

# 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.

## Alamo Area Metropolitan Planning Organization

### RFP - On-Call Travel Demand Modeling Services

The Alamo Area Metropolitan Planning Organization (AAMPO) is seeking proposals from qualified firms to provide On-Call Travel Demand Modeling Services.

The Request for Proposals (RFP) may be obtained by downloading the RFP and attachments from AAMPO's website at [www.alamoareampo.org](http://www.alamoareampo.org) or calling Sonia Jiménez, Deputy Director, at (210) 668-3614. Anyone wishing to submit a proposal must email it by 12:00 p.m. (CDT), Friday, September 29, 2023 to the AAMPO office at [aampo@alamoareampo.org](mailto:aampo@alamoareampo.org).

Reimbursable funding for this study, in the amount of \$450,000, is contingent upon the availability of federal transportation planning funds.

TRD-202302979

Sonia Jimenez

Deputy Director

Alamo Area Metropolitan Planning Organization

Filed: August 15, 2023



### RFP - Regional Freight Study

The Alamo Area Metropolitan Planning Organization (AAMPO) is seeking proposals from qualified firms to conduct a Regional Freight Study.

The Request for Proposals (RFP) may be obtained by downloading the RFP and attachments from AAMPO's website at [www.alamoareampo.org](http://www.alamoareampo.org) or calling Clifton Hall, Transportation Planning Program Manager, at (210) 230-6929. Anyone wishing to submit a proposal must email it by 12:00 p.m. (CDT), Friday, September 29, 2023 to the AAMPO office at [aampo@alamoareampo.org](mailto:aampo@alamoareampo.org).

Reimbursable funding for this study, in the amount of \$350,000, is contingent upon the availability of federal transportation planning funds.

TRD-202302978

Sonia Jimenez

Deputy Director

Alamo Area Metropolitan Planning Organization

Filed: August 15, 2023



## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/21/23 - 08/27/23 is 18% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/21/23 - 08/27/23 is 18% for commercial<sup>2</sup> credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 09/01/23 - 09/30/23 is 8.50%.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202302990

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: August 16, 2023



## Credit Union Department

### Application for a Merger or Consolidation

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

An application was received from The Electric Utilities Credit Union (Big Spring) seeking approval to merge with ALLIANCE Credit Union (Lubbock), with the latter being the surviving credit union.

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

TRD-202303000

Michael S. Riepen

Commissioner

Credit Union Department

Filed: August 16, 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:

Field of Membership - Approved

First Service Credit Union (Houston) - See *Texas Register* dated on March 24, 2023.

TRD-202302996

Michael S. Riepen

Commissioner

Credit Union Department

Filed: August 16, 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 applications:

Merger or Consolidation - Approved

Chevron Federal Credit Union (California) and CTECU (Houston) - See *Texas Register* dated on December 30, 2022.

TRD-202302998

Michael S. Riepen

Commissioner

Credit Union Department

Filed: August 16, 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 applications:

Articles of Incorporation Change - Approved

American Baptist Association Credit Union (Angleton) - See *Texas Register* dated on June 30, 2023.

TRD-202302999

Michael S. Riepen

Commissioner

Credit Union Department

Filed: August 16, 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 **September 26, 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 **September 26, 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: C.V.W.S., Incorporated; DOCKET NUMBER: 2023-0403-PWS-E; IDENTIFIER: RN102691219; LOCATION: Uncertain, Harrison County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$1,750; ENFORCEMENT COORDINATOR: Christiana McCrimmon, (512) 239-2811; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: City of Bridge City; DOCKET NUMBER: 2021-1536-MLM-E; IDENTIFIER: RN101199966; LOCATION: Bridge City, Orange County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(l)(5), by failing to meet the conditions for an issued exception; 30 TAC §290.41(c)(3)(K), by failing to seal the wellhead by a gasket or sealing compound and provide a well casing vent for Well Number 4 that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.42(b)(2)(C), by failing to ensure that all openings to the atmosphere are covered with a 16-mesh or finer corrosion-resistant screening material or an acceptable equivalent; 30 TAC §290.42(d)(2)(F), by failing to provide the air release devices with a 16-mesh or finer corrosion-resistant screening material so as to preclude the possibility of submergence or possible entrance of contaminants; 30 TAC §290.42(f)(1)(E)(ii)(I), by failing to provide adequate containment for all liquid chemical storage tanks; 30 TAC §290.42(f)(1)(E)(ii)(IV), by failing to provide separate containment structures for chemicals that are incompatible; 30 TAC §290.42(l), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.42(m), by failing to provide an intruder-resistant fence around each water treatment plant and all related appurtenances that remains locked during periods of darkness and when the facility is unattended; 30 TAC §290.44(h)(4), by failing to have all backflow prevention assemblies tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications; 30 TAC §290.45(b)(1)(D)(i) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; 30 TAC §290.45(b)(1)(D)(ii) and THSC, §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.46(f)(2) and (3)(C)(i), 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)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; and 30 TAC §305.42(a) and TWC, §26.121(a)(1), by failing to obtain authorization to discharge municipal waste into or adjacent to any water in the state; PENALTY: \$41,741; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$33,394; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 881-6991; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(3) COMPANY: City of West Tawakoni; DOCKET NUMBER: 2023-0232-UTL-E; IDENTIFIER: RN101423671; LOCATION: West Tawakoni, Hunt 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: \$530; ENFORCEMENT COORDINATOR: Mason DeMasi, (512) 239-2093; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: HARRIS COUNTY WCID 21; DOCKET NUMBER: 2023-0965-WQ-E; IDENTIFIER: RN102077807; LOCATION: Channelview, Harris County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit for stormwater discharges; PENALTY: \$875; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: HPA Texas Sub 2016 ML LLC; DOCKET NUMBER: 2022-0964-OSS-E; IDENTIFIER: RN111135547; LOCATION: Midlothian, Ellis County; TYPE OF FACILITY: rental property; RULES VIOLATED: 30 TAC §285.3(a) and (b)(1) and Texas Health and Safety Code, §366.004 and §366.051(a), by failing to obtain authorization prior to constructing, altering, repairing, extending, or operating an on-site sewage facility (OSSF); 30 TAC §285.33(d)(2)(A), by failing to maintain an acceptable surface application area; and 30 TAC §285.91(10), by failing to provide the minimum required separation distance for an OSSF irrigation field of at least 50 feet from edge of the surface application spray area to the creek and at least ten feet from the edge of the surface application spray area to the property line; PENALTY: \$8,500; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: Joseph Gaber dba Cody's Market; DOCKET NUMBER: 2020-1500-PST-E; IDENTIFIER: RN101230654; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases in a manner which will detect a release at a frequency of at least once every 30 days; §334.50(d)(9)(A)(v) by failing to report a suspected release to the TCEQ within 72 hours of discovery; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TAC §334.72 within 30 days; PENALTY: \$14,677; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(7) COMPANY: PAK NEPAL LLC dba Kwik Stop 1; DOCKET NUMBER: 2023-0182-PST-E; IDENTIFIER: RN105636476; LOCATION: Frankston, Anderson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases in a manner which will detect a release at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$4,651; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(8) COMPANY: PARMER/SPECTRUM EAST, L.P.; DOCKET NUMBER: 2022-1431-EAQ-E; IDENTIFIER: RN110275971; LOCATION: Austin, Williamson County; TYPE OF FACILITY: commercial construction site; RULES VIOLATED: 30 TAC §213.4(a)(1),

by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(9) COMPANY: Sheldon Road Municipal Utility District; DOCKET NUMBER: 2021-0775-MWD-E; IDENTIFIER: RN101701209; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §217.33 and §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010541002, Monitoring and Reporting Requirements Number 5, by failing to accurately calibrate the totalizing meter for effluent flow measurement on an annual basis; 30 TAC §305.125(1) and (5), TWC, §26.121(a)(1), and TPDES Permit Number WQ0010541002, Operational Requirements Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained, resulting in an unauthorized discharge; and 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0010541002, Operational Requirements Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; PENALTY: \$11,251; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$11,251; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(10) COMPANY: SOUTHWEST SHIPYARD, L.P. and MSI HOLDINGS, L.P. dba Southwest Shipyard; DOCKET NUMBER: 2020-1613-MLM-E; IDENTIFIER: RN100248749; LOCATION: Channelview, Harris County; TYPE OF FACILITY: barge cleaning and repair facility; RULES VIOLATED: 30 TAC §324.4(2)(C)(ii) and 40 Code of Federal Regulations (CFR) §279.10(d)(1) and (g), by failing to process, recycle, and market used oil within the state in violation of rules for the management of used oil; 30 TAC §335.2(a), by failing to obtain authorization prior to storing, processing, or disposing of hazardous waste (HW); 30 TAC §335.2(b), by failing to not cause, suffer, allow, or permit its wastes to be processed at an unauthorized facility; 30 TAC §335.6(c), by failing to immediately document any changes or additional information on the facility's Notice of Registration within 90 days of the occurrence of such change or of becoming aware of such additional information; 30 TAC §335.9(a)(2), by failing to report complete and correct Annual Waste Summaries (AWSs); 30 TAC §335.9(a)(2)(B), by failing to submit an AWS before the annual deadline; 30 TAC §335.10(a)(1) and 40 CFR §262.20(a)(1), by failing to have complete and correct manifests for shipments of HW and to include a Texas Waste Code for each HW itemized on a manifest; 30 TAC §335.12(a) and 40 CFR §265.72(f), by failing to prepare a new manifest for a rejected waste; 30 TAC §§335.62, 335.504(a)(2), and 335.511(a), by failing to have complete HW determination process knowledge documentation; 30 TAC §335.69(a)(1)(A) and §335.112(a)(8), and 40 CFR §265.174, by failing to conduct weekly container storage area inspections; and 30 TAC §335.69(a)(4)(A) and §335.112(a)(3), and 40 CFR §265.53(b), by failing to submit a copy of the contingency plan to all local emergency response entities; PENALTY: \$113,365; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$45,346; ENFORCEMENT COORDINATOR: Ken Moller, (512) 534-7550; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202302967

Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: August 15, 2023



#### Enforcement Orders

An agreed order was adopted regarding EliteCurb & Concrete, LLC, Docket No. 2021-1603-AIR-E, on August 15, 2023 assessing \$1,875 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Peltier, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202303001  
Laurie Gharis  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: August 16, 2023



#### Enforcement Orders

An agreed order was adopted regarding KB MARINE INDUSTRY, LLC and Khang Trong Bui, Docket No. 2019-1159-MLM-E on August 16, 2023 assessing \$45,233 in administrative penalties with \$8,174 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 Ashton Holdings, Inc., Docket No. 2020-0218-WQ-E on August 16, 2023 assessing \$8,362 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Keagle, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Advanced Powder Solutions Inc., Docket No. 2020-0565-MLM-E on August 16, 2023 assessing \$88,325 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Kurnath, 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 Equistar Chemicals, LP, Docket No. 2020-0911-AIR-E on August 16, 2023 assessing \$58,350 in administrative penalties with \$11,670 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 SI Group, Inc., Docket No. 2020-1255-AIR-E on August 16, 2023 assessing \$155,159 in administrative penalties with \$31,031 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, 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 OXY USA WTP LP, Docket No. 2020-1460-AIR-E on August 16, 2023 assessing \$52,650 in administrative penalties with \$10,530 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 Busy B Septic Services, LLC, Docket No. 2020-1497-SLG-E on August 16, 2023 assessing \$25,938 in administrative penalties with \$6,986 deferred. Information concerning any aspect of this order 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.

An agreed order was adopted regarding The Dow Chemical Company, Docket No. 2021-0089-AIR-E on August 16, 2023 assessing \$61,250 in administrative penalties with \$7,875 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 Duran Gravel Company, Inc, Docket No. 2021-0175-WQ-E on August 16, 2023 assessing \$20,000 in administrative penalties with \$4,000 deferred. Information concerning any aspect of this order may be obtained by contacting Ellen Ojeda, 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 ONEOK Hydrocarbon, L.P., Docket No. 2021-0463-AIR-E on August 16, 2023 assessing \$25,000 in administrative penalties. 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 Western International Gas & Cylinders, Inc., Docket No. 2021-0481-AIR-E on August 16, 2023 assessing \$6,913 in administrative penalties. 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 Flint Hills Resources Corpus Christi, LLC, Docket No. 2021-0730-AIR-E on August 16, 2023 assessing \$25,000 in administrative penalties. 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 Mason, Docket No. 2021-0836-MWD-E on August 16, 2023 assessing \$19,250 in administrative penalties with \$3,850 deferred. Information concerning any aspect of this order may be obtained by contacting Ellen Ojeda, 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 Energy Transfer Nederland Terminal LLC f/k/a Sunoco Partners Marketing & Terminals L.P., Docket No. 2021-0879-AIR-E on August 16, 2023 assessing \$18,750 in administrative penalties. 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 Phillips 66 Company, Docket No. 2021-0897-AIR-E on August 16, 2023 assessing \$45,850 in administrative penalties. 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 Austin, Docket No. 2021-0900-MWD-E on August 16, 2023 assessing \$8,250 in administrative penalties with \$1,650 deferred. Information concerning any aspect of this order 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.

An agreed order was adopted regarding Enterprise Products Operating LLC, Docket No. 2021-0915-AIR-E on August 16, 2023 assessing \$57,850 in administrative penalties with \$11,570 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 G Square Ventures LLC dba Fast Trip, Docket No. 2021-0929-PST-E on August 16, 2023 assessing \$24,188 in administrative penalties with \$4,837 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 Cypress Valley Water Supply Corporation, Docket No. 2021-0968-PWS-E on August 16, 2023 assessing \$3,510 in administrative penalties. 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 Lake LBJ Boutique Resort & Marina, LLC dba Sunrise Beach Marina and Georg Pengg dba Sunrise Beach Marina, Docket No. 2021-1037-MLM-E on August 16, 2023 assessing \$10,242 in administrative penalties with \$2,048 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 Occidental Chemical Corporation, Docket No. 2021-1067-AIR-E on August 16, 2023 assessing \$13,125 in administrative penalties with \$2,625 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 City of La Feria dba La Feria City Shop, Docket No. 2021-1204-PST-E on August 16, 2023 assessing \$12,000 in administrative penalties with \$2,400 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 default order was adopted regarding Village Creek Church of Christ, Inc., Docket No. 2021-1209-PWS-E on August 16, 2023 assessing \$2,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan L. Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Fairway Methanol LLC, Docket No. 2021-1251-AIR-E on August 16, 2023 assessing \$21,225 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, 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 William F. Gilpin dba Aero, Docket No. 2021-1313-MLM-E on August 16, 2023 assessing \$31,363 in administrative penalties with \$6,272 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 Exxon Mobil Corporation, Docket No. 2021-1379-AIR-E on August 16, 2023 assessing \$8,325 in administrative penalties with \$1,665 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 Braskem America, Inc., Docket No. 2021-1450-AIR-E on August 16, 2023 assessing \$8,175 in administrative penalties with \$1,635 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 City of Laredo, Docket No. 2021-1455-PWS-E on August 16, 2023 assessing \$69,980 in administrative penalties with \$13,996 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer, 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 INEOS US Chemicals Company, Docket No. 2021-1563-AIR-E on August 16, 2023 assessing \$150,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, 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 Camo Chemical LLC, Docket No. 2022-0024-AIR-E on August 16, 2023 assessing \$12,875 in administrative penalties. 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 Enterprise Products Operating LLC, Docket No. 2022-0080-AIR-E on August 16, 2023 assessing \$8,625 in administrative penalties. 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 Braskem America, Inc., Docket No. 2022-0102-AIR-E on August 16, 2023 assessing \$28,050 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, 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 San Diego Municipal Utility District No. 1, Docket No. 2022-0162-MWD-E on August 16, 2023 assessing \$17,387 in administrative penalties. 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 Kinder Morgan Texas Pipeline LLC, Docket No. 2022-0300-AIR-E on August 16, 2023 assessing \$18,750 in administrative penalties. 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 TotalEnergies Petrochemicals & Refining USA, Inc., Docket No. 2022-0380-AIR-E on August 16, 2023 assessing \$14,250 in administrative penalties with \$2,850

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 Texas Department of Criminal Justice, Docket No. 2022-0383-MWD-E on August 16, 2023 assessing \$27,000 in administrative penalties with \$5,400 deferred. Information concerning any aspect of this order may be obtained by contacting Laura Draper, 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 Verner Middleton, Docket No. 2022-0554-MLM-E on August 16, 2023 assessing \$8,250 in administrative penalties with \$1,650 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 MO-VAC SERVICE COMPANY, Docket No. 2022-0644-WQ-E on August 16, 2023 assessing \$21,231 in administrative penalties with \$4,246 deferred. Information concerning any aspect of this order may be obtained by contacting John Thibodeaux, 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 Michael Burris and Christine Taylor, Docket No. 2022-0759-MSW-E on August 16, 2023 assessing \$7,875 in administrative penalties with \$1,575 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 Cross Timbers Water Supply Corporation, Docket No. 2022-0980-PWS-E on August 16, 2023 assessing \$11,230 in administrative penalties with \$2,246 deferred. Information concerning any aspect of this order may be obtained by contacting Epifanio Villarreal, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SAM RAYBURN WATER, INC., Docket No. 2022-1351-UTL-E on August 16, 2023 assessing \$895 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan L. Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SAM RAYBURN WATER, INC., Docket No. 2022-1352-UTL-E on August 16, 2023 assessing \$510 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan L. Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Undine Texas, LLC, Docket No. 2022-1480-PWS-E on August 16, 2023 assessing \$3,525 in administrative penalties. 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 Treasure Island Municipal Utility District, Docket No. 2022-1664-PWS-E on August 16, 2023 assessing \$4,210 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Epifanio Villarreal,

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 Trinity Rural Water Supply Corporation, Docket No. 2023-0399-PWS-E on August 16, 2023 assessing \$5,750 in administrative penalties with \$5,750 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.

TRD-202303005

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 16, 2023



### Notice of a Public Meeting and a Proposed Renewal with Amendment of General Permit TXR040000 Authorizing the Discharge of Stormwater

The Texas Commission on Environmental Quality (TCEQ or commission) proposes to renew and amend Texas Pollutant Discharge Elimination System General Permit TXR040000. This general permit authorizes the discharge of stormwater and certain types of non-stormwater to surface water in the state from small (Phase II) municipal separate storm sewer systems (MS4s). The proposed general permit applies to the entire state of Texas. General permits are authorized by Texas Water Code, §26.040.

**PROPOSED GENERAL PERMIT.** The executive director has prepared a draft general permit renewal with amendments of the existing general permit that authorizes the discharge of stormwater and certain types of non-stormwater from small MS4s. The proposed changes to the general permit include but are not limited to changing the permitting approach from a "two-step general permit" to a "comprehensive general permit" as described under the federal *2017 National Pollutant Discharge Elimination System (NPDES) MS4 General Permit Remand Rule (81 FR 89320, Dec. 9, 2016)*. All the proposed changes to the general permit are described in the fact sheet.

The general permit specifies which small MS4s must obtain permit coverage, which are eligible for a waiver from permit coverage based on population, and which must obtain individual permit coverage. Discharges from small MS4s of stormwater and certain types of non-stormwater are eligible for authorization under the general permit only if the small MS4 is located within an urban area with a population of at least 50,000 people, as defined by the United States Census Bureau for the 2000, 2010, or 2020 Decennial Censuses. Small MS4s located outside of an urban area with a population of at least 50,000 people may be designated by the TCEQ as requiring authorization and may also be permitted under the general permit. Non-stormwater discharges that are not specifically listed in the general permit are not authorized. No significant degradation of high-quality waters is expected and existing water uses will be maintained and protected.

Operators of small MS4s seeking authorization under this general permit would be required to submit a Notice of Intent within 180 days following the effective date of this general permit. A Stormwater Management Program must be developed according to the conditions of the comprehensive general permit to reduce the discharge of pollutants from the small MS4 to the maximum extent practicable.

The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP)

according to General Land Office regulations and has determined that the action is consistent with applicable CMP goals and policies.

A copy of the proposed general permit and fact sheet will be available for a minimum of 30 days for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ Austin office, at 12100 Park 35 Circle, Building F. These documents will also be available at the TCEQ's 16 regional offices and on the TCEQ website at [https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ\\_ms4\\_small\\_TXRO4.html](https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ_ms4_small_TXRO4.html).

**PUBLIC COMMENT AND PUBLIC MEETING.** You may submit public comments on this proposed general permit in writing or orally at the public meeting held by the TCEQ. The purpose of a public meeting is to provide the opportunity to submit written or oral comment or to ask questions about the proposed general permit. A public meeting is not a contested case hearing.

**The hybrid in-person and virtual public meeting will be held at 1:30 p.m., September 18, 2023, in TCEQ's complex at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.**

**Information for registering and attending the public meeting virtually is available at [https://www.tceq.texas.gov/permitting/stormwater/stormwater\\_stakeholders\\_group.html](https://www.tceq.texas.gov/permitting/stormwater/stormwater_stakeholders_group.html).**

**Written public comments must be received by the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by the end of this comment period on September 18, 2023.**

**ALTERNATIVE LANGUAGE NOTICE.** Alternative language notice in Spanish is available at [https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ\\_ms4\\_small\\_TXRO4.html](https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ_ms4_small_TXRO4.html). El aviso de idioma alternativo en español está disponible en [https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ\\_ms4\\_small\\_TXRO4.html](https://www.tceq.texas.gov/permitting/stormwater/ms4/WQ_ms4_small_TXRO4.html).

**MAILING LISTS.** In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the TCEQ Office of the Chief Clerk. You may request to be added to: 1) the mailing list for this specific general permit; 2) the permanent mailing list for a specific county; or 3) both. Clearly specify the mailing lists to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address previously mentioned. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

**INFORMATION.** If you need more information about this general permit or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at our website at <https://www.tceq.texas.gov>.

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

Further information may also be obtained by calling TCEQ's Water Quality Division, Stormwater Team, at (512) 239-4671.

*Si desea información en español, puede llamar al 1-800-687-4040.*

TRD-202303004

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: August 16, 2023



## Notice of Correction to Agreed Order Number 5

In the December 2, 2022, issue of the *Texas Register* (47 TexReg 8061), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 5, for COWBOY STAR INCORPORATED dba Smith Corner; Docket Number 2021-1447-PST-E. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$10,025."

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

TRD-202302968

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: August 15, 2023



## Notice of Costs to Administer the Voluntary Cleanup Program and the Innocent Owner/Operator Program

In accordance with Texas Health and Safety Code, §361.613 (pertaining to the Voluntary Cleanup Program (VCP)) and 30 Texas Administrative Code §333.43 (pertaining to the Innocent Owner/Operator Program (IOP)), the executive director of the Texas Commission on Environmental Quality (TCEQ or commission) annually shall calculate the commission's costs to administer the VCP and the IOP, and shall publish in the *Texas Register* the rates established for the purpose of identifying the costs recoverable by the commission. The TCEQ has calculated and is publishing the bill rate for both the VCP and the IOP as \$115 per hour for the commission's Fiscal Year 2024.

The VCP and the IOP are implemented by the same TCEQ staff. Therefore, a single hourly bill rate for both programs is appropriate. The hourly bill rate is determined based upon current projections for staff salaries for the Fiscal Year 2024, including the fringe benefit rate and the indirect cost rate, minus anticipated federal funding that the commission will receive, and then divided by the estimated number of staff hours necessary to complete the program tasks. Fringe benefits include retirement, social security, and insurance expenses and are calculated at a set rate for the entire agency. The current fringe benefit rate is 38.93% of the budgeted salaries. Indirect costs include allowable overhead expenses and also are calculated at a set rate for the entire agency. The current indirect cost rate is 34.33% of the budgeted salary. The hourly bill rate was calculated and then rounded to the nearest whole dollar amount. The commission will use an hourly bill rate of \$115 for both the VCP and the IOP for the Fiscal Year 2024. After an applicant's initial \$1,000 application fee has been depleted for the VCP or the IOP review and oversight costs, invoices will be sent monthly to the applicant, or designee, for payment.

The commission anticipates receiving federal funding during Fiscal Year 2024 for the continued development and enhancement of the VCP and the IOP. If the federal funding anticipated for Fiscal Year 2024 does not become available, the commission may calculate and publish a new hourly bill rate. Federal funding of the VCP and the IOP should occur prior to October 1, 2023.

For more information, please contact Ms. Merrie Smith, P.G., VCP-CA Section, Remediation Division, Texas Commission on Environmental Quality, MC 221, 12100 Park 35 Circle, Austin, Texas 78753, or call (512) 239-5051, or email [merrie.smith@tceq.texas.gov](mailto:merrie.smith@tceq.texas.gov).

TRD-202302976



## Notice of District Petition

Notice issued August 16, 2023

TCEQ Internal Control No. D-06162023-034; Peacock Capital Holdings, LLC, a Texas Limited Liability Company, (Petitioner) filed a petition for creation of Travis County Municipal Utility District No. 28 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Capital Farm Credit, ACA, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 1,386.774 acres of land located within Travis County, Texas; and (4) the land to be included in the proposed District is not within the corporate boundaries or extraterritorial jurisdiction of any municipality. The petition further states that the proposed District will purchase, design, construct, acquire, maintain, own, operate, repair, improve and extend a waterworks and sanitary sewer system for residential and commercial purposes, and will perform the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amend local storm waters or other harmful excesses of waters, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition, to which reference is hereby made for more detailed description, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such additional facilities, including roads, park and recreational facilities, systems, plants and enterprises as shall be consistent with all of the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$35,250,000 (including \$24,500,000 for water, wastewater, and drainage, \$2,750,000 for recreation, and \$8,000,000 for roads).

### INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at [www.tceq.texas.gov/agency/cc/pub\\_notice.html](http://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](http://www.tceq.texas.gov).

TRD-202303002

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 16, 2023



## Notice of District Petition

Notice issued August 16, 2023

TCEQ Internal Control No. D-06132023-022; Terrell Timmermann Farms, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Coupland Municipal Utility District No. 1 of Williamson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 281.371 acres located within Williamson County, Texas; and (4) all of the land within the proposed District is entirely within the extraterritorial jurisdiction of the City of Coupland. By Resolution No. 2022-12-8-01, passed and approved on January 25, 2023, the City of Coupland, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend, inside or outside of its boundaries, any and all works, improvements, facilities, systems, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial, and commercial purposes; (2) collect, transport, process, dispose of, and control domestic, industrial, and commercial wastes; (3) gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water or provide adequate drainage in the proposed District; and (4) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend, inside or outside of its boundaries, such additional facilities, systems, plants, equipment, appliances, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additional work and services which may be performed by the proposed District include the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension, and development of a roadway system and park and recreational facilities for the inhabitants of the proposed District. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is



estimated by the Petitioners that the cost of said project will be approximately \$37,050,000 (\$29,000,000 for water, wastewater, and drainage, \$5,600,000 for roads, and \$2,450,000 for recreation).

#### 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](http://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](http://www.tceq.texas.gov).

TRD-202303003

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 16, 2023



#### Notice of Opportunity to Comment on a Shutdown/Default Order of an Administrative Enforcement Action

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Order (S/DO). Texas Water Code (TWC), §26.3475, authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be noncompliant with release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the release detection, spill, and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an 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. In accordance with 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 **September 26, 2023**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/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 S/DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed S/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 S/DO shall be sent to the attorney designated for the S/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 September 26, 2023**. The commission's attorney is available to discuss the S/DO and/or the comment procedure at the listed phone number; however, comments on the S/DO shall be submitted to the commission in **writing**.

(1) COMPANY: Samad Brothers LLC dba Kingsley One Stop Foodmart; DOCKET NUMBER: 2021-1182-PST-E; TCEQ ID NUMBER: RN100525195; LOCATION: 2518 West Kingsley Road, Garland, Dallas County; TYPE OF FACILITY: UST system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(a) and 30 TAC §334.8(c)(5)(A)(i), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting deliveries of regulated substances into the USTs; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases in a manner which will detect a release at a frequency of at least once every 30 days; 30 TAC §334.51(a)(6), by failing to assure that all spill and overflow prevention devices are maintained in good operating condition; and 30 TAC §334.605(d), by failing to retrain Class A and B operators by January 1, 2020, with a course submitted to and approved by TCEQ after April 1, 2018, regardless of the three-year re-training requirement; PENALTY: \$57,414; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202302970

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: August 15, 2023



#### Notice of Opportunity to Comment on Agreed Orders 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 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 op-

portunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **September 26, 2023**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on September 26, 2023**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Grand Harbor Water Supply Corporation; DOCKET NUMBER: 2022-1311-UTL-E; TCEQ ID NUMBER: RN104497946; LOCATION: south side of County Road 1705, approximately 1,000 feet west of the intersection of Boy Scout Road and County Road 1705 near Bridgeport, Wise County; TYPE OF FACILITY: retail public utility, exempt utility, or provider or conveyor of potable or raw water service; 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: \$950; STAFF ATTORNEY: Megan L. Grace, Litigation, MC 175, (512) 239-3334; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: Jeffrey H. Brennan dba P & B Water; DOCKET NUMBER: 2021-0629-PWS-E; TCEQ ID NUMBER: RN102953718; LOCATION: 14271 Natalie Street, Houston, Harris County; TYPE OF FACILITY: public water system; RULES VIOLATED: TWC, §5.702 and 30 TAC §291.76, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 12021 for calendar years 2018 - 2020; TWC, §5.702 and 30 TAC §290.51(a)(6), by failing to pay annual Public Health Service fees and any associated late fees for TCEQ Financial Administration Account Number 91010681 for Fiscal Year 2021; 30 TAC §§290.106(e), 290.107(e), and 290.115(e), by failing to provide the results of nitrate, volatile organic chemical contaminants, and Stage 2 Disinfection Byproducts sampling to the executive director (ED) for the January 1, 2020 - December 31, 2020 monitoring period; 30 TAC §290.271(b) and §290.274(a) and (c) and TCEQ Agreed Order Docket Number 2018-1217-PWS-E, Ordering Provision Numbers 2.a.ii and 2.b.ii, by failing to mail or directly deliver one copy of the Consumer Confidence Report (CCR) to each bill paying customer by July 1st of each year, and failing to submit to TCEQ by July 1st of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar year 2019; and 30 TAC §290.108(e), by failing to provide the results of radionuclides sampling to the ED for the January 1, 2013 - December 31, 2018 monitoring period; PENALTY: \$2,625; STAFF

ATTORNEY: Clayton Smith, Litigation, MC 175, (512) 239-6224; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: Jonathan Dodd; DOCKET NUMBER: 2021-1193-WQ-E; TCEQ ID NUMBER: RN111130613; LOCATION: east of County Road 3451, south of the intersection of County Road 3440 and County Road 3451 near Paradise, Wise County; TYPE OF FACILITY: construction site; RULES VIOLATED: TWC, §26.121, 40 Code of Federal Regulations §122.26(c), and 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$4,500; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: Michael Ruff dba Premium Sandstone, LLC and Premium Sandstone, LLC; DOCKET NUMBER: 2020-1302-WQ-E; TCEQ ID NUMBER: RN106222235; LOCATION: northside of Interstate Highway 20, two miles east of the intersection of Interstate Highway 20 and State Highway 193, Gordon, Palo Pinto County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; and TWC, §26.121(c) and §26.556, and 30 TAC §331.74(a) and §331.75, by failing to maintain authorization to discharge water associated with quarry activities to water in the State located in a water quality protection area in the John Graves Scenic Riverway; PENALTY: \$21,250; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202302971

Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: August 15, 2023

◆ ◆ ◆  
**Notice of Opportunity to Comment on Default Orders 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 Orders (DOs). 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 **September 26, 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 each 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 September 26, 2023**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: James E. Boyd; DOCKET NUMBER: 2021-0799-PST-E; TCEQ ID NUMBER: RN102059292; LOCATION: Highway 171 and Farm-to-Market Road 308, Malone, Hill County; TYPE OF FACILITY: underground storage tank (UST) system; RULES VIOLATED: 30 TAC §334.7(d)(1)(B) and (3), by failing to update the UST registration within 30 days from the date of the occurrence of the change; and 30 TAC §334.47(a)(2), by failing to permanently remove from service, no later than 60 days after the prescribed upgrade implementation date, a UST system for which any applicable component of the system is not brought into timely compliance with the upgrade requirements; and 30 TAC §334.54(b)(2), by failing to maintain all piping, pumps, manways, tank access points, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons; PENALTY: \$6,562; STAFF ATTORNEY: Erandi Ratnayake, Litigation, MC 175, (512) 239-6515; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(2) COMPANY: Laredo Holdings Investments, LLC; DOCKET NUMBER: 2021-1637-PWS-E; TCEQ ID NUMBER: RN110827730; LOCATION: 23183 Interstate Highway 35 near Encinal, Webb County; TYPE OF FACILITY: public water system; RULES VIOLATED: Texas Health and Safety Code, §341.035(a) and 30 TAC §290.39(e)(1) and (h)(1), by failing to submit plans and specifications to the executive director for review and approval prior to the construction of a new public water supply; and 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's public drinking water well into service; PENALTY: \$1,020; STAFF ATTORNEY: Erandi Ratnayake, Litigation, MC 175, (512) 239-6515; REGIONAL OFFICE: Laredo Regional Office, 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(3) COMPANY: SRC Water Supply Inc; DOCKET NUMBER: 2022-1163-UTL-E; TCEQ ID NUMBER: RN101174894; LOCATION: 22 Christi Lane, Krum, Denton County; TYPE OF FACILITY: retail public utility, exempt utility, or provider or conveyor of potable or raw water service; 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: \$500; STAFF ATTORNEY: Megan L. Grace, Litigation, MC 175, (512) 239-3334; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202302972  
Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: August 15, 2023



Notice of Public Meeting Proposed Air Quality Permit Number 172972

**APPLICATION.** Texas Aggregates, LLC., has applied to the Texas Commission on Environmental Quality (TCEQ) for:

Issuance of Permit 172972

This application would authorize construction of the Rock Crushing Plant located at 301 Farm-to-Market 153, Smithville, Bastrop County, Texas 78957. 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=-97.146972,30.027198&level=13>. The facility will emit the following contaminants: particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on June 2, 2023. The executive director has determined the application is administratively complete and will conduct a technical review of the application.

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

**The Public Meeting is to be held:**

**Monday, September 18, 2023 at 7:00 p.m.**

**VFW Post 1309**

**557 NW Loop 230**

**Smithville, Texas 78957**

**INFORMATION.** Members of the public are encouraged to submit written comments anytime during the public meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/>. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at (800) 687-4040. General information can be found at our Web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). *Si desea información en español, puede llamar al (800) 687-4040.*

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

The application will be available for viewing and copying at the TCEQ central office, the TCEQ Austin regional office, and the Bastrop County Clerk's Office, 803 Pine Street, Room 112, Bastrop, Bastrop County. The facility's compliance file, if any exists, is available for public review in the Austin regional office of the TCEQ. Further information may also be obtained from Texas Aggregates, LLC., P.O. Box MM, Bastrop, Texas 78602-1984 or by calling Mr. Paul W. Henry, P.E., Engineer, Henry Environmental Services, at (512) 281-6555.

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

Notice Issuance Date: August 15, 2023

TRD-202302981

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 16, 2023



### Proposal for Decision

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality on August 11, 2023, in the matter of the Executive Director of the Texas Commission on Environmental Quality, Petitioner v. Ranch Hand Apartments, LLC; SOAH Docket No. 582-23-05477; TCEQ Docket No. 2022-0063-PWS-E. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Ranch Hand Apartments, LLC on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Meghan Taack, Office of the Chief Clerk, (512) 239-3300.

TRD-202302980

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 16, 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 August 7, 2023 to August 11, 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 §§30.20(f),

30.30(h), and 30.40(e), 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, August 18, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, September 17, 2023.

Federal License and Permit Activities:

**Applicant:** Pasadena Refining Systems, Inc.

**Location:** The project site is located in Buffalo Bayou/Houston Ship Channel at 111 Red Bluff Road, in Pasadena, Harris County, Texas.

**Latitude and Longitude:** 29.726247, -95.210496

**Project Description:** The applicant proposes to modify Department of the Army (DA) Permit SWG-2023-00226 (formerly 8225-02) by adding structural components to improve operational efficiencies of the existing terminal dock infrastructure. The project components include construction of a proposed 19.5-foot by 18.5-foot by 7.5-foot ship-gangway platform with one 54-inch-diameter and two 30-inch-diameter pile supports, as well as installation of four proposed catwalks as follows:

- One catwalk extension with six legs connecting to two existing breasting dolphins, the existing dock, and an existing fire monitor on the southwest side of the project, supported by a total of fifteen 12-inch-diameter pipe piles,
- One catwalk to an existing breasting dolphin positioned from northeast to southeast on the northeast side of the project, which requires a 36-inch-diameter pile,
- One catwalk to the proposed gangway positioned northwest to northeast on the northeast side of the project, and
- One catwalk positioned from southwest to northeast on the northeast side of the project.

The applicant stated that the purpose of the project is to add to the required improvements to the existing infrastructure for the continued use of the applicant's existing facility. The modifications would help to aid the applicant in operational efficiencies and their strategic corporate initiatives.

The applicant has stated that they have avoided and minimized the environmental impacts by utilizing existing infrastructure while minimizing the required construction activity at the project site. The applicant also stated that they designed the project to avoid and/or minimize impacts to wetlands and water bottoms to the maximum extent practicable. Additionally, there are no special aquatic sites identified within the project boundary. The applicant has not proposed to mitigate for the proposed impacts because the project involves the installation of structures and there are no impacts to special aquatic sites.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG- 2023-00226. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

**CMP Project No:** 23-1355-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](mailto: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](mailto:federal.consistency@glo.texas.gov).

TRD-202302969

Mark Havens  
Chief Clerk  
General Land Office  
Filed: August 15, 2023

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## Texas Health and Human Services Commission

### Notice of Stakeholder Engagement Meetings for Medicaid Payment Rates

#### MEETINGS.

The Texas Health and Human Services Commission (HHSC) will conduct stakeholder engagement meetings on September 14, 2023, to receive comments on Medicaid payment rate topics that may potentially be addressed at the upcoming November 2023 rate hearings. Commentary will be collected solely on the topics listed in this notice. Proposed rates will not be published at this time.

The meetings will be held online only at the following times according to topic areas:

Acute Care Services: September 14, 2023, 9:00 a.m. - 11:00 a.m.

Long-term Services & Supports: September 14, 2023, 11:30 a.m. - 1:30 p.m.

To attend online: The meetings will be held online via GoToWebinar. Visit the following GoToWebinar link to register to attend one or both of the online meetings. After registering, you will receive a confirmation email containing information about joining the webinar.

<https://attendee.gotowebinar.com/register/7882207977242442838>

Webinar ID: 290-857-683

HHSC will record the meetings. The recording will be archived and can be accessed on-demand at: <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>.

HHSC may limit speakers' time to ensure all attendees wishing to present public comment are afforded an opportunity to do so. HHSC reserves the right to end an engagement meeting if no participants have registered to present public comments within the first 30 minutes of the meeting.

#### TOPICS.

Below is a list of topics that HHSC will collect commentary for during the stakeholder engagement meetings. These topics may potentially be presented at the subsequent rate hearing in November 2023. The final list of topics to be presented at the November 2023 rate hearing is at the discretion of HHSC.

Acute Care Services - Calendar Fee Review:

- Allergy Tests;
- Auditory System Surgery;
- Autism Services;
- Blood Products;
- Cardiovascular Services incl. Cardiography & Echocardiography;
- Clinical Lab;
- Dialysis Services;
- Durable Medical Equipment;
- Ear, Nose and Throat;
- Gastroenterology;

- Intravenous Treatment including Chemotherapy;
- "K" Codes;
- Male Genital System Surgery;
- Medicine (Other);
- Musculoskeletal System Surgery;
- Noninvasive Vascular Diagnostic Studies;
- Nuclear Medicine;
- Outpatient Behavioral Health Services;
- Physician Administered Drugs - NDCX;
- Physician Administered Drugs - Non-Oncology;
- Physician Administered Drugs - Oncology;
- Physician Administered Drugs - Vaccines & Toxoids;
- Pulmonary Services;
- Radiation Oncology; and
- Substance Use Disorder Services.

Acute Care Services - Medical Policy Review:

- Certified Family Partners; and
- Vendor Drug Program (VDP) Drug Cleanup.

Acute Care Services - Healthcare Common Procedure Coding System (HCPCS):

- Quarterly Healthcare Common Procedure Coding System (HCPCS) Updates.

Long-term Services & Supports:

- Emergency Response Services; and
- Adult Foster Care

#### WRITTEN COMMENTS.

Written comments regarding the proposed topics may be submitted in lieu of, or in addition to, oral comments until 5:00 p.m. the day following the meetings, September 15, 2023. Written comments may be sent by U.S. mail, overnight mail, 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 or special delivery mail:

Texas Health and Human Services Commission

Attn: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 Guadalupe St

Austin, Texas 78751

Fax: Attention: Provider Finance at (512) 730-7475

Email: [ProviderFinanceDept@hhs.texas.gov](mailto:ProviderFinanceDept@hhs.texas.gov)

PREFERRED COMMUNICATION.

Email or telephone communication is preferred.

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

TRD-202302965

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 15, 2023



## Texas Department of Insurance

### Company Licensing

Application for Farmers Mutual Aid Association of Washington County, a domestic fire and/or casualty company, to change its name to Farmers Mutual Insurance of Washington County. The home office is in Brenham, Texas.

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

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

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

TRD-202302997

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: August 16, 2023



## Texas Department of Licensing and Regulation

### Notice of Vacancies on Mold Assessment and Remediation Advisory Board

The Texas Department of Licensing and Regulation (Department) announces eleven vacancies on the Mold Assessment and Remediation Advisory Board (Board) established by Occupations Code, Section 1958.001. The purpose of the Board is to provide advice and recommendations to the Texas Commission of Licensing and Regulation (Commission) and the Department on technical matters relevant to the administration of this chapter, standards or performance and work practices for mold assessment or remediation; qualifications for the issuance or renewal of a license, including any training or continuing education; and other issues affecting mold assessment and remediation; rules and educational matters. The Board meets at the call of the Executive Director of the Department or the presiding officer of the Commission. Service as a Board member is voluntary, and compensation is not authorized by law. **This announcement is for:**

**- three members who are licensed and engaged in mold assessment as consultants**

**- three members who are licensed and engaged in mold remediation as contractors**

**- two members who are building contractors and principally engaged in home construction and who are members of a statewide building trade association**

**- one member who is a representative of an insurance industry**

**- one member who is a representative of an accredited mold training provider; and**

**- one member who represents the public**

The Board consists of eleven members appointed for staggered six-year terms, with the terms of three or four members expiring on February 1 of each odd-numbered year. by the presiding officer of the Commission, with the approval of the Commission. The Board is composed of the following members:

**- three members who are licensed and engaged in mold assessment as consultants**

**- three members who are licensed and engaged in mold remediation as contractors**

**- two members who are building contractors and principally engaged in home construction and who are members of a statewide building trade association**

**- one member who is a representative of an insurance industry**

**- one member who is a representative of an accredited mold training provider; and**

**- one member who represents the public**

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202 or e-mail [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

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

TRD-202302988

Mike Arismendez

Executive Director

Texas Department of Licensing and Regulation

Filed: August 16, 2023



## Texas Lottery Commission

### Scratch Ticket Game Number 2527 "PINK DIAMONDS"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2527 is "PINK DIAMONDS". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2527 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2527.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 2X SYMBOL, 5X SYMBOL, DIAMOND SYMBOL, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$300, \$1,000, \$10,000 and \$250,000.

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

Figure 1: GAME NO. 2527 - 1.2D

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



30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
2X SYMBOL	DBL
5X SYMBOL	WINX5
DIAMOND SYMBOL	WIN\$

\$10.00	TEN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$300	THHN
\$1,000	ONTH
\$10,000	10TH
\$250,000	250TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2527), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2527-0000001-001.

H. Pack - A Pack of the "PINK DIAMONDS" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "PINK DIAMONDS" Scratch Ticket Game No. 2527.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "PINK DIAMONDS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-six (66) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "DIAMOND" Play Symbol, the player wins the

prize for that symbol instantly. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly sixty-six (66) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly sixty-six (66) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the sixty-six (66) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-six (66) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

## 2.2 Programmed Game Parameters.

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

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

C. A Ticket can win up to thirty (30) times.

D. On winning and Non-Winning Tickets, the top cash prizes of \$1,000, \$10,000 and \$250,000 will each appear at least once, except on Tickets winning thirty (30) times and with respect to other parameters, play action or prize structure.

E. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

F. No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

G. No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

H. Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

I. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

J. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbols (i.e., 10 and \$10, 20 and \$20, 30 and \$30 and 50 and \$50).

K. On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

L. The "DIAMOND" (WINS) Play Symbol will never appear on the same Ticket as the "2X" (DBL) or "5X" (WINX5) Play Symbols.

M. The "DIAMOND" (WINS) Play Symbol will win the prize for that Play Symbol.

N. The "DIAMOND" (WIN\$) Play Symbol will never appear more than once on a Ticket.

O. The "DIAMOND" (WIN\$) Play Symbol will never appear on a Non-Winning Ticket.

P. The "DIAMOND" (WIN\$) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

Q. The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

R. The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

S. The "2X" (DBL) Play Symbol will never appear more than once on a Ticket.

T. The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

U. The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

V. The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

W. The "5X" (WINX5) Play Symbol will never appear more than once on a Ticket.

X. The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

Y. The "2X" (DBL) and "5X" (WINX5) Play Symbols can appear on the same winning Ticket, as per the prize structure.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "PINK DIAMONDS" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$50.00, \$100 or \$300, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00, \$100 or \$300 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the

procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "PINK DIAMONDS" Scratch Ticket Game prize of \$1,000, \$10,000 or \$250,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

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

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

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

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

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2527. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2527 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10.00	1,045,200	7.69
\$20.00	482,400	16.67
\$30.00	321,600	25.00
\$50.00	321,600	25.00
\$100	22,646	355.03
\$300	18,827	427.05
\$1,000	1,188	6,767.68
\$10,000	10	804,000.00
\$250,000	5	1,608,000.00

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

\*\*The overall odds of winning a prize are 1 in 3.63. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2527 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2527, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202302966  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: August 15, 2023

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**Workforce Solutions North Texas**

RFP 2023-010 WSNT Program Monitoring Services

Workforce Resource, Inc. dba Workforce Solutions North Texas Board (WSNT) is soliciting proposals from qualified entities to perform program monitoring services of its contractors to satisfy Board's contract obligations with the Texas Workforce Commission (TWC) and the U.S. Department of Labor (DOL). Monitoring shall be consistent with the requirements set forth in the TWC Financial Manual for Grants and Contracts and Texas Administrative Code Chapter 802. Specifically, the RFP is soliciting entities who will monitor the following programs: Child Care, WIOA programs, TANF/Choices, SNAP and Trade Adjustment Act (TAA). The Respondent must be willing to monitor other applicable programs. If programs are added additional costs will be negotiated. The Board's case file system is completely paperless. Nearly all, if not all, monitoring could be accomplished remotely. WSNT serves the Texas Counties of Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, and Young. The RFP can be found on website at <https://ntxworksolutions.org/business-opportunities/>. Deadline for questions is August 25, 2023, by 5:00 p.m. Proposals are due no later than 4:00 p.m. (CDT) Friday, September 8, 2023, to email [wsb@ntxworksolutions.org](mailto:wsb@ntxworksolutions.org).

TRD-202302917  
 Sharon Hulcy  
 Contract Manager  
 Workforce Solutions North Texas  
 Filed: August 10, 2023