

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.

Comptroller of Public Accounts

Correction of Error

The Comptroller of Public Accounts (Comptroller) proposed amendments to 34 TAC §§7.181, 7.182, and 7.187 in the February 10, 2023, issue of the *Texas Register* (48 TexReg 641). Due to an error by the Texas Register, the proposed amendments were published with an incorrect subchapter name. The subchapter name should read "Texas Achieving a Better Life Experience (ABLE) Program." Elsewhere in this issue of the *Texas Register*, the Comptroller contemporaneously adopts the amendments.

TRD-202302101

Victoria North

General Counsel Fiscal and Agency Affairs

Comptroller of Public Accounts

Filed: June 7, 2023



Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§303.003, 303.005, 303.008, 303.009, and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/05/23 - 06/11/23 is 18% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/05/23 - 06/11/23 is 18% for commercial² credit.

The monthly ceiling as prescribed by §303.005³ and §303.009 for the period of 06/01/23 - 06/30/23 is 18%.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for consumer¹ credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 01/01/23 - 03/31/23 is 18% for consumer¹ credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 10/01/22 - 12/31/22 is 18% for consumer¹ credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 07/01/22 - 09/30/22 is 18% for consumer¹ credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 04/01/22 - 06/30/22 is 18% for consumer¹ credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for commercial² credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 01/01/23 - 03/31/23 is 18% for commercial² credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 10/01/22 - 12/31/22 is 18% for commercial² credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 07/01/22 - 09/30/22 is 18% for commercial² credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 04/01/22 - 06/30/22 is 18% for commercial² credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for consumer¹ credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 01/01/23 - 03/31/23 is 18% for consumer¹ credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 10/01/22 - 12/31/22 is 18% for consumer¹ credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 07/01/22 - 09/30/21 is 18% for consumer¹ credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 04/01/22 - 06/30/22 is 18% for consumer¹ credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for commercial² credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 01/01/23 - 03/31/23 is 18% for commercial² credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 10/01/22 - 12/31/22 is 18% for commercial² credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 07/01/22 - 09/30/22 is 18% for commercial² credit.

The annualized ceiling⁴ as prescribed by §303.008 and §303.009 for the period of 04/01/22 - 06/30/22 is 18% for commercial² credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 06/01/23 - 06/30/23 is 8.25%.

¹ Credit for personal, family or household use.

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

³ Only for variable rate commercial transactions, as provided by §303.004(a).

⁴ Only for open-end credit as defined in §301.002(14), as provided by §303.007.

TRD-202302014

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: May 31, 2023



Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§303.003, 303.005, 303.008, 303.009, and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/12/23 - 06/18/23 is 18% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/12/23 - 06/18/23 is 18% for commercial² credit.

The monthly ceiling as prescribed by §303.005³ and §303.009 for the period of 06/01/23 - 06/30/23 is 18%.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for consumer¹ credit.⁴

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for commercial² credit.⁴

The annualized ceiling⁵ as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for consumer¹ credit.⁴

The annualized ceiling⁵ as prescribed by §303.008 and §303.009 for the period of 07/01/23 - 09/30/23 is 18% for commercial² credit.⁴

¹ Credit for personal, family or household use.

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

³ Only for variable rate commercial transactions, as provided by §303.004(a).

⁴ Calculated as of June 1, 2023

⁵ Only for open-end credit as defined in §301.002(14), as provided by §303.007.

TRD-202302090

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: June 6, 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 **July 18, 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 **July 18, 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: 7-ELEVEN, INCORPORATED dba 7-Eleven Store 38610; DOCKET NUMBER: 2021-1022-PST-E; IDENTIFIER: RN101496453; LOCATION: San Marcos, Hays County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(b), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: Courtney Gooris, (817) 588-5863; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(2) COMPANY: City of Dayton Lakes; DOCKET NUMBER: 2021-0770-PWS-E; IDENTIFIER: RN101258473; LOCATION: Kenefick, Liberty County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; 30 TAC §290.46(e)(4)(A) and Texas Health and Safety Code, §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds a Class D or higher license; 30 TAC §290.46(q)(1), by failing to provide a copy of the boil water notice (BWN) to the executive director (ED) within 24 hours after issuance by the facility and a signed Certificate of Delivery to the ED within ten days after issuance of the BWN; 30 TAC §290.107(c) and (e), by failing to collect and report the results of synthetic organic chemical contaminants and volatile organic chemical contaminants sampling to the ED for the second and third quarters of 2021; and 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfection Level Quarterly Operating Report to the ED by the tenth day of the month following the end of each quarter for the second quarter of 2021; PENALTY: \$12,820; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 881-6991; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: Daingerfield Country Club LLC; DOCKET NUMBER: 2023-0514-WQ-E; IDENTIFIER: RN111569885; LOCATION: Daingerfield, Morris County; TYPE OF FACILITY: operator; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to impounding, diverting, or using state water without a required permit; PENALTY: \$875; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(4) COMPANY: Duran Gravel Company, Incorporated; DOCKET NUMBER: 2021-0175-WQ-E; IDENTIFIER: RN101153849; LOCATION: Lockhart, Caldwell County; TYPE OF FACILITY: aggregate production operation (APO); RULE VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$20,000; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(5) COMPANY: FOREST HILL NUMBER TWO WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-1389-UTL-E; IDENTIFIER: RN101208981; LOCATION: Denton, Denton 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: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: Mt. Zion Water Supply Corporation; DOCKET NUMBER: 2023-0191-UTL-E; IDENTIFIER: RN101200616; LOCATION: Rockwall, Rockwall 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: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(7) COMPANY: Ortega, Joe C; DOCKET NUMBER: 2023-0677-WOC-E; IDENTIFIER: RN103378873; LOCATION: Bandera, Bandera County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(8) COMPANY: OUTLIER DAIRY, LLC; DOCKET NUMBER: 2023-0690-WR-E; IDENTIFIER: RN102702693; LOCATION: Miles, Tom Green County; TYPE OF FACILITY: operator; RULE VIOLATED: TWC, §11.053, by failing to obtain any unauthorized diversions or use of state water (permitted or not permitted) where water diversion curtailments/suspensions have been ordered by the Executive Director (including Watermaster); PENALTY: \$1,050; ENFORCEMENT COORDINATOR: Henry Thibodeaux, (409) 899-8753; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(9) COMPANY: Planter's Grain Cooperative of Odem, Texas; DOCKET NUMBER: 2021-1400-AIR-E; IDENTIFIER: RN102179660; LOCATION: Edroy, San Patricio County; TYPE OF FACILITY: grain elevator; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance dust conditions; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(10) COMPANY: Quadvest, L.P.; DOCKET NUMBER: 2022-0068-MWD-E; IDENTIFIER: RN110774288; LOCATION: Tom Ball, Montgomery County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0015800001, Interim I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Shane Glantz, (325) 698-6124; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(11) COMPANY: RYAN C. HOERAUF, INCORPORATED; DOCKET NUMBER: 2021-1466-AIR-E; IDENTIFIER: RN107728560; LOCATION: Ozona, Crockett County; TYPE OF FACILITY: oil and gas tank battery; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(12) COMPANY: RYAN C. HOERAUF, INCORPORATED; DOCKET NUMBER: 2021-1467-AIR-E; IDENTIFIER: RN107730137; LOCATION: Ozona, Crockett County; TYPE OF

FACILITY: oil and gas tank battery; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(13) COMPANY: RYAN C. HOERAUF, INCORPORATED; DOCKET NUMBER: 2021-1468-AIR-E; IDENTIFIER: RN107721797; LOCATION: Ozona, Crockett County; TYPE OF FACILITY: oil and gas tank battery; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$4,600; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(14) COMPANY: RYAN C. HOERAUF, INCORPORATED; DOCKET NUMBER: 2021-1469-AIR-E; IDENTIFIER: RN107735482; LOCATION: Ozona, Crockett County; TYPE OF FACILITY: oil and gas tank battery; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(15) COMPANY: RYAN C. HOERAUF, INCORPORATED; DOCKET NUMBER: 2021-1486-AIR-E; IDENTIFIER: RN107727125; LOCATION: Ozona, Crockett County; TYPE OF FACILITY: oil and gas tank battery; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3672; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

TRD-202302069

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 6, 2023



Enforcement Order

An agreed order was adopted regarding Big Diamond, LLC dba Corner Store 1077, Docket No. 2019-1315-PST-E on June 6, 2023, assessing \$5,839 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cynthia Sirois, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202302112

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023



Notice of Correction to Agreed Order Number 22

In the April 21, 2023, issue of the *Texas Register* (48 TexReg 2149), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 22, for NRG Texas Power LLC; Docket Number 2021-1208-AIR-E. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$14,100."

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

TRD-202302070

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 6, 2023



Notice of District Petition

Notice issued June 7, 2023

TCEQ Internal Control No. D-02212023-062; TDB Land Holdings, Ltd., a Texas limited partnership (Petitioner), filed an amended petition (petition) for creation of Webb County 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, Vantage Bank Texas, on the property to be included in the proposed district and the aforementioned entity has consented to the creation of the proposed District; (3) the proposed District will contain approximately 683.07 acres of land located within Webb County, Texas; and (4) all of the land to be included within the proposed district is located within the extrajurisdiction of the City of Laredo (City). By Resolution No. 2022-R-124, resolved and adopted July 18, 2022, the City gave its consent to the creation of the proposed District, pursuant to Texas Water Code § 54.016. The petition further states that the purposes of and the general nature of the work of the proposed District will be (A) the purchase, construction, acquisition, repair, improvement, and extension inside or outside of the proposed District's boundaries of land, easements, works, improvements, facilities, plants, equipment, and appliances (including financing of same) necessary to: (1) provide a water supply for municipal uses, domestic uses, and commercial purposes; (2) collect, transport, process, dispose of, and control domestic, industrial, or communal wastes whether in fluid, solid, or composite state; and (3) to gather, conduct, divert, and control local storm water or other local harmful excesses of water in the proposed District; (B) the payment of District organization expenses, operational expenses during construction, and interest during construction; (C) the design, acquisition construction financing, operation, and maintenance of a road or any improvement in aid thereof; and (D) the provision of such other facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$102,400,000 (including \$88,800,000 for water, wastewater, and drainage plus \$13,600,000 for road improvements).

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-202302108

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023



Notice of District Petition

Notice issued June 7, 2023

TCEQ Internal Control No. D-11182022-037; Ledbetter Fresh Water Supply District No. 1 of Kaufman County (District) filed an application for conversion of the District to a municipal utility district with the Texas Commission on Environmental Quality (TCEQ). The application was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The resolution states that: (1) the District requests conversion to a municipal utility district operating under Chapters 49 and 54 of the Texas Water Code; and (2) the District requests that the name of the new District be Ledbetter Municipal Utility District No. 1 of Kaufman County; and (3) the District requests that the powers provided under Chapter 53, Subchapter D, Texas Water Code, be reserved to the District after its conversion to a municipal utility district.

The application further states that the proposed District contains approximately 977.95 acres of land located within Kaufman County, Texas, and will construct, purchase, acquire, maintain, own and operate water, wastewater, drainage, road facilities within the proposed District. It further states that the planned residential development of the area and the present and future inhabitants of the area will

be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community. According to the application material, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the applicant, from the information available at this time, that the cost of said project will be approximately \$120,853,166 (including \$83,960,000 for water, wastewater, and drainage plus \$36,893,166 for road improvements).

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-202302109

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023



Notice of District Petition

Notice issued June 7, 2023

TCEQ Internal Control No. D-03272023-039; Atlas Ranch Holdings, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Atlas Ranch Municipal Utility District No. 1 (District) of Williamson County 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 are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 125.74 acres located within Williamson 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, construct, acquire, provide, operate, maintain, repair, 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, industrial, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, industrial, and commercial wastes; (3) gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the proposed District; (4) construct, maintain, improve, and operate graveled or paved roads or turnpikes that serve or are intended to serve as an arterial or main feeder roads, or works, facilities, or improvements in aid of those roads or turnpikes inside or outside the boundaries of the proposed District; (5) purchase, construct, acquire, provide, operate, maintain, repair, improve, extend, and develop park and recreational facilities for the inhabitants of the proposed District; and (6) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, 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 \$21,375,000 (\$16,000,000 for water, wastewater, and drainage, \$4,125,000 for roads, and \$1,250,000 for recreational).

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 mem-

bers 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-202302110

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023



Notice of District Petition

Notice issued June 7, 2023

TCEQ Internal Control No. D-03242023-038; LGI Homes Texas, LLC, a Texas limited liability company, (Petitioner) filed a petition for creation of Williamson County Municipal Utility District No. 49 (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 are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 343.5 acres located within Williamson County, Texas; and (4) the land within the proposed District is within the corporate limits of the City of Jarrell. By Resolution No. 2022-0125-02, passed and approved on October 25, 2022, the City of Jarrell, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate facilities, systems, plants, and enterprises of such additional facilities 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 \$45,200,000 (\$33,500,000 for water, wastewater, and drainage, \$9,700,000 for roads, and \$2,000,000 for recreational).

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-202302113

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023



Notice of Opportunity to Comment on an Agreed Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. 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 **July 18, 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 the 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 July 18, 2023**. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Big Diamond, LLC dba Valero Corner Store 1206; DOCKET NUMBER: 2019-0852-PST-E; TCEQ ID NUMBER: RN102375987; LOCATION: 1301 North Highway 77, Waxahachie, Ellis County; TYPE OF FACILITY: underground storage tank system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.74, by failing to investigate and confirm within

30 days after monitoring results from a release detection method indicated a release may have occurred; and 30 TAC §334.50(d)(9)(A)(iv) and §334.72, by failing to report to the TCEQ within 24 hours after monitoring results from a release detection method indicated a release may have occurred; PENALTY: \$23,675; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202302082

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 6, 2023



Notice of Public Hearing on Proposed Revisions to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed state implementation plan (SIP) revisions resulting from reclassification of the Houston-Galveston-Brazoria (HGB) area from marginal to moderate nonattainment for the 2015 eight-hour ozone National Ambient Air Quality Standard (NAAQS) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed revisions to the SIP include a demonstration that includes a photochemical modeling analysis and a weight-of-evidence assessment that meets EPA modeling guidance (Project No. 2022-022-SIP-NR) and a demonstration that includes an analysis of reasonable further progress (RFP) towards attainment (Project No. 2022-023-SIP-NR). Both proposed SIP revisions include motor vehicle emissions budgets for the 2023 attainment year.

The commission will offer a public hearing on these proposals in Houston on July 11, 2023 at 7:00 p.m. CDT at the Houston-Galveston Area Council, located at 3555 Timmons Lane #100. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Brad Patterson, Office of the Chief Clerk at (512) 239-1201 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Vanessa T. De Arman, MC 206, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via Public Comment system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CDT on July 17, 2023. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone>. For further information, please contact the project manager for the pro-

posed project: for Project No. 2022-022-SIP-NR, contact Vanessa T. De Arman, at (512) 239-5609 and for Project No. 2022-023-SIP-NR, contact Denine Calvin, at (512) 239-0613.

TRD-202302049

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 2, 2023



Notice of Public Hearing on Proposed Revisions to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed air quality rules and state implementation plan (SIP) revisions resulting from reclassification of Bexar County from marginal to moderate nonattainment for the 2015 eight-hour ozone National Ambient Air Quality Standard (NAAQS) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed rulemaking concerns amendments to 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles (Project No. 2022-026-114-AI). Proposed amendments include implementing a vehicle emissions inspection and maintenance (I/M) program in Bexar County. The proposed revisions to the SIP include: an I/M SIP revision that would expand an I/M program to Bexar County beginning no later than November 1, 2026 (Project 2022-027-SIP-NR); a demonstration that includes a photochemical modeling analysis and a weight-of-evidence assessment that meets EPA modeling guidance (Project No. 2022-025-SIP-NR); and a demonstration that includes an analysis of reasonable further progress (RFP) towards attainment (Project No. 2022-024-SIP-NR). Both the photochemical modeling and RFP demonstration SIP revisions include motor vehicle emissions budgets for the 2023 attainment year.

The commission will offer a public hearing on these proposals in San Antonio on July 13, 2023 at 7:00 p.m. CDT in the Alamo Area Council of Governments board room, located at 2700 NE Loop 410, Suite 101. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposals 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Brad Patterson, Office of the Chief Clerk at (512) 239-1201 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/propose_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/san/san-latest-ozone>.

The comment period closes at 11:59 p.m. CDT on July 17, 2023. Written comments will be accepted through the TCEQ's *Public Comment* system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number. For additional submission methods or information, contact the project

manager for the proposed project: for Project No. 2022-026-114-AI, contact Edgar Gilmore at (512) 239-2069; for Project Nos. 2022-027-SIP-NR and 2022-025-SIP-NR, contact Alison Stokes at (512) 239-4902; and for Project No. 2022-024-SIP-NR, contact Vanessa De Arman at (512) 239-5609.

TRD-202302050

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 2, 2023



Notice of Public Hearing on Proposed Revisions to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed state implementation plan (SIP) revisions resulting from reclassification of the Dallas-Fort Worth (DFW) area from marginal to moderate nonattainment for the 2015 eight-hour ozone National Ambient Air Quality Standard (NAAQS). The hearing will also be offered to receive testimony regarding proposed air quality rules resulting from reclassification of the DFW area from serious to severe nonattainment for the 2008 eight-hour ozone NAAQS. These proposals are made under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed revisions to the SIP include a demonstration that includes a photochemical modeling analysis and a weight-of-evidence assessment that meets EPA modeling guidance (Project No. 2022-021-SIP-NR) and a demonstration that includes an analysis of reasonable further progress towards attainment (Project No. 2022-023-SIP-NR). Both proposed SIP revisions include motor vehicle emissions budgets for the 2023 attainment year. The proposed rulemaking concerns amendments to 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles (Project No. 2022-026-114-AI). Proposed amendments include removing Ellis, Johnson, Kaufman, Parker, Rockwall, and Wise Counties from the list of affected counties required to comply with the state's low Reid Vapor Pressure control requirements.

The commission will offer a public hearing on these proposals in Arlington on July 6, 2023 at 7:00 p.m. CDT in the Arlington City Council Chambers, located at 101 West Abrams Street. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Brad Patterson, Office of the Chief Clerk at (512) 239-1201 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Denine Calvin, MC 206, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via the *Public Comment* system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CDT on July 17, 2023. Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/propose_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/dfw/dfw-latest-ozone>. For further information, please contact the project manager for the proposed project: for Project Nos. 2022-021-SIP-NR and 2022-023-SIP-NR, contact Denine Calvin, at (512) 239-0613 and for Project No. 2022-026-114-AI, contact Edgar Gilmore at (512) 239-2069.

TRD-202302051

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 2, 2023



Notice of Public Meeting New Permit No. WQ0016247001

APPLICATION. Quadvest, L.P., 26926 Farm-to-Market Road 2978, Magnolia, Texas 77354, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016247001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 250,000 gallons per day. TCEQ received this application on November 14, 2022.

The facility will be located approximately 2.8 miles south of the intersection of Betka Road and Cochran Road, in Waller County, Texas 77484. The treated effluent will be discharged via pipe to a detention pond and channel, thence to an unnamed tributary, thence to an unnamed impoundment, thence to Dodd Lake, thence to an unnamed tributary, thence to Harris Creek, thence to Irons Creek, thence to Brazos River Below Navasota River in Segment No. 1202 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the detention pond and channel and for the unnamed tributary upstream of the unnamed impoundment, and high aquatic life use for the unnamed impoundment and Dodd Lake and for the unnamed tributary downstream of Dodd Lake. The designated uses for Segment No. 1202 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the unnamed impoundment, Dodd Lake, and the unnamed tributary downstream of Dodd Lake, which have been identified as having high aquatic life uses. 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://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.991666,29.980833&level=18>.

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, July 18, 2023 at 7:00 p.m.

Waller County Community Center

21274 FM 1098

Prairie View, Texas 77446

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 Hempstead Branch Library, 2331 11th Street, Hempstead, Texas. Further information may also be obtained from Quadvest, L.P. at the address stated above or by calling Mr. Mark Urback, P.E., Quadvest, L.P., at (281) 365-5347.

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: June 06, 2023

TRD-202302107

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023

◆ ◆ ◆
Proposal for Decision

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality on May 19, 2023, in the matter of the Executive Director of the Texas Commission on Environmental Quality, Petitioner v. Antonina LLC dba Food & Fuel Express; SOAH Docket No. 582-22-2669; TCEQ Docket No. 2021-0064-PST-E. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Antonina LLC dba Food & Fuel Express on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Meghan Taack, Office of the Chief Clerk, (512) 239-3300.

TRD-202302111

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 7, 2023

◆ ◆ ◆
Request for Nominations--Municipal Solid Waste Management and Resource Recovery Advisory Council

The Texas Commission on Environmental Quality (TCEQ) requests nominations for eight individuals to serve on the Municipal Solid Waste Management and Resource Recovery Advisory Council (Advisory Council) to fill the following positions:

- (1) An elected official from a municipality with a population between 100,000 or more but less than 750,000 (appointment to expire on 8/31/2025);
- (2) An elected official from a municipality with a population between 25,000 and 100,000 (appointment to expire on 8/31/2025);
- (3) A representative from a public solid waste district or authority including districts or authorities created by General Law and Special Law districts with authority to provide municipal solid waste management services (appointment to expire on 8/31/2029);
- (4) An official from a municipality or county solid waste agency with authority to provide solid waste management services in their defined area (appointment to expire on 8/31/2029);
- (5) A representative of the general public (appointment to expire on 8/31/2029);
- (6) An elected official from a county with any population size (appointment to expire on 8/31/2029);
- (7) An elected official from a municipality with a population fewer than 25,000 (appointment to expire on 8/31/2029); and
- (8) An elected official from a municipality with a population of 750,000 or more (appointment to expire on 8/31/2029);

The Advisory Council was created by the 68th Texas Legislature in 1983 and is composed of 18 members who serve staggered six-year terms. The composition of the Advisory Council is prescribed in the Texas Health and Safety Code, §363.041.

The Advisory Council duties are to review and evaluate the effect of state policies and programs on municipal solid waste (MSW) management; make recommendations on matters relating to MSW management; recommend legislation to encourage the efficient management of MSW; recommend policies for the use, allocation, or distribution of the planning fund; and recommend special studies and projects to further the effectiveness of MSW management and recovery for Texas.

Members are expected to attend scheduled hybrid meetings and may be requested to participate in subcommittees. The Advisory Council is required by law to meet at least once every three months. The meetings are held in Austin and may span several hours. Elected officials may designate an authorized representative as proxy for attending the quarterly meetings.

Nominations for available vacancies can be submitted to TCEQ throughout the year. To apply or nominate an individual for an Advisory Council position, please complete and submit the Advisory Council Application and related materials. The application form, list of vacancies, and additional information are available at https://www.tceq.texas.gov/permitting/waste_permits/advgroups/msw_advCouncil.html

Applicants and nominees will be evaluated based upon the application, materials submitted, letters of reference, and solid waste management experience. Appointments will be made by the TCEQ commissioners at an Agenda Meeting once nominations are reviewed and approved. The website will be updated with the names of new members after the appointments are approved.

The Advisory Council Application, Conflict of Interest Questionnaire, and related materials may be submitted by email, regular mail, or overnight mail. If submitting by regular mail, please address to Anju Chalise MC 126, Waste Permits Division, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If submitting by overnight mail, please send to Anju Chalise, Waste Permits Division, Building F, TCEQ, 12100 Park 35 Circle, Austin, Texas 78753.

Questions regarding the Advisory Council may be directed to Anju Chalise at (512) 239-1529 or emailed to MSWRRAC@tceq.texas.gov.

TRD-202302102

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 7, 2023

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General Land Office

Official Notice to Vessel Owner/Operator; Pursuant to Section 40.254, Texas Natural Resources Code

PRELIMINARY REPORT

Authority - This preliminary report and notice of violation was issued by the Deputy Director, Oil Spill Prevention and Response Division (OSPR), Texas General Land Office, on May 18, 2023.

Facts

Based on an investigation conducted by Texas General Land Office-Region 1 staff on May 18, 2023, the Commissioner of the General Land Office (GLO), has determined that a 33' sailboat Aqua Gem III identified as **GLO Vessel Tracking Number 1-93447** is in a wrecked,

derelict and substantially dismantled condition without the consent of the commissioner. The vessel is located at Rainbow Marina in Jefferson County, Texas.

The GLO determined that pursuant to OSPRA §40.254(b)(2)(B), that the vessel does have intrinsic value. The GLO has also determined that, because of the vessel's location and condition, the vessel poses a **THREAT TO THE ENVIRONMENT/THREAT TO PUBLIC HEALTH, SAFETY, OR WELFARE.**

Violation

YOU ARE HEREBY GIVEN NOTICE, pursuant to the provisions of §40.254 of the Texas Natural Resources Code, (OSPRA) that you are in violation of OSPRA §40.108(a) that prohibits a person from leaving, abandoning, or maintaining any structure or vessel in or on coastal waters, on public or private lands, or at a public or private port or dock if the structure or vessel is in a wrecked, derelict, or substantially dismantled condition, and the Commissioner determines the vessel is involved in an actual or threatened unauthorized discharge of oil; a threat to the public health, safety, and welfare; a threat to the environment; or a navigational hazard. The Commissioner is authorized by OSPRA §40.108(b) to dispose of or contract for the disposal of any vessel described in §40.108(a).

Recommendation

The Deputy Director has determined that Chad Bradberry is the person responsible for abandoning this vessel (GLO Tracking Number 1-93447) and recommends that the Commissioner order the abandoned vessel be disposed of in accordance with OSPRA §40.108,

The owner or operator of this vessel can request a hearing to contest the violation and the removal and disposal of the vessel. If the owner or operator wants to request a hearing, a request in writing must be made within twenty (20) days of this notice being posted on the vessel. The request for a hearing must be sent to: Texas General Land Office, Oil Spill Prevention and Response Division, P.O. Box 12873, Austin, Texas 78711. Failure to request a hearing may result in the removal and disposal of the vessel by the GLO. If the GLO removes and disposes of the vessel, the GLO has authority under TNRC §40.108(b) to recover the costs of removal and disposal from the vessel's owner or operator. For additional information contact us at (512) 463-2613.

TRD-202302068

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: June 5, 2023

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Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Updates to Medicaid Payment Rates

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 11, 2023, at 9:00 a.m. to receive public comments on proposed updates to Medicaid payment rates resulting from Legislative Reviews.

This hearing will be conducted both in-person and as an online event. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link:

Registration URL:

<https://attendee.gotowebinar.com/register/4862721446890562654>

After registering, you will receive a confirmation email containing information about joining the webinar.

Members of the public may attend the rate hearing in person, which will be held in the Public Hearing Room 125 in the John H. Winters Building, located at 701 W. 51st Street, Austin, Texas, or they may access a live stream of the meeting at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. For the live stream, select the "Winters Live" tab. A recording of the hearing will be archived and accessible on demand at the same website under the "Archived" tab. The hearing will be held in compliance with Texas Human Resources Code section 32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. HHSC proposes rate actions for the following services, effective September 1, 2023:

Community Attendant Services (CAS) / Family Care (FC) / Primary Home Care (PHC);

Community First Choice (CFC) Services;

Community Living Assistance & Support Services Waiver (CLASS) Program;

Day Activity and Health Services (DAHS);

DBMD Program;

DBMD Program - Case Management Services;

Home and Community-Based Services Waiver (HCS) Program;

Home-Delivered Meals (HDM) provided under Title III of the Older Americans Act and Titles XX and XIX of the Social Security Act;

Home and Community-Based Services Adult Mental Health (HCBS AMH);

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IID);

Nursing Facility (NF) services;

Pediatric Care Facility special reimbursement class of NF;

Residential Care (RC);

STAR Health - Medically Dependent Children's Program (MDCP) and Non-MDCP services;

STAR Kids - MDCP and Non-MDCP services;

STAR+PLUS Home and Community-based Services (HCBS) Assisted Living Facilities (ALF);

STAR+PLUS HCBS and Non-HCBS Program;

Texas Home Living Waiver (TxHmL) Program.

Methodology and Justification. The proposed payment rates for CAS/FC/PHC, CFC, CLASS, DAHS, DBMD, HCS, HCBS AMH, ICF/IID, RC, STAR Health MDCP, and Non-MDCP services, STAR Kids MDCP and Non-MDCP services, STAR+PLUS HCBS-ALF, STAR+Plus HCBS and Non-HCBS, and TxHmL were calculated in

accordance with 2024-25 GAA, HHSC, Article II, Rider 30(a) and 1 TAC §355.7051, relating to Base Wage for a Personal Attendant.

The proposed payment rate for DBMD Case Management services was calculated in accordance with 2024-25 GAA, HHSC, Article II, Rider 29 and 1 TAC §355.513, relating to Reimbursement Methodology for the Deaf-Blind with Multiple Disabilities Waiver Program.

The proposed payment rate for Home-Delivered Meals (HDM) was calculated in accordance with 2024-25 GA, HHSC, Article II, Rider 87 and 1 TAC §355.511, relating to Reimbursement Methodology for Home-Delivered Meals.

The proposed payment rate for the Pediatric Care Facility special reimbursement class of NF was calculated in accordance with 2024-25 GAA, HHSC, Article II, Rider 35, and 1 TAC §355.316 relating to Reimbursement Setting Methodology for Pediatric Care Facilities.

The proposed payment NF rates were calculated in accordance with 2024-25 GAA, HHSC, Article II, Rider 24 and 1 TAC §355.307, relating to Reimbursement Methodology for Nursing Facilities.

Briefing Package. A briefing package describing the proposed payment rates will be available at <https://pfd.hhs.texas.gov/rate-packets> no later than June 23, 2023. Interested parties may obtain a copy of the briefing package before the hearing by contacting the HHSC Provider Finance Department by telephone at (737) 867-7817; by fax at (512) 730-7475; or by email at PFDTSS@hhs.texas.gov. The briefing package will also be available at the public hearing.

Written Comments. Written comments regarding the proposed payment rates may be submitted instead of, or in addition to, oral testimony until 5:00 p.m. on the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by email to PFDTSS@hhs.texas.gov. In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 W. Guadalupe St., Austin, Texas 78751.

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

TRD-202302093

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 6, 2023

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Department of State Health Services

Licensing Actions for Radioactive Materials

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

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

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

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amend -ment Number	Date of Action
AMARILLO	AMARILLO HEART INSTITUTE LLP	L07180	AMARILLO	00	04/04/23

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ALLEN	DYNAMIC EARTH LLC	L06779	ALLEN	06	04/06/23
BAYTOWN	CHEVRON PHILLIPS CHEMICAL COMPANY LP	L00962	BAYTOWN	58	04/03/23
DALLAS	MEDWORKS OF ALABAMA LLC	L07023	DALLAS	03	04/07/23
FORT WORTH	BAYLOR ALL SAINTS MEDICAL CENTER DBA BAYLOR SCOTT & WHITE ALL SAINTS MEDICAL CENTER – FORT WORTH	L02212	FORT WORTH	119	04/14/23
HALTOM CITY	ELLERBEE-WALCZAK INC	L04440	HALTOM CITY	22	04/13/23
HARLINGEN	TEXAS ONCOLOGY PA DBA SOUTH TEXAS CANCER CENTER HARLINGEN	L00154	HARLINGEN	56	04/03/23
HOUSTON	TMH PHYSICIAN ORGANIZATION	L07139	HOUSTON	01	04/03/23
HOUSTON	UIH AMERICA INC	L07090	HOUSTON	06	04/04/23
HOUSTON	ONCOLOGY CONSULTANTS PA	L06339	HOUSTON	14	04/12/23
HOUSTON	RICE UNIVERSITY	L01772	HOUSTON	32	04/10/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(Continued)

HOUSTON	METHODIST HEALTH CENTERS DBA HOUSTON METHODIST WILLOWBROOK HOSPITAL	L05472	HOUSTON	73	04/04/23
HOUSTON	THE UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER	L00466	HOUSTON	185	04/05/23
HUMBLE	SPECTRAL OIL & GAS CORPORATION	L06231	HUMBLE	08	04/06/23
IRVING	ABBOTT LABORATORIES	L04841	IRVING	17	04/05/23
MCALLEN	TEXAS ONCOLOGY PA DBA SOUTH TEXAS CANCER CENTER	L04880	MCALLEN	21	04/04/23
SAN ANGELO	SHANNON MEDICAL CENTER	L02174	SAN ANGELO	83	04/14/23
SAN ANTONIO	UROLOGY SAN ANTONIO PA	L06047	SAN ANTONIO	07	04/12/23
SAN ANTONIO	BHS PHYSICIANS NETWORK INC DBA HEART & VASCULAR INSTITUTE OF TEXAS	L06750	SAN ANTONIO	26	04/10/23
SAN ANTONIO	THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO	L01279	SAN ANTONIO	179	04/05/23
THE WOODLANDS	METHODIST HEALTH CENTER DBA HOUSTON METHODIST THE WOODLANDS HOSPITAL	L02174	THE WOODLANDS	16	04/17/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(Continued)

THROUGHOUT TX	FLYING A PUMPING SERVICES LLC	L07134	CISCO	02	04/03/23
THROUGHOUT TX	DESERT NDT LLC	L06462	FORT WORTH	56	04/03/23
THROUGHOUT TX	PROFESSIONAL SERVICE INDUSTRIES INC	L00931	FORT WORTH	126	04/13/23
THROUGHOUT TX	GAMMATECH INDUSTRIAL LLC	L07177	HOUSTON	01	04/03/23
THROUGHOUT TX	INSIGHT HEALTH CORP DBA RAYUS RADIOLOGY	L05504	HOUSTON	29	04/07/23
THROUGHOUT TX	VERSA INTEGRITY GROUP INC	L06669	HOUSTON	39	04/06/23
THROUGHOUT TX	CLEAR INSPECTION LLC	L06994	INGLESIDE	07	04/11/23
THROUGHOUT TX	ATLAS TECHNICAL CONSULTANTS LLC	L06407	LUBBOCK	28	04/12/23
THROUGHOUT TX	PRECISION NDT LLC	L07054	ODESSA	09	04/05/23
WEBSTER	CHCA CLEAR LAKE LP DBA HCA HOUSTON HEALTHCARE CLEAR LAKE	L01680	WEBSTER	113	4/11/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	PMI SPECIALISTS INC	L04686	BAYTOWN	20	04/13/23
THROUGHOUT TX	ATSER LP	L04741	HOUSTON	34	04/05/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ABILENE	CARDINAL HEALTH 414 LLC	L04781	ABILENE	42	04/14/23

TRD-202302084
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: June 6, 2023

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 Licensing Actions for Radioactive Materials

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

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

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

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ANDREWS	WASTE CONTROL SPECIALISTS LLC	L06153	ANDREWS	11	04/17/23
ANGELTON	PRO-SURVE TECHNICAL SERVICES LLC	L06905	LEAGUE CITY	07	04/19/23
BROWNWOOD	HENDRICK MEDICAL CENTER BROWNWOOD	L02322	BROWNWOOD	73	04/24/23
CROCKETT	CROCKETT MEDICAL CENTER LLC	L06967	CROCKETT	05	04/18/23
DALLAS	THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	L00384	DALLAS	138	04/18/23
DALLAS	BAYLOR UNIVERSITY MEDICAL CENTER	L01290	DALLAS	151	04/28/23
DALLAS	COLUMBIA HOSPITAL AT MEDICAL CITY DALLAS SUBSIDIARY LP DBA MEDICAL CITY DALLAS	L01976	DALLAS	235	04/24/23
DENTON	UNIVERSITY OF NORTH TEXAS	L00101	DENTON	117	04/17/23
DFW AIRPORT	SIKORSKY AIRCRAFT CORPORATION	L06418	DFW AIRPORT	07	04/19/23
FORT WORTH	TARRANT COUNTY COLLEGE DISTRICT	L07138	FORT WORTH	02	04/24/23
GREENVILLE	HUNT MEMORIAL HOSPITAL DISTRICT	L01695	GREENVILLE	59	04/19/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(Continued)

HOUSTON	HOUSTON THYROID AND ENDOCRINE SPECIALIST PLLC	L06464	HOUSTON	02	04/24/23
HOUSTON	METHODIST HEALTH CENTERS	L06358	HOUSTON	17	04/18/23
LUBBOCK	TEXAS TECH UNIVERSITY	L01536	LUBBOCK	108	04/24/23
MANSFIELD	HEALTHSCAN IMAGING LLC	L06856	MANSFIELD	24	04/17/23
NEW BRAUNFELS	RESOLUTE HOSPITAL COMPANY LLC DBA RESOLUTE BAPTIST HOSPITAL	L06632	NEW BRAUNFELS	11	04/26/23
ROCKWALL	ROCKWALL REGIONAL HOSPITAL LLC TEXAS HEALTH PRESBYTERIAN HOSPITAL ROCKWALL	L06103	ROCKWALL	13	04/17/23
SAN ANTONIO	SAN ANTONIO HEART IMAGING PLLC	L06569	SAN ANTONIO	02	04/26/23
SUGAR LAND	METHODIST HEALTH CENTERS	L05788	SUGAR LAND	56	04/18/23
THROUGHOUT TX	CITY OF AMARILLO	L02320	AMARILLO	31	04/24/23
THROUGHOUT TX	ECS SOUTHWEST LLP	L05319	AUTIN	20	04/19/23
THROUGHOUT TX	TEXAS ONCOLOGY PA	L05606	BEDFORD	33	04/24/23
THROUGHOUT TX	PROFRAC SERVICES LLC	L06808	CISCO	10	04/26/23
THROUGHOUT TX	RINER ENGINEERING INC	L06872	HOUSTON	08	04/17/23
THROUGHOUT TX	WSP USA INC	L04645	HOUSTON	14	04/26/23
THROUGHOUT TX	INSIGNA TTG PARENT LLC	L05775	HOUSTON	118	04/26/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(Continued)

THROUGHOUT TX	BARRACUDA SPECIALTY SERVICES LLC	L06915	HUMBLE	12	04/24/23
THROUGHOUT TX	STRONGHOLD INSPECTION LTD	L06918	LA PORTE	09	04/18/23
THROUGHOUT TX	TIER 1 INTEGRITY LLC	L06718	PASADENA	23	04/25/23
THROUGHOUT TX	LUDLUM MEASUREMENTS INC	L01963	SWEETWATER TX	117	04/25/23
THROUGHOUT TX	BRAUN INTERTEC CORPORATION	L06681	TYLER	22	04/25/23
THROUGHOUT TX	AXIOS INTEGRITY LLC	L07179	VICTORIA	01	04/19/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
CORPUS CHRISTI	CHRISTUS TRINITY CLINIC DBA-CHRISTUS TRINITY CLINIC – THOMAS SPANN	L05733	CORPUS CHRISTI	08	04/25/23
EL PASO	ADEMCO INC	L03725	EL PASO	22	04/28/23
NEDERLAND	LEONARD M THOME MD PA	L06529	NEDERLAND	04	04/18/23
TEMPLE	WILSONART LLC	L06547	TEMPLE	05	04/17/23
THROUGHOUT TX	TEXAS MATERIALS GROUP INC	L06539	AUSTIN	10	04/27/23
THROUGHOUT TX	BERRY GP INC	L01575	CORPUS CHRISTI	64	04/27/23
THROUGHOUT TX	STERIGENICS US LLC	L03851	FORT WORTH	57	04/17/23
TOMBALL	CENTER FOR CARDIOVASCULAR MEDICINE PA	L06523	TOMBALL	07	04/26/23

RENEWAL OF LICENSES ISSUED:(Continued)

TYLER	TYLER INTERNAL MEDICINE ASSOCIATES PA DBA TIMA	L05597	TYLER	14	04/24/23
TYLER	DELEK REFINING LTD	L02289	TYLER	35	04/17/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
BRADY	INVICTUS INSPECTION SERVICES INC	L07117	BRADY	01	04/18/23
HALLSVILLE	SOUTHWESTERN ELECTRIC POWER COMPANY	L03297	HALLSVILLE	25	04/20/23
HOUSTON	HTS INC CONSULTANTS	L02757	HOUSTON	24	04/18/23
MIDLAND	INSPECTION SPECIALTIES INC	L06834	MIDLAND	04	04/20/23
MIDLAND	ARTS INSPECTION AND PIPE SERVICE	L04735	ODESSA	09	04/20/23
SAN ANTONIO	SOUTHWEST GENERAL HOSPITAL LP	L02689	SAN ANTONIO	56	04/28/23

TRD-202302085
Cynthia Hernandez
General Counsel
Department of State Health Services
Filed: June 6, 2023

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Licensing Actions for Radioactive Materials

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

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

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
NEW BRAUNFELS	MARTIN MARIETTA SOUTH TEXAS CEMENT LLC	L07181	NEW BRAUNFELS	00	05/04/23

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AUSTIN	ST DAVIDS HEALTHCARE PARTNERSHIP LP LLP DBA ST DAVIDS NORTH AUSTIN MEDICAL CENTER	L04910	AUSTIN	111	05/02/23
AUSTIN	ARA ST DAVIDS IMAGING LP	L05862	AUSTIN	119	05/08/23
AUSTIN	AUSTIN RADIOLOGICAL ASSOCIATION	L00545	AUSTIN	245	05/08/23
BEDFORD	TEXAS HEALTH HARRIS METHODIST HOSPITAL HURST EULESS BEDFORD	L02303	BEDFORD	46	05/12/23
CARROLLTON	JUBILANT DRAXIMAGE INC DBA JUBILANT RADIOPHARMA	L06943	CARROLLTON	18	05/10/23
EL PASO	TENET HOSPITALS LIMITED DBA THE HOSPITALS OF PROVIDENCE SIERRA CAMPUS	L04758	EL PASO	39	05/03/23
LUBBOCK	METHODIST CHILDRENS HOSPITAL DBA JOE ARRINGTON CANCER CENTER	L06903	LUBBOCK	09	05/03/23
NEDERLAND	MURLIDHAR A AMIN MD PA	L05735	NEDERLAND	07	05/12/23
PARIS	ESSENT PRMC LP DBA PARIS REGIONAL MEDICAL CENTER	L03199	PARIS	72	05/03/23
SAN ANTONIO	UROLOGY SAN ANTONIO PA	L06047	SAN ANTONIO	08	05/03/23

AMENDMENTS TO EXISTING LICENSES ISSUED: (Continued)

SAN MARCOS	CHRISTUS SANTA ROSA HEALTH CARE CORPORATION DBA CHRISTUS SANTA ROSA HOSPITAL SAN MARCOS	L07081	SAN MARCOS	02	05/10/23
STAFFORD	ALOKI ENTERPRISE INC	L06257	STAFFORD	62	05/12/23
THE WOODLANDS	METHODIST HEALTH CENTER DBA HOUSTON METHODIST THE WOODLANDS HOSPITAL	L06861	THE WOODLANDS	17	05/12/23
THROUGHOUT TX	LOBO LABS LLC	L06642	CORPUS CHRISTI	06	05/01/23
THROUGHOUT TX	BILFINGER INC	L07048	DEER PARK	06	05/11/23
THROUGHOUT TX	WESTON SOLUTIONS INC	L07137	FRISCO	02	05/02/23
THROUGHOUT TX	GAMMATECH INDUSTRIAL LLC	L07177	HOUSTON	02	05/01/23
THROUGHOUT TX	PROTECHNICS ENVIRONMENTAL DIVISION OF CORE LABORATORIES LP	L04477	HOUSTON	26	05/04/23
THROUGHOUT TX	TERRACON CONSULTANTS INC	L05268	HOUSTON	73	05/11/23
THROUGHOUT TX	PROJECT MANAGEMENT ASSOCIATES PLLC	L06825	HURST	04	05/09/23
THROUGHOUT TX	PRIME INSPECTIONS INC	L07122	KATY	03	05/03/23
THROUGHOUT TX	ACUREN INSPECTION INC	L01774	LA PORTE	316	05/04/23
THROUGHOUT TX	CASTLE ENGINEERING & TESTING LLC	L06143	LAREDO	10	05/11/23
THROUGHOUT TX	XCEL NDT LLC	L07039	LONGVIEW	04	05/10/23

AMENDMENTS TO EXISTING LICENSES ISSUED: (Continued)

THROUGHOUT TX	QUANTUM TECHNICAL SERVICES LLC	L06406	PASADENA	23	05/04/23
THROUGHOUT TX	ALLENS NUTECH INC DBA NUTECH INC	L04274	TYLER	104	05/12/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ARLINGTON	USMD HOSPITAL AT ARLINGTON LP	L05727	ARLINGTON	28	05/10/23
CORPUS CHRISTI	NARAIN D MANGLA MD PA	L05630	CORPUS CHRISTI	07	05/10/23
HOUSTON	CARDIOLOGISTS OF HOUSTON PA	L05500	HOUSTON	11	05/03/23
IRVING	AVANTI EQUINE TX PC DBA ANIMAL IMAGING	L04602	IRVING	25	05/12/23
PORT ARTHUR	S K RAO MD PA	L05415	PORT ARTHUR	25	05/05/23
THROUGHOUT TX	ACUREN INSPECTION INC	L01774	LA PORTE	315	05/01/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
FREDERICKSBURG	HILL COUNTRY MEMORIAL HOSPITAL	L03516	FREDERICKSBURG	40	05/02/23
HOUSTON	U S WELL SERVICES LLC	L06930	HOUSTON	04	05/02/23

TRD-202302086

Cynthia Hernandez
General Counsel
Department of State Health Services
Filed: June 6, 2023

◆ ◆ ◆
Texas Department of Housing and Community Affairs

Request for Qualifications

The Texas Department of Housing and Community Affairs ("Department") has posted Request for Qualifications ("RFQ") #332-RFQ23-1013, for a law firm or firms to serve as outside bond counsel for its single and multifamily bond programs. If you are interested in providing a response to this RFQ please view the Request for Qualifications posting on the Electronic State Business Daily ("ESBD"). The website is <http://esbd.cpa.state.tx.us/>. You can search by the RFQ number listed above. The RFQ is also posted on the Department's website <http://tdhca.state.tx.us>.

TRD-202302103
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: June 7, 2023

◆ ◆ ◆
Request for Qualifications

The Texas Department of Housing and Community Affairs ("Department") has posted Request for Qualifications ("RFQ") #332-RFQ23-1014, for a law firm to serve as outside bond securities disclosure counsel for its single and multifamily bond programs. If you are interested in providing a response to this RFQ please view the Request for Qualifications posting on the Electronic State Business Daily ("ESBD"). The website is <http://esbd.cpa.state.tx.us/>. You can search by the RFQ number listed above. The RFQ is also posted on the Department's website <http://tdhca.state.tx.us>.

TRD-202302104
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: June 7, 2023

◆ ◆ ◆
Request for Qualifications

The Texas Department of Housing and Community Affairs ("Department") has posted Request for Qualifications ("RFQ") #332-RFQ23-1015, for a law firm to serve as outside document preparation counsel to prepare real estate loan and related documents. If you are interested in providing a response to this RFQ please view the Request for Qualifications posting on the Electronic State Business Daily ("ESBD"). The website is <http://esbd.cpa.state.tx.us/>. You can search by the RFQ number listed above. The RFQ is also posted on the Department's website <http://tdhca.state.tx.us>.

TRD-202302105
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: June 7, 2023

Request for Qualifications

The Texas Department of Housing and Community Affairs ("Department") has posted Request for Qualifications ("RFQ") #332-RFQ23-1016, for a law firm to serve as low-income housing tax credit outside counsel for its tax credit programs. If you are interested in providing a response to this RFQ please view the Request for Qualifications posting on the Electronic State Business Daily ("ESBD"). The website is <http://esbd.cpa.state.tx.us/>. You can search by the RFQ number listed above. The RFQ is also posted on the Department's website <http://tdhca.state.tx.us>.

TRD-202302106
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: June 7, 2023

◆ ◆ ◆
Texas Department of Licensing and Regulation

Notice of Vacancies on Architectural Barriers Advisory Committee

The Texas Department of Licensing and Regulation (Department) announces three vacancies on the Architectural Barriers Advisory Committee (Committee) established by Texas Government Code, Chapter 469. The pertinent rules may be found in 16 Texas Administrative Code §68.65. The purpose of the Committee is to provide advice and recommendations to the Texas Commission of Licensing and Regulation (Commission) in adopting rules relating to the Elimination of Architectural Barriers program. **This announcement is for:**

- two consumers with disabilities
- one business professional

The Committee is composed of nine members appointed by the presiding officer of the Commission, with the Commission's approval. The Committee consists of building professionals and persons with disabilities who are familiar with architectural barrier problems and solutions. Members serve at the will of the Commission. Persons with disabilities must make up the majority of the committee.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by e-mail at advisory.boards@tdlr.texas.gov.

These are not paid positions and there is no compensation or reimbursement for serving on the Committee.

Issued in Austin, Texas on June 16, 2023.

TRD-202302074
Mike Arismendez
Executive Director
Texas Department of Licensing and Regulation
Filed: June 6, 2023

◆ ◆ ◆
Notice of Vacancies on Weather Modification Advisory Committee

The Texas Department of Licensing and Regulation (Department) announces two vacancies on the Weather Modification Advisory Committee (Committee) established by Agriculture Code, Title 9, Weather and Climate, Chapter 301. The purpose of the Committee is to advise the Texas Commission of Licensing and Regulation (Commission) on

legislation, policies, administration, research, and other matters related to the duties, powers, or function of the Department under this chapter. Service as a Board member is voluntary, and compensation is not authorized by law.

This announcement is for:

- **one agricultural producer, and**
- **one businessman/rancher**

The Committee is composed of five members appointed by the presiding officer of the Commission, with the Commission's approval. The members represent the following professional interests: businessman, engineer, atmospheric scientist, attorney and agricultural producer. Members serve at the will of the Commission.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by e-mail at advisory.boards@tdlr.texas.gov.

These are not paid positions and there is no compensation or reimbursement for serving on the Committee.

Issued in Austin, Texas on June 16, 2023

TRD-202302072

Mike Arismendez

Executive Director

Texas Department of Licensing and Regulation

Filed: June 6, 2023

Public Utility Commission of Texas

Notice of Application to Adjust High Cost Support Under 16 TAC §26.407(h)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on May 31, 2023, to adjust the high-cost support it receives from the Small and Rural Incumbent Local Exchange Company Universal Service Plan without effect to its current rates.

Docket Title and Number: Application of Eastex Telephone Cooperative, Inc. to Adjust High Cost Support under 16 Texas Administrative Code §26.407(h), Docket Number 55076.

Eastex Telephone Cooperative, Inc. requests a high-cost support adjustment from its current level of \$8,484,134 by an additional \$3,393,654 to a total of \$11,877,788 in annual high cost support. The requested adjustment complies with the cap of 140% of the annualized support the provider received in the previous 12 months, as required by 16 Texas Administrative Code §26.407(g)(1).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas, 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 55076.

TRD-202302029

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: June 1, 2023

Texas Real Estate Commission

Correction of Error

The Texas Real Estate Commission adopted amendments to 22 TAC §§535.60, 535.61, 535.63, and 535.65 - 535.67 in the June 9, 2023, issue of the *Texas Register* (48 TexReg 2950). Due to an error by the Texas Register, the amendments were published with an incorrect rule number listed. The range of rules listed incorrectly included 22 TAC §535.64. Section 535.64 was adopted elsewhere in the June 9, 2023, issue (48 TexReg 2953).

TRD-202302073

South Texas Development Council

Contractor RFP-FY24

The Area Agency on Aging of the South Texas Development Council is currently seeking contractors for Fiscal Year 2024 (October 1, 2023-September 30, 2024) who are qualified entities to provide Congregate Meals, Home Delivered Meals, Demand/Response Transportation, Residential Repair, Homemaker, Personal Assistance, In-home Respite, Emergency Response and Health Maintenance Services.

These services are provided to individuals 60 years of age and older, their family members and other caregivers under the Older Americans Act of 1965 as amended with funding administered by Health and Human Service Commission in the Counties of Jim Hogg, Starr, Webb and Zapata.

Parties interested in providing services within our service area must contact the Area Agency on Aging and request an application during the closed enrollment period June 1, 2023, through June 30, 2023, for consideration.

To request an application package contact:

South Texas Development Council

Area Agency on Aging

1002 Dickey Ln.

P.O. Box 2187

Laredo, Texas 78044-2187

(956) 722-3995

(800) 292-5426

TRD-202302024

Nancy Rodriguez

Aging and Disability Director

South Texas Development Council

Filed: June 1, 2023

Supreme Court of Texas

Final Approval of Texas Rule of Civil Procedure 306b and Texas Rule of Judicial Administration 17 and of Amendments to Texas Rules of Appellate Procedure 25.1, 28.4, and 32.1 and Texas Rule of Judicial Administration 6.2

Supreme Court of Texas

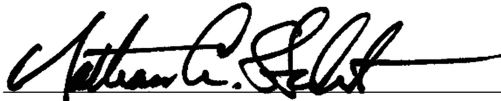
Misc. Docket No. 23-9029

**Final Approval of Texas Rule of Civil Procedure 306b and Texas Rule of
Judicial Administration 17 and of Amendments to Texas Rules of Appellate
Procedure 25.1, 28.4, and 32.1 and Texas Rule of Judicial
Administration 6.2**

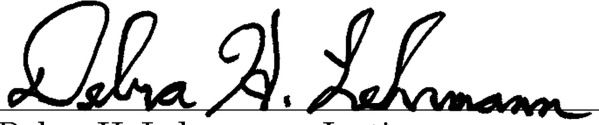
ORDERED that:

1. On November 30, 2022, in Misc. Dkt. No. 22-9104, the Court preliminarily approved Texas Rule of Civil Procedure 306b and Texas Rule of Judicial Administration 17 and amendments to Texas Rules of Appellate Procedure 25.1, 28.4, and 32.1 and Texas Rule of Judicial Administration 6.2 and invited public comment.
2. Following public comment, the Court made revisions to Texas Rule of Judicial Administration 17. This Order incorporates the revisions and contains the final version of the rules, effective June 1, 2023. This Order supersedes Misc. Dkt. No. 15-9156.
3. The amendments to Texas Rules of Appellate Procedure 25.1, 28.4, and 32.1, Texas Rule of Judicial Administration 6.2 are demonstrated in redline form. New Texas Rule of Civil Procedure 306b and Texas Rule of Judicial Administration 17 are demonstrated in clean form.
4. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to each elected member of the Legislature; and
 - d. submit a copy of this Order for publication in the *Texas Register*.

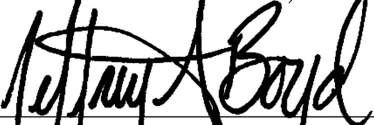
Dated: May 30, 2023.



Nathan L. Hecht, Chief Justice



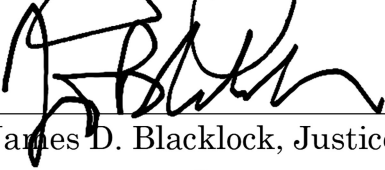
Debra H. Lehrmann, Justice



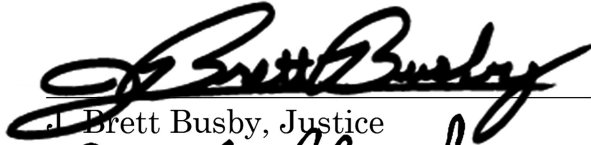
Jeffrey S. Boyd, Justice



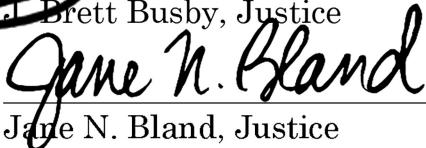
John P. Devine, Justice



James D. Blacklock, Justice



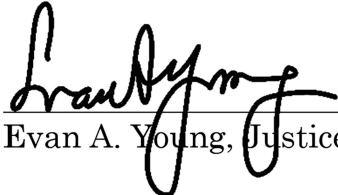
Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

Texas Rules of Civil Procedure

RULE 306b. ADVICE OF RIGHT TO APPEAL IN ORDERS CERTIFYING A CHILD TO STAND TRIAL AS AN ADULT (Clean Form)

When a juvenile court issues an order under Family Code section 54.02 certifying a child to stand trial as an adult, the court must inform the child and the child's attorney, orally on the record and in writing in the certification order, that:

- (a) the child may immediately appeal the certification order under Family Code section 56.01; and
- (b) the appeal is accelerated under Texas Rule of Appellate Procedure 28.1.

Notes and Comments

Comment to 2023 change: This rule is adopted to implement Texas Family Code section 56.01(h-1).

Texas Rules of Appellate Procedure

Rule 25. Perfecting Appeal (Redline Form)

25.1. Civil Cases

- (d) *Contents of Notice.* The notice of appeal must:
 - (1) identify the trial court and state the case's trial court number and style;
 - (2) state the date of the judgment or order appealed from;
 - (3) state that the party desires to appeal;
 - (4) state the court to which the appeal is taken unless the appeal is to either the First or Fourteenth Court of Appeals, in which case the notice must state that the appeal is to either of those courts;
 - (5) state the name of each party filing the notice;
 - (6) in an accelerated appeal, state that the appeal is accelerated and state whether it is a parental termination or child protection case

or an appeal from an order certifying a child to stand trial as an adult, as defined in Rule 28.4;

- (7) in a restricted appeal:
 - (A) state that the appellant is a party affected by the trial court's judgment but did not participate—either in person or through counsel—in the hearing that resulted in the judgment complained of;
 - (B) state that the appellant did not timely file either a postjudgment motion, request for findings of fact and conclusions of law, or notice of appeal; and
 - (C) be verified by the appellant if the appellant does not have counsel.
- (8) state, if applicable, that the appellant is presumed indigent and may proceed without paying costs under Rule 20.1.

Comment to 2023 change: Rule 25.1 is amended to implement Texas Family Code section 56.01(h-1).

Rule 28. Accelerated, Agreed, and Permissive Appeals in Civil Cases (Redline Form)

28.4. Accelerated Appeals in Parental Termination and Child Protection Cases and From Orders Certifying a Child to Stand Trial as an Adult

- (a) *Application and Definitions.*
 - (1) Appeals in parental termination and child protection cases and from an order certifying a child to stand trial as an adult are governed by the rules of appellate procedure for accelerated appeals, except as otherwise provided in Rule 28.4.
 - (2) In Rule 28.4:
 - (A) a “parental termination case” means a suit in which termination of the parent-child relationship is at issue.

(B) a “child protection case” means a suit affecting the parent-child relationship filed by a governmental entity for managing conservatorship.

(C) an “order certifying a child to stand trial as an adult” is an order under Family Code section 54.02 waiving juvenile court jurisdiction and transferring a child for prosecution in a district or criminal district court.

(b) *Appellate Record.*

(1) Responsibility for Preparation of Reporter’s Record. In addition to the responsibility imposed on the trial court in Rule 35.3(c), when the reporter’s responsibility to prepare, certify and timely file the reporter’s record arises under Rule 35.3(b), the trial court must direct the official or deputy reporter to immediately commence the preparation of the reporter’s record. The trial court must arrange for a substitute reporter, if necessary.

(2) Extension of Time. The appellate court may grant an extension of time to file a record under Rule 35.3(c); however, the extension or extensions granted must not exceed 30 days cumulatively, absent extraordinary circumstances.

(3) Restriction on Preparation Inapplicable. Section 13.003 of the Civil Practice & Remedies Code does not apply to an appeal from a parental termination or child protection case or an order certifying a child to stand trial as an adult.

Comment to 2023 change: Rule 28.4 is amended to implement Texas Family Code section 56.01(h-1).

Rule 32. Docketing Statement (Redline Form)

32.1. Civil Cases

Promptly upon filing the notice of appeal in a civil case, the appellant must file in the appellate court a docketing statement that includes the following information:

(g) whether the appeal’s submission should be given priority, whether the appeal is an accelerated one under Rule 28.1 or another rule or statute,

and whether it is a parental termination or child protection case or an appeal from an order certifying a child to stand trial as an adult, as defined in Rule 28.4;

Comment to 2023 change: Rule 32.1 is amended to implement Texas Family Code section 56.01(h-1).

Texas Rules of Judicial Administration

Rule 6. Time Standards for the Disposition of Cases. (Redline Form)

Rule 6.2 Appeals in Certain Cases Involving the Parent-Child Relationship and From Orders Certifying a Juvenile to Stand Trial as an Adult.

In an appeal of a suit for termination of the parent-child relationship or a suit affecting the parent-child relationship filed by a governmental entity for managing conservatorship, or an appeal from an order under Family Code section 54.02 certifying a juvenile to stand trial as an adult, appellate courts should, so far as reasonably possible, ensure that the appeal is brought to final disposition in conformity with the following time standards:

- (a) **Courts of Appeals.** Within 180 days of the date the notice of appeal is filed.
- (b) **Supreme Court.** Within 180 days of the date the petition for review is filed.

Comment

Comment to 2023 change: Rule 6.2 is amended to implement Texas Family Code section 56.01(h-1).

Rule 17. Use of Restraints in Juvenile Court. (Clean Form)

(a) Restraints, such as handcuffs, chains, irons, and other similar items, must not be used on a child during a juvenile court proceeding unless the court determines that the use of restraints is necessary because:

- (1) the child presents a substantial risk of:
 - (A) inflicting physical harm on the child or another person; or

(B) flight from the courtroom; or

(2) of any other factor relevant to assessing risk in the court proceeding.

(b) A party may request an opportunity to be heard on the necessity of restraints. The requesting party must provide reasonable notice to all parties. The court may hold a hearing to determine whether the use of restraints is necessary and must, when reasonable, make that determination before the child enters the courtroom and appears before the court.

(c) If the court determines that the use of restraints is necessary, the court must:

(1) order the least restrictive type of restraint necessary to prevent physical harm or flight; and

(2) make findings of fact in support of the determination on the record or in a written order.

(d) This rule does not apply to the use of restraints when transporting the child to or from the courtroom.

Comment

Comment to 2023 change: This rule is adopted to implement Texas Government Code section 22.0135(b).

TRD-202302013
Jaclyn Daumerie
Rules Attorney
Supreme Court of Texas
Filed: May 31, 2023



Texas Department of Transportation

Public Notice - FY 2024 - 2026 Disadvantaged Business Enterprise (DBE) Goal for Federal Transit Administration (FTA) Projects

Pursuant to Title 49 Code of Federal Regulations, Part 26, recipients of federal funds are required to establish DBE programs and set an overall goal for participation. The proposed overall FTA DBE goal for fiscal years 2024-2026 is 4.15%. The proposed goal and related methodology are available for inspection online at: <https://ftp.dot.state.tx.us/pub/txdot/civ/proposed-fta-goal-methodology-2024-2026.pdf>

TxDOT will accept written comments on the DBE goal until July 17, 2023. Comments should be submitted via email to *PTN_Program-Mgmt@txdot.gov* or mailed to TxDOT, Public Transportation Division, ATTN: Goal Methodology, 125 East 11th Street, Austin, Texas 78701.

Questions concerning inspection of the DBE goal and methodology should be directed to the Public Transportation Division at (512) 486-5977.

TRD-202302035
Vicki Aldrighetti-Mata
Public Transportation Supervisor
Texas Department of Transportation
Filed: June 1, 2023

