

IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and the Texas Health and Safety Code. Before the State may enter into a voluntary settlement agreement, pursuant to Section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Hill Top Cafe, Inc.*; Cause No. D-1-GN-21-005808; in the 261st Judicial District, Travis County, Texas.

Background: Hill Top Cafe, Inc. owns and operates a restaurant outside of Fredericksburg, located at 10661 North U.S. Highway 87, Doss, Gillespie County. The restaurant uses groundwater from a well to serve its customers but, among other violations, has refused to properly disinfect that water by installing appropriate disinfecting facilities prescribed by law. The State initiated the suit on behalf of the Texas Commission on Environmental Quality (TCEQ) to address Hill Top Cafe's noncompliance with Texas public drinking water statutes and rules, and a TCEQ administrative order.

Proposed Settlement: The parties propose an Agreed Final Judgment and Permanent Injunction that orders Hill Top Cafe to either cease operating as a public drinking water system, or bring the restaurant into compliance with Texas law, including the installation of chlorination facilities and regular performance of sampling, monitoring, reporting, and other operational requirements. The proposed judgment also awards the State against Hill Top Cafe, Inc. \$18,000 in civil penalties; \$6,000 in attorney's fees; and all outstanding penalties and fees owed to the TCEQ.

For a complete description of the proposed settlement, the agreed judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Phillip Ledbetter, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC 066, Austin, Texas 78711-2548; (512) 463-2012; facsimile (512) 320-0911; email Phillip.Ledbetter@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202301562
Austin Kinghorn
General Counsel
Office of the Attorney General
Filed: April 28, 2023

Comptroller of Public Accounts

Notice of Coastal Protection Fee Suspension

The Comptroller of Public Accounts, administering agency for the collection of the Coastal Protection Fee, has received certification from the Commissioner of the General Land Office that the balance in the Coastal Protection Fund has exceeded the maximum amount allowed by law.

Pursuant to the Natural Resources Code, §40.155 and §40.156, the comptroller hereby provides notice of the suspension of the coastal protection fee effective June 1, 2023.

The fee shall not be collected on crude oil transferred to or from a marine terminal on or after June 1, 2023, until notice of the reinstatement of the fee is published in the *Texas Register*.

Inquiries should be submitted to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

TRD-202301571
Jenny Burleson
Director, Tax Policy Division
Comptroller of Public Accounts
Filed: May 1, 2023

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§303.003, 303.005 and 303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/08/23 - 05/14/23 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/08/23 - 05/14/23 is 18% for Commercial over \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009³ for the period of 05/01/23 - 05/31/23 is 18% for Consumer/Agricultural/Commercial credit through \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009 for the period of 05/01/23 - 05/31/23 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

² Credit for business, commercial, investment or other similar purpose.

³ For variable rate commercial transactions only.

TRD-202301599
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: May 2, 2023

Court of Criminal Appeals

Availability of Judicial and Court Personnel Training Fund

The Court of Criminal Appeals announces the availability of funds to be provided in the form of grants to entities for the purpose of providing continuing legal education courses, programs, and technical assistance projects for prosecutors, prosecutor office personnel, criminal defense attorneys and criminal defense attorney office personnel who regularly represent indigent defendants in criminal matters, clerks, judges, and other court personnel of the appellate courts, district courts, county courts at law, county courts, justice courts and municipal courts of this State, individuals responsible for providing court security, or other persons as provided by statute.

The Court of Criminal Appeals also announces the availability of funds to be provided in the form of grants to entities for the purpose of providing continuing legal education courses, programs, and technical assistance projects on actual innocence for law enforcement officers, law students, criminal defense attorneys, prosecuting attorneys, judges, or other persons as provided by statute.

Funds are subject to the provisions of Chapter 56 of the Texas Government Code and the General Appropriations Act (Article IV, Court of Criminal Appeals, Strategy B.1.1, Judicial Education). The grant period is September 1, 2023 through August 31, 2024. The deadline for applications is July 1, 2023.

Applicants may request an application packet by contacting the Judicial Education Section of the Texas Court of Criminal Appeals: 201 West 14th Street, Suite 103, Austin, Texas 78701, (512) 475-2312, judicial.education@txcourts.gov.

TRD-202301600

Laura Moorman

Assistant Grant Administrator

Court of Criminal Appeals

Filed: May 2, 2023



Availability of Judicial and Court Personnel Training Fund

The Court of Criminal Appeals announces the availability of funds to be provided in the form of grants to entities for the purpose of developing a training program to educate and inform judges and their staff on mental health care resources available in the State of Texas. Funds are subject to the provisions of Chapter 56 of the Texas Government Code and the General Appropriations Act (Article IV, Court of Criminal Appeals, Strategy B.1.1, Judicial Education).

The Court of Criminal Appeals also announces the availability of funds to be provided in the form of grants to statewide professional associations and other entities whose purposes include providing continuing legal education, courses, and programs for judges and court staff, prosecuting attorneys, and criminal defense attorneys on mental health issues and pre-trial diversion. Judicial education shall include information for judges and staff on mental health care resources available in the court's geographic region.

Funds are subject to the provisions of Chapter 56 of the Texas Government Code and the General Appropriations Act (Article IV, Court of Criminal Appeals, Strategy B.1.1, Judicial Education). The grant period is September 1, 2023 through August 31, 2024. The deadline for applications is July 1, 2023.

Applicants may request application instructions by contacting the Judicial Education Section of the Texas Court of Criminal Appeals: 201 West 14th Street, Suite 103, Austin, Texas 78701, (512) 475-2312, judicial.education@txcourts.gov.

TRD-202301602

Laura Moorman

Assistant Grant Administrator

Court of Criminal Appeals

Filed: May 2, 2023



Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 13, 2023**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **June 13, 2023**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission **in writing**.

(1) COMPANY: Calcote, Justin Riley; DOCKET NUMBER: 2023-0285-WOC-E; IDENTIFIER: RN111624268; LOCATION: Winters, Runnels County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Daphne Greene, (903) 535-5157; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(2) COMPANY: Celanese Ltd.; DOCKET NUMBER: 2021-1592-AIR-E; IDENTIFIER: RN100258060; LOCATION: Bay City, Matagorda County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 4449, Special Conditions Number 1, Federal Operating Permit Number O1628, General Terms and Conditions and Special Terms and Conditions Number 17, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$9,375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$3,750; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: CRYSTAL SPRINGS WATER COMPANY, INCORPORATED; DOCKET NUMBER: 2022-0083-PWS-E; IDENTIFIERS: RN102670809 and RN102690740; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j) and Texas Health and Safety Code, §341.0351, by failing to notify the executive director (ED) prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; 30 TAC §290.41(c)(3)(I), by failing to fine grade the well site so that the site is free from depressions, reverse grades, or areas too rough for proper ground maintenance so as to ensure that surface water will drain away from the well; 30 TAC §290.42(m), by failing to enclose each water treatment plant and all appurtenances by an intruder-resistant fence; 30 TAC §290.46(k), by failing to obtain approval from the ED for the use of interconnections; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) as long as the well remains in service; and 30 TAC §290.46(v), by failing to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code; PENALTY: \$4,975; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: Devon Street Homes LP; DOCKET NUMBER: 2023-0283-WQ-E; IDENTIFIER: RN111556288; LOCATION: Tomball, Harris County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit (stormwater); PENALTY: \$875; ENFORCEMENT COORDINATOR: Monica Larina, (512) 239-0184; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: ETC Texas Pipeline, Ltd.; DOCKET NUMBER: 2017-0562-AIR-E; IDENTIFIER: RN106225436; LOCATION: Ganago, Jackson County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §§101.20(2) and (3), 113.1090, 116.115(c), and 122.143(4), 40 Code of Federal Regulations (CFR) §63.7(b)(1) and §63.6645(g), Federal Operating Permit (FOP) Number O3587, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.A and 7, New Source Review (NSR) Permit Numbers 98529 and PSDTX1264, Special Conditions (SC) Number 4.B, and Texas Health and Safety Code (THSC), §382.085(b), by failing to timely submit a stack test notification at least 60 days prior to the date testing was scheduled as required by 40 CFR Part 63 Subparts A and ZZZZ; 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), FOP Number O3587, GTC and STC Number 7, NSR Permit Numbers 98529 and PSDTX1264, SC Number 1, and THSC, §382.085(b), by failing to comply with the maximum allowable emissions rates; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), FOP Number O3587, GTC and STC Number 7, NSR Permit Numbers 98529 and PSDTX1264, SC Number 24.A, and THSC, §382.085(b), by failing to timely submit a stack test notification at least 45 days in advance of testing as required by NSR Permit Numbers 98529 and PSDTX1264; 30 TAC §116.110(a) and §116.116(b)(1) and THSC, §382.0518(a) and §382.085(b), by failing to comply with the representations with regards to construction plans and operation procedures in a permit application; and 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O3587, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; PENALTY: \$209,510; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8921; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(6) COMPANY: Gemini HDPE LLC; DOCKET NUMBER: 2021-0589-AIR-E; IDENTIFIER: RN100229905; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing

plant; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), New Source Review (NSR) Permit Number 106824, Special Conditions (SC) Numbers 1, 5.B (effective January 20, 2017), and 6.B (effective May 31, 2019), Federal Operating Permit (FOP) Number O3758, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 9, and Texas Health and Safety Code (THSC), §382.085(b), by failing to comply with the volatile organic compounds emissions limits for the polyethylene pellet handling systems between each extruder and product loadout and failed to comply with the maximum allowable emissions rate; 30 TAC §§116.115(c), 116.116(a)(1), and 122.143(4), NSR Permit Number 106824, SC Number 1, FOP Number O3758, GTC and STC Number 9, and THSC, §382.085(b), by failing to comply with the representations with regard to construction plans and operation procedures in a permit application; and 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 106824, SC Number 1, FOP Number O3758, GTC and STC Number 9, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$360,938; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$144,375; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: J and B Tittle, Incorporated dba The T Post; DOCKET NUMBER: 2023-0062-PST-E; IDENTIFIER: RN102838562; LOCATION: Henderson, Rusk County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$2,556; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(8) COMPANY: Jim Wells County Freshwater Supply District 1; DOCKET NUMBER: 2023-0208-UTL-E; IDENTIFIER: RN102673506; LOCATION: Ben Bolt, Jim Wells County; TYPE OF FACILITY: retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to the TCEQ for approval an emergency preparedness plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$645; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(9) COMPANY: MESA GRANDE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2023-0189-UTL-E; IDENTIFIER: RN101179539; LOCATION: Granbury, Hood County; TYPE OF FACILITY: retail public utility, exempt utility, or provider or conveyor of potable or raw water service that furnishes water service; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to the TCEQ for approval an emergency preparedness plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$600; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: Top-Way Materials LLC; DOCKET NUMBER: 2023-0045-WQ-E; IDENTIFIER: RN100798644; LOCATION: Rhome, Wise County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit (stormwater); PENALTY: \$875; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: YRLAS, RICKY J; DOCKET NUMBER: 2023-0156-PWS-E; IDENTIFIER: RN105773196; LOCATION: Crockett, Houston County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202301585

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: May 2, 2023



Notice of an Application for a Temporary Water Use Permit

Notice Issued April 28, 2023

APPLICATION NO. 13829

RK Hall, LLC, 5020 SE Loop 286, Paris, Texas 75460, Applicant, seeks a temporary water use permit to divert and use not to exceed 15 acre-feet of water, within a period of one year, from a point on Bois d'Arc Creek, tributary of the Red River, Red River Basin, at a maximum diversion rate of 0.56 cfs (250 gpm), for industrial purposes in Fannin County. More information on the application and how to participate in the permitting process is given below.

The application and partial fees were received on March 7, 2022. Additional information and fees were received on May 24, June 17, and July 6, 2022. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on July 13, 2022. The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, a requirement to take reasonable measures to reduce impacts to aquatic resources due to impingement and entrainment. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, by May 16, 2023. A public meeting is intended for the taking of public comment, and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by May 16, 2023. The Executive Director may approve the application unless a written request for a contested case hearing is filed by May 16, 2023.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns.

Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRTP 13829 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>

TRD-202301617

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023



Notice of District Petition

Notice issued April 27, 2023

TCEQ Internal Control No. D-02222023-065; Kings Valley Properties, Ltd. (Petitioner) filed a petition for creation of Tickey Creek Municipal Utility District of Collin County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner is the owner of the majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 134.456 acres of land, more or less, located within Collin County, Texas; and (4) the proposed District is not within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will purchase, construct, acquire, improve, maintain, own and operate water, wastewater, drainage, road and such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. It further states that the planned residential development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$23,475,000 (\$15,850,000 for utilities and \$7,625,000 for roads).

INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

TRD-202301615

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023



Notice of District Petition

Notice issued April 27, 2023

TCEQ Internal Control No. D-11092022-014; Schlachter Realty, Ltd. (Petitioner) filed a petition for creation of Texas Tri-Modal Municipal Utility District No. 2 (District) of Dallas County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner is the owner of the majority of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 443.7 acres, more or less, located within Dallas County, Texas; (4) the proposed District is within the extraterritorial jurisdiction of the City of Wilmer (City). The petition further states that the proposed District will construct, purchase, acquire, maintain, own and operate water, wastewater, drainage, road and such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. It further states that the planned residential and industrial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner,

from the information available at this time, that the cost of said project will be approximately \$55,300,000. In accordance with Local Government Code § 42.042 and Texas Water Code § 54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water and sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code § 54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to proceed to the TCEQ for inclusion of their Property into the District.

INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

TRD-202301616

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023



Notice of District Petition

Notice issued May 1, 2023

TCEQ Internal Control No. D-02152023-058; Buffalo Hills Development, LLC, a Texas limited liability company (Petitioner) filed a petition for creation of Buffalo Hills Municipal Utility District of Johnson County (District) with the Texas Commission on Environmental Qual-

ity (TCEQ). The petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, AgTexas Farm Credit Services, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the district; (3) the proposed District will contain approximately 589.1 acres of land located within Johnson County, Texas; and (4) all of the land to be included within the proposed district is located wholly within the extraterritorial jurisdiction of the City of Venus (City). The petition further states that the work to be done by the proposed District at the present time is the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$104,600,000 (including 79,700,000 for water, wastewater, and drainage plus \$24,900,000 for roads). In accordance with Local Government Code § 42.042 and Texas Water Code § 54.016, a petition was submitted to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, a petition was submitted to the City to provide water and sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code § 54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to proceed to the TCEQ for inclusion of the land into the District.

INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If

a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

TRD-202301618

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023



Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 13, 2023**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on June 13, 2023**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Hassan LLC dba Culebra Food Stop; DOCKET NUMBER: 2021-0084-PST-E; TCEQ ID NUMBER: RN101436483; LOCATION: 1302 Laven Drive, San Antonio, Bexar County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for each class of operator - Class A, B, and C - for the facility; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(B), by failing to monitor the UST in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring for tanks installed on or after January 1, 2009; and TWC, §26.3475(a) and 30 TAC §334.50(b)(2)(A)(iii), by failing to monitor the UST associated pressurized piping in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial

monitoring for piping installed on or after January 1, 2009; PENALTY: \$6,750; STAFF ATTORNEY: Taylor Pearson, Litigation, MC 175, (512) 239-5937; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(2) COMPANY: Skipper Beverage Company, LLC dba Corner Store 2069; DOCKET NUMBER: 2019-0563-PST-E; TCEQ ID NUMBER: RN102370467; LOCATION: 933 East Rundberg Lane, Austin, Travis County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.72, by failing to report to the agency within 24 hours after monitoring results from a release detection method indicated a release may have occurred; 30 TAC §334.74(1), by failing to conduct tightness testing and secondary containment testing as appropriate within 30 days after monitoring results from a release detection method indicated a release may have occurred; 30 TAC §334.74(3), by failing to file a release determination report with the commission within 45 days after a suspected release has occurred; and 30 TAC §334.75(b), by failing to contain and immediately clean up a spill of any petroleum product from a UST system that is less than 25 gallons; PENALTY: \$19,901; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: Austin Regional Office, 12100 Park 35 Circle, Building A, Room 179, Austin, Texas 78753, (512) 339-2929.

TRD-202301587

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: May 2, 2023



Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016211001

APPLICATION. Douglas T. Harrison, 1000 Harrison Road, New Braunfels, Texas 78132, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016211001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 600,000 gallons per day. TCEQ received this application on September 1, 2022.

The facility will be located approximately 0.4 miles south of the intersection of Harrison Road and State Highway 46, in Comal County, Texas 78132. The treated effluent will be discharged to West Fork Dry Comal Creek, thence to Dry Comal Creek, thence to the Comal River in Segment No. 1811 of the Guadalupe River Basin. The unclassified receiving water use is limited aquatic life use for the West Fork Dry Comal Creek. The designated uses for Segment No. 1811 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location

is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-98.325%2C29.7775&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

PUBLIC COMMENT / PUBLIC MEETING. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Thursday, June 8, 2023 at 7:00 p.m.

Smithson Valley High School (Cafeteria)

14001 Hwy 46

Spring Branch, Texas 78070

INFORMATION. Members of the public are encouraged to submit written comments anytime during the meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/goto/comment. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. *Si desea información en español, puede llamar (800) 687-4040.* General information about the TCEQ can be found at our web site at <https://www.tceq.texas.gov>.

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Mammen Family Public Library, 131 Bulverde Crossing Road, Bulverde, Texas. Further information may also be obtained from Douglas T. Harrison at the address stated above or by calling Mr. Mike McMinimee, Project Engineer, JA Wastewater, LLC, at (720) 413-6909.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or (800) RELAY-TX (TDD) at least five business days prior to the meeting.

Issuance Date: April 27, 2023

TRD-202301614

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023



Notice of Second Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016148001

APPLICATION. Greenwood Ventures Group LLC, 101 Parklane Boulevard, Suite 102, Sugar Land, Texas 77478, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016148001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 975,000 gallons per day. TCEQ received this application on April 20, 2022.

The facility will be located approximately 1.87 miles southwest of the intersection of County Road 214 and U.S. Highway 183, in Caldwell County, Texas 78644. The treated effluent will be discharged to an unnamed tributary, thence to a second unnamed tributary, thence to West Fork Plum Creek, thence to Plum Creek in Segment No. 1810 of the Guadalupe River Basin. The unclassified receiving water uses are minimal aquatic life use for unnamed tributary and limited aquatic life use for West Fork Plum Creek (intermittent with pools), and high aquatic life use for West Fork Plum Creek (perennial). The designated uses for Segment No. 1810 are primary contact recreation, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and the TCEQ's *Procedure to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected West Fork Plum Creek (perennial portion) and Plum Creek, which have been identified as high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.700833%2C29.796111&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

PUBLIC COMMENT / PUBLIC MEETING. A second public meeting will be held and will consist of two parts, an Informal Discussion

Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Tuesday, June 13, 2023 at 7:00 p.m.

Lockhart Evening Lions Club

220 Bufkin Lane

Lockhart, Texas 78644

INFORMATION. Members of the public are encouraged to submit written comments anytime during the meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/goto/comment. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. *Si desea información en español, puede llamar (800) 687-4040.* General information about the TCEQ can be found at our web site at <https://www.tceq.texas.gov>.

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Lockhart City Hall, 308 West San Antonio Street, Lockhart, Texas. Further information may also be obtained from Greenwood Ventures Group LLC at the address stated above or by calling Mr. Daniel Ryan, P.E., LJA Engineering, Inc, at (512) 439-4700.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or (800) RELAY-TX (TDD) at least five business days prior to the meeting.

Issuance Date: May 2, 2023

TRD-202301619

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023



Notice of Water Quality Application

The following notice was issued on May 01, 2023:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin,

Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

INFORMATION SECTION

The Texas Commission on Environmental Quality (TCEQ) has initiated a minor amendment of the Texas Pollutant Discharge Elimination System Permit No. WQ0010086002 issued to Fort Bend County Water Control Improvement District No. 2 to correct the pretreatment language. The existing permit authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 4,000,000 gallons per day. The facility is located approximately 3,300 feet southeast of the intersection of Craven Road and U.S. Highway 90 in Fort Bend County, Texas 77489.

TRD-202301620

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 3, 2023

General Land Office

Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of April 24, 2023 to April 28, 2023. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.25, 30.32, and 30.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, May 5, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, June 4, 2023.

FEDERAL AGENCY ACTIVITIES:

Applicant: Bureau of Ocean Energy Management (BOEM)

Project Description: For BOEM Gulf of Mexico (GOM) Lease Sale 261, which is tentatively scheduled for September 27, 2023, BOEM is proposing to offer for lease all available unleased blocks in the Western Planning Area (WPA), Central Planning Area (CPA), and Eastern Planning Area (EPA) not currently under Presidential withdrawal with the additional exclusions listed below. Under Section 12(a) of the Outer Continental Shelf (OCS) Lands Act, 43 U.S.C. § 1341(a), the President may "withdraw from disposition any of the unleased lands of the Outer Continental Shelf." On September 8, 2020, the areas of the OCS designated by Section 104(a) of the Gulf of Mexico Energy Security Act of 2006, Public Law 109-432, were withdrawn from disposition by leasing for 10 years, beginning on July 1, 2022, and ending on June 30, 2032 (White House, 2020).

The GOM Lease Sale 261 would offer for lease all available unleased blocks within the WPA, CPA, and EPA portions of the lease sale area for oil and gas operations with the following exceptions as described under Alternative D in the GOM Lease Sales 259 and 261 Supplemental EIS:

- whole and partial blocks currently under Presidential withdrawal (White House, 2020);

- blocks that are adjacent to or beyond the United States' Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap;

- whole and partial blocks within the boundaries of the Flower Garden Banks National Marine Sanctuary as of the July 2008 Presidential "Memorandum on Modification of the Withdrawal of Areas of the United States Outer Continental Shelf from Leasing Disposition" (Weekly Compilation of Presidential Documents, 2008);

- whole and partial blocks located south of and within 15 miles (mi) of Baldwin County, Alabama;

- whole and partial blocks that include Topographic features; and

- whole and partial blocks that include live bottom (Pinnacle Trend) areas.

In addition to the whole and partial blocks described under Alternative D in the GOM Lease Sales 259 and 261 Supplemental EIS, the Secretary is considering to also exclude:

- whole and partial blocks identified as either draft or final Wind Energy Areas A-M;

- whole and partial blocks that may contain significant sediment resources;

- whole or partial blocks whose lease status is currently under reconsideration; and

- any remaining blocks in which the status of existing leases is under appeal, if the lease status is not resolved before the publication of the Final Notice of Sale.

The final decision on how to proceed with the lease sale and the lease blocks available for leasing will be announced in the Record of Decision and, if the decision is to proceed, a Final Notice of Sale. BOEM reserves the right to modify the lease sale area in the Final Notice of Sale, including removing additional areas from GOM Lease Sale 261. Specifically, BOEM is considering removing the area comprising the northeastern GOM and continental shelf break between the 100 meters and 400 meters in depths isobaths to protect the Rice's Whales that may transit through the area. More information on these lease block exclusions can be found in the Proposed Notice of Sale for GOM Lease Sale 261, which is available on BOEM's website at <https://www.boem.gov/oil-gasenergy/leasing/lease-sale-261>.

CMP Project No: 23-1232-F2

FEDERAL AGENCY ACTIONS:

Applicant: Salvado, LLC

Location: The project site is located in West Galveston Bay, approximately 250 feet west of the terminus of Chiquita Road, west of Terramar Subdivision, in Galveston, Galveston County, Texas.

Latitude and Longitude: 29.136835, -95.066292

Project Description: The applicant proposes to discharge approximately 6,610 cubic yards of clean rock fill including limestone, crushed concrete rubble, and river rock in the installation of four breakwater structures at a total of 1,740 linear feet in length (700 linear feet; 560 linear feet; 320 linear feet and 160 linear feet respectively), 25 feet in width, and 3.1 feet in height (+1.1 feet above the mean high water line (MHWL)).

The applicant also proposes to discharge approximately 84,750 cubic yards of dredge material from nearby locations including the adjacent community, into 22.86 acres of unvegetated, shallow bay bottom between the proposed breakwaters and the existing shoreline due to historic erosion and for reestablishment of wetland habitat.

The applicant is not proposing to mitigate for the proposed impacts stating that the project will greatly reduce or prevent future erosion of vegetated estuarine habitat and the area between the breakwater reefs and the shoreline will be the future site of placement of dredge material, that will be allowed to restore to a more naturalized and native state. Additionally, the installation of a hard substrate will allow for natural colonization and recruitment of oyster reefs.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2022-00759. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 23-1234-F1

Applicant: 14000 Industrial Holdings, LLC

Location: The project site is located in Greens Bayou, at 13605 Industrial Road, in Houston, Harris County, Texas.

Latitude and Longitude: 29.75743, -95.18190

Project Description: The applicant proposes to hydraulically dredge approximately 317,594 cubic yards in association with the expansion of two large barge slips. The northern slip will be dredged to -12 feet below Mean Lower Low Water (MLLW) and will involve the dredging of approximately 190,903 cubic yards of material from a 6.85-acre area. The southern slip will be dredged to -12 feet below MLLW and will involve the dredging of approximately 126,691 cubic yards of material from a 5.11-acre area. The southern slip will also involve the construction of 11 steel pipe mooring structures driven along the southeastern side of the slip. Sheet pile bulkheads will be driven along the perimeter of the dredge area prior to commencement of dredging. The applicant has proposed to place the dredged material into the following dredge material placement areas (DMPAs): Green's Bayou, Lost Lake, Texas Deep Water, East/West Jones, HMS 850, and/or Adloy. The applicant has not proposed any compensatory mitigation.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-1993-01047. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 23-1237-F1

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from the Texas General Land Office Public Information Officer at 1700 N. Congress Avenue, Austin, Texas 78701, or via email at pialegal@glo.texas.gov. Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at federal.consistency@glo.texas.gov.

TRD-202301590

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: May 2, 2023



Notice of Availability and Request for Comments on a Proposed Settlement Agreement

AGENCIES: The Texas General Land Office (GLO), Texas Commission on Environmental Quality (TCEQ), Texas Parks and Wildlife De-

partment (TPWD), and the United States Department of the Interior (DOI) on behalf of the United States Fish and Wildlife Service (collectively, the "Trustees").

ACTION: Notice of availability of a proposed Settlement Agreement for Natural Resource Damages related to the Eagle Otome 2010 Oil Spill and of a 30-day period for public comment on the proposed Settlement Agreement beginning the date of publication of this notice.

SUMMARY: Notice is hereby given that the Trustees are providing an opportunity for public comment on a proposed Settlement Agreement with AET, Inc., Ltd. and AET Ship Management, PTE., Ltd. (collectively, "AET") related to the Eagle Otome 2010 Oil Spill. The proposed Settlement Agreement resolves the civil claims of the Trustees against AET under the Oil Pollution Act of 1990, 33 U.S.C. § 2701 et seq., and the Texas Oil Spill Prevention and Response Act, Tex. Nat. Res. Code § 40.001 et seq., for injury to, impairment of, destruction of, loss of, diminution of value of, and/or loss of use of natural resources resulting from the January 23, 2010 discharge of sour crude oil into the Sabine-Neches Waterway in the City of Port Arthur, Jefferson County, Texas at or from the T/V Eagle Otome as a result of the T/V Eagle Otome's collision with the towboat Dixie Vengeance.

Under the proposed Settlement Agreement, AET agrees to pay \$400,000 to the Trustees, as follows: \$311,492 to the DOI Natural Resource Damage Assessment and Restoration Fund to be used to restore, replace, rehabilitate, and/or acquire the equivalent of those natural resources and their services injured by the discharge of oil and for the Trustees' restoration planning and oversight of restoration implementation; and \$88,508 for the Trustees' past assessment costs. AET will receive from the Trustees a covenant not to sue for the claims resolved by the settlement.

ADDRESSES: Interested members of the public may request a copy of the proposed Settlement Agreement by contacting: Allison Fischer, Texas General Land Office, Coastal Resources Division, Natural Resources Damage Assessment, P.O. Box 12873, Austin, Texas 78711-2873, phone: (512) 463-5271, e-mail: allison.fischer@glo.texas.gov. A copy of the proposed Settlement Agreement may also be downloaded at <https://www.justice.gov/enrd/consent-decrees>.

DATES: Comments must be submitted in writing within 30 days of the publication of this notice to Allison Fischer of the Texas General Land Office at the address listed in the previous paragraph. Comments may be submitted either by mail or by e-mail. The Trustees will consider all written comments received during the 30-day comment period.

TRD-202301623

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: May 3, 2023



Texas Health and Human Services Commission

Public Notice: Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The proposed amendment is effective June 1, 2023.

The purpose of the amendment is to update the rate methodology and payment rates for Prescribed Pediatric Extended Care Centers (PPECC). HHSC Provider Finance Department (PFD) staff evaluated

the PPECC rate methodology and payment rates as part of the biennial fee review process.

The proposed amendment is estimated to result in an annual aggregate expenditure of \$0 for federal fiscal year (FFY) 2023, consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$0, consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$0, consisting of \$0 in federal funds and \$0 in state general revenue. There is no fiscal impact for the proposed amendment in fee-for-service, as PPECC is a part of Managed Care services under STAR Kids and STAR Health.

Further detail on specific reimbursement rate changes is available on the HHSC PFD website under the proposed effective date at <http://pfd.hhs.texas.gov/rate-packets>.

A rate hearing will be held on May 19, 2023, at 9:00 a.m. in Austin, Texas. Information about the proposed rate change and the hearing can be found in the April 14, 2023, issue of the *Texas Register* (48 TexReg 1999) at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment(s). Interested parties may obtain additional information or a free copy of the proposed amendments from Kenneth Anzaldua, State Plan Team Lead, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-4326; by facsimile at (512) 730-7472; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendments will be available for review at the local county offices of HHSC (formerly the local offices of the Texas Department of Aging and Disability Services).

Written Comments. Written comments and requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance, Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance, Mail Code H-400

North Austin Complex

4601 West Guadalupe Street

Austin, Texas 78751

Phone number for package delivery: (512) 730-7401

Fax

Attention: Provider Finance at (512) 730-7475

Email

PFD-LTSS@hhs.texas.gov

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202301597

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: May 2, 2023



Public Notice: Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The proposed amendment is effective June 1, 2023.

The purpose of the amendment is to update the rate methodology and payment rate for Community First Choice (CFC) Personal Attendant Services (PAS) and Habilitation, under the Consumer Directed Services (CDS) option, for STAR Kids. The amendment aligns the CFC PAS and Habilitation CDS rate for STAR Kids with the base rate for Personal Care Services - Behavioral Health (PCS-BH) CDS. Provider Finance Department (PFD) staff evaluated the CFC PAS and Habilitation CDS rate methodology and payment rate as part of the biennial fee review process.

The proposed amendment is estimated to result in an annual aggregate expenditure of \$0 for federal fiscal year (FFY) 2023, consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$0, consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$0, consisting of \$0 in federal funds and \$0 in state general revenue. There is no fiscal impact for the proposed amendment in fee-for-service, as STAR Kids CFC PAS and Habilitation CDS is a part of Managed Care services.

Further detail on specific reimbursement rate changes is available on the HHSC PFD website under the proposed effective date at <http://pfd.hhs.texas.gov/rate-packets>.

A rate hearing will be held on May 19, 2023, at 9:00 a.m. in Austin, Texas. Information about the proposed rate change and the hearing can be found in the April 14, 2023, issue of the *Texas Register* (48 TexReg 1999) at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment(s).

Interested parties may obtain additional information or a free copy of the proposed amendments from Kenneth Anzaldua, State Plan Team Lead, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-4326; by facsimile at (512) 730-7472; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendments will be available for review at the local county offices of HHSC (formerly the local offices of the Texas Department of Aging and Disability Services).

Written Comments.

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4601 West Guadalupe Street

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Attention: Provider Finance at (512) 730-7475

Email: PFD-LTSS@hhs.texas.gov

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202301598

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: May 2, 2023

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Department of State Health Services

Licensing Actions for Radioactive Materials

During the second half of March 2023, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	GAMMATECH INDUSTRIAL LLC	L07177	HOUSTON	00	03/15/23
THROUGHOUT TX	K ALLRED OILFIELD SERVICES LLC	L07178	MIDLAND	00	03/22/23
THROUGHOUT TX	AXIOS INTEGRITY LLC	L07179	VICTORIA	00	03/24/23

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AUSTIN	TEXAS ONCOLOGY	L06206	AUSTIN	24	03/27/23
AUSTIN	ST DAVIDS HEALTHCARE PARTNERSHIP LP LLP DBA ST DAVIDS MEDICAL CENTER	L06335	AUSTIN	44	03/22/23
AUSTIN	ST DAVIDS HEART & VASCULAR PLLC DBA AUSTIN HEART	L04623	AUSTIN	105	03/22/23
AUSTIN	ARA ST DAVIDS IMAGING LP	L05862	AUSTIN	118	03/17/23
AUSTIN	AUSTIN RADIOLOGICAL ASSOCIATION	L00545	AUSTIN	244	03/17/23
BEDFORD	TEXAS ONCOLOGY PA	L05545	BEDFORD	77	03/17/23
BEDFORD	TEXAS ONCOLOGY PA	L05545	BEDFORD	78	03/27/23
BUDA	BAYLOR SCOTT & WHITE MEDICAL CENTERS - CAPITOL AREA	L07154	BUDA	02	03/17/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

CLIFTON	LHOIST NORTH AMERICA OF TEXAS LLC	L02461	CLIFTON	19	03/23/23
CORPUS CHRISTI	CHRISTUS SPOHN HEALTH SYSTEM CORPORATION DBA CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI - SHORELINE & SOUTH	L02495	CORPUS CHRISTI	146	03/17/23
DALLAS	HEALTHTEXAS PROVIDER NETWORK DBA BAYLOR SCOTT & WHITE CARDIOLOGY	L06572	DALLAS	12	03/21/23
DALLAS	METHODIST HOSPITALS OF DALLAS	L00659	DALLAS	149	03/24/23
EL PASO	TEXAS ONCOLOGY PA DBA EL PASO CANCER TREATMENT CENTER - EAST	L05771	EL PASO	15	03/20/23
FORT WORTH	DARREN LACKAN MD PA	L06074	FORT WORTH	07	03/15/23
HOUSTON	THE UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER	L06227	HOUSTON	60	03/21/23
HUMBLE	CARDIOVASCULAR ASSOCIATION PLLC	L05421	HUMBLE	33	03/31/23
LAKEWAY	SCOTT & WHITE HOSPITAL- ROUND ROCK DBA BAYLOR SCOTT & WHITE	L06849	LAKEWAY	09	03/17/23
MCKINNEY	TEXAS ONCOLOGY PA	L06947	MCKINNEY	16	03/17/23
MIDLAND	MIDLAND COUNTY HOSPITAL DISTRICT	L00728	MIDLAND	126	03/17/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

MIDLAND	MIDLAND COUNTY HOSPITAL DISTRICT	L00728	MIDLAND	127	03/27/23
PARIS	ESSENT PRMC LP DBA PARIS REGIONAL MEDICAL CENTER	L03199	PARIS	71	03/17/23
PASADENA	KARAN S BHALLA MD PLLC	L07018	PASADENA	03	03/20/23
PLANO	TEXAS HEALTH PRESBYTERIAN HOSPITAL PLANO	L04467	PLANO	83	03/27/23
ROUND ROCK	SCOTT & WHITE HOSPITAL – ROUND ROCK DBA BAYLOR SCOTT & WHITE	L06085	ROUND ROCK	36	03/17/23
SAN ANTONIO	UT MEDICINE SAN ANTONIO	L06737	SAN ANTONIO	09	03/15/23
SAN ANTONIO	RLS (USA) INC	L04764	SAN ANTONIO	58	03/17/23
STAFFORD	ALOKI ENTERPRISE INC	L06257	STAFFORD	61	03/27/23
TEXARKANA	CHRISTUS HEALTH ARK-LA-TEX DBA CHRISTUS ST MICHAEL HEALTH SYSTEMS	L04805	TEXARKANA	43	03/22/23
THE WOODLANDS	ST LUKES COMMUNITY HEALTH SERVICES DBA ST LUKES THE WOODLANDS HOSPITAL	L05763	THE WOODLANDS	37	03/24/23
THROUGHOUT TX	TEXAS DEPARTMENT OF STATE HEALTH SERVICES	L05865	AUSTIN	16	03/20/23
THROUGHOUT TX	LOBO LABS LLC	L06642	CORPUS CHRISTI	05	03/22/23
THROUGHOUT TX	GLOBE ENGINEERS INC	L05527	DALLAS	08	03/22/23

THROUGHOUT TX	ECM INTERNATIONAL INC	L06987	EL PASO	09	03/23/23
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AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	HAIMO AMERICA INC	L06936	HOUSTON	12	03/22/23
THROUGHOUT TX	ATLAS TECHNICAL CONSULTANTS LLC	L06407	LUBBOCK	27	03/16/23
THROUGHOUT TX	B2Z ENGINEERING LLC	L06996	MISSION	06	03/22/23
THROUGHOUT TX	SCHLUMBERGER TECHNOLOGY CORPORATION	L06303	SUGAR LAND	25	03/16/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
BROWNSVILLE	VHS BROWNSVILLE HOSPITAL COMPANY LLC	L06500	BROWNSVILLE	12	03/29/23
LONGVIEW	REGIONAL CLINICS OF LONGVIEW	L06487	LONGVIEW	06	03/24/23
TATUM	LUMINANT GENERATION COMPANY LLC	L04593	TATUM	17	03/23/23
TEXARKANA	TEXARKANA PET/CT IMAGING INSTITUTE LP	L05495	TEXARKANA	19	03/28/23
THROUGHOUT TX	CRITICAL RESPONSE INSPECTION SERVICE LLC	L06497	CROSBY	05	03/20/23
THROUGHOUT TX	TSI LABORATORIES INC	L04767	VICTORIA	22	03/20/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
HOUSTON	SHEIKH EJAZ AHMED MD	L06021	HOUSTON	05	03/29/23
SAN ANTONIO	SW DIAGNOSTIC CENTER PA	L03763	SAN ANTONIO	12	03/15/23

TRD-202301621
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: May 3, 2023



Texas Department of Insurance

Company Licensing

Application for incorporation in the state of Texas for Belong Health Insurance Company, a domestic life, accident and/or health company. The home office is in Austin, Texas.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register* publication, addressed to the attention of John Carter, 1601 Congress Ave., Suite 6.900, Austin, Texas 78711.

TRD-202301613
 Justin Beam
 Chief Clerk
 Texas Department of Insurance
 Filed: May 3, 2023



Texas Lottery Commission

Scratch Ticket Game Number 2498 "CASH PAYOUT"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2498 is "CASH PAYOUT". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2498 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2498.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, GOLD BAR SYMBOL, \$5.00, \$10.00, \$20.00, \$50.00, \$75.00, \$100, \$250, \$500, \$1,000 and \$100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2498 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV

26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
GOLD BAR SYMBOL	WINX5
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$75.00	SVFV\$
\$100	ONHN
\$250	TOFF
\$500	FVHN
\$1,000	ONTH
\$100,000	100TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The

Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2498), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2498-0000001-001.

H. Pack - A Pack of the "CASH PAYOUT" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CASH PAYOUT" Scratch Ticket Game No. 2498.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "CASH PAYOUT" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-two (42) Play Symbols. BONUS: If a player reveals 2 matching prize amounts in the same BONUS, the player wins that amount. KEY NUMBER MATCH: If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "Gold Bar" Play Symbol, the player wins 5 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly forty-two (42) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly forty-two (42) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the forty-two (42) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-two (42) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: A Ticket can win up to nineteen (19) times in accordance with the approved prize structure.

B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. KEY NUMBER MATCH: Each Ticket will have four (4) different WINNING NUMBERS Play Symbols.

D. KEY NUMBER MATCH: Non-winning YOUR NUMBERS Play Symbols will all be different.

E. KEY NUMBER MATCH: Non-winning Prize Symbols will never appear more than two (2) times.

F. KEY NUMBER MATCH: The top Prize Symbol will appear on every Ticket unless restricted by other parameters, play action or prize structure.

G. KEY NUMBER MATCH: The "GOLD BAR" (WINX5) Play Symbol will never appear in the WINNING NUMBERS or BONUS Play Symbol spots.

H. KEY NUMBER MATCH: The "GOLD BAR" (WINX5) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

I. KEY NUMBER MATCH: Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

J. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 20 and \$20).

K. BONUS SPOTS: Matching Prize Symbols will only appear in a winning BONUS play area as dictated by the prize structure.

L. BONUS SPOTS: Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

M. BONUS SPOTS: A Ticket will not have matching non-winning Prize Symbols across the four (4) BONUS play areas.

2.3 Procedure for Claiming Prizes.

A. To claim a "CASH PAYOUT" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$50.00, \$75.00, \$100, \$250 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$75.00, \$100, \$250 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "CASH PAYOUT" Scratch Ticket Game prize of \$1,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "CASH PAYOUT" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "CASH PAYOUT" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "CASH PAYOUT" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A

Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If

more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 2498. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2498 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	768,000	9.38
\$10.00	768,000	9.38
\$20.00	240,000	30.00
\$50.00	96,000	75.00
\$75.00	9,600	750.00
\$100	17,100	421.05
\$250	620	11,612.90
\$500	460	15,652.17
\$1,000	65	110,769.23
\$100,000	5	1,440,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.79. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2498 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2498, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202301605

Bob Biard
General Counsel
Texas Lottery Commission
Filed: May 3, 2023

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Texas Department of Motor Vehicles

Correction of Error

The Texas Department of Motor Vehicles adopted amendments to 43 TAC §§206.94 - 206.97 and the repeal of 43 TAC §206.98 in the April 28, 2023, issue of the *Texas Register* (48 TexReg 2188). Due to an error by the Texas Register, the part name included an incorrect agency name. The part name should have been published as follows:

PART 10. TEXAS DEPARTMENT OF MOTOR VEHICLES
TRD-202301601

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North Central Texas Council of Governments

Notice of Contract Award - 511DFW Traveler Information System and Information Exchange Network

Pursuant to the provisions of Government Code, Chapter 2254, the North Central Texas Council of Governments publishes this notice of contract award. The request appeared in the September 16, 2022, issue of the *Texas Register* (47 TexReg 5915). The selected entity will perform technical and professional work for the 511DFW Traveler Information System and Information Exchange Network.

The entity selected for this project is Mindhop, Inc., 10 County Center Road, Suite 332, White Plains, New York 10607. The amount of the contract is not to exceed \$7,000,000 over a six-year term.

Issued in Arlington, Texas on April 28, 2023.

TRD-202301586
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: May 2, 2023

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Texas Public Finance Authority

Notice of Request for Proposals for Underwriting Services

The Texas Public Finance Authority announces its Request for Proposals to create a pool of qualified investment banking firms from which to obtain underwriting services to assist the Authority in its financings for the fiscal biennium beginning September 1, 2023, and ending August 31, 2025, with the option to extend the use of the pool for underwriting services as needed for financings undertaken during the fiscal biennium beginning September 1, 2025, and ending August 31, 2027.

The Board will base its selection on a firm's relevant experience, qualifications, and success in providing the services outlined in the RFP; financial stability and strength; the quality of the information provided regarding the requirements of the RFP; and any other factors relevant to the firm's capacity and ability to meet the Authority's and the State's needs.

A copy of the RFP is available on the Authority's website, at <https://www.tpfa.texas.gov/rfp.aspx> and on the Electronic State Business Daily ("ESBD") at <https://www.txsmartbuy.com/esbd>.

Proposals are due no later than 3:00 p.m., CT, May 18, 2023, pursuant to the instructions in the RFP.

TRD-202301579
Kevin Van Oort
General Counsel
Texas Public Finance Authority
Filed: May 1, 2023

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South Texas Development Council

Middle Rio 2023 Respite RFQ

In partnership with the Texas Health and Human Services Commission (HHSC), the South Texas Development Council's (STDC) Middle Rio Aging and Disability Resource Center (MRADRC) is releasing this request for qualifications (RFQ) to utilize funding to provide respite services to individuals with disabilities of any age and/or individuals under the age of 60. The purpose of these services is to assist families within the nine (9) county service area of the MRADRC who have individuals with disabilities. The intention of the funding is to provide respite services which provide short-term, temporary relief to the informal, unpaid caregiver of eligible individuals. The STDC seeks to select one (1) potential service provider who is qualified to provide respite services.

For RFP package contact:

Michelle Barrah

Program Supervisor

South Texas Development Council

South Texas Aging and Disability Resource Center

1002 Dicky Lane

Laredo, Texas 78044-2187

(956) 722-3995 x 128 Tel

(855) 937-2372 Toll Free

(956) 722-2670 Fax

mbarrah@stdc.cog.tx.us

TRD-202301612

Nancy Rodriguez

Aging and Disability Director

South Texas Development Council

Filed: May 3, 2023

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Notice: South Texas

In partnership with the Texas Health and Human Services Commission (HHSC) the South Texas Development Council's (STDC) South Texas Aging and Disability Resource Center (STARDC) is releasing this request for qualifications (RFQ) to utilize funding to provide respite services to individuals with disabilities of any age and/or individuals under the age of 60. The purpose of these services is to assist families within the four (4) county service area of the STARDC who have individuals with disabilities. The intention of the funding is to provide respite services which provide short-term, temporary relief to the informal, unpaid caregiver of eligible individuals. The STDC seeks to select one (1) potential service provider who is qualified to provide respite services.

For RFQ package contact:

Michelle Barraha
Program Supervisor
South Texas Development Council
South Texas Aging and Disability Resource Center
1002 Dicky Ln.
Laredo, Texas 78044-2187
(956) 722-3995 x 128 Telephone
(855) 937-2372 Toll Free
(956) 722-2670 Fax
mbarrah@stdc.cog.tx.us
TRD-202301611
Nancy Rodriguez
Aging and Disability Director
South Texas Development Council
Filed: May 3, 2023

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Texas Department of Transportation

Notice of Public Hearing - Texas Private Activity Bond Surface Transportation Corporation

Notice is hereby given of a public hearing to be held by the Texas Private Activity Bond Surface Transportation Corporation (the "Corporation") by its designated hearing officer on May 19, 2023 at 1:00 p.m. CDT via teleconference and among the items to be discussed will be the proposal for the issuance by the Corporation of its senior lien revenue bonds (the "Bonds") to finance all or a portion of the construction, engineering, development fees, and other related costs of NTE Mobility Partners LLC (the "Developer") to develop, design and construct the Mandatory Capacity Improvement to bring the Facility to the Ultimate Configuration in accordance with the Comprehensive Development Agreement for a Concession North Tarrant Express Facility effective June 23, 2009 (as amended, supplemented and/or otherwise modified from time to time, the "CDA"), between the Texas Department of Transportation and the Developer. The work will include: (i) capacity improvements consisting of (a) General Purpose Capacity Improvements including design and construction of one additional general purpose lane per direction in Segment 1 (I-820) for 5.17 miles between the I-35W/I-820 interchange and the I-820/SH 183 interchange and (b) Managed Lane Capacity Improvements including design and construction of one additional managed lane per direction in Segment 2 (SH 183) for 5.11 miles between the I-820/SH 183 interchange and east of the split between SH 183 and SH 121 near Industrial Blvd (together the "Mandatory Capacity Improvements"); and (ii) anticipated additional works to include certain design and construc-

tion works necessary to accommodate the existing Ramps Zero and Hurstview Ramps within the Ultimate Configuration resulting from the construction of the Mandatory Capacity Improvements defined above (collectively, the "Mandatory Capacity Improvement Project"). The Bonds will also be used to fund reserves and capitalized interest, if any, to the extent authorized by state and federal law, to pay all or a portion of the costs of issuance of the Bonds and to fund certain major maintenance required pursuant to the terms of the CDA. The Mandatory Capacity Improvement Project will be managed and operated by the Developer pursuant to the CDA. The term of the CDA is until June 22, 2061 and, pursuant to the terms of the CDA, the Developer is authorized to toll the North Tarrant Express including the tolled portion of the Mandatory Capacity Improvement Project. North Tarrant Infrastructure, LLC is expected to be the Design-Build Contractor for the Mandatory Capacity Improvement Project. A map showing the location of the North Tarrant Express Mandatory Capacity Improvement Project is available online at <https://www.txdot.gov/projects/projects-studies/fort-worth/north-tarrant-express.html>

<https://ftp.txdot.gov/pub/txdot/get-involved/ftw/north-tarrant-express/050123-capacity-improvements.pdf>. The maximum aggregate principal amount of the Bonds to be issued, in one or more series, pursuant to a plan of financing, is \$500,000,000. The Bonds and the interest thereon shall be payable solely from funds paid or made available by the Developer and shall never constitute and shall not be considered obligations, general or otherwise, of the State of Texas, the Texas Transportation Commission, or the Texas Department of Transportation, or any other political subdivision of the State of Texas.

All interested parties are invited to express their views with respect to the Mandatory Capacity Improvement Project and the Bonds by attending the public hearing to be held via teleconference, by dialing the following toll-free number: (877) 336-1839 and use Access Code 2181892. Any interested persons unable to attend the hearing may submit their views in writing to the Corporation c/o projectfinance@txdot.gov prior to the date scheduled for the hearing.

This notice is published, and the above-described hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public approval prerequisite to the exemption from federal income taxation of interest on the Bonds. The public hearing will be held via teleconference in accordance with Revenue Procedure 2022-20 issued by the Internal Revenue Service.

TRD-202301622
Becky Blewett
Deputy General Counsel
Texas Department of Transportation
Filed: May 3, 2023

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