

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.

Texas State Affordable Housing Corporation

Draft Bond Program Policies and Request for Proposals Available for Public Comment

The Texas State Affordable Housing Corporation ("Corporation") has posted the draft of its 2024 Tax-Exempt Bond Program Policies and Request for Proposals. The Corporation will include written public comments received before August 11th, 2023, in its final recommendations to the Board. Comments may be submitted by email to: ddanenfelzer@tsahc.org. Comments will also be accepted by USPS at the offices of the Corporation sent to:

Texas State Affordable Housing Corporation

Attn: Development Finance Programs

6701 Shirley Avenue

Austin, Texas 78752-3517

A copy of the draft policies and request for proposals is available on the Corporation's website at:

<https://www.tsahc.org/developers/tax-exempt-bonds>

TRD-202302215

David Long
President
Texas State Affordable Housing Corporation
Filed: June 20, 2023

Office of Consumer Credit Commissioner

Correction of Error

The Office of Consumer Credit Commission (OCCC) published an Adjustment of Maximum Fee Amounts notice in the February 24, 2023, issue of the *Texas Register* (48 TexReg 1161). Due to an error by the OCCC, the information in the maximum fee amounts table was incorrect. The correct information follows.

Section 394.210 of the Texas Finance Code lists maximum fee amounts for debt management and debt settlement providers. Under Section 394.2101, the OCCC publishes adjustments to these amounts based on the Consumer Price Index for All Urban Consumers (1982-84).

Effective Maximum Fee Amounts: July 1, 2023 to June 30, 2024

The effective maximum fee amounts for July 1, 2023 to June 30, 2024 will be adjusted as follows:

Description	Citation	Adjusted Amount
Debt management setup fee	394.210(f)(1)	\$132.00
Debt management monthly service fee	394.210(f)(2)	Lesser of \$13.00 per account or \$66.00
Debt settlement setup fee	394.210(g)(1)	\$526.00
Debt settlement monthly service fee	394.210(g)(2)	Lesser of \$13.00 per account or \$66.00
Counseling or education if no debt management or settlement service provided	394.210(1)	\$132.00
Fee for dishonored payment	394.210(n)	\$30.00 ¹

¹ The adjustment would exceed the \$30 authorized by Texas Business and Commerce Code §3.506

Note: These calculations are based on comparing the reference base index for December 2011 (225.672) to the index for December 2022 (296.797). The percentage change is a 31.5170% increase, rounded to the nearest dollar. The fee descriptions above are just a summary. Providers should carefully review Section 394.210 and other applicable law to ensure that their fees are authorized.

TRD-202302166

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: June 15, 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, 303.009, and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/26/23 - 07/02/23 is 18% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/26/23 - 07/02/23 is 18% for commercial² credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 07/01/23 - 07/31/23 is 8.25%.

¹ Credit for personal, family or household use.

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

TRD-202302218

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: June 20, 2023

Credit Union Department

Application to Amend Articles of Incorporation

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

An application for a change to its principal place of business was received from American Baptist Association Credit Union, Angleton, Texas. The credit union is proposing to change its domicile to 21103 Chenango Lake Drive, Angleton, Texas 77515.

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

TRD-202302235

Michael S. Riepen

Commissioner

Credit Union Department

Filed: June 21, 2023

Applications to Expand Field of Membership

Notice is given that the following applications have been filed with the Credit Union Department (Department) and are under consideration.

An application was received from Credit Union of Texas #1, Allen, Texas, to expand its field of membership. The proposal would permit persons who work, live, worship, or attend school within the geographic boundaries of Lamar County, Texas, to be eligible for membership in the credit union.

An application was received from Credit Union of Texas #2, Allen, Texas, to expand its field of membership. The proposal would permit persons who work, live, worship, or attend school within the geographic boundaries of Fannin County, Texas, to be eligible for membership in the credit union.

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

for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202302234

Michael S. Riepen

Commissioner

Credit Union Department

Filed: June 21, 2023

Notice of Final Action Taken

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final actions taken on the following application:

Articles of Incorporation Change - Approved

United Savers Trust Credit Union (Houston) - See *Texas Register* dated on April 28, 2023.

TRD-202302233

Michael S. Riepen

Commissioner

Credit Union Department

Filed: June 21, 2023

Texas Education Agency

Correction of Error Relating to Proposed Amendment to 19 TAC Chapter 129, Student Attendance, Subchapter AA, Commissioner's Rules, §129.1025, Adoption by Reference: Student Attendance Accounting Handbook

The Texas Education Agency (TEA) published Proposed Amendment to 19 TAC Chapter 129, Student Attendance, Subchapter AA, Commissioner's Rules, §129.1025, Adoption by Reference: Student Attendance Accounting Handbook, in the June 16, 2023 issue of the *Texas Register* (48 TexReg 3023).

Due to error by TEA, the description of changes in Section 13 of the handbook inaccurately stated that to receive career and technical education weighted funding, course periods are required to be a minimum of 45 minutes in length for a total of 8,100 minutes per school year. The phrase "for a total of 8,100 minutes per school year" should not have been included.

Issued in Austin, Texas, on June 21, 2023.

TRD-202302242

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: June 21, 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 **August 1, 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 **August 1, 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: Braskem America, Incorporated; DOCKET NUMBER: 2022-0102-AIR-E; IDENTIFIER: RN102888328; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(1), 115.722(d), 116.115(c), and 122.143(4), 40 Code of Federal Regulations §60.18(c)(2), New Source Review Permit Number 5527B, Special Conditions Number 1, Federal Operating Permit Number O1424, General Terms and Conditions and Special Terms and Conditions Numbers 1.A and 11, and Texas Health and Safety Code, §382.085(b), by failing to operate the flare with a flame present at all times and failing to prevent unauthorized emissions; PENALTY: \$28,050; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$14,025; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: CROWELL, GARY L; DOCKET NUMBER: 2023-0733-WOC-E; IDENTIFIER: RN103279121; LOCATION: Marshall, Harrison 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 Caston, (512) 239-4593; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: Duran Apartment Management Incorporated; DOCKET NUMBER: 2022-0705-PWS-E; IDENTIFIER: RN101442234; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(j), by failing to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation Standard 60 for Drinking Water Treatment Chemicals; 30 TAC §290.43(d)(2), by failing to provide the facility's pressure tank with a pressure release device and an easily readable pressure gauge; 30 TAC §290.46(f)(2) and (3)(A)(i)(III) and (B)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(n)(1), by

failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; 30 TAC §290.119(b)(7), by failing to use an acceptable analytical method for disinfectant analyses; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$4,550; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(4) COMPANY: Enterprise Products Operating LLC; DOCKET NUMBER: 2022-0080-AIR-E; IDENTIFIER: RN104198643; LOCATION: Wharton, Wharton County; TYPE OF FACILITY: natural gas pipeline segment; RULES VIOLATED: Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent unauthorized emissions; PENALTY: \$8,625; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,312; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: Flint Hills Resources Corpus Christi, LLC; DOCKET NUMBER: 2021-0730-AIR-E; IDENTIFIER: RN100235266; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: petroleum refining plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 6819A, Special Conditions Number 1, Federal Operating Permit Number O1272, General Terms and Conditions and Special Terms and Conditions Number 31, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$25,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$12,500; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(6) COMPANY: H & L NEW GULF, INCORPORATED; DOCKET NUMBER: 2022-1341-UTL-E; IDENTIFIER: RN102683349; LOCATION: Boling, Wharton 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: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: INEOS US Chemicals Company; DOCKET NUMBER: 2021-1563-AIR-E; IDENTIFIER: RN102536307; LOCATION: Texas City, Galveston County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), 116.715(a), and 122.143(4), Flexible Permit Numbers 1176 and PSDTX782, Special Conditions Number 1, Federal Operating Permit Number O1513, General Terms and Conditions and Special Terms and Conditions Number 20, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$150,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$75,000; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: James E. Danning dba North Whispering Meadows Water and Christel L. Danning dba North Whispering Meadows Water; DOCKET NUMBER: 2022-1497-UTL-E; IDENTIFIER: RN101244879; LOCATION: Joshua, Johnson 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: \$625; ENFORCEMENT COORDINATOR: Samantha Duncan, (817) 588-5805; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(9) COMPANY: Kinder Morgan Texas Pipeline LLC; DOCKET NUMBER: 2022-0300-AIR-E; IDENTIFIER: RN107234924; LOCATION: Yoakum, DeWitt County; TYPE OF FACILITY: natural gas compressor station; RULES VIOLATED: 30 TAC §106.6(b), Permit by Rule Registration Number 119467, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$18,750; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(10) COMPANY: MO-VAC SERVICE COMPANY; DOCKET NUMBER: 2022-0644-WQ-E; IDENTIFIER: RN104148044; LOCATION: Laredo, Webb County; TYPE OF FACILITY: waste disposal facility; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; PENALTY: \$21,231; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$8,492; ENFORCEMENT COORDINATOR: John Thibodeaux, (409) 899-8753; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(11) COMPANY: The Consolidated Water Supply Corporation; DOCKET NUMBER: 2022-1240-UTL-E; IDENTIFIER: RN101281632; LOCATION: Crockett, Houston 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: \$1,250; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(12) COMPANY: The Dow Chemical Company; DOCKET NUMBER: 2021-0089-AIR-E; IDENTIFIER: RN100542711; LOCATION: Orange, Orange County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 9176, Special Conditions Number 1, Federal Operating Permit Number O2001, General Terms and Conditions and Special Terms and Conditions Number 12, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$61,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$26,687; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202302202

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 20, 2023

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Enforcement Orders

An agreed order was adopted regarding GALAXY FOOD MART, INC. dba Fiesta II Food Mart, Docket No. 2020-1204-PST-E on June 20, 2023 assessing \$4,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Gina Lee Fraser a/k/a Gina Lee Fraser-Strain, Docket No. 2021-0694-PST-E on June 20, 2023 assessing \$5,448 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.

An agreed order was adopted regarding ADI C-STORE INC dba Amigo Food Mart, Docket No. 2021-0881-PST-E on June 20, 2023 assessing \$6,248 in administrative penalties with \$1,249 deferred. Information concerning any aspect of this order may be obtained by contacting Courtney Gooris, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SWIFT BEEF COMPANY, Docket No. 2021-1100-AIR-E on June 20, 2023 assessing \$6,176 in administrative penalties with \$1,235 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Mike Cathey dba Dumps 4 Rent and Roy Lynn Byers, Docket No. 2021-1248-MSW-E on June 20, 2023 assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Ken Moller, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Diamond Shamrock Refining Company, L.P., Docket No. 2021-1287-AIR-E on June 20, 2023 assessing \$2,741 in administrative penalties with \$548 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kevin Glass Construction LLC, Docket No. 2021-1336-AIR-E on June 20, 2023 assessing \$1,875 in administrative penalties with \$375 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Covia Holdings LLC, Docket No. 2021-1436-PWS-E on June 20, 2023 assessing \$1,650 in administrative penalties with \$330 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Fort Bend County Municipal Utility District No. 118, Docket No. 2021-1505-MWD-E on June 20, 2023 assessing \$5,250 in administrative penalties with \$1,050 deferred. Information concerning any aspect of this order may be obtained by

contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Open Range Enterprises, LLC dba 4R Country Stores, Docket No. 2021-1614-PST-E on June 20, 2023 assessing \$3,494 in administrative penalties with \$698 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding XTO ENERGY INC., Docket No. 2022-0213-AIR-E on June 20, 2023 assessing \$3,938 in administrative penalties with \$787 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Harris County Municipal Utility District 172, Docket No. 2022-0253-PWS-E on June 20, 2023 assessing \$2,000 in administrative penalties with \$400 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Salas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Blackland Water Supply Corporation, Docket No. 2022-0294-PWS-E on June 20, 2023 assessing \$1,380 in administrative penalties with \$276 deferred. Information concerning any aspect of this order may be obtained by contacting Nick Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding INTERNET HOLDINGS, INC., Docket No. 2022-0355-PST-E on June 20, 2023 assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Courtney Gooris, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Pilot Thomas Logistics LLC, Docket No. 2022-0688-PST-E on June 20, 2023 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Karolyn Kent, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding PETRO HUB, LLC dba Charge Up 17, Docket No. 2022-0711-PST-E on June 20, 2023 assessing \$3,344 in administrative penalties with \$668 deferred. Information concerning any aspect of this order may be obtained by contacting Karolyn Kent, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Integrity Delaware LLC, Docket No. 2022-1073-WQ-E on June 20, 2023 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Vulcan Construction Materials, LLC, Docket No. 2022-1077-WR-E on June 20, 2023 assessing \$875 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement

Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Thomas K. Rawls dba Doucette Water System and Danasa Rawls dba Doucette Water System, Docket No. 2022-1395-UTL-E on June 20, 2023 assessing \$500 in administrative penalties with \$100 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Wehner, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Opdyke West, Docket No. 2022-1423-UTL-E on June 20, 2023 assessing \$625 in administrative penalties with \$125 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Salas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding North Milam Water Supply Corporation, Docket No. 2022-1471-UTL-E on June 20, 2023 assessing \$600 in administrative penalties with \$120 deferred. Information concerning any aspect of this order may be obtained by contacting Christiana McCrimmon, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding YES Companies EXP2, LLC, Docket No. 2022-1488-UTL-E on June 20, 2023 assessing \$500 in administrative penalties with \$100 deferred. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding WILDCATTER REDI-MIX LLC, Docket No. 2022-1515-AIR-E on June 20, 2023 assessing \$2,850 in administrative penalties with \$570 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Edmonson, Docket No. 2022-1522-UTL-E on June 20, 2023 assessing \$575 in administrative penalties with \$115 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Covestro LLC, Docket No. 2022-1626-AIR-E on June 20, 2023 assessing \$340 in administrative penalties with \$68 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Carr Land Development LLC, Docket No. 2022-1638-WQ-E on June 20, 2023 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SLIDELL WATER SUPPLY CORPORATION, Docket No. 2022-1648-UTL-E on June 20, 2023 assessing \$510 in administrative penalties with \$102 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding E S Water Utility Consolidators INC, Docket No. 2022-1649-UTL-E on June 20, 2023 assessing \$510 in administrative penalties with \$102 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding E S Water Utility Consolidators INC, Docket No. 2022-1651-UTL-E on June 20, 2023 assessing \$600 in administrative penalties with \$120 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Hermann Sons Life, Docket No. 2022-1712-PWS-E on June 20, 2023 assessing \$550 in administrative penalties with \$110 deferred. Information concerning any aspect of this order may be obtained by contacting Nick Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202302253

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of an Application for a Temporary Water Use Permit Application No. 13841

Notice Issued June 16, 2023

Sims Southwest Corporation, Applicant, 21 Japhet Street., Houston, Texas 77020, seeks a temporary water use permit to divert and use not to exceed 10 acre-feet of water, within a period of one year, from a point on Buffalo Bayou (Houston Ship Channel), tributary of the San Jacinto River, San Jacinto River Basin, at a maximum diversion rate of 0.65 cfs (290 gpm), for industrial purposes in Harris County. More information on the application and how to participate in the permitting process is given below.

The application and partial fees were received on May 25, 2022. Additional information and fees were received on December 12, 14, and 16, 2022 and February 13, 17, and 22, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on March 8, 2023.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, a requirement to take reasonable measures to reduce impacts to aquatic resources due to impingement and entrainment. The application, technical memorandum, and Executive Director's draft permit are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, by July 05, 2023. A public meeting is intended for the taking of public comment, and is not a contested case hearing. A public meeting will be held if the Executive Director

determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by July 05, 2023. The Executive Director may approve the application unless a written request for a contested case hearing is filed by July 05, 2023.

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

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

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRTP 13841 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

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

TRD-202302251

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of an Application for an Extension of Time to Complete Construction of a Project Authorized by Water Use Permit No. 12292 Application No. 12292

Notices Issued June 09, 2023

Jewett Mine LLC, P.O. Box 915, Jewett, Texas 75846, Applicant/Permittee, seeks authorization to extend the time to complete construction of five reservoirs, located on Buffalo Creek, Bow Branch, Rena Branch, Taylor Springs Branch, and Silver Creek, Trinity River Basin for recreational, domestic and livestock purposes in Freestone and Leon Counties. More information on the application and how to participate in the permitting process is given below.

The application was received on January 26, 2023 and partial fees were received on February 6, 2023. Additional fees were received on April 18, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on April 26, 2023. The Executive Director has determined that the applicant has shown due diligence and justification for delay. In the event a hearing is held on this application, the Commission shall also

consider whether the authorization for the appropriation shall be forfeited for failure to demonstrate sufficient due diligence and justification for delay. The Executive Director has completed the technical review of the application and prepared a draft Order. The draft Order, if granted, would authorize the extension of time to complete construction of the five reservoirs. The application, technical memorandum and Executive Director's draft Order are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps

Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this 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) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

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

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 12292 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202302244

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Proposed Air Quality Registration Number 172768

APPLICATION. Ingram Readymix No 27 LLC, 3580 FM 482, New Braunfels, Texas 78132-5012 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 172768 to authorize the operation of a concrete batch plant. The facility is proposed to be located at 112 Rancho Grande, Floresville, Wilson County, Texas 78114. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=98.10873640614078,29.121819665405766&level=18>. This application was submitted to the TCEQ on May 11, 2023. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on June 15, 2023.

PUBLIC COMMENT / PUBLIC HEARING. Public written comments about this application may be submitted at any time during the public comment period. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A public hearing has been scheduled, that will consist of two parts, an informal discussion period and a formal comment period. During the informal discussion period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application, but comments made during the informal period will not be considered by the executive director before reaching a decision on the permit, and no formal response will be made to the informal comments. During the formal comment period, members of the public may state their comments into the official record. **Written comments about this application may also be submitted at any time during the hearing.** The purpose of a public hearing is to provide the opportunity to submit written comments or an oral statement about the application. **The public hearing is not an evidentiary proceeding.**

The Public Hearing is to be held:

Thursday, July 27, 2023, at 6:00 p.m.

Holiday Inn Express and Suites

Rose Room

929 10th Street

Floresville, Texas 78114

RESPONSE TO COMMENTS. A written response to all formal comments will be prepared by the executive director after the comment period closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and the response to comments will be posted in the permit file for viewing.

The executive director shall approve or deny the application not later than 35 days after the date of the public hearing, considering all com-

ments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

CENTRAL/REGIONAL OFFICE. The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ San Antonio Regional Office, located at 14250 Judson Road, San Antonio, Texas 78233-4480, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

INFORMATION. If you need more information about this permit application or the permitting process, please call the Public Education Program toll free at (800) 687-4040. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Ingram Readymix No. 27, L.L.C., 3580 Fm 482, New Braunfels, Texas 78132-5012, or by calling Mr. Gary Johnson, Vice President at (830) 625-9156.

Notice Issuance Date: June 15, 2023

TRD-202302246

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of Correction to Agreed Order Number 7

In the March 31, 2023, issue of the *Texas Register* (48 TexReg 1746), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 7, for K2C-Austin, LLC; Docket Number 2021-1327-WQ-E. The error is as submitted by the commission.

The reference to the Docket Number should be corrected to read: "2021-1327-WR-E."

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

TRD-202302203

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 20, 2023



Notice of District Petition

Notice issued June 15, 2023

TCEQ Internal Control No. D-03172023-027; TCCI Churchill, LLC, a Texas limited liability company, (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into Ponder Farms Municipal Utility District of Denton County (District) under Local Government Code Section (§) 42.042 and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) there is one lienholder, J. Young Land & Cattle, Ltd., on the property to be included in the District and information provided indicates that the lienholder consents to the annexation of land into the District; (3) the proposed property annexation will contain approximately 275.03 acres located within Denton County; and (4) the land within the proposed property annexation is within the extraterritorial jurisdiction of the City of Denton, Texas (City). The property proposed for annexation is noncontiguous and located north of the existing District boundary. Access to the annexation tract will be by FM 2449 and Florence Road. In accordance with Texas Local Government

Code §§ 42.0425 and 42.042, the Petitioner and the District submitted a petition to the City, requesting the City's consent to the annexation of land into the District. Information provided indicates that the City did not consent to the inclusion of the land into the District's area. After the 90-day period passed without receiving the City's consent to the annexation, the Petitioner submitted a petition to the City requesting the City provide water and sanitary sewer services to the proposed annexation area. The 120-day period for reaching a mutually agreeable contract expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Local Government Code § 42.042, failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the proposed annexation area into the District.

INFORMATION SECTION

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

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

TRD-202302247

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of District Petition

Notice issued June 15, 2023

TCEQ Internal Control No. D-03172023-028; TCCI Ponder WPP, LLC, a Texas limited liability company, (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into Ponder Farms Municipal Utility District of Den-

ton County (District) under Local Government Code Section (§) 42.042 and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) there is one lienholder, Stallion Real Estate Income Fund, LLC, on the property to be included in the District and information provided indicates that the lienholder consents to the annexation of land into the proposed District; (3) the proposed property annexation will contain approximately 31.43 acres located within Denton County; and (4) the land within the proposed property annexation is within the extraterritorial jurisdiction of the Town of Ponder, Texas (Town). The property proposed for annexation is noncontiguous and located southwest of the existing District boundary. Access to the annexation tract will be by Blair Road, east of the intersection of FM 156 and Blair Road. In accordance with Texas Local Government Code §§ 42.0425 and 42.042, the Petitioner and the District submitted a petition to the Town, requesting the Town's consent to the annexation of land into the District. Information provided indicates that the Town did not consent to the inclusion of the land into the District's area. After the 90-day period passed without receiving the Town's consent to the annexation, the Petitioner submitted a petition to the Town requesting the Town provide water and sanitary sewer services to the proposed annexation area. The 120-day period for reaching a mutually agreeable contract expired and the information provided indicates that the Petitioner and the Town have not executed a mutually agreeable contract for service. Pursuant to Texas Local Government Code § 42.042, failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the proposed annexation area into the District.

INFORMATION SECTION

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

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

TRD-202302248

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of District Petition

Notice issued June 15, 2023

TCEQ Internal Control No. D-03172023-029; TCCI Land Development, Inc., a Texas corporation, (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into Ponder Farms Municipal Utility District of Denton County (District) under Local Government Code Section (§) 42.042 and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) there is one lienholder, Austerra Stable Income Fund, LP, on the property to be included in the District and information provided indicates that the lienholder consents to the annexation of land into the proposed District; (3) the proposed property annexation will contain approximately 102 acres located within Denton County; and (4) the land within the proposed property annexation is within the extraterritorial jurisdiction of the Town of Ponder, Texas (Town). The property proposed for annexation is two noncontiguous tracts and located southwest of the existing District boundary. Access to the annexation tracts will be by Seaborn Road from the intersection of FM 156 and Seaborn Road.

In accordance with Texas Local Government Code §§ 42.0425 and 42.042, the Petitioner and the District submitted a petition to the Town, requesting the Town's consent to the annexation of land into the District. Information provided indicates that the Town did not consent to the inclusion of the land into the District's area. After the 90-day period passed without receiving the Town's consent to the annexation, the Petitioner submitted a petition to the Town requesting the Town provide water and sanitary sewer services to the proposed annexation area. The 120-day period for reaching a mutually agreeable contract expired and the information provided indicates that the Petitioner and the Town have not executed a mutually agreeable contract for service. Pursuant to Texas Local Government Code § 42.042, failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the proposed annexation area into the District.

INFORMATION SECTION

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

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

less 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-202302249

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of District Petition

Notice issued June 15, 2023

TCEQ Internal Control No. D-03172023-030; TCCI Churchill, LLC, a Texas limited liability company, (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into Ponder Farms Municipal Utility District of Denton County (District) under Local Government Code Section (§) 42.042 and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) there is one lienholder, J. Young Land & Cattle, Ltd., on the property to be included in the District and information provided indicates that the lienholder consents to the annexation of land into the proposed District; (3) the proposed property annexation will contain approximately 266 acres located within Denton County; and (4) the land within the proposed property annexation is within the extraterritorial jurisdiction of the Town of Ponder, Texas (Town). The property proposed for annexation is noncontiguous and located north of the existing District boundary. Access to the annexation tract will be by FM 2449 and Florence Road. In accordance with Texas Local Government Code §§ 42.0425 and 42.042, the Petitioner and the District submitted a petition to the Town, requesting the Town's consent to the annexation of land into the District. Information provided indicates that the Town did not consent to the inclusion of the land into the District's area. After the 90-day period passed without receiving the Town's consent to the annexation, the Petitioner submitted a petition to the Town requesting the Town provide water and sanitary sewer services to the proposed annexation area. The 120-day period for reaching a mutually agreeable contract expired and the information provided indicates that the Petitioner and the Town have not executed a mutually agreeable contract for service. Pursuant to Texas Local Government Code § 42.042, failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the proposed annexation area into the District.

INFORMATION SECTION

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

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

TRD-202302250

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of Opportunity to Comment on a Default 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 Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is 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 **August 1, 2023**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO 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 DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO 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 the DO should be sent to the attorney designated for the DO 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 August 1, 2023**. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: SAM RAYBURN WATER, INC.; DOCKET NUMBER: 2022-1351-UTL-E; TCEQ ID NUMBER: RN101274165; LOCATION: Farm-to-Market Road 705, 9.5 miles south of Highway 83 near Pineland, San Augustine County; TYPE OF FACILITY: water utility; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to TCEQ for approval an emergency preparedness plan that demonstrates the utility's ability to provide emergency operations; PENALTY: \$895; STAFF ATTORNEY: Megan L. Grace, Litigation, MC 175, (512) 239-3334; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202302205
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: June 20, 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 **August 1, 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 August 1, 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: Juan Francisco Rodriguez; DOCKET NUMBER: 2022-0147-AIR-E; TCEQ ID NUMBER: RN111069621; LOCA-

TION: 10050 Farm-to-Market Road 1560 North, San Antonio, Bexar County; TYPE OF FACILITY: sand and gravel processing facility; RULES VIOLATED: Texas Health and Safety Code, §382.0518(a) and §382.085(b) and 30 TAC §116.110(a), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$5,000; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-202302204
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: June 20, 2023



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Double Diamond Utilities, Co. SOAH Docket No. 582-23-20421 TCEQ Docket No. 2020-0651-MWD-E

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

10:00 a.m. - July 13, 2023

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed February 27, 2023 concerning assessing administrative penalties against and requiring certain actions of Double Diamond Utilities, Co., for violations in Hill County, Texas, of: Tex. Water Code § 26.121(a)(1); 30 Texas Administrative Code §§30.350(d), 305.125(1), (4), (5), and (17), and 319.11(c); and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0013786002, Definitions and Standard Permit Condition No. 2.e., Operational Requirement No. 1, Permit Condition No. 2.d., Sludge Provision Section IV.C., Effluent Limitations and Monitoring Requirements Nos. 1 and 2, Other Requirement No. 1, and Monitoring and Reporting Requirement No. 1.

The hearing will allow Double Diamond Utilities, Co., the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Double Diamond Utilities, Co., the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on

the date of this preliminary hearing. **Upon failure of Double Diamond Utilities, Co. to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** Double Diamond Utilities, Co., the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code § 7.054 and ch. 26 and 30 Texas Administrative Code chs. 30, 70, 305, and 319; Tex. Water Code § 7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §§70.108 and 70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

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

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

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

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

Issued: June 14, 2023

TRD-202302245

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Notice of Water Quality Application

The following notices was issued on June 16, 2023:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

INFORMATION SECTION

El Paso Electric Company, which operates Newman Power Station, has applied for a minor amendment to TCEQ Permit No. WQ0000836000 to authorize the ability to retain management of wastewater via evaporation and irrigation and management of wastewater via evaporation only when Zero Liquid Discharge Phase II is fully operational or irrigation tracts are no longer available for use. The existing permit authorizes the disposal of cooling tower blowdown, low volume wastes, metal cleaning wastes, and stormwater at a daily average flow not exceed 1.728 MGD via evaporation or irrigation of non-public access acreage north of the plant consisting of 793 acres. This permit will not authorize discharge of pollutants into water in the state. The facility and land application site are located at 4900 Stan Roberts Sr. Avenue, El Paso County, Texas 79934.

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

INFORMATION SECTION

Azteca Milling, L.P., which operates Dawn Corn Milling Facility, has applied for a minor amendment to TCEQ Permit No. WQ0004052000 to authorize reduction of effluent land application area required from 219-acres to 165-acres. The existing permit authorizes the disposal of process wastewater and washwater generated from cooking and washing corn at a daily average flow not exceed 320,000 gallons per day via irrigation of 219 acres. This permit will not authorize discharge of pollutants into water in the state. The facility and land application site are located at 4819 Farm-to-Market (FM) 809 Road, Deaf Smith County, Texas 79025.

TRD-202302252

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2023



Tax Relief for Pollution Control Property Advisory Committee Request for Nominations

The Texas Commission on Environmental Quality (TCEQ) is currently accepting nominations for six members to the Tax Relief for Pollution Control Property Advisory Committee (advisory committee) to serve four-year terms, beginning January 1, 2024 through December 31, 2027.

The following affiliation positions need to be filled on the advisory committee: three industry representatives, one taxing unit representative, one environmental group representative, and one representative from a school or junior college district in which property is located that is or was previously subject to an exemption under Texas Tax Code, §11.31. Current advisory committee members whose terms are expiring may apply for reappointment and must apply to be considered for reappointment.

In 1993, Texas voters approved Proposition 2 (Prop 2), amending the Texas Constitution to authorize the Texas Legislature to exempt from ad valorem taxation "all or part of real and personal property used, constructed, acquired, or installed wholly or partly to meet or exceed rules or regulations adopted by an environmental protection agency of the United States, this state, or a political subdivision of this state for the prevention, monitoring, control, or reduction of air, water, or land pollution." The Texas Legislature implemented Prop 2 by enacting Texas Tax Code, §11.31. The TCEQ adopted 30 Texas Administrative Code

Chapter 17, implementing Texas Tax Code, §11.31 and establishing the procedures for obtaining a "positive use determination" under the Tax Relief for Pollution Control Property Program. The goal of the program is to provide tax relief to individuals, companies, and political subdivisions that make capital investments to meet or exceed federal, state, or local environmental rules or regulations.

In 2009, Texas Tax Code, §11.31 was amended to require the TCEQ to form a permanent advisory committee to make recommendations to the TCEQ commissioners on matters relating to property tax exemptions for pollution control property. TCEQ commissioners appoint advisory committee members to serve four-year staggered terms.

The nomination form and instructions are provided on the TCEQ's website at https://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html. Completed nomination forms must be submitted to the TCEQ by 5:00 p.m. CDT on July 31, 2023. Nominations received after that date will only be considered if there are insufficient qualified nominees. Individuals may nominate themselves or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Questions regarding the advisory committee nomination process should be directed by phone to Elizabeth Sartain of the Tax Relief Program at (512) 239-3933 or by email to txrelief@tceq.texas.gov.

TRD-202302207

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 20, 2023



General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of June 11, 2023 to June 16, 2023. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.25, 30.32, and 30.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, June 23, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, July 23, 2023.

FEDERAL AGENCY ACTIONS:

Applicant: City of Port Aransas

Location: The project site is located in a manmade ditch adjacent to Corpus Christi Bay, approximately 8.9 miles southeast of Aransas Pass, within Nueces County, Texas.

Latitude and Longitude: 27.778934, -97.106960

Project Description: The applicant proposes to discharge approximately 290 cubic yards of clean fill and box culvert system into 0.27 acre (803 linear feet) of manmade intermittent ditch. The applicant

plans to install a 7-foot by 3-foot box culvert. Once installed, the box culvert is anticipated to improve the flow of stormwater conveyed from State Highway (SH) 361 and adjacently located residential developments. The proposed project would permanently impact 0.27 acre (803 linear feet) of a manmade intermittent ditch. The ditch currently outfalls into a large manmade canal/lake with connectivity to Corpus Christi Bay through existing piping structures that cross underneath the waterbody's embankment. During construction, the existing pipes would be removed and replaced with a 7-foot by 3-foot box culvert outfall structure. The proposed headwall associated with the outfall structure would match the current grade of the embankment system along the manmade canal/lake and impacts below the ordinary high water mark (OHWM) are not anticipated to occur.

The applicant proposed to mitigate for the proposed impacts by utilizing a permittee responsible mitigation (PRM) solution, prepared by Delta Land Services to offset the impacts resulting in a chance of function. The applicant would compensate for the conversion (fill) of 0.27 acres of waterbody (manmade ditch).

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2023-00181. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 23-1296-F1

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

TRD-202302243

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: June 21, 2023



Texas Health and Human Services Commission

Public Notice - Texas State Plan for Medical Assistance Amendment

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

The purpose of the amendments is to update the fee schedules in the current state plan by adjusting fees, rates, or charges for the following services:

Physician Services

The proposed amendment is estimated to result in an annual aggregate expenditure of \$0 for federal fiscal year (FFY) 2023, consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$0 consisting of \$0 in federal funds and \$0 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$0 consisting of \$0 in federal funds and \$0 in state general revenue.

Further detail on specific reimbursement rates and percentage changes were made available on the HHSC Provider Finance website under the proposed effective date at: <https://pfd.hhs.texas.gov/rate-packets>.

Rate Hearing.

A Rate Hearing was conducted in person and online on May 19, 2023. Information about the proposed rate changes and hearings was published in the April 21, 2023, issue of the *Texas Register* (48 TexReg 2159). Additional information and the notice of hearings can be found at <https://www.sos.state.tx.us/texreg/index.shtml>. Archived recordings of the hearings can be found at <https://www.hhs.texas.gov/about/meetings-events>.

Copy of Proposed Amendment.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Nicole Hotchkiss, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 487-3349; by facsimile at (512) 730-7472; or by e-mail at Medicaid_Chip_SPA_Inquiries@hhs.texas.gov. Copies of the proposed amendment will be available for review at the local county offices of HHSC, (which were formerly the local offices of the Texas Department of Aging and Disability Services).

Written Comments.

Written comments about the proposed amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 W. Guadalupe St.

Austin, Texas 78751

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

Fax

Attention: Provider Finance at (512) 730-7475

Email

PFDAcuteCare@hhs.texas.gov

Preferred Communication.

For quickest response, please use e-mail or phone, if possible, for communication with HHSC related to this state plan amendment.

TRD-202302206

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 20, 2023

Texas Department of Insurance

Company Licensing

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

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

TRD-202302254

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: June 21, 2023

North Central Texas Council of Governments

Request for Proposals for DART Silver Line TOD Parking Study

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consultant firms for the DART Silver Line TOD Parking Study. NCTCOG is coordinating with local governments to develop a Dallas Area Rapid Transit (DART) Silver Line Transit Oriented Development (TOD) Corridor Plan with a focus on increasing future Silver Line rail ridership. A key element of the DART Silver Line TOD Corridor Plan is a parking study, which will use local data collected in this project and known best practices to recommend parking policy and management supporting more TOD around the Silver Line. The consultant will first conduct parking utilization counts at existing developments around various Silver Line rail stations for multi-day periods. The consultant will compare these counts to local parking requirements in zoning. Additionally, parking management best practice information applicable to the Silver Line corridor's future and existing development will be gathered. This project will result in a final report for Silver Line local governments using the collected parking use data, reviewed zoning, and best practices examples to create recommendations for local parking policies and management practices for ongoing TOD in the Silver Line corridor.

Proposals must be received in-hand no later than **5:00 p.m., Central Time, on Friday, July 28, 2023**, to Travis Liska, Principal Transportation Planner, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to TransRFPs@nctcog.org. The Request for Proposals will be available at www.nctcog.org/rfp by the close of business on **Friday, June 30, 2023**.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202302217

R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: June 20, 2023



Request for Proposals - Hosted Website Solution for www.TryParkingIt.com, the Regional Commute Tracking, Ride-Matching, and Commuter Reward System Website for the North Central Texas Council of Governments

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from firms for a hosted website solution for NCTCOG's existing commute tracking and ride-matching website and app, www.tryparkingit.com. The hosted website solution will allow commuters in the North Central Texas region to record information about alternative commute trips and locate ride-matches for traditional carpools and vanpools, along with transit, biking and walking partner matches. The hosted website solution will also offer sustainable incentives to motivate commuters to increase their use and reporting of alternative commutes.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, July 14, 2023**, to Sonya Landrum, Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to TransRFPs@nctcog.org. The Request for Proposals will be available at www.nctcog.org/rfp by the close of business on Friday, June 30, 2023.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202302236
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: June 21, 2023



Public Utility Commission of Texas

Notice of Application to Relinquish Designation as an Eligible Telecommunications Carrier and Eligible Telecommunications Provider

Notice is given to the public of an application filed with the Public Utility Commission of Texas on June 9, 2023, to relinquish designation as an eligible telecommunications carrier and eligible telecommunications provider under 16 Texas Administrative Code §26.417 and §26.418.

Docket Title and Number: Application of Mid-Tex Cellular, Ltd. to Relinquish its Eligible Telecommunications Provider and Eligible Telecommunications Carrier Designations, Docket Number 55133.

The Application: Mid-Tex Cellular, Limited requests to relinquish its eligible telecommunications provider (ETP) and eligible telecommunications carrier (ETC) designation in Texas.

Persons who wish to file a motion to intervene or to comment on the application should contact the commission as an intervention deadline will be imposed. A comment or request to intervene should be mailed to P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. 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 55133.

TRD-202302163
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: June 14, 2023



Texas Workforce Commission

Request for Comment Regarding the Management Fee Rate Charged by WorkQuest

Notice is hereby given that the Texas Workforce Commission (Commission) will review and make a decision on the management fee rate charged by the central nonprofit agency, WorkQuest, for its services to the community rehabilitation programs and operation of the State Use Program for Fiscal Year 2024 as required by Texas Human Resources Code, §122.019(e). This review will be considered by the Commission no earlier than Tuesday, September 5, 2023, in a duly posted Open Meeting. WorkQuest has requested that the Commission set the Fiscal Year 2024 management fee rate at 6% of the sales price for products, 6% of the contract price for services, and 5% of the contract price for temporary staffing services. The Commission seeks public comment on WorkQuest's management fee rate request as required by Texas Human Resources Code, §122.030.

Comments should be submitted in writing on or before Wednesday, August 30, 2023, to Kelvin Moore at Texas Workforce Commission, 1117 Trinity, Room 214T, Austin, Texas 78711, or via email to purchasingfrompeoplewithdisabilities@twc.texas.gov.

TRD-202302200
Les Trobman
General Counsel
Texas Workforce Commission
Filed: June 19, 2023



Request for Comment Regarding the Services Performed by WorkQuest

Notice is hereby given that the Texas Workforce Commission (Commission) intends to review the services provided by the central nonprofit agency, WorkQuest, for Fiscal Year 2023 as required by Section 122.019(c) of the Texas Human Resources Code and 40 Texas Administrative Code §806.31(d). The Commission will review the performance of WorkQuest to determine whether that agency's performance complied with all applicable requirements.

The Commission requests that interested parties submit comments regarding the services of WorkQuest in its operation of the State Use Program, under Texas Human Resources Code, §122.019 and 40 Texas Administrative Code Chapter 806, Subchapter C, no later than Thursday, August 31, 2023. Comments shall be submitted to Kelvin Moore at Texas Workforce Commission, 1117 Trinity, Room 214T, Austin, Texas 78711, or via email to: purchasingfrompeoplewithdisabilities@twc.texas.gov.

TRD-202302213
Les Trobman
General Counsel
Texas Workforce Commission
Filed: June 20, 2023

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Texas Workforce Investment Council

Texas Workforce System Strategic Plan - Fiscal Year 2024 -
Fiscal Year 2031

The Texas Workforce Investment Council (Council) is pleased to provide a draft of the strategic plan for the Texas workforce system for public review and comment. Following recommendation by the Strategic Planning Committee, the plan was approved for posting by the Council at its meeting on June 16, 2023. Written comments may be sent to twic.mail@gov.texas.gov and will be accepted through close of business on July 31, 2023.

Note to Reviewers:

Some of the less formal performance measures that are referenced throughout the plan are still in the process of being finalized with

agency partners. The final workforce system strategic plan may include performance measures other than those found in the posted version of the plan.

You may access the plan on the Council's website at: https://gov.texas.gov/uploads/files/organization/twic/texas_workforce_system_strategic_plan.pdf

TRD-202302212

Lee Rector

Director

Texas Workforce Investment Council

Filed: June 20, 2023

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