

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

Request for Applications (RFA) for the Domestic Violence High Risk Teams Grant Program

The Office of the Attorney General (OAG) is soliciting applications for the Domestic Violence High Risk Teams Grant Program to utilize funds for developing and providing statewide support for activities of Domestic Violence High Risk Teams in reducing or preventing incidents of domestic violence and providing domestic violence services to victims.

Applicable Funding Source for Domestic Violence High Risk Teams Grant Program:

The source of funding is through a biennial appropriation by the Texas Legislature. All funding is contingent upon an appropriation to the OAG by the Texas Legislature. The OAG makes no commitment that an Application, once submitted, or a grant, once funded, will receive subsequent funding.

Eligibility Requirements:

Eligible Applicants: State Domestic Violence Coalition - a statewide nonprofit organization that has been identified as a domestic violence coalition by a state or federal agency authorized to make that designation.

Eligibility: The OAG will initially screen each application for eligibility. Applications will be deemed ineligible if the application is submitted by an ineligible Applicant; the application is not submitted in the manner and form required by the Application Kit; the application is submitted after the deadline established in the Application Kit; or the application does not meet other requirements as stated in the RFA and the Application Kit.

How to Obtain Application Kit: The OAG will post the Application Kit on the OAG's website at <https://www.texasattorneygeneral.gov/divisions/grants>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicants are encouraged to refer to the site regularly.

Deadlines and Filing Instructions for the Grant Application:

Create an On-Line Account: Creating an on-line account in the Grant Offering and Application Lifecycle System (GOALS) is required to apply for a grant. **If an on-line account is not created, the Applicant will be unable to apply for funding.** To create an on-line account, the Applicant must email the point of contact information to Grants@oag.texas.gov with the following information:

- First Name
- Last Name
- Email Address (*It is highly recommended to use a generic organization email address if available*)
- Organization Legal Name

Note: Applicants who created accounts during the Other Victim Assistance Grant (OVAG), Victim Coordinator and Liaison Grant (VCLG),

and Sexual Assault Prevention and Crisis Services (SAPCS)-State grant application cycle are already registered in GOALS.

- Registered Applicants should access their Grant Programs webpage (homepage) in GOALS and select the green View Grant Programs button. If the answers provided on the Eligibility questions matched to the Domestic Violence High Risk Teams Grant Program, the application will be available to the Applicant.

Application Deadline: The Applicant must submit its application, including all required attachments, to the OAG by the deadline and the manner and form established in the Application Kit.

Filing Instructions: Strict compliance with the submission instructions, as provided in the Application Kit, is required. The OAG will **not** consider an Application if it is not submitted by the due date. The OAG will **not** consider an Application if it is not in the manner and form as stated in the Application Kit.

Minimum and Maximum Amounts of Funding Available: Minimum and maximum amounts of funding are subject to change as stated in the Application Kit. The minimum amount of funding for all programs is \$300,000 per fiscal year. The maximum amount for a program is \$300,000 per fiscal year, with the specified amount being awarded to the identified subgrantees, as detailed in the application kit.

Start Date and Length of Grant Contract Period: The grant contract period (term) is up to two years from September 1, 2023 through August 31, 2025, subject to and contingent on funding and/or approval by the OAG.

No Match Requirements: There are no match requirements.

Award Criteria: The OAG will make funding decisions that support the efficient and effective use of public funds. Scoring components will include, but are not limited to, information provided by the Applicant on the proposed project activities and budget. Funding decisions will be determined using a competitive allocation method. All grant decisions including, but not limited to, eligibility, evaluation and review, and funding rest completely within the discretionary authority of the OAG. The decisions made by the OAG are final and are not subject to appeal.

Grant Purpose Area: The purpose of the Domestic Violence High Risk Teams Grant Program is to develop and provide statewide support for activities of Domestic Violence High Risk Teams in reducing or preventing incidents of domestic violence and providing domestic violence services to victims. Approved purpose activities may include:

- Identifying and contracting with sites in local communities that have the capacity to implement best practice models for high risk teams or expand existing Domestic Violence High Risk Teams;
- Evaluating funded site results;
- Identifying best practice models that may be implemented in other communities;
- Providing technical assistance to communities interested in implementing Domestic Violence High Risk Teams;

- Making recommendations to improve the implementation and/or the expansion of Domestic Violence High Risk Teams in Texas.

Prohibitions on Use of Grant Funds: OAG grant funds may not be used to support or pay the costs of lobbying; indirect costs; fees to administer a subcontract; any portion of the salary or any other compensation for an elected government official; the purchase of food and beverages except as allowed under Texas State Travel Guidelines; the purchase or lease of vehicles; the purchase of promotional items or recreational activities; costs of travel that are unrelated to the direct delivery of services that support the OAG grant-funded program; the costs for consultants or vendors who participate directly in writing a grant application; or for any unallowable costs set forth in applicable state or federal law, rules, regulations, guidelines, policies, procedures or cost principles. Grant funds may not be used to purchase any other products or services the OAG identifies as inappropriate or unallowable within this RFA or the Application Kit.

OAG Contact Person: If additional information is needed, contact the Grants Administration Division at Grants@oag.texas.gov, or (512) 936-0792.

TRD-202301780
Austin Kinghorn
General Counsel
Office of the Attorney General
Filed: May 15, 2023



Request for Applications (RFA) for the Sexual Assault Prevention and Crisis Services (SAPCS) Preventive Health and Health Services (PHHS) Block Grant Programs

The Office of the Attorney General (OAG) is soliciting applications from sexual assault programs and state sexual assault coalitions that provide services to victims of sexual assault and conduct sexual violence prevention activities.

Applicable Funding Source: Both State and Federal funds may be utilized. The source of federal funds includes the Federal Department of Health and Human Services, Preventive Health and Health Services Block Grant, Catalog of Federal Domestic Assistance (CFDA) Number 93.991. All funding is contingent upon the appropriation of funds by the United States Congress and the Texas Legislature. The OAG makes no commitment that an application, once submitted, or a grant, once funded, will receive subsequent funding.

Eligibility Requirements: To be eligible for these grant opportunities, the Applicant must be a sexual assault program who is a current FY 2023 SAPCS-State grantee and is eligible to receive an FY 2024 SAPCS-State grant, or the state sexual assault coalition. For sexual assault programs, a current SAPCS-State grantee is one that has an active SAPCS-State grant contract for FY 2023 (September 1, 2022 through August 31, 2023).

Eligible Applicants: Sexual assault programs and the state sexual assault coalition are eligible to apply for a SAPCS-PHHS Block grant. Funding eligibility may be further limited as stated in the Application Kit.

Sexual Assault Programs - any local public or private nonprofit corporation, independent of a law enforcement agency or prosecutor's office, that is operated as an independent program or as part of a municipal, county, or state agency and that provides the following minimum services to adult survivors of stranger and non-stranger sexual assault: 24-hour crisis hotline, crisis intervention, public education, advocacy,

and accompaniment to hospitals, law enforcement offices, prosecutor offices, and courts and meets the Minimum Services Standards.

State Sexual Assault Coalitions - a statewide nonprofit organization that has been identified as a state sexual assault coalition by a state or federal agency authorized to make that designation.

Eligibility: The OAG will initially screen each application for eligibility. Applications will be deemed ineligible if the application is submitted by an ineligible applicant; the application is not filed in the manner and form required by the Application Kit; the application is filed after the deadline established in the Application Kit; or the application does not meet other requirements as stated in the RFA and the Application Kit.

How to Obtain Application Kit: The OAG will post the Application Kit on the OAG's website at <https://www.texasattorneygeneral.gov/divisions/grants>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicants are encouraged to refer to the site regularly.

Deadlines and Filing Instructions for the Grant Application:

Create an On-Line Account (for Applicants who did not create an account during the OVAG, VCLG, and SAPCS-State grant application cycle): Creating an on-line account in the Grant Offering and Application Lifecycle System (GOALS) is required to apply for a grant. If an on-line account is not created, the Applicant will be unable to apply for funding. To create an on-line account, the Applicant must email the point of contact information to Grants@oag.texas.gov with the following information:

First Name

Last Name

Email Address

Organization Legal Name

Note: Applicants who created accounts during the Other Victim Assistance Grant (OVAG), Victim Coordinator and Liaison Grant (VCLG), and Sexual Assault Prevention and Crisis Services (SAPCS)-State grant application cycle are already registered in GOALS.

Registered Applicants should access their Grant Programs webpage in GOALS (top right portion of the webpage). If the answers provided on the Eligibility Profile matched to the SAPCS-PHHS Block grant, the application will be available to the Applicant.

Application Deadline: The Applicant must submit its application, including all required attachments, to the OAG by the deadline established in the Application Kit.

Filing Instructions: Strict compliance with the submission instructions, as provided in the Application Kit, is required. The OAG will **not** consider an Application if it is not submitted by the due date. The OAG will **not** consider an Application if it is not in the manner and form as stated in the Application Kit.

Minimum and Maximum Amounts of Funding Available:

SAPCS-PHHS Block grant: the minimum amount of funding a sexual assault program may apply for is \$50,000 and the maximum amount of funding a sexual assault program may apply for is \$60,000 per fiscal year. The minimum amount of funding a state sexual assault coalition may apply for is \$50,000 and maximum amount of funding a state sexual assault coalition may apply for is \$85,000 per fiscal year.

The amount of an award is determined solely by the OAG. The OAG may award grants at amounts above or below the established funding levels and is not obligated to fund a grant at the amount requested.

Start Date and Length of Grant Contract Period: The grant period for SAPCS-PHHS Block is for up to two years from October 1, 2023 through September 30, 2025, subject to and contingent on funding and/or approval by the OAG. Contracts will be awarded for up to a one-year period (term). Contract terms may be further limited as stated in the Application Kit

No Match Requirements: There are no match requirements for SAPCS-PHHS Block projects.

Award Criteria: The OAG will make funding decisions that support the efficient and effective use of public funds. Review components will include, but are not limited to, information provided by the applicant on the proposed project activities and budget.

Grant Purpose Area: All grant projects must address one or more of the purpose areas as stated in the Application Kit.

Prohibitions on Use of Grant Funds: OAG grant funds may not be used to support or pay the costs of lobbying; any portion of the salary or any other compensation for an elected government official; the purchase of food and beverages except as allowed under Texas State Travel Guidelines; the purchase or lease of vehicles; the purchase of promotional items or recreational activities; costs of travel that are unrelated to the direct delivery of services that support the OAG grant-funded program; the costs for consultants or vendors who participate directly in writing a grant application; or for any unallowable costs set forth in applicable state or federal law, rules, regulations, guidelines, policies, procedures or cost principles. Grant funds may not be used to purchase any other products or services the OAG identifies as inappropriate or unallowable within this RFA or the Application Kit.

OAG Contact Person: If additional information is needed, contact grants@oag.texas.gov or (512) 936-0792.

TRD-202301735
Austin Kinghorn
General Counsel
Office of the Attorney General
Filed: May 12, 2023



Request for Applications (RFA) for the Sexual Assault Services Program Grant

The Office of the Attorney General (OAG) is soliciting applications for the Sexual Assault Services Program Grant to utilize funds for preventing sexual assault or improving services for survivors and other individuals affected by sexual violence.

Applicable Funding Source for the Sexual Assault Services Program Grant:

The source of funding is through a biennial appropriation by the Texas Legislature. All funding is contingent upon an appropriation to the OAG by the Texas Legislature. The OAG makes no commitment that an Application, once submitted, or a grant, once funded, will receive subsequent funding.

Eligibility Requirements:

Eligible Applicants: State Sexual Assault Coalition - a statewide non-profit organization that has been identified as a state sexual assault coalition by a state or federal agency authorized to make that designation.

Eligibility: The OAG will initially screen each application for eligibility. Applications will be deemed ineligible if the application is submitted by an ineligible applicant; the application is not filed in the manner

and form required by the Application Kit; the application is filed after the deadline established in the Application Kit; or the application does not meet other requirements as stated in the RFA and the Application Kit.

How to Obtain Application Kit: The OAG will post the Application Kit on the OAG's website at <https://www.texasattorneygeneral.gov/divisions/grants>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicants are encouraged to refer to the site regularly.

Deadlines and Filing Instructions for the Grant Application:

Create an On-Line Account: Creating an on-line account in the Grant Offering and Application Lifecycle System (GOALS) is required to apply for a grant. **If an on-line account is not created, the Applicant will be unable to apply for funding.** To create an on-line account, the Applicant must email the point of contact information to Grants@oag.texas.gov with the following information:

- First Name
- Last Name
- Email Address (*It is highly recommended to use a generic organization email address if available*)
- Organization Legal Name

Note: Applicants who created accounts during the Other Victim Assistance Grant (OVAG), Victim Coordinator and Liaison Grant (VCLG), and Sexual Assault Prevention and Crisis Services (SAPCS)-State grant application cycle are already registered in GOALS.

- Registered Applicants should access their Grant Programs webpage (homepage) in GOALS and select the green View Grant Programs button. If the answers provided on the Eligibility questions matched to the Sexual Assault Services Program Grant, the application will be available to the Applicant.

Application Deadline: The Applicant must submit its application, including all required attachments, to the OAG by the deadline and the manner and form established in the Application Kit.

Filing Instructions: Strict compliance with the submission instructions, as provided in the Application Kit, is required. The OAG will **not** consider an Application if it is not submitted by the due date. The OAG will **not** consider an Application if it is not in the manner and form as stated in the Application Kit.

Minimum and Maximum Amounts of Funding Available: Minimum and maximum amounts of funding are subject to change as stated in the Application Kit. The minimum amount of funding for a coalition is \$65,000 per fiscal year. The maximum amount of funding for a coalition is \$1,524,468 per fiscal year.

Grant Period- Up to Two Years: The grant contract period (term) is up to two years from September 1, 2023 through August 31, 2025, subject to and contingent on funding and/or approval by the OAG.

No Match Requirements: There are no match requirements.

Award Criteria: The OAG will make funding decisions that support the efficient and effective use of public funds. Scoring components will include, but are not limited to, information provided by the Applicant on the proposed project activities and budget. Funding decisions will be determined using a competitive allocation method. All grant decisions including, but not limited to, eligibility, evaluation and review, and funding rest completely within the discretionary authority of the OAG. The decisions made by the OAG are final and are not subject to appeal.

Grant Purpose Areas: Grant contracts awarded under this Application Kit may be used to carry out the purpose of Texas Government Code, Chapter 420, including standardizing the quality of services provided, preventing sexual assault, providing training and technical assistance to sexual assault programs, and improving services to survivors and other individuals affected by sexual violence.

Prohibitions on Use of Grant Funds: OAG grant funds may not be used to support or pay the costs of lobbying; indirect costs; fees to administer a subcontract; any portion of the salary or any other compensation for an elected government official; the purchase of food and beverages except as allowed under Texas State Travel Guidelines; the purchase or lease of vehicles; the purchase of promotional items or recreational activities; costs of travel that are unrelated to the direct delivery of services that support the OAG grant-funded program; the costs for consultants or vendors who participate directly in writing a grant application; or for any unallowable costs set forth in applicable state or federal law, rules, regulations, guidelines, policies, procedures or cost principles. Grant funds may not be used to purchase any other products or services the OAG identifies as inappropriate or unallowable within this RFA or the Application Kit.

OAG Contact Person: If additional information is needed, contact the Grants Administration Division at Grants@oag.texas.gov, or (512) 936-0792.

TRD-202301781
Austin Kinghorn
General Counsel
Office of the Attorney General
Filed: May 15, 2023

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Coastal Bend Workforce Development Board

Reissue of Invitation for Bids for Airframe Equipment WFSCB IFB No. 23-08

Notice of Public Meeting

The Coastal Bend Workforce Development Board, dba Workforce Solutions Coastal Bend in collaboration with the Kingsville Chamber of Commerce and Coastal Bend College, is seeking bids on the purchase of airframe equipment for a Texas Industry Partnership Program to create an Airframe & Power Plant certification program. The goal of this project is to train students for accreditation as aviation maintenance technicians in preparation for employment opportunities with contractors at the Naval Air Station Kingsville. Accredited aviation maintenance technicians will support the mission to train carrier-based strike fighter pilots.

IFB documents can be accessed on the Workforce Solutions Coastal Bend website at: <https://www.workforcesolutionscb.org/about-us/procurement-opportunities/>

The sealed bid opening for the Reissue of Invitation for Bids for Airframe Equipment (IFB No. 23-08) will occur virtually at 3:00 p.m. on Monday, May 30, 2023, and interested parties are invited to participate from a computer, tablet, or smart phone via Zoom:

<https://us02web.zoom.us/j/89948834561?pwd=NmhLNvhld3pWW-EZJa0Mrc2Z0Y3QvUT09>

US Toll-Free: (888) 475-4499

Meeting ID: 899 4883 4561

Passcode: 673172

Workforce Solutions Coastal Bend is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay Texas: 1 (800) 735-2989 (TDD) and 1 (800) 735-2988 or 711 (Voice). Historically Underutilized Businesses (HUBs) are encouraged to apply.

Este documento contiene información importante sobre los requisitos, los derechos, las determinaciones y las responsabilidades del acceso a los servicios del sistema de la fuerza laboral. Hay disponibles servicios de idioma, incluida la interpretación y la traducción de documentos, sin ningún costo y a solicitud.

TRD-202301805
Esther Velazquez
Contract and Procurement Specialist
Coastal Bend Workforce Development Board
Filed: May 16, 2023

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WFSCB IFB No. 23-08

The Coastal Bend Workforce Development Board, dba Workforce Solutions Coastal Bend in collaboration with the Kingsville Chamber of Commerce and Coastal Bend College, is seeking bids on the purchase of airframe equipment for a Texas Industry Partnership Program to create an Airframe & Power Plant certification program. The goal of this project is to train students for accreditation as aviation maintenance technicians in preparation for employment opportunities with contractors at the Naval Air Station Kingsville. Accredited aviation maintenance technicians will support the mission to train carrier-based strike fighter pilots.

IFB documents can be accessed on the Workforce Solutions Coastal Bend website at:

<https://www.workforcesolutionscb.org/about-us/procurement-opportunities/>

The sealed bid opening for the Reissue of Invitation for Bids for Airframe Equipment (IFB No. 23-08) will occur virtually at 3:00 p.m. on Monday, May 30, 2023, and interested parties are invited to participate from a computer, tablet, or smart phone via Zoom:

<https://us02web.zoom.us/j/89948834561?pwd=NmhLNvhld3pWW-EZJa0Mrc2Z0Y3QvUT09>

US Toll-Free: (888) 475-4499

Meeting ID: 899 4883 4561

Passcode: 673172

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Este documento contiene información importante sobre los requisitos, los derechos, las determinaciones y las responsabilidades del acceso a los servicios del sistema de la fuerza laboral. Hay disponibles servicios de idioma, incluida la interpretación y la traducción de documentos, sin ningún costo y a solicitud.

TRD-202301803
Esther Velazquez
Contract & Procurement Specialist
Coastal Bend Workforce Development Board
Filed: May 16, 2023

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Office of Consumer Credit Commissioner

Correction of Error

The judgment ceiling published in the April 28, 2023, issue of the *Texas Register* (48 TexReg 2193) was incorrect. Below is the correct rate information:

The judgment ceiling as prescribed by §304.003 for the period of 05/01/23 - 05/31/23 is 8.00% for Consumer/Agricultural/Commercial credit through \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 05/01/23 - 05/31/23 is 8.00% for Commercial over \$250,000.

TRD-202301804

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: May 16, 2023

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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, 303.009 and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/22/23 - 05/28/23 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 05/22/23 - 05/28/23 is 18% for Commercial over \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 06/01/23 - 06/30/23 is 8.25% for Consumer/Agricultural/Commercial credit through \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 06/01/23 - 06/30/23 is 8.25% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-202301810

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: May 16, 2023

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Credit Union Department

Application for a Merger or Consolidation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration.

An application was received from Kilgore Shell Employees Federal Credit Union (Kilgore) seeking approval to merge with Telco Plus Credit Union (Longview), with the latter being the surviving credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed

during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

Application Withdrawn

Notice is given that the following application was received from Priority Postal Credit Union (Pasadena) seeking approval to merge with USI Federal Credit Union (La Porte), with the latter being the surviving credit union has been withdrawn.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202301813

Michael S. Riepen

Commissioner

Credit Union Department

Filed: May 17, 2023

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Application to Expand Field of Membership

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration.

An application was received from ALLIANCE Credit Union, Lubbock, Texas, to expand its field of membership. The proposal would permit persons who live, worship, work, or attend school, and businesses and other legal entities located in Swisher, Castro, Randall, Potter, Kent, Fisher, Scurry, Mitchell, Coke, Tom Green, Dawson, Borden, Howard, Nolan, Gaines, Andrews, Runnels, Concho, Martin, Yoakum, Cochran, Bailey, and Parmer Counties, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202301812

Michael S. Riepen

Commissioner

Credit Union Department

Filed: May 17, 2023

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Texas Board of Professional Engineers and Land Surveyors

Guidelines for Applicants, Licensees, and Registrants with Criminal Convictions

Approved May 11, 2023

These guidelines are issued by the Texas Board of Professional Engineers and Land Surveyors (TBPELS) pursuant to the Texas Occupations Code, § 53.025(a).

These guidelines describe the process by which TBPELS determines whether a criminal conviction renders an applicant, licensee, or registrant an unsuitable candidate for the license or registration, or whether a conviction warrants revocation or suspension of a license or registration previously granted. These guidelines present the general factors that are considered in all cases, and also the reasons why particular crimes are considered to relate to each type of license and registration issued by TBPELS.

Agency's process

Applications for licensure as a Professional Engineer (PE) and registration as a Registered Professional Land Surveyor (RPLS) require the applicant to provide information about criminal convictions. TBPELS's Licensing and Registration Department performs a criminal background check on each Professional Engineer (PE) and Registered Professional Land Surveyor (RPLS) application filed. This background check is done through the Criminal History Record Check (CHRC) process utilizing fingerprint background checks. (LINK) The CHRC provides criminal background information from both the Texas Department of Public Safety (DPS) system as well as the Federal Bureau of Investigation (FBI).

If the application materials or the CHRC check reveals a conviction that warrants additional review, licensing staff will review the conviction against the criminal history policy and follow the processes outlined in Board Rules §133.85 and §134.85 (relating to - Additional Review of and Action on Applications) for PE applicants and RPLS applicants, respectively.

If a conviction meets the requirements of the guidelines, pursuant to §133.85 and §134.85 applicants will be referred to the Licensing Committee. The Licensing Committee may obtain additional information and make recommendations for final action. The Licensing Committee may consider applications subject to Occupations Code Ch. 53 and cases in which any of the following conditions apply:

1. Any criminal convictions discovered by staff through the CHRC that were not reported in the application materials submitted by the applicant.
2. The direct relationship of the offense to the duties and responsibilities of a Professional Engineer or Registered Professional Land Surveyor in Texas.
3. Multiple misdemeanor or felony judgments that occurred within 10 years of the date of application that indicate a pattern of unethical behavior.
4. Any felony judgement related to the duties and responsibilities of a Professional Engineer or Registered Professional Land Surveyor for which the date of completion and resolution of the terms is within 10 years of the date of application.

If a person received a judgment or a deferred adjudication and has not completed the period of supervision or the person completed the period of supervision less than five years before the date the person applied for the license, then the board will follow Occupations Code 53.021(d). An application may be placed in a hold status and processing may resume after the court requirements have been completed and the application updated.

No currently incarcerated individual is eligible to obtain or renew a license or registration. A person's license or registration will be automatically revoked by operation of law upon the person's imprisonment

following a felony conviction, felony probation revocation, revocation of parole, or revocation of mandatory suspension.

For individuals who are already licensed or registered when TBPELS discovers a criminal conviction, the process is essentially the same as that described above. A conviction discovered by licensing staff, Compliance & Enforcement staff, or any other TBPELS employee is referred to the Compliance & Enforcement Division. If the Compliance & Enforcement Department finds, after investigation, that the conviction warrants taking action on the license or registration, a proposed Notice of Violation letter and Consent Order is issued to the license or registration holder. Depending on the response to the Notice of Violation and Consent Order, the processes outlined in Chapter 139, Subchapter C, relating to Enforcement Proceedings are followed. The Board ultimately decides whether any action should be taken against the license or registration.

Subject to the requirements of Texas Occupations Code Chapter 53, Subchapter D, a person who has reason to believe that the person may be ineligible for a license, due to conviction or deferred adjudication for a felony or misdemeanor offense, may request the Board to issue a criminal history evaluation letter regarding the prospective applicant's potential eligibility for a license. The person may request such a letter, in a format prescribed by the Board, before applying for a license, enrolling in an educational program that prepares a person for initial license or applying to take a licensing exam. The request must state the basis for the person's potential ineligibility. Upon receiving such a request, the Board may request additional supporting materials.

Requests will be processed under the same standards as applications for a license.

Responsibilities of the applicant

The applicant has the responsibility, to the extent possible, to obtain and provide to the agency a summary of the events related to the conviction, legal documents related to the conviction, any documents related to the disposition and resolution of the conviction, and other supporting documents that may be required by the board.

General factors

The Board may suspend or revoke a license, disqualify a person from receiving a license or registration, or deny to a person the opportunity to take a licensing or registration examination on the grounds that a person has been convicted of an offense, as addressed in Chapter 53 of the Texas Occupations Code.

In deciding whether a criminal conviction should be grounds to deny, revoke, or take other enforcement action on a license or registration, the following factors are considered in all cases to determine whether the conviction directly relates to the duties and responsibilities of engineering or land surveying:

- the nature and seriousness of the crime;
- the relationship of the crime to the purposes for requiring a license to engage in the occupation;
- the extent to which a license might offer an opportunity to engage in further criminal activity of the same type as that in which the applicant previously had been involved;
- the relationship of the crime to the ability, capacity, or fitness required to perform the duties and discharge the responsibilities of the licensed occupation;
- any correlation between the elements of the crime and the duties and responsibilities of the licensed occupation.

In determining the fitness of an applicant or license holder who has been convicted of a crime, the board will also consider the following in deciding whether to take board action:

- the extent and nature of the person's past criminal activity;
- the age of the person when the crime was committed;
- the amount of time that has elapsed since the person's last criminal activity;
- the conduct and work activity of the person before and after the criminal activity;
- evidence of rehabilitation or rehabilitative effort while incarcerated or following release;
- evidence of the person's compliance with any conditions of community supervision, parole, or mandatory supervision; and
- other evidence of the person's fitness, including letters of recommendation.

Relation of crimes to specific licenses and registrations issued by TBPELS

These guidelines reflect the most common or well-known categories of crimes, and their relation to specific license types. These guidelines are not intended to be an exclusive listing, i.e. they do not prohibit TBPELS from considering crimes not listed herein. After due consideration of the circumstances of the criminal act and the general factors listed above, TBPELS may find that a conviction not described herein renders a person unfit to hold a license.

In addition to the specific crimes listed below, multiple violations of any criminal statute should always be reviewed, for any license or registration. Multiple violations may reflect a pattern of behavior that renders the applicant unfit or not suited for the license. The board may give extra weight to multiple misdemeanor or felony convictions if any one of them occurred within 10 years of the date of application as they indicate a pattern of unethical behavior, lack of character, or suitability for licensure or registration.

ENGINEERS

Pursuant to Texas Occupations Code §53.025(a), the Board considers that the following crimes, which involve a lack of honesty, integrity, fidelity, or the exercise of good judgement, and other crimes not listed here, that involve the above-listed characteristics, directly relate to the practice of engineering due to the adverse impact each of these crimes has on the special trust and ethical duties a Professional Engineer owes to the client and the public.

Any crime that involves a disregard for the health, safety, or welfare of the general public or individuals.

Reason: Licensees are directly involved with buildings, infrastructure, and other systems in the built environment and entrusted with safe and competent engineering practice. Unsafe engineering can have a significant impact on health, safety, and welfare of the public.

Violent crime against a person, including such as homicide, kidnapping, assault, crimes involving prohibited sexual conduct, or crimes involving children or elderly persons as victims.

Reason: Licensees have direct contact with persons at residences and businesses in situations that have potential for confrontational behavior. A person with a predisposition for a violent response would pose a risk to the public.

Any crime of which theft, fraud, or deceit is an essential element or crimes involving financial or other loss for a client(s) or the public, including crimes against property such as theft or burglary.

Reason: Licensees have the means and the opportunity to practice deceit, fraud, and misrepresentation related to the need for designs, reports, estimates, and services. Licensees have access to private residences and businesses, where they may come into direct contact with unattended property. A person with the predisposition and experience in committing crimes against property would have the opportunity to engage in further similar conduct.

Any crime related to property violations or trespassing.

Reason: A PE often has access to private or public property and a surveyor needs to follow all applicable laws, rules, and regulations related to access and activities on the property of others.

Any crime that demonstrates a lack of professional judgment expected of a Professional Engineer, including a crime involving drugs or alcohol.

Reason: Licensees need to have the trust of the public and honesty, integrity, fidelity, or the exercise of good judgement are critical to the ethical practice of professional engineering. Professional judgement and ability to follow laws, rules, codes, and ordinances is an expectation of the public.

SURVEYORS

Pursuant to Texas Occupations Code §53.025(a), the Board considers that the following crimes, which involve a lack of honesty, integrity, fidelity, or the exercise of good judgement, and other crimes not listed here, that involve the above-listed characteristics, directly relate to the practice of land surveying due to the adverse impact each of these crimes has on the special trust and ethical duties a Registered Professional Land Surveyor owes to the client and the public.

Any crime that involves a disregard for the health, safety, or welfare of the general public or individuals.

Reason: Registrants are directly involved with property, infrastructure, and other systems in the built environment and entrusted with safe and competent land surveying practice. Incorrect or unsafe surveying can have a significant impact on health, safety, welfare, and property of the public.

Violent crime against a person, including such as homicide, kidnapping, assault, crimes involving prohibited sexual conduct, or crimes involving children or elderly persons as victims.

Reason: Registrants have direct contact with persons at residences and businesses in situations that have potential for confrontational behavior. A person with a predisposition for a violent response would pose a risk to the public.

Any crime of which theft, fraud, or deceit is an essential element or crimes involving financial or other loss for a client(s) or the public, including crimes against property such as theft or burglary.

Reason: Registrants have the means and the opportunity to practice deceit, fraud, and misrepresentation related to the need for surveys, plats, reports, and services. Registrants have access to private property, residences, and businesses, where they may come into direct contact with unattended property. A person with the predisposition and experience in committing crimes against property would have the opportunity to engage in further similar conduct.

Any crime related to property violations or trespassing.

Reason: An RPLS often has access to private or public property and a surveyor needs to follow all applicable laws, rules, and regulations related to access and activities on the property of others.

Any crime that demonstrates a lack of professional judgment expected of a Registered Professional Land Surveyor, including a crime involving drugs or alcohol.

Reason: Registrants need to have the trust of the public and honesty, integrity, fidelity, or the exercise of good judgement are critical to the ethical practice of professional land surveying. Professional judgement and ability to follow laws, rules, codes, and ordinances is an expectation of the public.

TRD-202301775

Lance Kinney

Executive Director

Texas Board of Professional Engineers and Land Surveyors

Filed: May 12, 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 27, 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 27, 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: Ashley and Fagan Investments Company Incorporated dba Rio Brazos Water System; DOCKET NUMBER: 2023-0205-UTL-E; IDENTIFIER: RN103105805; LOCATION: Snyder, Kent 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: \$835; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(2) COMPANY: CHATT Water Supply Corporation; DOCKET NUMBER: 2022-0347-PWS-E; IDENTIFIER: RN101440931; LOCATION: Abbott, Hill County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(e)(3)(G) and TCEQ Agreed Order Docket Number 2019-1501-PWS-E, Ordering Provision Number 2.a, by failing to obtain an exception, in accordance with 30 TAC §290.39(1), prior to using blended water containing free chlorine and water containing chloramines; PENALTY: \$13,420; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(3) COMPANY: City of Mertens; DOCKET NUMBER: 2022-1262-UTL-E; IDENTIFIER: RN101401651; LOCATION: Mertens, Hill 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: \$520; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(4) COMPANY: Cotton Logistics, Incorporated; DOCKET NUMBER: 2022-0123-MWD-E; IDENTIFIER: RN110007242; LOCATION: Midland, Midland County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and (17) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0015764001, Sludge Provisions, Section IV.C, by failing to submit a complete annual sludge report to the TCEQ by September 30th of each year; and 30 TAC §305.125(1) and (17) and §319.7(d) and TPDES Permit Number WQ0015764001, Monitoring and Reporting Requirements, Number 1, by failing to submit monitoring results at the intervals specified in the permit; PENALTY: \$3,080; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(5) COMPANY: DOGWOOD SPRINGS WATER SUPPLY CORPORATION; DOCKET NUMBER: 2023-0209-UTL-E; IDENTIFIER: RN102681160; LOCATION: Frankston, Anderson 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: \$500; ENFORCEMENT COORDINATOR: Iliia Perez-Ramirez, (713) 767-3743; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(6) COMPANY: INV Propylene, LLC f/k/a Flint Hills Resources Houston Chemical, LLC; DOCKET NUMBER: 2021-1612-AIR-E; IDENTIFIER: RN102576063; LOCATION: Houston, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 18999, PSDTX755M1, and N216, Special Conditions Number 1, Federal Operating Permit Number O1251, General Terms and Conditions and Special Terms and Conditions Number 12, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$8,700; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: J J FOX CONSTRUCTION INCORPORATED; DOCKET NUMBER: 2022-0924-WQ-E; IDENTIFIER: RN111498614; LOCATION: Rockport, Aransas 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: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(8) COMPANY: Karishma Properties, Incorporated; DOCKET NUMBER: 2020-1024-PST-E; IDENTIFIER: RN102390127; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$5,437; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(9) COMPANY: RETERRA CORPORATION; DOCKET NUMBER: 2022-0790-WQ-E; IDENTIFIER: RN100673136; LOCATION: Houston, Harris 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: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(10) COMPANY: Texas Bonarrico Homes LLC; DOCKET NUMBER: 2022-0402-WQ-E; IDENTIFIER: RN111422358; LOCATION: Mount Pleasant, Titus 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: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202301797
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: May 16, 2023



Enforcement Order

An agreed order was adopted regarding Noe Abdiel Requena-Bernal dba NR TRUCKING, Docket No. 2022-0377-WQ-E on May 16, 2023, assessing \$5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan L. Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202301825
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 17, 2023



Notice of an Application for a Temporary Water Use Permit

Notice Issued May 11, 2023

APPLICATION NO. 13882

Rose City Resources, LLC, Applicant, 100 Independence Pl. Ste. 405, Tyler, Texas 75703, seeks a temporary water use permit to divert and use not to exceed 120 acre-feet of water within a period of 180 days from a point on Jim (James) Bayou, Cypress Creek Basin for mining purposes in Cass County. More information on the application and how to participate in the permitting process is given below.

The application and fees were received on September 21, 2022. Additional information was received on October 25 and October 28, 2022. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on November 1, 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, streamflow restrictions and installation of a measuring device. 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 Chief Clerk, at the address provided in the information section below, by May 30, 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 30, 2023. The Executive Director may approve the application unless a written request for a contested case hearing is filed by May 30, 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 13882 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-202301820
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 17, 2023

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Notice of Correction to Agreed Order Number 9

In the February 3, 2023, issue of the *Texas Register* (48 TexReg 534), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 9, for TEXAS WATER SYSTEMS, INCORPORATED; Docket Number 2022-1343-UTL-E. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$1,270."

For questions concerning the error, please contact Michael Parrish at (512) 239-2548.

TRD-202301798

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: May 16, 2023

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Notice of Correction to Agreed Order Number 10

In the March 31, 2023, issue of the *Texas Register* (48 TexReg 1746), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 10, for Targa Midstream Services LLC; Docket Number 2021-0412-AIR-E. The error is as submitted by the commission.

The reference to the second set of rules violated should be corrected to add: "30 TAC §122.143(4)."

For questions concerning these errors, please contact Michael Parrish at (512) 239-2548.

TRD-202301799

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: May 16, 2023

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Notice of District Petition

Notice issued May 11, 2023

TCEQ Internal Control No. D-03242023-037; Chisholm Hill, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Chisholm Municipal Utility District No. 1 (District) with the Texas Commission on Environmental Quality (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, Independent Bank, a Texas state bank, on the property to be included in the proposed District and information provided indicates that the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 618.462 acres located within Caldwell County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve, and extend a waterworks and sanitary sewer system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend

local storm waters or other harmful excesses of water; and (4) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, including roads, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. 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 \$177,740,000 (\$160,400,000 for water, wastewater, and drainage and \$17,340,000 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-202301821

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2023

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Notice of District Petition

Notice issued May 17, 2023

TCEQ Internal Control No. D-05012023-025; Stephen Selinger, an individual (Petitioner), filed a petition for creation of Ellis County Municipal Utility District FM 984 (the "District") with the Texas Commission on Environmental Quality (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) the proposed District will contain approximately 530.573 acres located within Ellis County, Texas; and (3) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Ennis, Texas (City), and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. Additionally, the Petitioner has attested that there are no lienholders on the property to be included in the proposed District. In accordance with Local Government Code §42.042 and TWC §54.016, the then owner of a majority in value of the land to be included in the proposed District submitted a petition to the City of Ennis, requesting the City's consent to the creation of the District, followed by a petition for the City to provide water and sewer services to the District. According to the petition, neither such petitioner nor the Petitioner has received any response from the City related to the Petition for Consent or the Petition for Service. The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$57,775,000.

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-202301824

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 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 27, 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 27, 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: COMAL IRON & METAL, INC.; DOCKET NUMBER: 2021-0295-EAQ-E; TCEQ ID NUMBER: RN103219572; LOCATION: 1431 Farm-to-Market Road 306, New Braunfels, Comal County; TYPE OF FACILITY: scrap metal recycling facility; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing the construction of a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$27,000; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(2) COMPANY: YOE GROUP, LTD.; DOCKET NUMBER: 2020-1133-PST-E; TCEQ ID NUMBER: RN102850211; LOCATION: 5307 Farm-to-Market Road 1252 West, Kilgore, Gregg County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensat-

ing third parties for bodily injury and property damage caused by accidental releases; TWC, §26.3475(c)(1) and 30 TAC §334.50 and §334.54(c)(1), by failing to monitor a temporarily out-of-service UST system for releases; TWC, §26.3475(d) and 30 TAC §334.49(c)(2)(C), by failing to inspect the impressed current corrosion protection system at least once every 60 days to ensure the rectifier and other system components are operating properly; 30 TAC §334.606, by failing to maintain required operator certification records and make them available for inspection upon request by agency personnel; and 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; PENALTY: \$5,351; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202301800
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: May 16, 2023



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of KIA ENTERPRISES, INC. dba Iffi Stop Food Market SOAH Docket No. 582-23-18189 TCEQ Docket No. 2021-1541-PWS-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing at:

10:00 a.m. - June 8, 2023
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed June 27, 2022, concerning assessing administrative penalties against and requiring certain actions of KIA ENTERPRISES, INC. dba Iffi Stop Food Market, for violations in Montgomery County, Texas, of: 30 Texas Administrative Code §290.41(c)(3)(A) and §290.46(n)(1), and TCEQ Agreed Order Docket No. 2015-1431-PWS-E, Ordering Provisions Nos. 2.a.i., 2.a.ii., and 2.c.

The hearing will allow KIA ENTERPRISES, INC. dba Iffi Stop Food Market, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford KIA ENTERPRISES, INC. dba Iffi Stop Food Market, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of KIA ENTERPRISES, INC. dba Iffi Stop Food Market to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Re-**

port and Petition, attached hereto and incorporated herein for all purposes. KIA ENTERPRISES, INC. dba Iffi Stop Food Market, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Texas Health & Safety Code ch. 341 and 30 Texas Administrative Code chs. 70 and 290; Tex. Water Code § 7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting Megan L. Grace, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Garrett T. Arthur, Public Interest Counsel, Mail Code 103, at the same P.O. Box address given above, or by telephone at (512) 239-6363.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: May 10, 2023
TRD-202301818
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 17, 2023



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart SOAH Docket No. 582-23-18224 TCEQ Docket No. 2020-1267-PST-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing at:

10:00 a.m. - June 8, 2023
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed July 28, 2022 concerning assessing administrative penalties against and requiring certain actions of NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart, for violations in Bexar County, Texas, of: Tex. Water Code § 26.3467(a) and 30 Texas Administrative Code §§ 334.8(c)(4)(A)(vii), (c)(5)(A)(i), (c)(5)(B)(ii), and 334.10(b)(2).

The hearing will allow NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** NORTHWEST PETROLEUM LP dba San Antonio Airport Q Mart, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code § 7.054 and Tex. Water Code chs. 7 and 26 and 30 Texas Administrative Code chs. 70 and 334; Tex. Water Code § 7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting David Keagle, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Sheldon Wayne, Staff Attorney, Office of Public Interest Counsel, Mail Code 103, at the same P. O. Box address given above, or by telephone at (512) 239-6363.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: May 10, 2023

TRD-202301817

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2023

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Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of NORTHWEST PETROLEUM LP dba Veterans Qmart SOAH Docket No. 582-23-18225 TCEQ Docket No. 2021-0584-PST-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing at:

10:00 a.m. - June 8, 2023

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed July 29, 2022, concerning assessing administrative penalties against and requiring certain actions of NORTHWEST PETROLEUM LP dba Veterans Qmart, for violations in Harris County, Texas, of: Tex. Water Code § 26.3475 (a), (c)(1), and (d), and 30 Texas Administrative Code §334.49(a)(1) and §334.50(b)(1)(B) and (b)(2).

The hearing will allow NORTHWEST PETROLEUM LP dba Veterans Qmart, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford NORTHWEST PETROLEUM LP dba Veterans Qmart, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of NORTHWEST PETROLEUM LP dba Veterans Qmart to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** NORTHWEST PETROLEUM LP dba Veterans Qmart, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code § 7.054 and chs. 7 and 26, and 30 Texas Administrative Code chs. 70 and 334; Tex. Water Code § 7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting David Keagle, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087,

Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Sheldon Wayne, Staff Attorney, Office of Public Interest Counsel, Mail Code 103, at the same P. O. Box address given above, or by telephone at (512) 239-6363.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: May 10, 2023

TRD-202301816

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2023



Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016222001

APPLICATION. Clairemont Acquisitions, LLC and JLMCG Properties, LLC, 500 West 7th Street, Suite 1220, Fort Worth, Texas 76102, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016222001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 515,000 gallons per day. TCEQ received this application on September 14, 2022.

The facility will be located approximately 711 feet southeast of the intersection of North Highway 156 and TN Skiles Road, in Denton County, Texas 76259. The treated effluent will be discharged to an unnamed tributary, thence to Wolf Branch, thence to South Hickory Creek, thence to Hickory Creek, thence to Lewisville Lake in Segment No. 0823 of the Trinity River Basin. The unclassified receiving water uses are minimal aquatic life use for the unnamed tributary, limited aquatic life use for Wolf Branch (intermittent with pools portion), and high aquatic life use for Wolf Branch (perennial portion). The designated uses for Segment No. 0823 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Section 307.5 and the 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. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Wolf Branch (perennial portion), South

Hickory Creek, and Lewisville Lake, which have been identified as having 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. 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=-97.282222%2C33.192222&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:

Tuesday, June 27, 2023 at 7:00 p.m.

Marriott Champions Circle

3300 Championship Parkway

Fort Worth, Texas 76177

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 Betty Foster Pub-

lic Library, 405 Shaffner Street, Ponder, Texas. Further information may also be obtained from Clairemont Acquisitions, LLC and JLMCG Properties, LLC at the address stated above or by calling Mr. Chris Vela, P.E., Kimley-Horn, at (817) 339-2299.

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 12, 2023

TRD-202301822

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2023



Notice of Public Meeting Proposed Air Quality Permit No. 147696

APPLICATION. LS Ready Mix, LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for the amendment of Permit No. 147696. This application would authorize modification of a Concrete Batch Plant located at 9756 Veterans Memorial Dr., Houston, Harris County, Texas 77038. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.906944&lng=-95.434722&zooom=13&type=r>. The proposed facility will emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on February 16, 2023. The executive director has completed the administrative and technical reviews of the application and determined that the application meets all of the requirements of a standard permit authorized by 30 TAC §116.611, which would establish the conditions under which the plant must operate. The executive director has made a preliminary decision to issue the registration because it meets all applicable rules.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. 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. At the conclusion of the comment period, all formal comments will be considered before a decision is reached on the permit application. A written response to all formal comments will be prepared by the executive director and 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 20, 2023 at 7:00 p.m.

Mangum-Howell Community Center

at Richard P. Doss Park

2500 Frick Road

Houston, Texas 77038

INFORMATION. Members of the public are encouraged to submit written comments anytime during the public 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 <https://www14.tceq.texas.gov/epic/eComment/>. 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. General information can be found at our Web site at www.tceq.texas.gov. *Si desea información en español, puede llamar al (800) 687-4040.*

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the link, enter the permit number at the top of this form.

The application, executive director's preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and at Harris County Justice of the Peace (Mickey Leland Courthouse), 7300 North Sheppard Drive, Houston, Harris County, Texas, 77091. The facility's compliance file, if any exists, is available for public review at the TCEQ Houston Regional Office, 5425 Polk St. Ste H, Houston, Texas. Visit www.tceq.texas.gov/goto/cbp to review the standard permit.

Further information may also be obtained from LS Ready Mix, LLC, 9756 Veterans Memorial Dr, Houston, Texas 77038 or by calling Mr. Taha Ahmed PE, Managing Partner at (281) 936-9858.

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.

Notice Issuance Date: May 16, 2023

TRD-202301823

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2023



Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment

Notice issued on May 10, 2023

Proposed Limited Scope Amendment to Permit No. 664

Application. City of Stephenville, 298 West Washington Street, Stephenville, Texas, 76401 has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit amendment to raise final contours to restore airspace originally permitted when the facility was a Type I landfill. The facility is located at 669 County Road 385,

Stephenville, 76401 in Erath County, Texas. The TCEQ received this application on April 4, 2023. The permit application is available for viewing and copying at the Stephenville Public Library 174 North Columbia Street, Stephenville, Texas 76401, and may be viewed online at <https://biggsandmathews.com/on-line-documents/permits-v2/category/109-city-of-stephenville>. The following 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: <https://arcg.is/1q841O>. For exact location, refer to application.

Alternative Language Notice/ Aviso sobre lenguas alternativas. Alternative language notice in Spanish is available at www.tceq.texas.gov/goto/mswapps. Hay disponible un aviso en otro idioma en español en www.tceq.texas.gov/goto/mswapps.

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Opportunity for a Contested Case Hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests

for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

Mailing List. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

Agency Contacts and Information. All public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/ or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from the City of Stephenville at the address stated above or by calling Mr. Nick Williams, P.E., Director of Public Works at (254) 918-1223.

TRD-202301819

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 17, 2023

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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 May 8, 2023 to May 12, 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 19, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, June 18, 2023.

FEDERAL AGENCY ACTIVITIES:

Applicant: Texas Department of Transportation (TxDOT)

Location: The project site is located at Horseshoe Lake near Port Bolivar, Galveston County, Texas.

Project Description: The applicant proposes to replace the existing bridge on State Loop 108 at Horseshoe Lake (CSJ 0367-07-009). The State Loop 108 bridge was constructed in 1962 and is a two-lane roadway, which includes one, 12-foot lane in each direction with 3-foot outside shoulders. The proposed facility would include a two-lane roadway with 12-foot lanes and 8-foot shoulders in each direction on the bridge. The shoulders of the bridged section would vary from 3 to 8 feet. The drainage would remain direct flow to Horseshoe Lake. The project would extend approximately 0.017 mile along State Loop 108 and would take place within the existing 130-foot right-of-way (ROW).

Type of Application: TxDOT U.S. Coast Guard Bridge Permit Exemption Request.

CMP Project No: 23-1250-F2

Applicant: Texas Department of Transportation (TxDOT) Yoakum District

Location: The project site is located over Carancahua Bay near Point Comfort, Jackson County, Texas.

Project Description: The applicant proposes to replace the existing bridge on SH 35 over Carancahua Bay (CSJ 0179-09-041). The SH 35 bridge was constructed in 1962 and is a 60-span concrete pan girder bridge. The new concrete bridge would be a 31-span concrete I-girder bridge which would be wider to accommodate current traffic and future needs. The bridge would be constructed to the south of the existing bridge to maintain traffic flow during construction, and approximately 2.3 acres of new ROW would be required to construct the new bridge. The existing bridge has 59 sets of columns in the water, each row containing four columns. The proposed bridge would have 30 sets of columns placed within the water, each row containing six columns.

Type of Application: TxDOT U.S. Coast Guard Bridge Permit Exemption Request.

CMP Project No: 23-1255-F2

FEDERAL AGENCY ACTIONS:

Applicant: Enterprise Products Operating LLC

Location: The project site is located in wetlands adjacent to the Neches River at the Beaumont Marine East terminal near Beaumont, in Orange County, Texas.

Latitude and Longitude: 30.040685, -94.029161

Project Description: The applicant proposes to modify Department of the Army Permit SWG-2013-00749 to permanently discharge fill into 0.82 acre of waters of the US, including 0.16 acre of palustrine emergent (PEM) wetlands, 0.1 acre of palustrine scrub shrub (PSS) wetlands, 0.47 acre of palustrine forested wetlands, and 0.09 acre of a pond, to construct additional infrastructure at the Beaumont Marine East ethane export terminal.

The applicant stated that the purpose of the project is to construct additional infrastructure for the authorized docks at the Beaumont Marine East ethane export terminal to meet increasing demand of crude oil and petroleum liquids in the Texas Gulf Coast region.

The applicant proposed to mitigate for the proposed impacts by purchasing wetland mitigation credits from an approved mitigation bank within the applicable service area.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2013-00749. This application will be reviewed pursuant to 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: 23-1258-F1

Applicant: Bass Enterprises Production Company, LP (BEPCO, LP)

Location: The project site is located in Aransas Bay, at 1824 Shell Ridge Road, in Rockport, Aransas County, Texas.

Latitude and Longitude: 28.002343, -97.055744

Project Description: The applicant proposes discharge a total of 4,836 cubic yards of rock rip rap and shoreline restoration fabric or filter cloth in Aransas Bay along an existing harbor breakwater for a total distance of 1,503 linear feet. Specifically, the applicant proposes to discharge 2,397.3 cubic yards along 683 linear feet of the northside of the breakwater and 2,438.7 cubic yards along 820 linear feet of the southside of the breakwater. The rock will be placed vertically against the existing breakwater to a typical top elevation of +4 feet NAVD 88 and will extend out from the breakwater and crest with a variable side slope resulting in a base width between 13-26 feet.

The applicant does not propose any compensatory mitigation. The applicant stated the project does not propose any impacts to submerged aquatic vegetation or other sensitive resources.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-1991-01834. 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: 23-1259-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-202301796

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: May 16, 2023



Notice of Intention to Conduct Assessment and Restoration Planning for the Flint Hills Resources Dock 5 Release into Corpus Christi Bay on December 24, 2022

Summary:

Under the Oil Pollution Act (OPA), Federal and State trustees (Trustees) for natural resources are authorized to assess natural resource injuries resulting from the discharge of oil or the substantial threat of discharge, as well as injuries that result from response to the release. The Trustees develop and implement a restoration plan to

identify and quantify injuries to natural resources and the restoration required to compensate for the injuries. This notice announces the intention of the Trustees to conduct an assessment and restoration planning for the discharge of oil from a rusted tank line into Corpus Christi Bay on December 24, 2022, owned and operated by Flint Hills Resources L.P.

Contact Information

Allison Fischer

Allison.fischer@glo.texas.gov

1700 N. Congress Ave.

P.O. Box 12873

Austin, Texas 78711-2873

Supplementary Information

The Flint Hills Dock 5 Spill occurred on December 24, 2022, near Ingleside, Texas. A leak from a rusted tank line released approximately 335 barrels, or 14,000 gallons, of oil into Corpus Christi Bay (the Incident). The Responsible Party (RP) for this Incident has been identified as Flint Hills Resources. Pursuant to 15 CFR 990.14(c), the Trustees have invited the RP to participate in a cooperative Natural Resource Damage Assessment (NRDA) process. To date, the Trustees have coordinated with the RP's representatives on activities undertaken as part of the NRDA process.

Pursuant to Section 1006 of OPA, 33 U.S.C 2706, the Trustees are authorized to 1) assess natural resource injuries resulting from a discharge of oil or the substantial threat of a discharge and from related response activities, and 2) develop and implement a plan for restoration of the injured resources and their services. The Federal Trustees are designated pursuant to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR 300.600). The Texas Trustees are designated by the Governor of Texas pursuant to the NCP (40 CFR 300.602), and OPA 33 U.S.C. 2706(b)(3). The following agencies are designated natural resource Trustees and are acting as trustees for this Incident: Department of the Interior represented by the United States Fish and Wildlife Service ("USFWS"), National Oceanic and Atmospheric Administration ("NOAA"), General Land Office ("GLO"), the Texas Parks and Wildlife Department ("TPWD"), and Texas Commission on Environmental Quality ("TCEQ").

The Trustees initiated the Preassessment Phase of the NRDA in accordance with 15 CFR 990.40 to determine if they have jurisdiction to pursue restoration under OPA and, if so, whether it is appropriate to do so. During the Preassessment Phase, the Trustees collect and analyze the following: (1) data reasonably expected to be necessary to make a determination of jurisdiction and to conduct restoration planning, (2) ephemeral data, and (3) information needed for assessment activities as part of the Restoration Planning Phase. The collection and analysis of the data and information listed above continues to date.

Under 15 CFR Part 990 (NRDA regulations), the Trustees must prepare and issue a notice of intent to conduct restoration planning (Notice) that demonstrates that the conditions have been met for the Trustees to have jurisdiction over this matter and that restoration of natural resources is feasible and appropriate. Pursuant to 15 CFR 990.44, this notice announces that the Trustees have determined to proceed with restoration planning to fully evaluate, assess, quantify, and develop plans for restoring, replacing, or acquiring the equivalent of injured natural resources and services losses resulting from the Incident. The planning process will include collection of information for evaluating and quantifying injuries and the use of that information to determine the need for and type and scale of restoration actions required to make the public whole.

Determination of Jurisdiction

The Trustees have made the following findings pursuant to 15 CFR 990.41:

1) The Incident resulted in discharges of oil into and upon navigable waters of the United States, including the Corpus Christi Bay, as well as adjoining shorelines, all of which constitute an "incident" within the meaning of 15 CFR 990.30.

2) The discharge(s) are not permitted pursuant to federal, state, or local law; are not from a public vessel; and are not from an onshore facility subject to the Trans-Alaska Pipeline Authority Act, (43 U.S.C. 1651 *et seq.*).

3) Natural resources under the trusteeship of the Trustees have been and continue to be injured or threatened as a result of discharged oil and associated response and removal efforts. The discharged oil is harmful to natural resources exposed to the oil, including, but not limited to, aquatic organisms, wildlife, vegetation, and shoreline habitats. Discharged oil and the associated response activities have resulted in adverse effects on natural resources in and around the coastal waters of Texas and along its adjoining shorelines, and impaired services that those resources provide. The full extent of potential injuries is currently unknown; however current natural resources and resource services that may have been impacted include but are not limited to the following:

- a) Shoreline, including sandy beaches; hard structures, such as breakwaters; dredge spoil areas; marsh; and other habitat areas
- b) Water column habitat
- c) A variety of wildlife, including birds, turtles, and marine mammals
- d) Various other biota, including benthic communities and fish
- e) Lost human use opportunities associated with various natural resources in the Gulf region, including fishing, swimming, beach-going, and viewing of birds and wildlife

Accordingly, the Trustees have determined that they have jurisdiction under OPA to pursue assessment and restoration planning.

Determination to Conduct Restoration Planning

1. The Trustees have made the following findings pursuant to 15 CFR 990.42: Observations and data collected pursuant to 15 CFR 990.43 demonstrate that injuries to natural resources and the services they provide have resulted from the Incident; however, the nature and extent of such injuries have not been fully determined at this time. The Trustees have identified numerous categories of impacted and potentially impacted resources, including marine mammals, birds, fish, and biota, as well as their habitats. Impacted and potentially impacted habitats include but are not limited to wetlands, marshes, sand beaches, bottom sediments and the water column. The Trustees have also determined that there are impacts or potential impacts to human use of these affected resources or habitats. The Trustees have been conducting, and continue to conduct, activities to value injuries and potential injuries to these resources. More information on these resources, including assessment work plans developed jointly by the Trustees and the RP, if any, and information gathered during the Preassessment Phase, will be made available in the Administrative Record (AR), as discussed below. The full nature and extent of injuries will be determined during the injury assessment conducted as part of the Restoration Planning Phase.

2. Response actions employed for this spill included containment, collection of oil, on-shore removal of sand and wrack material, and other removal operations. These response actions have not addressed and are not expected to address all injuries resulting from the discharges of oil. Although response actions were initiated soon after identification of the spill, they were unable to prevent injuries to many natural

resources. In addition, some of these response actions have caused or are likely to cause injuries to natural resources and the services they provide, including the impairment of sensitive marshes, beaches, and other habitats and impacts to human uses of the resources. While injured natural resources may eventually recover naturally to the condition they would have been in had the discharges not occurred, interim losses did occur and will persist until baseline conditions are achieved. In addition, there have been losses and diminution of human uses of the resources resulting from the impacts to the natural resources and from the response actions themselves.

3. Feasible restoration actions exist to address the natural resource injuries and losses caused by the Incident, including but not limited to injured habitat and lost human uses. Assessment procedures are available to scale the appropriate amount of restoration required to offset these ecological and human use service losses. During the restoration planning phase, the Trustees will evaluate potential projects, determine the scale of restoration actions needed to make the environment and the public whole, and release a draft Restoration Plan for public review and comment. Based upon these determinations, the Trustees intend to proceed with restoration planning for the Incident.

Administrative Record

The Trustees will open an Administrative Record (AR) in compliance with 15 CFR 990.45 and other authorities. The AR will be publicly available and include documents considered by the Trustees during the NRDA and restoration planning performed in connection with the Incident. The AR will be augmented with additional information over the course of the NRDA process.

Opportunity to Comment

In accordance with 15 CFR 990.14(d), the Trustees will provide opportunities for public involvement in the restoration planning for the Incident. The opportunities for public involvement will be addressed in future notices and announcements.

Author

The primary author of this notice is Scottie Aplin at the General Land Office.

Authority

The authority of this action is the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) and the implementing Natural Resource Damage Assessment regulations found at 15 CFR part 990.

TRD-202301720

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: May 11, 2023



Department of State Health Services

Administrative Foods Group Penalty Matrix Guidance 2023

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the Administrative Foods Group Penalty Matrix is not included in the print version of the Texas Register. The figure is available in the on-line version of the May 26, 2023, issue of the Texas Register.)

Examples of various regulatory violations are provided in the graphic for which administrative penalties may be assessed pursuant to applicable law and rules, including the requirements of the Texas Health and

Safety Code, Chapter 431, concerning Texas Food, Drug, and Cosmetic Act and Title 25, Texas Administrative Code Chapter 229, §229.261, concerning Assessment of Administrative Penalties.

Section 229.261(c). The Texas Department of State Health Services (department) shall assess administrative penalties based upon one or more of the following criteria: (1) history of previous violations; (2) seriousness of the violation; (3) hazard to the health and safety of the public; (4) demonstrated good faith efforts to correct; (5) economic harm to property or the environment; (6) amounts necessary to deter future violations; (7) enforcement costs relating to the violation; and (8) any other matter justice may require.

These examples are not exhaustive and are intended only to provide compliance guidance to licensees, and in no way restricts, limits, or may be considered a condition precedent to any proposed action the department may take for violations of the applicable law and rules. There is no significance to the order of the examples.

Section 229.261(h) Adjustments to penalties. The department may make adjustments to the penalties listed in subsections (e), (f), or (g) of this section for any one of the following factors.

(1) Previous violations. (2) Demonstrated good faith. (3) Hazard to the health and safety of the public.

Severity Level I covers violations that are most significant and may have a significant negative impact on public health and safety. Examples of Severity Level I include tested positive for pathogens that have a significant impact on health, selling adulterated or misbranded food product that results in a serious illness of consumer, or unapproved health claims.

Severity Level II covers violations that are very significant and may have a negative impact on public health and safety. Examples of Severity Level II include evidence of significant pest activity on food contact surfaces, failing to declare the presence of allergens on label, or offering or selling a food that contains an unapproved food additive.

Severity Level III covers violations that are significant and, if not corrected, could threaten the public health and safety. Examples of Severity Level III include evidence of pest activity in areas where food is stored but not directly on food, packaging, food contact surfaces, or equipment.

Severity Level IV covers violations that are of more than minor significance, but if left uncorrected, could lead to more serious circumstances. Examples of Severity Level IV include evidence of pest activity in a facility that processes/warehouses food but the activity has not spread to areas where food is located or not maintaining sanitation monitoring records required by regulation.

Severity Level V covers violations that are of minor health or safety significance. Examples of Severity Level V include incomplete label (i.e. Missing net weight) resulting in a minor public health significance or failing to have training as required by regulation (i.e. Acidified/LACF and Seafood required training). Examples provided are not intended to be all inclusive.

*Examples of various regulatory violations are provided in the graphic for which administrative penalties may be assessed pursuant to applicable law and rules, including the requirements of the Texas Health and Safety Code, Chapter 431 concerning Texas Food, Drug, and Cosmetic Act and Title 25, Texas Administrative Code Chapter 229, §229.261. The department may, after providing an opportunity for a hearing, refuse an application for a license/registration from a food manufacturer, food wholesaler, or warehouse operator, or may revoke or suspend a license/registration for violations of the requirements in §229.182 of this title (relating to Licensing/Registration Fee and

Procedures, and §229.183 of this title (relating to Minimum Standards for Licensure/Registration, or for interference with the department in the performance of its duty under these rules.

This matrix is effective immediately upon publication in the *Texas Register* and can be revised from time to time.

TRD-202301705
Cynthia Hernandez
General Counsel
Department of State Health Services
Filed: May 10, 2023

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Texas Department of Housing and Community Affairs

Emergency Solutions Grants Fiscal Year 2023 Notice of Funding Availability

The Texas Department of Housing and Community Affairs (the Department) announces the availability of approximately \$9,367,485 in funding for the 2023 Emergency Solutions Grants (ESG) Program funded through the U.S. Department of Housing and Community Development (HUD). The funds will be made available to eligible applicants for an offer of a continuing award, or a competitive award, as further described in the NOFA.

Applications for a competitive award may be submitted beginning June 1, 2023 in accordance with the NOFA. From time to time, additional funding may be made available under the NOFA through transfer of prior year balances, deobligated funds, and Program Income. Amendments will be published on the TDHCA website.

Information is available on the Department's web site at <http://www.tdhca.state.tx.us/nofa.htm>. Questions regarding the NOFA may be addressed to the Rosy Falcon via email at rosy.falcon@tdhca.state.tx.us.

TRD-202301729
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: May 12, 2023

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Notice of Public Hearing and Public Comment Period on the Draft 2024 Regional Allocation Formula Methodology

The Texas Department of Housing and Community Affairs (the Department) will hold a public hearing to accept public comment on the Draft 2024 Regional Allocation Formula (RAF) Methodology.

The public hearing will take place as follows:

Tuesday, June 6, 2023

2:00 p.m. Austin local time

Thomas Jefferson Rusk Building Room 320

208 E. 10th Street, Austin, Texas 78701

The RAF may be accessed from TDHCA's Public Comment Center at: <https://www.tdhca.state.Texas.us/public-comment.htm>

The RAF utilizes appropriate statistical data to measure the affordable housing need and available resources in the 13 State Service Regions that are used for planning purposes. The RAF also allocates funding to rural and urban subregions within each region. The Depart-

ment has flexibility in determining variables to be used in the RAF, per §2306.1115(a)(3) of the Tex. Gov't Code, "the department shall develop a formula that"includes other factors determined by the department to be relevant to the equitable distribution of housing funds..." The RAF is revised annually to reflect current data, respond to public comment, and better assess regional housing needs and available resources.

The RAF methodology explains the use of factors, in keeping with the statutory requirements, which include the need for housing assistance, the availability of housing resources, and other factors relevant to the equitable distribution of housing funds in urban and rural areas of the state.

The Single Family HOME Investment Partnerships Program (HOME), Multifamily HOME, Housing Tax Credit (HTC), and Housing Trust Fund (HTF) program RAFs each use slightly different formulas because the programs have different eligible activities, households, and geographical service areas. For example, §2306.111(c) of the Tex. Gov't Code requires that 95% of HOME funding be set aside for non-participating jurisdictions (non-PJs). Therefore, the Single Family and Multifamily HOME RAFs only use need and available resource data for non-PJs.

The public comment period for the Draft 2024 RAF methodology will be open from Monday, May 22, 2023, through Wednesday, June 21, 2023, at 5:00 p.m., Austin local time. Anyone may submit comments on the Draft 2024 RAF Methodology in written form or oral testimony at the June 6, 2023, public hearing.

Written comments concerning the Draft 2024 RAF Methodology may be submitted by mail to the Texas Department of Housing and Community Affairs, Housing Resource Center, P.O. Box 13941, Austin, Texas 78711-3941, by email to info@tdhca.state.Texas.us. Comments must be received no later than Wednesday, June 21, 2023, at 5:00 p.m. Austin local time.

Individuals who require auxiliary aids or services for the public hearing on June 6, 2023, should contact Nancy Dennis, at (512) 475-3959 or Relay Texas at (800) 735-2989, at least three days before the meeting so that appropriate arrangements can be made.

Non-English speaking individuals who require interpreters for the public hearing should contact Danielle Leath by phone at (512) 475-4606 or by email at danielle.leath@tdhca.state.Texas.us at least three days before the meeting so that appropriate arrangements can be made.

Personas que hablan español y requieren un interprete, favor de llamar a Danielle Leath al siguiente numero (512) 475-4606 o enviarle un correo electronico a danielle.leath@tdhca.state.Texas.us por lo menos tres dias antes de la junta para hacer los preparativos apropiados.

TRD-202301730
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: May 12, 2023

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Texas Department of Insurance

Company Licensing

Application to do business in the state of Texas for CopperPoint Casualty Insurance Company, a foreign fire and/or casualty company. The home office is in Phoenix, Arizona.

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-202301815

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: May 17, 2023



Texas Lottery Commission

Scratch Ticket Game Number 2493 "WINNER'S CLUB"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2493 is "WINNER'S CLUB". The play style is "coordinate with prize legend".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2493 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2493.

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: HEART SYMBOL, DIAMOND SYMBOL, GOLD BAR SYMBOL, HORSE-SHOE SYMBOL, PIGGY BANK SYMBOL, DICE SYMBOL, STACK OF CASH SYMBOL, COIN SYMBOL, SAILBOAT SYMBOL, POT OF GOLD SYMBOL, MELON SYMBOL, LADYBUG SYMBOL, LEMON SYMBOL, SUN SYMBOL, CHERRY SYMBOL, CLUB SYMBOL, BELL SYMBOL, PINEAPPLE SYMBOL, ANCHOR SYMBOL, MOON SYMBOL, RAINBOW SYMBOL, LIGHTNING BOLT SYMBOL, CROWN SYMBOL, UMBRELLA SYMBOL, RING SYMBOL, KEY SYMBOL, HAT SYMBOL, BOOT SYMBOL, CACTUS SYMBOL, TROPHY SYMBOL, 2X SYMBOL, 5X SYMBOL and 10X SYMBOL.

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. 2493 - 1.2D

PLAY SYMBOL	CAPTION
HEART SYMBOL	HEART
DIAMOND SYMBOL	DIAMND
GOLD BAR SYMBOL	BAR
HORSESHOE SYMBOL	HRSHOE
PIGGY BANK SYMBOL	PIGBNK
DICE SYMBOL	DICE
STACK OF CASH SYMBOL	CASH
COIN SYMBOL	COIN
SAILBOAT SYMBOL	BOAT
POT OF GOLD SYMBOL	GOLD
MELON SYMBOL	MELON
LADYBUG SYMBOL	LADYBG
LEMON SYMBOL	LEMON
SUN SYMBOL	SUN
CHERRY SYMBOL	CHERRY
CLUB SYMBOL	CLUB
BELL SYMBOL	BELL
PINEAPPLE SYMBOL	PNAPLE
ANCHOR SYMBOL	ANCHOR
MOON SYMBOL	MOON
RAINBOW SYMBOL	RAINBW
LIGHTNING BOLT SYMBOL	BOLT
CROWN SYMBOL	CROWN
UMBRELLA SYMBOL	UMBRLA
RING SYMBOL	RING
KEY SYMBOL	KEY
HAT SYMBOL	HAT

BOOT SYMBOL	BOOT
CACTUS SYMBOL	CACTUS
TROPHY SYMBOL	TROPHY
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10

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 (2493), 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: 2493-0000001-001.

H. Pack - A Pack of the "WINNER'S CLUB" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse; i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

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 "WINNER'S CLUB" Scratch Ticket Game No. 2493.

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 "WINNER'S CLUB" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-seven (27) Play Symbols. WINNER'S CLUB PLAY INSTRUCTIONS: The player scratches the entire play area to reveal 25 Play Symbols. If the player reveals 3 or more "TROPHY" Play Symbols in the play area, the player wins the corresponding prize in the PRIZE LEGEND on the front of Ticket. (Only highest prize paid). MULTIPLIER SYMBOLS PLAY INSTRUCTIONS: The player scratches the MULTIPLIER SYMBOLS play area to reveal 2 MULTIPLIER SYMBOLS Play Symbols. If the player reveals 2 matching MULTIPLIER SYMBOLS, the player multiplies the prize

won in the WINNER'S CLUB play area by that multiplier and wins that amount. For example, if the player reveals 2 "10X" MULTIPLIER SYMBOLS, the player will multiply the prize won in the WINNER'S CLUB play area by 10 TIMES. 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 twenty-seven (27) 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 twenty-seven (27) 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 twenty-seven (27) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twenty-seven (27) 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: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of Play Symbols.

B. GENERAL: A Ticket can win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to one (1) time.

D. GENERAL: The "TROPHY" (TROPHY) Play Symbol will never appear in the MULTIPLIER SYMBOLS play area.

E. GENERAL: The "2X" (DBL), "5X" (WINX5) and "10X" (WINX10) Play Symbols will only appear in the MULTIPLIER SYMBOLS play area.

F. WINNER'S CLUB: On both winning and Non-Winning Tickets, the "TROPHY" (TROPHY) Play Symbol will appear at least two (2) times and will win as per the prize structure.

G. WINNER'S CLUB: Non-winning Play Symbols will not appear more than once on a Ticket.

H. WINNER'S CLUB: Winning Tickets will contain at least three (3), but no more than thirteen (13) "TROPHY" (TROPHY) Play Symbols.

I. WINNER'S CLUB: Non-Winning Tickets will never have more than two (2) "TROPHY" (TROPHY) Play Symbols.

J. MULTIPLIER SYMBOLS: All Tickets winning double the prize will win by revealing at least three (3) "TROPHY" (TROPHY) Play Symbols in the WINNER'S CLUB play area with two (2) matching "2X"

(DBL) MULTIPLIER SYMBOLS in the MULTIPLIER SYMBOLS play area, as per the prize structure.

K. MULTIPLIER SYMBOLS: All Tickets winning five (5) times the prize will win by revealing at least three (3) "TROPHY" (TROPHY) Play Symbols in the WINNER'S CLUB play area with two (2) matching "5X" (WINX5) MULTIPLIER SYMBOLS in the MULTIPLIER SYMBOLS play area, as per the prize structure.

L. MULTIPLIER SYMBOLS: All Tickets winning ten (10) times the prize will win by revealing at least three (3) "TROPHY" (TROPHY) Play Symbols in the WINNER'S CLUB play area with two (2) matching "10X" (WINX10) MULTIPLIER SYMBOLS in the MULTIPLIER SYMBOLS play area, as per the prize structure.

M. MULTIPLIER SYMBOLS: On Non-Winning Tickets, the two (2) MULTIPLIER SYMBOLS Play Symbols will always be different.

2.3 Procedure for Claiming Prizes.

A. To claim a "WINNER'S CLUB" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200 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 \$25.00, \$50.00, \$100, \$200 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 "WINNER'S CLUB" Scratch Ticket Game prize of \$1,000, \$10,000 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 "WINNER'S CLUB" 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 "WINNER'S CLUB" 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 "WINNER'S CLUB" 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. 2493. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2493 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	800,000	9.00
\$10.00	576,000	12.50
\$20.00	144,000	50.00
\$25.00	128,000	56.25
\$50.00	76,000	94.74
\$100	16,100	447.20
\$200	8,500	847.06
\$500	1,800	4,000.00
\$1,000	30	240,000.00
\$10,000	10	720,000.00
\$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 4.11. 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. 2493 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. 2493, 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-202301808
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: May 16, 2023

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Scratch Ticket Game Number 2494 "DAZZLING WINNINGS"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2494 is "DAZZLING WINNINGS". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2494 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2494.

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, 03,

04, 06, 07, 08, 09, 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, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 2X SYMBOL, 5X SYMBOL, 10X SYMBOL, ARMORED CAR SYMBOL, BAR SYMBOL, BANK SYMBOL, BILL SYMBOL, CARD SYMBOL, CHECK SYMBOL, CHIP SYMBOL, CROWN SYMBOL, GEM SYMBOL, MONEY BAG SYMBOL, NECKLACE SYMBOL, REGISTER SYMBOL, RING SYMBOL, STAR SYMBOL, VAULT SYMBOL, \$10.00,

\$20.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$10,000, \$50,000 and \$250,000.

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. 2494 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
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
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
56	FFSX
57	FFSV
58	FFET
59	FFNI

60	SXTY
61	SXON
62	SXTO
63	SXTH
64	SXFR
65	SXFV
66	SXSX
67	SXSV
68	SXET
69	SXNI
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
ARMORED CAR SYMBOL	ARMCAR
BAR SYMBOL	BAR
BANK SYMBOL	BANK
BILL SYMBOL	BILL
CARD SYMBOL	CARD
CHECK SYMBOL	CHECK
CHIP SYMBOL	CHIP
CROWN SYMBOL	CROWN
GEM SYMBOL	GEM
MONEY BAG SYMBOL	MONEYBAG
NECKLACE SYMBOL	NECKLACE
REGISTER SYMBOL	REGISTER
RING SYMBOL	RING
STAR SYMBOL	STAR
VAULT SYMBOL	VAULT
\$10.00	TEN\$

\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$50,000	50TH
\$250,000	250TH

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 (2494), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2494-0000001-001.

H. Pack - A Pack of the "DAZZLING WINNINGS" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). Ticket back 001 and 050 will both be exposed.

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 "DAZZLING WINNINGS" Scratch Ticket Game No. 2494.

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 "DAZZLING WINNINGS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-four (64) Play Symbols. \$50 BONUS: If a player reveals 2 matching Play Symbols in the \$50 BONUS, the player wins \$50. \$100 BONUS: If a player reveals 2 matching Play Symbols in the \$100 BONUS, the player wins \$100. \$200 BONUS: If a player reveals 2 matching Play Symbols in the \$200 BONUS,

the player wins \$200. \$500 BONUS: If a player reveals 2 matching Play Symbols in the \$500 BONUS, the player wins \$500. DAZZLING WINNINGS: 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 "2X" symbol, the player wins DOUBLE the PRIZE for that symbol. If the player reveals a "5X" symbol, the player wins 5 TIMES the PRIZE for that symbol. If the player reveals a "10X" symbol, the player wins 10 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 sixty-four (64) 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 sixty-four (64) 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 sixty-four (64) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-four (64) 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 twenty-nine (29) 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. GENERAL: The top Prize Symbol will appear on every Ticket unless restricted by other parameters, play action or prize structure.

D. KEY NUMBER MATCH: Each Ticket will have six (6) different WINNING NUMBERS Play Symbols.

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

F. KEY NUMBER MATCH: Non-winning Prize Symbols will never appear more than three (3) times.

G. KEY NUMBER MATCH: The "2X" (DBL), "5X" (WINX5), and "10X" (WINX10) Play Symbols, will never appear in the WINNING NUMBERS Play Symbol spots.

H. KEY NUMBER MATCH: The "2X" (DBL), "5X" (WINX5), and "10X" (WINX10) Play Symbols, will only appear on winning Tickets as dictated by the prize structure.

I. KEY NUMBER MATCH: Non-winning Prize Symbols 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. \$50 BONUS/\$100 BONUS/\$200 BONUS/\$500 BONUS: Matching Play Symbols will only appear as dictated by the prize structure in the \$50 BONUS, \$100 BONUS, \$200 BONUS, and \$500 BONUS play areas.

L. \$50 BONUS/\$100 BONUS/\$200 BONUS/\$500 BONUS: A Play Symbol will not be used more than one (1) time per Ticket across the \$50 BONUS, \$100 BONUS, \$200 BONUS, and \$500 BONUS play areas, unless used in a winning combination.

M. \$50 BONUS/\$100 BONUS/\$200 BONUS/\$500 BONUS: The Play Symbols will never appear in the WINNING NUMBERS or YOUR NUMBERS Play Symbol spots.

N. \$50 BONUS/\$100 BONUS/\$200 BONUS/\$500 BONUS: In the \$50 BONUS, \$100 BONUS, \$200 BONUS, and \$500 BONUS play areas, non-winning Play Symbols will not be the same as winning Play Symbols.

O. \$50 BONUS/\$100 BONUS/\$200 BONUS/\$500 BONUS: The \$50 BONUS, \$100 BONUS, \$200 BONUS and \$500 BONUS play areas will each be played separately.

2.3 Procedure for Claiming Prizes.

A. To claim a "DAZZLING WINNINGS" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200 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 \$30.00, \$50.00, \$100, \$200 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 "DAZZLING WINNINGS" Scratch Ticket Game prize of \$1,000, \$10,000, \$50,000 or \$250,000, 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 "DAZZLING WINNINGS" 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 "DAZZLING

WINNINGS" 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 "DAZZLING WINNINGS" 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 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2494. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2494 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10.00	964,800	8.33
\$20.00	482,400	16.67
\$30.00	281,400	28.57
\$50.00	281,400	28.57
\$100	73,700	109.09
\$200	19,430	413.79
\$500	2,814	2,857.14
\$1,000	402	20,000.00
\$10,000	12	670,000.00
\$50,000	6	1,340,000.00
\$250,000	4	2,010,000.00

*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 3.82. 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. 2494 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. 2494, 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-202301789
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: May 15, 2023



Scratch Ticket Game Number 2496 "POWER 10X"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2496 is "POWER 10X". The play style is "find symbol".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2496 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2496.

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: BALL

SYMBOL, BAR SYMBOL, BELL SYMBOL, BOOT SYMBOL, CLOUDS SYMBOL, CROWN SYMBOL, DIAMOND SYMBOL, HEART SYMBOL, KEY SYMBOL, KITE SYMBOL, MOON SYMBOL, PLANE SYMBOL, RAINBOW SYMBOL, RING SYMBOL, SHADES SYMBOL, SHIRT SYMBOL, SPADE SYMBOL, STAR SYMBOL, SUN SYMBOL, UMBRELLA SYMBOL, BOLT SYMBOL, 10X SYMBOL, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$1,000 and \$30,000.

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. 2496 - 1.2D

PLAY SYMBOL	CAPTION
BALL SYMBOL	BALL
BAR SYMBOL	BAR
BELL SYMBOL	BELL
BOOT SYMBOL	BOOT
CLOUDS SYMBOL	CLOUDS
CROWN SYMBOL	CROWN
DIAMOND SYMBOL	DIAMOND
HEART SYMBOL	HEART
KEY SYMBOL	KEY
KITE SYMBOL	KITE
MOON SYMBOL	MOON
PLANE SYMBOL	PLANE
RAINBOW SYMBOL	RAINBOW
RING SYMBOL	RING
SHADES SYMBOL	SHADES
SHIRT SYMBOL	SHIRT
SPADE SYMBOL	SPADE
STAR SYMBOL	STAR
SUN SYMBOL	SUN
UMBRELLA SYMBOL	UMBRELLA
BOLT SYMBOL	WIN\$
10X SYMBOL	WINX10
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$

\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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 (2496), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2496-0000001-001.

H. Pack - A Pack of the "POWER 10X" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. Please note the Packs will be in an A, B, C and D configuration.

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 "POWER 10X" Scratch Ticket Game No. 2496.

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 "POWER 10X" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-four (24) Play Symbols. If a player reveals a "BOLT" Play Symbol, the player wins the PRIZE for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the PRIZE for that symbol. POWER SPOTS: If the player reveals 2 matching prize amounts in the same POWER SPOT, the player wins that amount. 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 twenty-four (24) 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 twenty-four (24) 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 twenty-four (24) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twenty-four (24) 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 twelve (12) 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. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

D. FIND SYMBOL: The "BOLT" (WINS) Play Symbol may appear multiple times on intended winning Tickets, unless restricted by other parameters, play action or prize structure.

E. FIND SYMBOL: Non-winning Prize Symbols will never appear more than two (2) times.

F. FIND SYMBOL: The "BOLT" (WINS) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

G. FIND SYMBOL: The "10X" (WINX10) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

H. FIND SYMBOL: Non-winning Play Symbols will be different.

I. FIND SYMBOL: Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

J. POWER SPOT: Tickets winning in the POWER SPOT play areas will only appear as dictated by the prize structure.

K. POWER SPOT: Tickets that do not win in the POWER SPOT play areas will never have matching Prize Symbols in the same POWER SPOT play area.

L. POWER SPOT: A Ticket will not have matching non-winning Prize Symbols across the two (2) POWER SPOT play areas.

M. POWER SPOT: Non-winning Prize Symbols will not be the same as winning Prize Symbols across the two (2) POWER SPOT play areas.

2.3 Procedure for Claiming Prizes.

A. To claim a "POWER 10X" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00 or \$100, 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 or \$100 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 "POWER 10X" Scratch Ticket Game prize of \$1,000 or \$30,000, 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 "POWER 10X" 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 "POWER 10X" 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 "POWER 10X" 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 6,000,000 Scratch Tickets in Scratch Ticket Game No. 2496. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2496 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	624,000	9.62
\$4.00	432,000	13.89
\$5.00	120,000	50.00
\$10.00	96,000	62.50
\$20.00	72,000	83.33
\$50.00	27,750	216.22
\$100	2,750	2,181.82
\$1,000	20	300,000.00
\$30,000	5	1,200,000.00

*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 4.37. 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. 2496 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. 2496, 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-202301809
Bob Biard
General Counsel
Texas Lottery Commission
Filed: May 16, 2023

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Texas Department of Transportation

Public Hearing Notice - Statewide Transportation Improvement Program

The Texas Department of Transportation (department) will hold a public hearing on Thursday, June 15, 2023, at 10:00 a.m. Central Standard Time (CST) to receive public comments on the May 2023 Quarterly Revisions to the Statewide Transportation Improvement Program (STIP) for FY 2023-2026. The hearing will be conducted via electronic means. Instructions for accessing the hearing will be published on the department's website at: <https://www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings.html>

The STIP reflects the federally funded transportation projects in the FY 2023-2026 Transportation Improvement Programs (TIPs) for each Metropolitan Planning Organization (MPO) in the state. The STIP includes both state and federally funded projects for the nonattainment areas of Dallas-Fort Worth, El Paso, Houston and San Antonio. The STIP also contains information on federally funded projects in rural areas that are not included in any MPO area, and other statewide programs as listed.

Title 23, United States Code, §134 and §135 require each designated MPO and the state, respectively, to develop a TIP and STIP as a condition to securing federal funds for transportation projects under Title 23 or the Federal Transit Act (49 USC §5301, et seq.). Section 134 requires an MPO to develop its TIP in cooperation with the state and affected public transit operators and to provide an opportunity for interested parties to participate in the development of the program. Section

135 requires the state to develop a STIP for all areas of the state in cooperation with the designated MPOs and, with respect to non-metropolitan areas, in consultation with affected local officials, and further requires an opportunity for participation by interested parties as well as approval by the Governor or the Governor's designee.

A copy of the proposed May 2023 Quarterly Revisions to the FY 2023-2026 STIP will be available for review, at the time the notice of hearing is published, on the department's website at: <https://www.txdot.gov/inside-txdot/division/transportation-planning/stips.html>

Persons wishing to speak at the hearing may register in advance by notifying Lori Morel, Transportation Planning and Programming Division, at (512) 810-6663 no later than 12:00 p.m. CST on Wednesday, June 14, 2023. Speakers will be taken in the order registered and will be limited to three minutes. Speakers who do not register in advance will be taken at the end of the hearing. Any interested person may offer comments or testimony; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only one speaker. Speakers are requested to refrain from repeating previously presented testimony.

The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to participate in the hearing are encouraged to contact the Transportation Planning and Programming Division, at (512) 810-6663. Requests should be made at least three working days prior to the public hearing. Every reasonable effort will be made to accommodate the needs.

Interested parties who are unable to participate in the hearing may submit comments regarding the proposed May 2023 Quarterly Revisions to the FY 2023-2026 STIP to Humberto Gonzalez, P.E., Director of the Transportation Planning and Programming Division, P.O. Box 149217, Austin, Texas 78714-9217. In order to be considered, all written comments must be received at the Transportation Planning and Programming office by 4:00 p.m. CST on Monday, June 26, 2023.

TRD-202301725
Becky Blewett
Deputy General Counsel
Texas Department of Transportation
Filed: May 11, 2023

