions see TAC §9.1051(14) and Tax Code §313.021(3).

This schedule must be submitted with the original application and any application for tax credit. When using this schedule for any purpose other than the original application, replace original estimates with actual appraisal district data for past years and update estimates for current and future years. If original estimates have not changed, enter those amounts for future years.

SIGNATURE OF AUTHORIZED-COMPANY REPRESENTATIVE

DATE
JULY 11, 2012

ATTACHMENT 20

Please see attached Schedule D

ATTACHMENT 21

A map of the proposed reinvestment zone is attached as is a vicinity map. The reinvestment zone will be established by either Harris County Commissioners Court or the Board of Trustees of Deer Park ISD at a later date and will be certified by either the county or the school district.



Miller Cutoff Road

One foot wide strip of land connecting the reinvestment zone areas

Site of proposed EO/EG Unit

Proposed reinvestment zone includes land inside the red lines and shaded in blue. All qualified investment and qualified property described in the application will be wholly within the reinvestment zone.

Existing control room building

Existing parking area which will be demolished as part of the project.

Site of proposed HDPE Unit. Existing improvements shown will be demolished.

Battleground Road

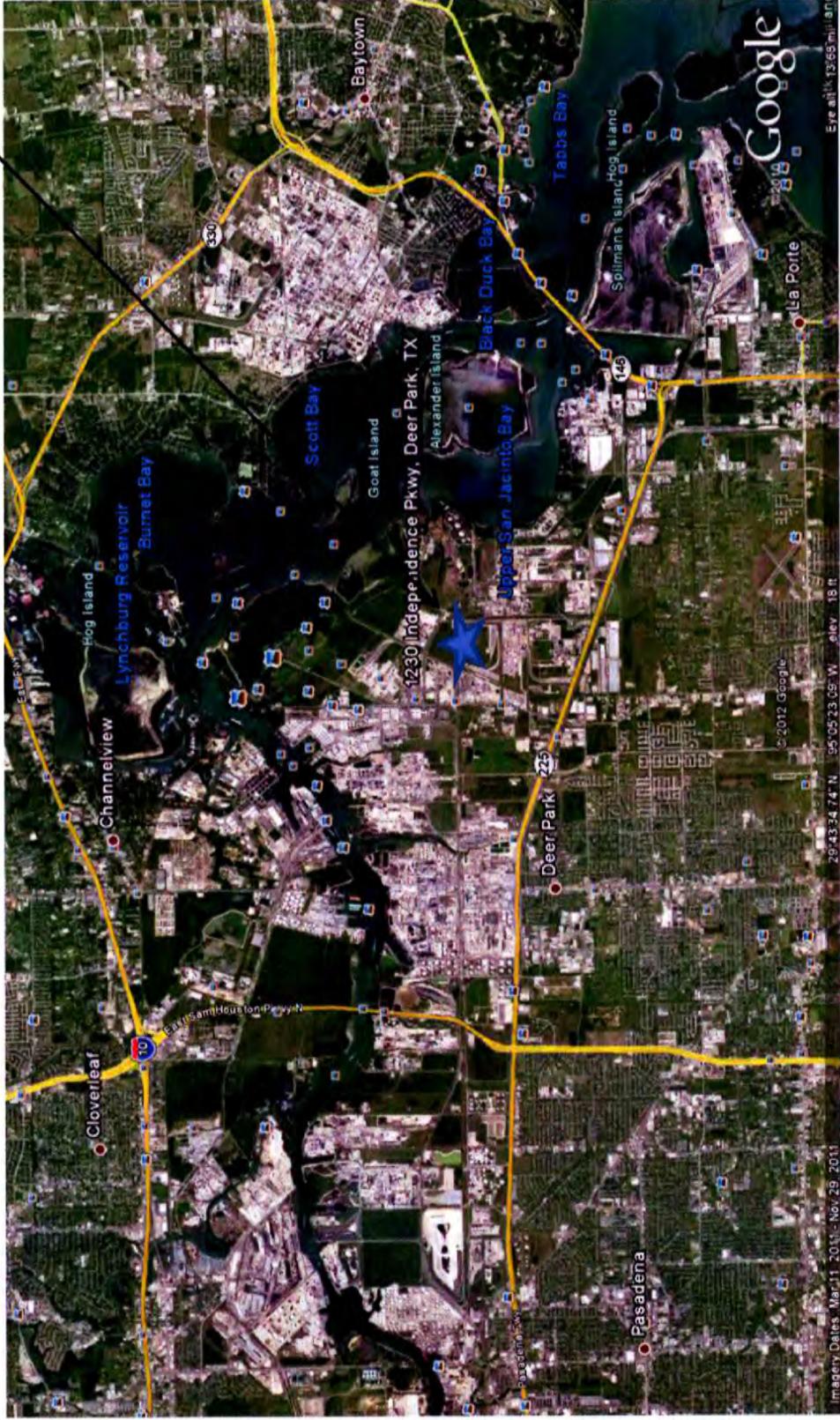
One foot wide strip of land connecting reinvestment zone areas

One foot wide strip of land connecting reinvestment zone areas

INEOS USA LLC Proposed Reinvestment Zone

INEOS Vicinity Map

Project
Site



Deer Park ISD Map



ATTACHMENT 22

The resolution of either Harris County Commissioners Court or the Board of Trustees of Deer Park ISD establishing the reinvestment zone will be provided at a later date.

ATTACHMENT 23

The legal description of the proposed reinvestment zone will be provided upon completion of the survey.

ATTACHMENT 24

Tax abatement guidelines for Harris County are attached.



HARRIS COUNTY, TEXAS

COMMISSIONERS COURT:

ED EMMETT
COUNTY JUDGE
EL FRANCO LEE
COMMISSIONER, PRECINCT 1
JACK MORMAN
COMMISSIONER, PRECINCT 2
STEVE RADACK
COMMISSIONER, PRECINCT 3
R. JACK CAGLE
COMMISSIONER, PRECINCT 4

c/o Community Services Dept.
8410 Lantern Point Drive
Houston, Texas 77054
(713) 578-2000

GUIDELINES & CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED IN HARRIS COUNTY

Whereas, the creation and retention of job opportunities that bring new wealth is the highest civic priority; and

Whereas, new jobs and investment will benefit the area economy, provide needed opportunities, strengthen the real estate market and generate tax revenue to support local services; and

Whereas, the communities within Harris County must compete with other localities across the nation currently offering tax inducements to attract jobs and investments; and

Whereas, any tax incentives offered in Harris County would reduce needed tax revenue unless strictly limited in application to those new and existing industries that bring new wealth to the community; and

Whereas, any tax incentives should not have a substantial adverse effect on the competitive position of existing companies operating in Harris County; and

Whereas, tax incentives should not be used to attract those industries that have demonstrated a lack of commitment to protecting our environment, but should be used to encourage projects designed to protect our environment; and

Whereas, the abatement of property taxes, when offered to attract primary jobs in industries which bring in money from outside a community instead of merely re-circulating dollars within a community, has been shown to be an effective method of enhancing and diversifying an area's economy; and

Whereas, Texas law requires any eligible taxing jurisdiction to establish Guidelines and Criteria as to eligibility for tax abatements prior to granting any tax abatement, said Guidelines and Criteria to be unchanged for a two-year period unless amended by a three-quarters vote; and

Whereas, to assure a common, coordinated effort to promote our communities' economic development, any such Guidelines and Criteria should be adopted only through the cooperation of municipalities, taxing jurisdictions, and Harris County; and

Whereas, Harris County Commissioners Court has approved the circulation of Guidelines and Criteria to affected taxing jurisdictions for consideration as a common policy for all jurisdictions choosing to participate in tax abatement agreements;

Now, therefore, be it resolved that Harris County does hereby adopt these Guidelines and Criteria for granting tax abatements within reinvestment zones created in Harris County.

SECTION 1 DEFINITIONS

- (a) **"Abatement"** means partial exemption from ad valorem taxes of certain real property (including fixed-in-place machinery & equipment) in a reinvestment zone designated for economic development purposes.
- (b) **"Eligible Jurisdiction"** means Harris County ("the County") and any municipality or other taxing jurisdiction eligible to abate its taxes according to Texas law that levies ad valorem taxes upon and provides services to property located within the proposed or existing reinvestment zone.
- (c) **"Agreement"** means a contractual agreement between a property owner and/or lessee and an eligible jurisdiction for the purposes of tax abatement.
- (d) **"Base Year Value"** means the appraised value in the reinvestment zone on January 1 preceding the effective date of the tax abatement agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the effective date of the agreement, or the sales price, if the property was conveyed subsequent to January 1, whichever is greater.
- (e) **"Competitively-Sited Project"** means a project where the applicant has completed a written evaluation of competing locations for expansion, relocation, or new operations, including identification of specific sites in those locations.
- (f) **"Economic Life"** means the number of years a property improvement is expected to be in service in a reinvestment zone.
- (g) **"Employee"** means a person whose employment is both permanent and fulltime, who works for and is an employee of the Owner or an employee of a Contractor, who works a minimum of 1,750 hours per year exclusively within the reinvestment zone, who receives industry-standard benefits, and whose employment is reflected in the Owner's (and Contractor's, if applicable) quarterly report filed with the Texas Workforce Commission("TWC"); but *excluding* any direct contract (seasonal, part-time, and full-time equivalent).
- (h) **"Expansion"** means the addition of buildings, structures, fixed machinery or equipment for purposes of increasing production capacity.
- (i) **"Facility"** means property improvements completed or in the process of construction which together comprise an integral whole.

- (j) **"Manufacturing Facility"** means buildings and structures, including fixed-in-place machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.
- (k) **"New Facility"** means a property, previously undeveloped, which is placed into service by means other than or in conjunction with expansion or modernization.
- (l) **"Other Basic Industry Facility"** means buildings and structures including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services which primarily serve a market in the creation of new permanent employment and bring in new wealth.
- (m) **"Regional Distribution Center Facility"** means buildings and structures, including fixed machinery and equipment, used or to be used primarily to receive, store, service or distribute goods or materials owned by the facility operator where a majority of the goods or services are distributed to points at least 100 miles from any part of the County.
- (n) **"Regional Entertainment Facility"** means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment through the admission of the general public where the majority of users reside at least 100 miles from any part of the County.
- (o) **"Regional Service Facility"** means buildings and structures, including fixed machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate at least 100 miles from any part of the County.
- (p) **"Research Facility"** means building and structures, including fixed machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.
- (q) **"Research & Development Facility"** means buildings and structures, including fixed-in-place machinery and equipment, used or to be used entirely for research or experimentation to improve or develop current technology in biomedicine, electronics or pre-commercial emerging industries.

SECTION 2 ABATEMENT AUTHORIZED

- (a) **Authorized Facility.** A facility may be eligible for abatement if it is a: Manufacturing Facility, Research Facility, Regional Distribution Center Facility, Regional Service Facility, Regional Entertainment Facility, Research and Development Facility or Other Basic Industry Facility.

- (b) Creation of New Value.** Abatement may only be granted for the additional value of eligible real property (including fixed-in-place machinery and equipment) listed in an agreement between the County and the property owner and lessee (if applicable), subject to such limitations as Commissioners Court and the Texas Property Tax Code may require.
- (c) Eligible Property.** An abatement may be extended to the value of buildings, structures, fixed machinery and equipment, site improvements plus that office space and related fixed improvements necessary to the operation and administration of the facility. The value of all property shall be the Certified Appraised Value for each year, as finally determined by the Harris County Appraisal District (“HCAD”).
- (d) Ineligible Property.** The following types of property shall be fully taxable and ineligible for abatement: land; inventories; supplies; tools; furnishings, and other forms of movable personal property; vehicles; vessels; aircraft; housing; hotel accommodations; deferred maintenance investments; property to be rented or leased (except as provided in “Leased Facilities,” below); property with an economic life of less than 15 years; property owned or used by the State of Texas or its political subdivisions or by any organization owned, operated or directed by a political subdivision of the State of Texas, or any property exempted by local, state or federal law. When such exempted property includes manufacturing machinery and equipment listed in the Investment Budget (as required in “Application”), then the value of such property may not be included toward the achievement of investment or valuation thresholds set out in the Agreement.
- (e) Leased Facility.** If a leased facility is granted a tax abatement, then the Agreement shall be executed with both the lessor (owner) and the lessee.
- (f) Value and Term of Abatement.** A tax abatement shall be granted in accordance with the terms of a tax abatement agreement, as follows:
1. Projects are eligible for abatement of new value, subject to an abatement cap: to be calculated as **\$1,000,000** per job created/retained times the number of such jobs as required in a tax abatement agreement. Such cap shall not exceed the increased value requirement as set out in the Agreement, and will be adjusted annually. To determine the amount of the abatement each year, the Adjusted Cap shall be multiplied by up to **50** percent, up to a total of **10** years. Under no circumstance will any facility receive the benefit of a tax abatement for more than **10** years. The value of eligible property must remain greater than or equal to the contractually-defined minimum value requirement.
 2. No tax abatement shall be given in any year in which the facility fails to meet the contractually-defined minimum value requirement.
 3. No tax abatement shall be given in any year in which the facility fails to meet the contractually-defined employment creation and retention requirement.

4. The Agreement shall set out in detail the exact method to be used in computing the tax abatement in each year.

(g) Basic Qualifications for Tax Abatement. To be eligible for designation as a reinvestment zone and receive tax abatement the planned improvement:

1. must be shown to increase the appraised value of the property at least **\$1,000,000** upon completion of the contractually-defined construction period;
2. must be shown to directly create or prevent the loss of permanent full-time employment for at least **25** people within the reinvestment zone upon completion of the contractually-defined employment period;
3. must be **competitively-sited**; and
4. must be shown not to solely or primarily have the effect of transferring employment from one part of the County to another.

(h) Taxability. From execution to expiration of Agreement, taxes shall be payable as follows:

1. value of ineligible property in the reinvestment zone shall be fully taxable;
2. non-abatable real property in the reinvestment zone shall be fully taxable each year;
3. additional value of new eligible property shall be taxable in the manner described in "Value and Term of Abatement;"
4. if Base Year Value decreases during the term of a tax abatement or if an additional exemption is granted by the state or federal government, then the maximum amount of abatable value to be used in abatement calculation ("the Cap") will be reduced each year at the same rate; and
5. each year the exemption will be computed by HCAD in the following manner:
 - Current Property Value will be the current appraised value of all Eligible property and existing property within the reinvestment zone for the year in which the Abatement Agreement is executed.
 - Base Year Value will be subtracted from the Current Property Value, the result to be called "Current Amount Eligible for Abatement," provided the result is greater than or equal to the value of Eligible property. In no case may this amount exceed the lower of the Cap (see (h)4.) or the Adjusted Cap (see (f)1.).
 - Current Amount Eligible for Abatement is multiplied by up to 50% to determine the amount of exemption in each year, after adjustment is made to the Cap, if applicable.

(i) **Environmental and Worker Safety Qualification.** In determining whether to grant a tax abatement, consideration will be given to compliance with all state and federal laws designed to protect human health, welfare and the environment (“environmental laws”) that are applicable to all facilities in the State of Texas owned or operated by the owner of the facility or lessee, its parent, subsidiaries and, if a joint venture or partnership, every member of the joint venture or partnership (“applicants”). Consideration may also be given to compliance with environmental and worker safety laws by applicants at other facilities within the United States.

(j) **Leadership in Energy and Environmental Design (LEED®) Tax Abatement:** If the owner of new commercial construction has registered with the U.S. Green Building Council (“USGBC”) seeking LEED Certification, then the County Community Services Department (“CSD”) may recommend approval of a partial tax abatement for the incremental investment associated with obtaining such certification. The Agreement shall be effective up to 10 years, at a percentage based upon the level of certification actually obtained after completion of construction:

- LEED Certification Level and “Imputed LEED-Related Value Increment:”
 1. Certified (Basic) Level 1.0%
 2. Silver Level 2.5%
 3. Gold Level 5.0%
 4. Platinum Level 10%
- The minimum value increase requirement derived from the “Imputed LEED-Related Value Increment” to meet the eligibility test is **\$100,000**.
- This type of tax abatement may be sought by an applicant of the County’s standard economic development tax abatement, or as a stand-alone tax abatement. When an applicant seeks only a LEED Certification Tax Abatement, no job creation target or competitive siting will be required in order to qualify. The investment requirement will be at least **\$1 million** for a commercial structure with Platinum LEED Certification, and at least **\$10 million** for a commercial with the Basic Certification (assumes percentages from preceding table and minimum value increase of **\$100,000**).
- Applicant must be registered with USGBC seeking LEED Certification, prior to submitting its application to the County.
- The application for a LEED Certification Tax Abatement must be submitted to the County prior to commencing construction of the applicable new development. A non-refundable application fee of **\$1,000** specifically for “LEED Certification Tax Abatement,” made payable to Harris County, must be provided to the County with an application.

- The Agreement shall become effective in the year the application is approved by Commissioners Court and effective up to 10 years. However, the tax abatement benefit (i.e., partial exemption of value from ad valorem taxes) shall not commence until construction of the project is completed and LEED Certification is obtained by the applicant. The value of the tax abatement shall be calculated on the appraised value after LEED Certification is obtained.
- The value of the tax abatement may be increased by up to \$1,000 in the final year of the Agreement, at the County’s discretion.

(k) Additional Incentive for Locating New Project in HUD-Designated Low Income Target Area in the County. Construction of a new eligible facility in a “HUD-Designated Low-Income Target Area” within the County, as determined on the application date, may enable CSD to recommend that Commissioners Court approve an additional tax abatement up to 10%.

- A qualifying project must nevertheless meet the three basic requirements to for an economic development tax abatement: (1) creation of at least \$1 million in new tax roll value, (2) creation of at least 25 new permanent full-time jobs, and (3) competitive siting.
- A specific “Target Area Project Site Incentive” provision must be contained in the Agreement approved by Commissioners Court and cannot be added at a later date.

(l) Additional Incentive for Full-Time Permanent Job Creation for Residents of HUD-Designated Low Income Target Areas in the County. Construction of a new eligible facility resulting in creation of jobs for residents of “HUD-Designated Low-Income Target Areas” within the County, as determined on application date, may enable CSD to recommend that Commissioners Court approve an additional tax abatement, per the following table:

1. 10 jobs (up to 24)	2.0% increase in tax abatement
2. 25 jobs (up to 49)	5.0% increase in tax abatement
3. 50 jobs (up to 99)	10% increase in tax abatement
4. 100 jobs (or more)	20% increase in tax abatement.

- A qualifying project must nevertheless meet the three basic requirements to for an economic development tax abatement: (1) creation of at least \$1 million in new tax roll value, (2) creation of at least 25 new permanent full-time jobs, and (3) competitive siting.
- Compliance shall be monitored annually based on W-2s and other pertinent employee-specific data to be required/requested from employer as needed. A specific “Target Area Employment Incentive” provision must be contained in the Agreement approved by Commissioners Court and cannot be added at a later date.

SECTION 3 APPLICATION

- (a) **Timely application:** Any current or potential owner or lessee of taxable property in the County may request a tax abatement by filing a completed application with the CSD prior to any public expression of a siting decision or any commitment (legal or financial) to the proposed project.
- (b) **A complete application package** for consideration of a tax abatement shall consist of:
- a completed Harris County Application form;
 - a non-refundable check in the amount of \$1,000 payable to Harris County.
 - a completed narrative prepared in accordance with the template provided with the County Application and its instructions;
 - an “Investment Budget” detailing components and costs of the real property improvements and fixed-in-place improvements for which tax abatement is requested, including type, number, economic life, and eligibility for a tax exemption granted by the Texas Commission on Environmental Quality (“TCEQ”), if known;
 - a map and legal description of the property;
 - a time schedule for undertaking and completing the proposed improvements;
 - a ten-year environmental and worker safety compliance history for all facilities located within the State of Texas and owned in whole or in part by applicants, as defined in “Environmental and Worker Safety Qualification;”
 - a copy of the evaluation of competing locations;
 - information pertaining to the reasons that the requested tax abatement is necessary to ensure that the proposed project is built in the County (i.e., documentation supporting assertion that “but for” a tax abatement, the stated project could not be constructed in the County);
 - copies of the immediately preceding 4 quarterly reports filed with the TWC, documenting the current number of permanent full-time employees, and full-time Contractor employees, if any, at the time the application is submitted;
 - financial and other information, as the County deems appropriate for evaluating the financial capacity and other factors of the applicant;
 - certification prepared by County Tax Assessor-Collector stating that all tax accounts within the County are paid on a current basis;
 - *for a leased facility*, the applicant shall provide with the application the name and address of the lessor and a draft copy of the proposed lease, or option

contract. In the event a lease or option contract has already been executed with owner of site, the document must include a provision whereby abatement applicant may terminate such contract without penalty or loss of earnest money, in the event that the County does not grant a tax abatement.

- (c) Upon receipt of a completed application, CSD shall determine whether a project qualifies for a tax abatement under these guidelines and criteria. If CSD determines that it qualifies, then the department shall schedule a public hearing, request creation of a reinvestment zone, and request approval of a tax abatement agreement, in accordance with the Tax Code.
- (d) The County shall not establish a reinvestment zone or enter into a tax abatement agreement if it finds that an application was received after a project commenced construction or installation of improvements. Property eligible for abatement includes only new improvements commencing after approval of an agreement with the County.

SECTION 4 PUBLIC HEARING & APPROVAL

- (a) The Commissioners Court may not adopt a resolution designating a reinvestment zone for the purposes of considering approval of a tax abatement Agreement until it has held a public hearing at which interested persons are entitled to speak and present evidence for or against the designation. Notice of the hearing shall be clearly identified on the Commissioners Court agenda at least 13 days prior to the public hearing.
- (b) At the public hearing, interested persons shall be entitled to speak and present written materials for or against the approval of the proposed project or Agreement.
- (c) Any variance to these guidelines must be approved by a vote of at least three-fourths (3/4) of the Commissioners Court.
- (d) In order to enter into a tax abatement agreement, Commissioners Court must find that the terms of the proposed agreement conform to these Guidelines and Criteria and that:
 - 1. there will be no substantial adverse effect on the provision of the jurisdictions' service or tax base; and
 - 2. the planned use of the property will not constitute a hazard to public safety, health or morals.

SECTION 5 AGREEMENT

After approval the County shall formally pass a resolution and execute an Agreement with the owner of the facility (or lessee, where applicable) as required which shall include:

- (a) estimated value to be abated;
- (b) percent of value to be abated each year as provided in "Abatement Authorized";
- (c) the commencement date and the termination date of abatement;
- (d) the proposed use of the facility; nature of construction, time schedule, survey, property description and improvement list;
- (e) contractual obligations in the event of default, violation of terms or conditions, delinquent taxes, recapture, administration and assignment as provided in "Abatement Authorized," "Recapture," "Administration," and "Assignment," or other provisions that may be required for uniformity or by state law;
- (f) amount of investment, increase in appraised value and number of jobs involved, as provided in "Abatement Authorized;"
- (g) a requirement that the applicant annually submit to HCAD and CSD, a January employee count for the abated facility which corresponds to employee counts reported in the facility Employer's Quarterly Report to the TWC for the quarter most recently ended at calendar year-end, and a separate notarized letter certifying the number of jobs created or retained as a direct result of the abated improvements and the number of employees in other facilities located within Harris County and the compliance with the environmental and worker safety requirements in the Agreement for the preceding calendar year, for as of January 1. Submission shall be used to determine abatement eligibility and shall be subject to audit if requested by the governing body. Failure to submit will result in the ineligibility to receive an abatement; and
- (h) a requirement that the owner or lessee will (a) obtain and maintain all required permits and other authorizations from the United States Environmental Protection Agency and the TCEQ for the construction and operation of its facility and for the storage, transport and disposal of solid waste; and (b) seek a permit from the TCEQ for all grandfathered units on the site of the abated facility by filing with the TCEQ, within three years of receiving the abatement, a technically complete application for such a permit.

Such Agreement normally shall be executed within 60 days after the applicant has forwarded all necessary information and documentation to the County.

SECTION 6 RECAPTURE

- (a) If the facility is completed and begins producing product or service, but subsequently discontinues producing product or service for any reason for a period of 180 days while the Agreement is active, or one year in the event of natural disaster, then the Agreement shall terminate and so shall the abatement of the taxes for the calendar year during which the facility no longer produces. The taxes otherwise abated for that

calendar year shall be paid to the County within 60 days from the date of termination. The company or individual shall notify the County in writing at the address stated in the Agreement within 10 days from any discontinuation, stating the reason for the discontinuation and the projected length of the discontinuation. If the County determines that such requirement has not been complied with, the Agreement may be terminated immediately and all taxes previously abated by virtue of the Agreement may be recaptured and paid within 60 days of the termination.

- (b) If the company is in default according to the terms and conditions of its Agreement, the company or individual shall notify the County in writing at the address stated in the Agreement within 10 days from the default, and cure such default within 60 days from the date of the default (“Cure Period”). If the County determines that such requirement has not been complied with, the Agreement may be terminated immediately and all taxes previously abated by virtue of the Agreement may be recaptured, together with interest at 6% per annum calculated from the effective date of the Agreement and paid within 60 days of the termination. If the County does not receive full payment within said 60 days, a penalty may be added, equal to 15% of the total amount abated.
- (c) If the company allows its ad valorem taxes owed the County to become delinquent and fails to timely and properly follow the legal procedures for its protest and/or contest, the Agreement then may be terminated, and all taxes previously abated by the Agreement may be recaptured and paid within 60 days of the termination, and penalties and interest may be assessed as set out in herein.

SECTION 7 ADMINISTRATION

- (a) HCAD annually shall determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving a tax abatement shall furnish the HCAD and CSD with such information as may be necessary for the abatement. After value has been established, the HCAD shall notify the affected taxing jurisdictions of the certified appraised value.
- (b) The Agreement shall stipulate that employees and/or designated representatives of the County will have access to the reinvestment zone during the term of the abatement to inspect the facility to determine if the terms and conditions of the Agreement are being met. All inspections will be made only after giving 24 hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction and/or operation of the facility. All inspections will be made with one or more representatives of the company or individual and in accordance with the facility’s safety standards.
- (c) Upon completion of construction, CSD annually shall evaluate each facility receiving an abatement to ensure compliance with its Agreement and report violations to the County Attorney, the Commissioners Court, and affected taxing jurisdictions.

SECTION 8 ASSIGNMENT

A tax abatement Agreement may be assigned to a new owner or lessee of a facility with the written consent of the Commissioners Court, which consent shall not be unreasonably withheld. Any assignment shall provide that the assignee shall irrevocably and unconditionally assume all the duties and obligations of the assignor upon the same terms and conditions as set out in the Agreement. Any assignment shall be to an owner that continues the same improvements or repairs to the property (except to the extent such improvements or repairs have been completed), and continues the same use of the facility as stated in the original Agreement with the initial applicant. No assignment shall be approved if the assignor or the assignee is indebted to the County for past due ad valorem taxes or other obligations.

SECTION 9 NON-COMPETE AGREEMENTS

A tax abatement shall not be granted for projects whose competitive siting consists **only** of counties that have agreed with the County to forego the use of tax incentives to compete for such projects.

SECTION 10 SUNSET PROVISION

These Guidelines and Criteria are **effective April 1, 2012**, and will remain in force **until March 31, 2014**, at which time all tax abatement contracts created pursuant to these provisions will be reviewed by the County to determine whether the goals have been achieved. Based on that review, the Guidelines and Criteria will be modified, renewed, or eliminated.

**Re-Adopted by Harris County
Commissioners Court March 27, 2012**