

IN ADDITION

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

Texas State Affordable Housing Corporation

TSAHC 2024 MCC Notice

NOTICE OF THE IMPLEMENTATION OF A QUALIFIED MORTGAGE CREDIT CERTIFICATE PROGRAM BY TEXAS STATE AFFORDABLE HOUSING CORPORATION

The Texas State Affordable Housing Corporation (the "Corporation"), a nonprofit corporation organized under the laws of the State of Texas, is implementing a qualified mortgage credit certificate program (the "Program") within the State of Texas (the "Program Area") to assist eligible purchasers. A Mortgage Credit Certificate ("MCC") is an instrument designed to assist persons better afford home ownership. The MCC Program allows first-time homebuyers an annual federal income tax credit equal to the credit rate for the MCC multiplied by the amount of interest paid by the holder on a home mortgage loan during each year that they occupy the home as their principal residence.

An eligible purchaser of a residence located within the Program Area may apply to the Corporation for an MCC through a participating lender of his or her choice at the time of purchasing a principal residence and obtaining a mortgage loan from a participating lender.

To be an eligible purchaser to receive an MCC, a purchaser must meet the following criteria:

Be one of the following:

A person living in Texas whose annual household income does not exceed 100% of area median family income ("AMFI") (for families of two persons or less) or 115% of AMFI (for families of three or more persons); or

A full-time Texas classroom teacher, teacher's aide, school librarian, school nurse, school counselor, or an allied health or nursing faculty member whose annual family income does not exceed 100% of AMFI (for families of two persons or less) or 115% of AMFI (for families of three or more persons); or

A full-time paid fire fighter, peace officer, corrections officer, juvenile corrections officer, county jailer, EMS personnel, veteran, or public security officer, working in the State of Texas whose annual family income does not exceed 100% of AMFI (for families of two persons or less) or 115% of AMFI (for families of three or more persons).

Visit www.tsahc.org for a more complete description of the maximum income limits.

The applicant for the MCC cannot have had an ownership interest in his or her principal residence during the three-year period ending on the date the mortgage loan is obtained.

The applicant must intend to occupy the residence with respect to which the MCC is obtained as his or her principal residence within 60 days after the MCC is issued. The MCC issued to an applicant will be revoked if the residence to which the MCC relates ceases to be occupied by the applicant as his or her principal residence.

The MCC cannot be issued to an applicant in conjunction with the replacement or refinancing of an existing mortgage loan. The MCC can,

however, be obtained in conjunction with the replacement of a construction period or bridge loan having a term of less than 24 months.

Federal law imposes limitations on the purchase price of homes financed under the program. These limitations are periodically adjusted. Visit www.tsahc.org to view the current maximum purchase prices allowed. Two-family, three-family and four-family residences are also eligible, provided that one of the units will be occupied by the mortgagor as his or her principal residence and that the residence was first occupied for residential purposes at least five years prior to the closing of the mortgage.

Anyone receiving an MCC and selling his or her residence within nine years of the issuance of the MCC may be required to return all or a portion of the tax credit received in connection therewith to the Internal Revenue Service.

To defray the costs of implementing the Program, the Corporation will charge applicants a compliance fee, plus an MCC issuance fee.

The Corporation strongly encourages anyone who believes that he or she qualifies for an MCC to apply at the offices of a participating lender. For more information regarding the Program and its restrictions, including a list of current participating lenders, please contact Joniel LeVecque, Senior Director of Single Family Programs, at (512) 477-3561 or by email at jlevecque@tsahc.org.

TRD-202304015

David Long

President

Texas State Affordable Housing Corporation

Filed: October 30, 2023

Office of the Attorney General

Texas Water Code and Texas Health and Safety Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of a potential environmental enforcement action under the Texas Health and Safety Code and the Texas Water Code. Action was initiated against persons responsible for solid waste as defined under Tex. Health & Safety Code § 361.271. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Tex. Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Settlement Agreement relating to the American Zinc State Superfund Site Administrative Order (Tex. Comm'n on Env't Quality, In the Matter of the Site Known as American Zinc State Superfund Site, Docket No. 2009-1355-SPF (Jan. 29, 2010)) between Blue Tee Corporation (American Zinc) ("Blue Tee") and the Texas Commission on Environmental Quality ("TCEQ").

Background: On January 29, 2010 the site was listed on the state Superfund registry and the TCEQ issued an administrative order (the "Order"), naming Blue Tee Corporation (American Zinc) ("Blue Tee") as an Agreeing Respondent. The site is a former zinc smelter near Dumas, Moore County, Texas, located approximately 3.5 miles north of Dumas on U.S. 287 and 5 miles east on Farm Road 119 (the "Site"). Environmental testing at the Site found solid waste, hazardous substances, and other contaminants that required cleanup. The Order stipulated remedial action and required the named responsible parties to perform it. The remediation work began in May 2012, and it was completed in June 2012. Currently the Site is in an operation and maintenance phase, where responsible parties are to continue to maintain and monitor the site to prevent further contamination. TCEQ's Order required Blue Tee, and other potentially responsible parties to reimburse all costs associated with TCEQ's cleanup of the Site. Blue Tee complied with the Order until Blue Tee's dissolution pursuant to Delaware law on March 30, 2021.

Proposed Settlement: The parties propose a Settlement Agreement & Release which includes a total contribution from Blue Tee in the amount of \$350,000.00 for the TCEQ's costs. Of this sum, the amount of \$340,000.00 shall be designated as reimbursement for TCEQ's response costs at the Site and the amount of \$10,000.00 shall be designated as attorney's fees.

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

TRD-202304000
Austin Kinghorn
General Counsel
Office of the Attorney General
Filed: October 30, 2023

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Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - September 2023

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period September 2023 is \$47.89 per barrel for the three-month period beginning on June 1, 2023, and ending August 31, 2023. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of September 2023, from a qualified low-producing oil lease, is not eligible for credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period September 2023 is \$1.19 per mcf for the three-month period beginning on June 1, 2023, and ending August 31, 2023. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of September 2023, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of September 2023 is \$89.43 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of September 2023, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of September 2023 is \$2.70 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of September 2023, from a qualified low-producing gas well.

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

This agency hereby certifies that legal counsel has reviewed this notice and found it to be within the agency's authority to publish.

TRD-202304017
Jenny Burleson
Director, Tax Policy
Comptroller of Public Accounts
Filed: October 31, 2023

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/06/23 - 11/12/23 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/06/23 - 11/12/23 is 18.00% for commercial² credit.

The monthly ceiling as prescribed by §303.005³ and §303.009 for the period of 11/01/23 - 11/30/23 is 18.00%.

¹ Credit for personal, family, or household use.

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

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

TRD-202304041
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: November 1, 2023

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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 **December 14, 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 **December 14, 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: Ash Grove Cement Company; DOCKET NUMBER: 2021-1507-IWD-E; IDENTIFIER: RN100225978; LOCATION: Midlothian, Ellis County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0002427000, Effluent Limitations and Monitoring Requirements Outfall 001 Numbers 1 and 2 and Outfall 101 Number 2, by failing to comply with permitted effluent limitations; PENALTY: \$27,082; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$10,833; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: City of Hackberry; DOCKET NUMBER: 2022-0204-MWD-E; IDENTIFIER: RN102077054; LOCATION: Hackberry, Denton County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.65 and §305.125(2) and TWC, §26.121(a)(1), by failing to maintain authorization for the discharge of wastewater into or adjacent to any water in the state when authorization is required; PENALTY: \$7,750; ENFORCEMENT COORDINATOR: Shane Glantz, (806) 468-0507; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: DEWALT SAND PIT COMPANY; DOCKET NUMBER: 2023-0148-MWD-E; IDENTIFIER: RN108730581; LOCATION: Sugar Land, Fort Bend 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: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: Galveston County Water Control and Improvement District Number 1; DOCKET NUMBER: 2021-1569-MLM-E; IDENTIFIER: RN102181377; LOCATION: Dickinson, Galveston County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010173001, Effluent Limitations and Monitoring Requirements

Numbers 1 and 6, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (5), TWC, §26.121(a)(1), and TPDES Permit Number WQ0010173001, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of sewage into or adjacent to any water in the state; and TWC, §26.121, by failing to maintain authorization to discharge stormwater associated with industrial activities; PENALTY: \$55,625; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$44,500; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: McMullen County Water Control and Improvement District Number 1 and McMullen County; DOCKET NUMBER: 2022-0720-MWD-E; IDENTIFIER: RN101919611; LOCATION: Tilden, McMullen County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0014945001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$12,937; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$10,350; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(6) COMPANY: Midland Independent School District; DOCKET NUMBER: 2021-1418-PST-E; IDENTIFIER: RN102974615; LOCATION: Midland, Midland County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,400; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(7) COMPANY: NEW SM, INCORPORATED dba Dry Clean Super Center; DOCKET NUMBER: 2022-0945-DCL-E; IDENTIFIER: RN102918992; LOCATION: Keller, Tarrant County; TYPE OF FACILITY: dry cleaning facility; RULES VIOLATED: 30 TAC §337.11(e) and Texas Health and Safety Code, §374.102, by failing to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility; 30 TAC §337.20(e)(5)(A) and (B), by failing to keep secondary containment areas free of all materials and objects that would diminish their capacity to contain a leak, spill, or release; and 30 TAC §337.20(e)(6)(B)(i), by failing to document the time of each weekly inspection on the weekly inspection log; PENALTY: \$5,761; ENFORCEMENT COORDINATOR: Danielle Fishbeck, (512) 239-5083; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(8) COMPANY: Texas Parks and Wildlife Department; DOCKET NUMBER: 2022-0912-PWS-E; IDENTIFIER: RN101255693; LOCATION: Caddo, Palo Pinto County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(e)(6)(C), by failing to ensure that each surface water treatment plant has a least one Class C or higher surface water operator on duty at the plant when it is in operation or that the plant is provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarms to summon operators so as to ensure that the water produced continues to meet the commission's drinking water standards during periods when the plant is not staffed; PENALTY: \$188; ENFORCEMENT COORDINATOR: Miles Caston, (512)

239-4593; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202304018

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 31, 2023



Amended Notice of Public Meeting for a New Municipal Solid Waste Facility Registration Application No. 40335

Application. BAP Kennor Landfill, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Registration No. 40335 to construct and operate a Type V municipal solid waste recycling facility. The proposed facility, BAP Kennor C&D Recycling Facility, will be located at 3411 Silver Creek Road, Fort Worth 76108, in Tarrant County. The applicant is requesting authorization to store and recycle construction and demolition waste materials. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/Ou5a11>. For exact location, refer to application.

Alternative Language Notice/Aviso de Idioma Alternativo. Alternative language notice in Spanish is available at www.tceq.texas.gov/goto/mswapps. El aviso de idioma alternativo en español está disponible en www.tceq.texas.gov/goto/mswapps.

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

The Public Meeting is to be held:

Tuesday, December 5, 2023 at 7:00 p.m.

Brewer High School Auditorium

1025 W. Loop 820 North

Fort Worth, Texas 76108

Executive Director Action. If the executive director acts on this application, the chief clerk shall mail or otherwise transmit notice of the action and an explanation of the opportunity to file a motion to overturn the executive director's decision. Any person may file a Motion to Overturn the executive director's decision in accordance with 30 Texas Administrative Code Section 50.139. The chief clerk shall mail this notice to the owner and operator, the public interest counsel, to adjacent landowners as shown on the required land ownership map and landowners list, and to other persons who timely filed public comment in response to public notice.

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

The registration application is available for viewing and copying at the White Settlement Library, 8215 White Settlement Road, Fort Worth, Texas 76108 and may be viewed online at <https://parkhill.com/tceq-permits/>. Further information may also be obtained from BAP Kennor Landfill, LLC at the address stated above or by calling Mr. Tom Noons at (469) 591-1380.

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.

Issued Date: October 31, 2023

TRD-202304048

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 1, 2023



Enforcement Orders

An agreed order was adopted regarding Dean Word Company, Ltd., Docket No. 2021-0627-EAQ-E on October 31, 2023 assessing \$7,400 in administrative penalties with \$1,480 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding BC Humble Enterprises, LLC, Docket No. 2021-1500-MWD-E on October 31, 2023 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Taylor Williamson, 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 Terry Lee Humphrey dba Parkway Gas N Go, Docket No. 2022-0046-PST-E on October 31, 2023 assessing \$4,476 in administrative penalties with \$895 deferred. Information concerning any aspect of this order may be obtained by contacting Horus Garcia, 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 CLIFTON FOOD MART, L.L.C., Docket No. 2022-0342-PST-E on October 31, 2023 assessing \$6,469 in administrative penalties with \$1,293 deferred. Information concerning any aspect of this order may be obtained by contacting Carolyn 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 Stratford at Bulverde Village Homeowners Association, Docket No. 2022-0346-EAQ-E on October 31, 2023 assessing \$1,500 in administrative penalties with \$300

deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding A AMBE NAV DURGA BAPS, INC. dba AA Quickway, Docket No. 2022-0598-PST-E on October 31, 2023 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Horus Garcia, 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 J&L Imperium Industries Limited Liability Company, Docket No. 2022-0884-WQ-E on October 31, 2023 assessing \$1,312 in administrative penalties with \$262 deferred. Information concerning any aspect of this order may be obtained by contacting Heather Lancour, 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 Health Presbyterian Hospital Denton, Docket No. 2022-0952-PST-E on October 31, 2023 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ascension Seton, Docket No. 2022-1067-PST-E on October 31, 2023 assessing \$7,500 in administrative penalties with \$1,500 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, 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 N2PR LLC dba Food Store Lucky 7, Docket No. 2022-1250-PST-E on October 31, 2023 assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Brian A. James, Docket No. 2022-1360-WOC-E on October 31, 2023 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Taylor Williamson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Anthor Inc., Docket No. 2022-1365-WQ-E on October 31, 2023 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding CMPW Properties LLC, Docket No. 2022-1413-WQ-E on October 31, 2023 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Raaz Global, LLC dba Pick and Go, Docket No. 2022-1432-PST-E on October 31, 2023 assessing \$3,375 in administrative penalties with \$675 deferred. Informa-

tion concerning any aspect of this order may be obtained by contacting Monica Larina, 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 Brookshire Brothers, Inc. dba Brookshire Brothers 81, Docket No. 2022-1490-PST-E on October 31, 2023 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Karolyn Kent, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202304050
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: November 1, 2023



Notice of an Application for an Extension of Time to Commence and Complete Construction of a Project Authorized by Certificate of Adjudication No. 21-3207A Notice of an Application to Amend a Certificate of Adjudication Application No. 14-5368A

Notices Issued November 01, 2023

Bexar-Medina-Atascosa Counties Water Control and Improvement District No. 1, P.O. Box 170, Natalia, Texas 78059, Applicant, seeks authorization to extend the time to commence and complete modification of a dam and reservoir (Chacon Reservoir), on Chacon Creek, tributary of San Miquel Creek, tributary of the Frio River, Nueces River Basin. More information on the application and how to participate in the permitting process is given below.

The application and fees were received on June 12, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on June 30, 2023.

The Executive Director has determined that the applicant has shown due diligence and justification for delay. In the event a hearing is held on this application, the Commission shall also consider whether the authorization for the additional storage capacity shall be forfeited for failure to demonstrate sufficient due diligence and justification for delay.

The Executive Director has completed the technical review of the application and prepared a draft Order. The draft Order, if granted, would authorize the extension of time to commence and complete modification of Chacon Reservoir. The application, technical memorandum and Executive Director's draft Order are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps

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

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

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

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

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

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 3207 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

Travis County Water Control and Improvement District No. 17, 3812 Eck Lane, Austin, Texas 78734-1613, Applicant, seeks to amend its portion of Certificate of Adjudication No. 14-5368 to add a place of use for agricultural purposes in Travis County and add a diversion point on the Colorado River (Lake Austin), Colorado River Basin. More information on the application and how to participate in the permitting process is given below.

The application and fees were received on July 21, 2023. Additional fees were received on October 6, 2023. The application was declared administratively complete and filed with the Office of the Chief Clerk on October 11, 2023.

The Executive Director completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to, maintaining a measurement device. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps.

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

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by November 20, 2023. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director

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

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by November 20, 2023. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by November 20, 2023.

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

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

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 5368 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

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

TRD-202304053

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 1, 2023



Notice of an Application to Amend a Certificate of Adjudication Application No. 14-5434G

Notices Issued October 31, 2023

The Lower Colorado River Authority (Owner/Applicant), P.O. Box 220, Austin, Texas 78767-0220, seeks to amend its portion of Certificate of Adjudication No. 14-5434 to add a diversion reach along the Colorado River, Colorado River Basin from the existing diversion point on Lady Bird Lake to Bay City Dam, Matagorda County. More information on the application and how to participate in the permitting process is given below.

The application and partial fees were received on January 3, 2023. Additional information and fees were received April 26, 2023. The application was declared administratively complete and filed with the Office of the Chief Clerk on May 9, 2023. Additional information was received on May 25 and July 19, 2023.

The Executive Director completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but

not limited to, streamflow requirements and diversion limitations. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by November 17, 2023. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by November 17, 2023. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by November 17, 2023.

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

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

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 5434 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

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

TRD-202304049

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 1, 2023



Notice of Opportunity to Comment on a Default Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and

Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 14, 2023**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 14, 2023**. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Double Diamond Utilities, Co.; DOCKET NUMBER: 2020-0651-MWD-E; TCEQ ID NUMBER: RN102329802; LOCATION: on Misty Valley Circle, off of White Bluff Drive, approximately 2.4 miles west of the intersection of Farm-to-Market Road 933 and White Bluff Drive, Hill County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and §319.11(c), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013786002, Definitions and Standard Permit Condition Number 2.e., by failing to properly analyze effluent samples according to the permit; 30 TAC §305.125(1) and (5), and TPDES Permit Number WQ0013786002, Operational Requirement Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal were properly operated and maintained; 30 TAC §305.125(1) and (17), and TPDES Permit Number WQ0013786002, Sludge Provision Section IV.C., by failing to submit a complete and accurate annual sludge report to TCEQ by September 30th of each year; TWC, §26.121(a)(1) and 30 TAC §305.125(4), by failing to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment; 30 TAC §305.125(1) and TPDES Permit Number WQ0013786002, Permit Condition Number 2.d. and Effluent Limitations and Monitoring Requirements Numbers 1 and 2, by failing to comply with permitted effluent limitations; 30 TAC §30.350(d) and §305.125(1), and TPDES Permit Number WQ0013786002, Other Requirement Number 1, by failing to employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license; and 30 TAC §305.125(1) and §319.11(c), and TPDES Permit Number WQ0013786002, Monitoring and Reporting Requirement Number 1, by failing to properly analyze effluent samples according to the permit; PENALTY: \$42,799; STAFF ATTORNEY: Taylor Pack

Ellis, Litigation, MC 175, (512) 239-6860; REGIONAL OFFICE:
Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas
76710-7826, (254) 751-0335.

TRD-202304028

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 31, 2023

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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 14, 2023**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 14, 2023**. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: GUAVA CORPORATION dba The Bee Mart; DOCKET NUMBER: 2022-0675-PST-E; TCEQ ID NUMBER: RN101432540; LOCATION: 7398 East United States Highway 80 near Terrell, Kaufman County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 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; and TWC, §26.3475(c)(1) and 30 TAC §334.48(c), by failing to conduct effective manual or automatic inventory control procedures for the UST system; PENALTY: \$4,125; STAFF ATTORNEY: Erandi Ratnayake, Litigation, MC 175, (512) 239-6515; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202304027

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 31, 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 October 11, 2023, in the matter of the Executive Director of the Texas Commission on Environmental Quality, Petitioner v. Corey Morrell; SOAH Docket No. 582-23-10566; TCEQ Docket No. 2021-0787-MSW-E. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Corey Morrell on a date and time to be determined by the Office of the Chief Clerk. The agenda meeting may be held in person in Room 201S of Building E at the Commission's offices located at 12100 Park 35 Circle in Austin, Texas, virtually, or both in person and virtually. To confirm where and how the meeting will be held, please visit the Commissioners' Agenda webpage at <https://www.tceq.texas.gov/goto/agendas> eight days before the Agenda. 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-202304051

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 1, 2023

Update to the Water Quality Management Plan (WQMP)

The Texas Commission on Environmental Quality (TCEQ or commission) requests comments from the public on the draft October 2023 Update to the WQMP for the State of Texas.

Download the draft October 2023 WQMP Update at https://www.tceq.texas.gov/permitting/wqmp/WQmanagement_updates.html or view a printed copy at the TCEQ Library, Building A, 12100 Park 35 Circle, Austin, Texas.

The WQMP is developed and promulgated in accordance with the requirements of the federal Clean Water Act, Section 208. The draft update includes projected effluent limits of specific domestic dischargers, which may be useful for planning in future permit actions. The draft update may also contain service area populations for listed wastewater treatment facilities, designated management agency information, and total maximum daily load (TMDL) revisions.

Once the commission certifies a WQMP update, it is submitted to the United States Environmental Protection Agency (EPA) for approval. For some Texas Pollutant Discharge Elimination System (TPDES) permits, the EPA's approval of a corresponding WQMP update is a necessary precondition to TPDES permit issuance by the commission.

Deadline

All comments must be received at the TCEQ no later than 5:00 p.m. on December 14, 2023.

How to Submit Comments

Comments must be submitted in writing to:

Maria Benitez Texas Commission on Environmental Quality Water Quality Division, MC 148 P.O. Box 13087 Austin, Texas 78711-3087

Comments may also be faxed to (512) 239-4420 or emailed to Maria Benitez at Maria.Benitez@tceq.texas.gov, but must be followed up with written comments by mail within five working days of the fax or email date or by the comment deadline, whichever is sooner.

For further information, or questions, please contact Ms. Benitez at (512) 239-6705 or by email at Maria.Benitez@tceq.texas.gov.

TRD-202304026

Charmaine Backens

Deputy Director, Environmental Law

Texas Commission on Environmental Quality

Filed: October 31, 2023



Texas Ethics Commission

List of Delinquent Filers

Below is a list from the Texas Ethics Commission naming the filers who failed to pay the penalty fine for failure to file the report, or filing a late report, in reference to the specified filing deadline. If you have any questions, you may contact Dave Guilianelli at (512) 463-5800.

Deadline: Unexpended contributions report due January 17, 2023 for Candidates

Kristal Thomson, 745 East Mulberry Suite 700, San Antonio, Texas 78212

Milinda M. Morris, 8010 Braesview Lane, Houston, Texas 77071

Christopher Leal, 400 N Ervay St. #133013, Dallas, Texas 75313

Mark F. Middleton, 365 Country Road 326, Forestburg, Texas 76239

Michael A. Vargas, 712 Yoakum Street, San Benito, Texas 78586

Freda C. Heald, 6144 Monticello Ave., Dallas, Texas 75214

Joy E. Diaz, P.O. Box 93065, Austin, Texas 78749

Douglas M. Earnest, 20931 Joe Paul Ln., Chandler, Texas 75758

Jeremy D. Kohlwes, 1305 US-90 West #423, Castroville, Texas 78009

Somtoochukwu E. Ik-Ejiofor, 1853 Pearland Pkwy Ste. 123 #304, Pearland, Texas 77581

James O. Guillory II, 3906 Brookston St., Houston, Texas 77045

Odus E. Evbagharu, P.O. Box 19612, Houston, Texas 77224

Scott Simpson, 1901 Buena Vista, San Antonio, Texas 78207

Matthew B. Hegeman, 8124 Fireside Dr., North Richland Hills, Texas 76182

Dinesh Sharma, 603 Pine View Dr., Euless, Texas 76039

Telisa G. Moore, 1408 N. Riverfront Blvd. #541, Dallas, Texas 75207

Anne L. Gardner, 2005 Highland Oaks, Fort Worth, Texas 76107

Sherry Ann Williams, P.O. Box 407, Sour Lake, Texas 77659

Christopher B. Watt, 1504 Blair St., Houston, Texas 77008

Carmen Y. Kelsey, P.O. Box 2537, Universal City, Texas 78148

Matthew B Poole, 512 Lonestar Park Ln., Ponder, Texas 76259

Lakesha Smith, 4108 SW Green Oaks Blvd., P.O. Box 174094, Arlington, Texas 76003

Holly Newton, P.O. Box 63, Dripping Springs, Texas 78620

Gabrien W. Gregory, P.O. Box 700293, San Antonio, Texas 78270

Charles R. Johnson Jr., 815 Walker St. #1047, Houston, Texas 77002

Marisa Bono, P.O. Box #100086, San Antonio, Texas 78201

Leslie A. Peeler, 2221 Justin Rd., Ste. 119-135, Flower Mound, Texas 75028

Lucio A. Del Toro, P.O. Box 787, Round Rock, Texas 78680

Ashton P. Woods, 8419 Hearth Dr. Apt 38, Houston, Texas 77054

Christopher A. Cox, 6088 Old Decatur Road, Alvord, Texas 76225

Aaron M. Sorrells, P.O. Box 161009, Ft. Worth, Texas 76161

Maribel Cruz, 13423 Blanco Rd. #458, San Antonio, Texas 78216

Darlene Ewing, 219 Molina St., Sunnyvale, Texas 75182

Paul K. Stafford, P.O. Box 710404, Dallas, Texas 75371

Clayton R. Hunt, 8550 Glenview Dr., Houston, Texas 77017

Rashard S. Davis Baylor, 5102 Westover St., Houston, Texas 77033

Deadline: 30 day pre-election report due October 11, 2022 for Candidates

Ms. Sandra Crenshaw, P.O. Box 224123, Dallas, Texas 75222

The Honorable Ronald E. Reynolds, 6140 Hwy. 6 South, Suite 233, Missouri City, Texas 77459

Gerry Monroe, 2731 Trinity Glen Lane, Houston, Texas 77047

Perla Munoz Hopkins, P.O. Box 171272, Austin, Texas 78717

Mr. Ashton G. Murray Hanna, 7314 Oak Manor Dr., #1106, San Antonio, Texas 78229

Deadline: 8 day pre-election report due October 31, 2022 for Candidates

Ms. Sandra Crenshaw, P.O. Box 224123, Dallas, Texas 75222

The Honorable Ronald E. Reynolds, 6140 Hwy. 6 South, Suite 233, Missouri City, Texas 77459

Gerry Monroe, 2731 Trinity Glen Lane, Houston, Texas 77047

Perla Munoz Hopkins, P.O. Box 171272, Austin, Texas 78717

Mr. Ashton G. Murray Hanna, 7314 Oak Manor Dr., #1106, San Antonio, Texas 78229

TRD-202304016

Aidan Shaughnessy

Program Specialist

Texas Ethics Commission

Filed: October 31, 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 October 23, 2023 to October 27, 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, November 3, 2023. The public comment period for this project will close at 5:00 p.m. on December 3, 2023.

Federal License and Permit Activities:

Applicant: Powell Electrical Systems, Inc.

Location: The project site is located in Carpenters Bayou, at 16535 Jacintoport, in Houston, Harris County, Texas.

Latitude and Longitude: 29.75920, -95.106320

Project Description: The applicant is proposing to modify their existing permit by re-aligning the proposed bulkhead and discharge approximately 10,000 cubic yards (CY) of fill material to backfill behind the bulkhead and fill in an existing 2.9-acre inlet to match existing surrounding elevations. The applicant has stated that this project does not propose a discharge of fill material into any special aquatic site, therefore, no compensatory mitigation is proposed for this project.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2000-03009. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 24-1051-F1

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

TRD-202304030

Mark Havens

Chief Clerk

General Land Office

Filed: October 31, 2023

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Health and Human Services Commission

Correction of Error

The Texas Health and Human Services Commission (HHSC) adopted new 26 TAC §§284.101, 284.103, 284.105, 284.107, 284.109 and 284.111, concerning Competitive and Integrated Employment Initiative for Certain Medicaid Recipients, in the October 27, 2023, issue of the *Texas Register* (48 TexReg 6357). Due to an error by HHSC, the incorrect effective date was published for the adoption. The correct effective date for the adoption is November 14, 2023.

TRD-202303956

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: October 27, 2023

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Department of State Health Services

Correction of Error

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the Schedule of Controlled Substance (Schedule) is not included in the print version of the Texas Register. The Schedule is available in the on-line version of the November 10, 2023, issue of the Texas Register.)

The Department of State Health Services (department) published the annual Schedules of Controlled Substances in the February 17, 2023, issue of the *Texas Register* (48 TexReg 990). Due to a formatting error by the department, the omission of 4 anabolic steroids from the Schedule III anabolic steroids and hormones section occurred. The Schedules are being republished to correct the error.

TRD-202303936

Cynthia Hernandez

General Counsel

Department of State Health Services

Filed: October 25, 2023

◆ ◆ ◆
Licensing Actions for Radioactive Materials

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

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

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

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ABILENE	ABILENE CHRISTIAN UNIVERSITY	L07193	ABILENE	00	09/01/23
HOUSTON	TEXAS ONCOLOGY PA	L07194	HOUSTON	00	09/01/23
PASADENA	QUALITY EQUIPMENT DISTRIBUTORS INC	L07195	PASADENA	00	09/11/23

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ARLINGTON	CARDIOLOGY SPECIALISTS OF NORTH TEXAS PLLC DBA TEXAS CARDIOVASCULAR SPECIALISTS ARLINGTON	L07005	ARLINGTON	05	09/15/23
AUSTIN	ARA ST DAVIDS IMAGING LP	L05862	AUSTIN	122	09/13/23
AUSTIN	AUSTIN RADIOLOGICAL ASSOCIATION	L00545	AUSTIN	248	09/15/23
BEAUMONT	BAPTIST HOSPITAL OF SOUTHEAST TEXAS	L00358	BEAUMONT	159	09/08/23
CONROE	ADNAN AFZAL MD PA DBA HEALING HEARTS	L06071	CONROE	16	09/13/23
EL PASO	BHS PHYSICIANS NETWORK INC DBA EL PASO HEART CENTER	L06893	EL PASO	08	09/12/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

EL PASO	TEXAS ONCOLOGY PA DBA EL PASO CANCER TREATMENT CENTER - EAST	L05771	EL PASO	17	09/06/23
EL PASO	EL PASO HEALTHCARE SYSTEM LTD	L02551	EL PASO	83	09/11/23
FORT WORTH	DIAMOND J W INC	L06686	FORT WORTH	02	09/15/23
HOUSTON	HOUSTON MEDICAL IMAGING	L05184	HOUSTON	25	09/01/23
HOUSTON	SHELL CHEMICAL LP	L02116	HOUSTON	65	09/05/23
HOUSTON	CARDINAL HEALTH 414 LLC DBA CARDINAL HEALTH NUCLEAR PHARMACY SERVICES	L05536	HOUSTON	66	09/15/23
HOUSTON	THE METHODIST HOSPITAL DBA HOUSTON METHODIST	L00457	HOUSTON	219	09/15/23
IRVING	BAYLOR MEDICAL CENTER AT IRVING DBA BAYLOR SCOTT & WHITE MEDICAL CENTER - IRVING	L02444	IRVING	127	09/13/23
LONGVIEW	WESTLAKE LONGVIEW CORPORATION	L06294	LONGVIEW	14	09/12/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

LUBBOCK	ISORX TEXAS LTD	L05284	LUBBOCK	41	09/05/23
MIDLAND	MIDLAND COUNTY HOSPITAL DISTRICT DBA MIDLAND MEMORIAL HOSPITAL	L00728	MIDLAND	128	09/11/23
PASADENA	BAYPORT POLYMERS LLC	L06922	PASADENA	14	09/12/23
SAN ANTONIO	SOUTH TEXAS RADIOLOGY IMAGING CENTERS	L00325	SAN ANTONIO	263	09/15/23
TEXAS CITY	BLANCHARD REFINING COMPANY LLC	L06526	TEXAS CITY	032	09/15/23
THREE RIVERS	DIAMOND SHAMROCK REFINING COMPANY LP DBA VALERO THREE RIVERS REFINERY	L03699	THREE RIVERS	31	09/12/23
THROUGHOUT TX	TEXAS ONCOLOGY PA	L07107	ABILENE	05	09/15/23
THROUGHOUT TX	TEAM INDUSTRIAL SERVICES INC	L00087	ALVIN	264	09/11/23
THROUGHOUT TX	PROFESSIONAL SERVICE INDUSTRIES INC	L04947	AUSTIN	32	09/07/23
THROUGHOUT TX	SOUTHWESTERN TESTING LABORATORIES LLC DBA STL ENGINEERS	L06100	DALLAS	17	09/15/23
THROUGHOUT TX	DESERT NDT LLC	L06462	FORT WORTH	058	09/15/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	TROXLER ELECTRONIC LABORATORIES INC	L01296	FORT WORTH	49	09/08/23
THROUGHOUT TX	ASSOCIATED TESTING LABORATORIES INC	L01553	HOUSTON	38	09/05/23
THROUGHOUT TX	CORE LABORATORIES LP DBA PROTECHNICS DIVISION OF CORE LABORATORIES LP	L03835	HOUSTON	67	09/13/23
THROUGHOUT TX	H V J ASSOCIATES INC	L03813	HOUSTON	73	09/06/23
THROUGHOUT TX	TERRACON CONSULTANTS INC	L05268	HOUSTON	74	09/11/23
THROUGHOUT TX	BAKER HUGHES OILFIELD OPERATIONS LLC	L00446	HOUSTON	203	09/05/23
THROUGHOUT TX	PRO-SURVE TECHNICAL SERVICES LLC	L06905	LEAGUE CITY	10	09/08/23
THROUGHOUT TX	AMERICAN PIPING INSPECTION INC	L06835	LONGVIEW	18	09/07/23
THROUGHOUT TX	K ALLRED OILFIELD SERVICES LLC	L07178	MIDLAND	01	09/11/23
THROUGHOUT TX	SONIC SURVEYS LTD	L02622	MONT BELVIEU	36	09/15/23
THROUGHOUT TX	LIBERTY OILFIELD SERVICES LLC	L06901	ODESSA	09	09/12/23
THROUGHOUT TX	TIER 1 INTEGRITY LLC	L06718	PASADENA	24	09/05/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	CENTURY INSPECTION INC	L00062	PONDER	119	09/14/23
THROUGHOUT TX	EMPIRE WIRELINE LLC	L06997	ROSHARON	03	09/13/23
TYLER	ALLENS NUTECH INC DBA NUTECH INC	L04274	TYLER	105	09/11/23
WACO	TEXAS ONCOLOGY PA	L05940	WACO	21	09/01/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
COLLEGE STATION	SCOTT & WHITE HOSPITAL- COLLEGE STATION DBA BAYLOR SCOTT & WHITE MEDICAL CENTER - COLLEGE STATION	L06557	COLLEGE STATION	14	09/12/23
DALLAS	HEARTPLACE PLLC	L04607	DALLAS	78	09/08/23
EL PASO	EL PASO HEALTHCARE SYSTEM LTD DBA LAS PALMAS MEDICAL CENTER A CAMPUS OF LAS PALMAS DE SOL HEALTHCARE	L02715	EL PASO	101	09/08/23

RENEWAL OF LICENSES ISSUED:(continued)

HOUSTON	THE METHODIST HOSPITAL DBA HOUSTON METHODIST	L00457	HOUSTON	218	09/05/23
KINGWOOD	KPH CONSOLIDATION INC DBA HCA HOUSTON HEALTHCARE KINGWOOD	L04482	KINGWOOD	35	09/06/23
MONT BELVIEW	BELVIEU ENVIRONMENTAL FUELS LLC	L04679	MONT BELVIEW	11	09/11/23
WALLER	NRG MANUFACTURING	L06550	WALLER	08	09/12/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AMARILLO	AMARILLO HEART GROUP LLP	L04697	AMARILLO	28	09/13/23
THROUGHOUT TX	VERSA INTEGRITY GROUP INC	L06669	HOUSTON	40	09/13/23
WACO	CITY OF WACO ENGINEERING DEPARTMENT	L05160	WACO	08	09/07/23

TRD-202304047
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: November 1, 2023

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 Licensing Actions for Radioactive Materials

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

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

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

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AUSTIN	AUSTIN CARDIOLOGY CLINIC PLLC	L07196	AUSTIN	00	09/27/23

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ALVIN	INEOS USA LLC	L01422	ALVIN	78	09/21/23
CYPRESS	HOUSTON INTERVENTIONAL CARDIOLOGY PA	L05470	CYPRESS	18	09/22/23
DALLAS	BAYLOR UNIVERSITY MEDICAL CENTER	L01290	DALLAS	152	09/25/23
DENTON	TEXAS WOMANS UNIVERSITY	L00304	DENTON	77	09/25/23
EL PASO	RIO GRANDE UROLOGY PA	L06721	EL PASO	07	09/27/23
HOUSTON	HOUSTON CARDIOVASCULAR ASSOCIATES	L05070	HOUSTON	22	09/22/23
HOUSTON	GAMMATRON INC	L02148	HOUSTON	36	09/25/23
HOUSTON	THE UNIVERSITY OF TEXAS MD ANDERSON CANCER CENTER	L00466	HOUSTON	187	09/25/23
HUMBLE	CARDIOVASCULAR ASSOCIATION PLLC	L05421	HUMBLE	35	09/26/23
LAKE JACKSON	BRAZOSPORT CARDIOLOGY PA	L05359	LAKE JACKSON	15	09/22/23
MIDLOTHIAN	MARTIN MARIETTA NORTH TEXAS CEMENT LLC	L01421	MIDLOTHIAN	68	09/28/23
SUGAR LAND	TEXAS ONCOLOGY PA	L05816	SUGAR LAND	21	09/20/23
THROUGHOUT TX	TEXAS DEPARTMENT OF TRANSPORTATION	L00197	AUSTIN	205	09/28/23
THROUGHOUT TX	GESSNER ENGINEERING LLC	L03733	BRYAN	33	09/26/23
THROUGHOUT TX	TEXAS A&M UNIVERSITY	L00448	COLLEGE STATION	161	09/22/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	ALLIANCE GEOTECHNICAL GROUP INC	L05314	DALLAS	53	09/19/23
THROUGHOUT TX	ECS SOUTHWEST LLP	L07073	FORT WORTH	07	09/20/23
THROUGHOUT TX	IRISNDT INC	L06435	HOUSTON	034	09/28/23
THROUGHOUT TX	NATIONAL OILWELL VARCO LP	L00287	HOUSTON	165	09/18/23
THROUGHOUT TX	EST INC	L06986	MELISSA	07	09/18/23
THROUGHOUT TX	TRACERCO US LLC	L03096	PASADENA	107	09/18/23
THROUGHOUT TX	CATCH A FAULT	L02725	PONDER	27	09/25/23
THROUGHOUT TX	RABA-KISTNER CONSULTANTS INC	L01571	SAN ANTONIO	103	09/21/23
THROUGHOUT TX	SCHLUMBERGER TECHNOLOGY CORPORATION (STC)	L06880	SUGAR LAND	14	09/21/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
KERRVILLE	SID PETERSON MEMORIAL HOSPITAL DBA PETERSON HEALTH	L01722	KERRVILLE	48	09/25/23
LUFKIN	MEMORIAL HEALTH SYSTEM OF EAST TEXAS DBA CHI ST LUKES HEALTH MEMORIAL LUFKIN	L01346	LUFKIN	103	09/19/23

RENEWAL OF LICENSES ISSUED:(continued)

ODESSA	APOLLO PERFORATORS INCORPORATED	L03020	ODESSA	22	09/27/23
SUGAR LAND	TMH PHYSICIAN ORGANIZATION DBA METHODIST SUGAR LAND CARDIOLOGY ASSOCIATES	L06575	SUGAR LAND	02	09/27/23
THROUGHOUT TX	QC LABORATORIES INC	L04750	HOUSTON	34	09/21/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
EL PASO	COUNTRY CLUB MEDICAL CENTER LLC	L06709	EL PASO	02	09/26/23
THROUGHOUT TX	TW LAQUAY MARINE LLC	L07072	PORT LAVACA	01	09/15/23

TRD-202304052
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: November 1, 2023

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Texas Department of Housing and Community Affairs

2024 HOME Investment Partnerships Program Single Family Contract for Deed Set-Aside Notice of Funding Availability

The Texas Department of Housing and Community Affairs ("Department") is making available 2024 HOME Investment Partnerships Program ("HOME") funding for single family activities for the Contract for Deed set-aside.

Funds will be available through the 2024 HOME Single Family Programs Notice of Funding Availability ("NOFA"). The NOFA is for approximately \$1,000,000 to be funded through participation in the Reservation System. Funding made available through the Reservation System may be increased from time to time as funds become available. Approval to receive a Reservation System Participant ("RSP") agreement is not a guarantee of funding availability.

The availability and use of these funds are subject to the HOME rules including, but not limited to the following Texas Administrative Code (TAC) rules in effect at the time of contract execution: Title 10, Part 1, Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, the Single Family Programs Umbrella Rule; Chapter 21, the Minimum Energy Efficiency Requirements for Single Family Construction Activities; Chapter 23, the Single Family HOME Program (State HOME Rules), and Tex. Gov't Code Chapter 2306. Other federal and state regulations include but are not limited to: 24 CFR Part 58 for environmental requirements, 2 CFR Part 200 for Uniform Administrative Requirements (including amendments), 24 CFR §135.38 for Section 3 requirements, 24 CFR Part 5, Subpart A for fair housing, (Federal HOME Rules), and for units of government, the Uniform Grant and Contract Management requirements as outlined in Chapter 783 in the Texas Local Government (UGMS or TxGMS, as applicable). Applicants must familiarize themselves with all of the applicable state and federal rules that govern the HOME Program.

The NOFA is available on the Department's website at <http://www.td-hca.state.tx.us/nofa.htm>.

All Application materials including manuals, NOFA, program guidelines, and applicable HOME rules and regulations are available on the Department's website at <http://www.tdhca.state.tx.us/home-division/applications.htm>.

Applications submitted in response to the NOFA will be accepted in accordance with deadlines based on an open application cycle.

Funds will be available starting Tuesday, November 7, 2023. Funds not reserved at or before 5:00 p.m. Central time, on Monday, June 10, 2024, may be reprogrammed for use to other HOME activities.

TRD-202303953

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: October 27, 2023



2024 HOME Investment Partnerships Program Single Family Persons with Disabilities Set-Aside Notice of Funding Availability

The Texas Department of Housing and Community Affairs ("Department") is making available 2024 HOME Investment Partnerships Program ("HOME") funding for single family activities for the Persons with Disabilities set-aside.

Funds will be available through the 2024 HOME Single Family Programs Notice of Funding Availability ("NOFA"). The NOFA is for approximately \$2,760,401 to be funded through participation in the Reservation System. Funding made available through the Reservation System may be increased from time to time as funds become available. Approval to receive a Reservation System Participant ("RSP") agreement is not a guarantee of funding availability.

The availability and use of these funds are subject to the HOME rules including, but not limited to the following Texas Administrative Code (TAC) rules in effect at the time of contract execution: Title 10, Part 1, Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, the Single Family Programs Umbrella Rule; Chapter 21, the Minimum Energy Efficiency Requirements for Single Family Construction Activities; Chapter 23, the Single Family HOME Program (State HOME Rules), and Tex. Gov't Code Chapter 2306. Other federal and state regulations include but are not limited to: 24 CFR Part 58 for environmental requirements, 2 CFR Part 200 for Uniform Administrative Requirements (including amendments), 24 CFR §135.38 for Section 3 requirements, 24 CFR Part 5, Subpart A for fair housing, (Federal HOME Rules), and for units of government, the Uniform Grant and Contract Management requirements as outlined in Chapter 783 in the Texas Local Government (UGMS or TxGMS, as applicable). Applicants must familiarize themselves with all of the applicable state and federal rules that govern the HOME Program.

The NOFA is available on the Department's website at <http://www.td-hca.state.tx.us/nofa.htm>.

All Application materials including manuals, NOFA, program guidelines, and applicable HOME rules and regulations are available on the Department's website at <http://www.tdhca.state.tx.us/home-division/applications.htm>.

Applications submitted in response to the NOFA will be accepted in accordance with deadlines based on an open application cycle.

Funds will be available starting Tuesday, November 7, 2023. Funds not reserved at or before 5:00 p.m. Central time, on Monday, June 4, 2024, may be reprogrammed for use to other HOME activities.

TRD-202303957

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: October 27, 2023



Texas Department of Insurance

Company Licensing

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

Application for Blackboard Insurance Company, a foreign fire and/or casualty company, to change its name to Glatfelter Insurance Company. The home office is in Wilmington, Delaware.

Application for Transverse Insurance Company, a domestic fire and/or casualty company, to change its name to MS Transverse Insurance Company. The home office is in Dallas, Texas.

Application for Transverse Specialty Insurance Company, a domestic fire and/or casualty company, to change its name to MS Transverse Specialty Insurance Company. The home office is in Dallas, Texas.

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

TRD-202304045

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: November 1, 2023



Texas Department of Insurance, Division of Workers' Compensation

Adopted Fiscal Year 2024 Research Agenda Workers' Compensation Research and Evaluation Group

Introduction

The commissioner of workers' compensation considers the Fiscal Year (FY) 2024 Research Agenda for the Workers' Compensation Research and Evaluation Group (REG) at the Texas Department of Insurance, Division of Workers' Compensation (DWC).

Texas Labor Code §405.0025 requires the REG to conduct professional studies and research related to how effectively the workers' compensation system operates. Section 405.0026 requires the REG to annually publish a workers' compensation research agenda listing the topics the REG will study for that year.

DWC published the proposed research agenda in the September 15, 2023, issue of the *Texas Register* (48 TexReg 5192) and sought public review and comment. DWC received no comments and no requests for a public hearing.

Order

It is ordered that the FY 2024 Research Agenda for the Workers' Compensation Research and Evaluation Group is adopted as follows:

1. Completion and publication of the 17th Edition of the Workers' Compensation Health Care Network Report Card (required under Insurance Code §1305.502(a)-(d) and Labor Code §405.0025(b)).

2. An update of the 2022 biennial study to estimate employer participation in the Texas workers' compensation system.
3. An update of key workers' compensation system trends to meet the requirements for the DWC Biennial Report required under Labor Code §402.066, including medical costs and utilization of care, return-to-work rates for injured employees, access to care for injured employees, and medical dispute resolution trends.
4. Income benefit adequacy in the Texas workers' compensation system.
5. An update of medical costs and utilization in the Texas workers' compensation system.

The REG will consider expanding the scope of the research projects or conducting more projects to accommodate stakeholder suggestions, subject to the resources and data available.

TRD-202304002

Kara Mace

General Counsel

Texas Department of Insurance, Division of Workers' Compensation

Filed: October 30, 2023



North Central Texas Council of Governments

Request for Qualifications NCTCOG Traffic Incident Management Training Program (First Responder and Manager's Course and Executive Level Course)

The North Central Texas Council of Governments (NCTCOG) is requesting written qualifications from individuals interested in instructing the NCTCOG Traffic Incident Management Training Program (First Responder and Manager's Course and Executive Level Course). The purpose of this training program is to initiate a common, coordinated response to traffic incidents that will build partnerships, enhance safety for emergency personnel, reduce upstream traffic crashes, improve the efficiency of the transportation system, and improve air quality in the Dallas-Fort Worth region.

Qualifications must be received no later than 5:00 p.m., Central Time, on **Friday, December 8, 2023**, to Camille Fountain, Senior Transportation Planner, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to TransRFPs@nctcog.org. The Request for Qualifications will be available at www.nctcog.org/rfp by the close of business on **Friday, November 10, 2023**.

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

TRD-202304020

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: October 31, 2023



Public Utility Commission of Texas

Notice of Application for Approval of the Provision of Non-Emergency 311 Service

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) for approval to provide non-emergency 311 services.

Docket Style and Number: Application of Southwestern Bell Telephone Company dba AT&T Texas for Administrative Approval to Provide Non-Emergency 311 Service for the City of Fort Worth, Docket Number 55775.

The Application: On October 30, 2023, Southwestern Bell Telephone Company dba AT&T Texas filed an application with the commission under 16 Texas Administrative Code §26.127, for approval to provide non-emergency 311 service for the City of Fort Worth in Tarrant County. As a certified telecommunications utility (CTU), AT&T Texas seeks approval on behalf of Fort Worth to provide non-emergency 311 service to residents within the limits of Fort Worth, Texas and portions of surrounding communities in AT&T Texas' certificated service area.

Non-emergency 311 service is available to local governmental entities to provide to their residents an easy-to-remember number to call for access to non-emergency services. By implementing 311 service, communities can improve 911 response times for those callers with true emergencies. Each local government entity that elects to implement 311 service will determine the types of non-emergency calls their 311-call center will handle.

Persons who wish to comment on this application should notify the commission by December 11, 2023. Requests for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or you may call the Public Utility Commission's Customer Protection Division at (512) 936-7120 or toll free at (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All comments or motions to intervene should reference Docket Number 55775.

TRD-202304040

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: November 1, 2023



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

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on October 27, 2023, to adjust the high-cost support received from the Small and Rural Incumbent Local Exchange Company Universal Service Plan without effect to current rates.

Docket Title and Number: Application of Wes-Tex Telephone Cooperative, Inc. to Adjust High Cost Support Under 16 TAC §26.407(h), Docket Number 55769.

Wes-Tex Telephone Cooperative, Inc. requests a high-cost support adjustment increase of \$379,125 in annual high-cost support. According to Wes-Tex Telephone, the requested adjustment complies with the cap of 140% of the annualized support the provider was authorized to receive in the 12 months ending October 1, 2023, as required by 16 Texas Administrative Code §26.407(g)(1).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas, 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 55769.

TRD-202304021

Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: October 31, 2023

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

Notice is given to the public of an application filed with the Public Utility Commission of Texas on October 25, 2023, to relinquish designations as an eligible telecommunications carrier and eligible telecommunications provider under 16 Texas Administrative Code §26.417 and §26.418.

Docket Title and Number: Application of DialToneServices, LP to Relinquish its Designation as an Eligible Telecommunications Provider and Eligible Telecommunications Carrier in Certain Areas Served by Big Bend Telephone Company, Inc. and Dell Telephone Cooperative Inc., Docket Number 55755.

The Application: DialToneServices seeks relinquishment of its designations as an eligible telecommunications carrier and eligible telecommunications provider in certain areas that are currently also being served by Big Bend Telephone Company and Dell Telephone Cooperative, effective July 31, 2024.

Persons who wish to file a motion to intervene or comments on the application should contact the commission as an intervention deadline will be imposed. A comment or request to intervene should be mailed to P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 55755.

TRD-202304019
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: October 31, 2023

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Request for Comments on Public Utility Commission's FY 2023 Summary of Consumer Complaints and Enforcement Activities

As a part of its 2010 report on the PUC, the Sunset Advisory Commission adopted a management action recommending that the Commission publish, on a regular basis, more complaint and enforcement data on its website. The Sunset Commission also recommended that the public be given an opportunity to comment on this information. The summary information on enforcement actions and consumer complaint data for fiscal year 2023 can be found on the agency's filing interchange under Project No. 55603. Staff intends to present this information for the Commissioners' review at the November 30, 2023, Open Meeting.

Staff is requesting that any interested person who would like to comment on this information may do so by filing comments electronically through the interchange on the commission's website. Comments must be filed by November 9, 2023. Reply comments must be filed by November 23, 2023. All comments should refer to Project Number 55603.

Questions concerning this notice should be referred to Chris Burch, Director of Consumer Protection, (512) 936-7145. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission by dialing 7-1-1.

TRD-202303951
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 27, 2023

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Supreme Court of Texas

Renewed Emergency Order Regarding Indigent Defense and the Border Security State of Disaster

Supreme Court of Texas

Misc. Docket No. 23-9086

Renewed Emergency Order Regarding Indigent Defense and the Border Security State of Disaster

ORDERED that:

1. Governor Abbott has declared a state of disaster concerning border security in 58 counties in the State of Texas. This Order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. The Renewed Emergency Order Regarding Indigent Defense and the Border Security State of Disaster (Misc. Dkt. No. 23-9055) is renewed.

3. To protect the constitutionally and statutorily guaranteed right to counsel of indigent criminal defendants, the following provisions of the Code of Criminal Procedure are modified in the counties affected by the state of disaster concerning border security (“affected counties”) for individuals charged or arrested under Operation Lone Star launched by Governor Abbott on March 6, 2021, and: who are brought before magistrates for proceedings under Article 15.17 in facilities designated by the Office of Court Administration (“OCA”), who are detained in a Texas Department of Criminal Justice facility approved by the Texas Commission on Jail Standards (“TCJS”) to house Operation Lone Star detainees, or whose request for counsel under Articles 15.17(a) or 15.18 has been transmitted to a judge assigned by the Supreme Court of Texas under Misc. Dkt. No. 22-9045.

a. Article 26.04(a) is modified to authorize the Executive Director of the Texas Indigent Defense Commission (“TIDC”) to approve procedures for appointing counsel that differ from an affected county’s procedures, but TIDC may not approve procedures inconsistent with Articles 26.04, 1.051, 15.17, 15.18, 26.05, and 26.052, unless otherwise provided in this Order.

b. Articles 15.17(a) and 26.04(b), (c), and (h) are modified to authorize a magistrate to appoint counsel for an indigent defendant upon request received at a proceeding under Article 15.17.

c. Articles 26.04(a), (d), and (e) are modified to waive the requirements to maintain a public appointment list and to appoint only from that list if an alternative appointment list is established by TIDC or its designee, and appointments may be made to attorneys from an appointment list established by TIDC or its designee.

d. Articles 26.04(g) and (h) are modified to authorize TIDC to approve and establish an alternative program for appointing counsel.

e. Article 26.04(i) is modified to authorize the appointment of an attorney from any Texas county to represent a felony defendant.

f. Article 26.04(k) is modified to authorize TIDC or its designee to remove any attorney from consideration for an appointment for any reason.

g. Article 26.044 is modified to authorize TIDC as an additional entity permitted to designate an existing governmental entity or nonprofit corporation operating as a public defender's office to provide counsel.

h. Article 26.047 is modified to authorize TIDC as an additional entity permitted to appoint an existing governmental entity, nonprofit corporation, or bar association operating as a managed assigned counsel program to appoint counsel.

i. Should the costs for compensation of court-appointed counsel, investigators, defense interpreters, or experts be paid or reimbursed by the state, Article 26.05 is modified to authorize TIDC to adopt a fee schedule that differs from an affected county's schedule, to authorize TIDC or its designee to approve payments, and to remove any attorney from consideration who is shown to have submitted a claim for legal services not performed by the attorney, and to authorize OCA or TIDC or its designee to make payments.

4. Sections 26.011 and 74.052 of the Government Code are also modified to clarify that the Regional Presiding Judge of an affected county should assign judges to assist with the disposition of cases involving individuals who are brought before magistrates for proceedings under Article 15.17 of the Code of Criminal Procedure in facilities designated by OCA or detained in a TDCJ facility approved by the TCJS to house Operation Lone Star detainees. Section 74.061 of the Government Code is modified to provide that:

a. the salary of a former or retired judge assigned by a Regional Presiding Judge to a constitutional or statutory county court to assist with the disposition of these cases should be paid by the state from the funds appropriated by the Legislature for that purpose in Act of September 2, 2021, 87th Leg. 2nd C.S., ch. 8 (HB 9); and

b. the pro rata amount for the period of time that the judge sits on assignment to a constitutional county court is based on the maximum salary a district judge may receive from county and state sources under Section 659.012(a) of the Government Code.

5. Subject to constitutional limitations and review for abuse of discretion, all courts in Texas may in any case involving individuals arrested under Operation Lone Star, without a participant's consent:

a. except as this Order provides otherwise, allow or require a participant involved in any hearing, deposition, or other proceeding of any kind—including but not limited to a party, attorney, witness, court reporter, grand juror, or petit juror—to participate remotely, such as by teleconferencing, videoconferencing, or other means; and

b. consider as evidence sworn statements made out of court or sworn testimony given remotely, out of court, such as by teleconferencing, videoconferencing, or other means.

6. In conducting proceedings involving individuals arrested under Operation Lone Star remotely, the court must not:

a. require a lawyer, party, or juror to appear remotely for a jury trial, absent the agreement of the parties; or

b. permit or require a petit juror to appear remotely unless the court ensures that all potential and selected petit jurors have access to technology to participate remotely.

7. Subject to constitutional limitations and review for abuse of discretion, a court may, without a participant's consent, conduct proceedings involving individuals arrested under Operation Lone Star away from the court's usual location with reasonable notice and access to the participants and the public if a visiting judge is assigned to the court.

8. OCA must post in a prominent place on its website the designated facilities in which this Order applies.

9. This Order is effective immediately and expires on January 1, 2024, unless extended by the Chief Justice of the Supreme Court. The affected counties should move swiftly to modify, consistent with this Order and TIDC guidance, any procedures necessary to provide for indigent defense in response to Operation Lone Star. An affected county may request to be exempted from this Order before it expires.

10. The Clerk of the Supreme Court is directed to:
 - a. post a copy of this Order on www.txcourts.gov;
 - b. file a copy of this Order with the Secretary of State; and
 - c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

11. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

Dated: October 27, 2023.

JUSTICE DEVINE dissents.



Nathan L. Hecht, Chief Justice

TRD-202303955
Jaclyn Daumerie
Rules Attorney
Supreme Court of Texas
Filed: October 27, 2023

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Texas Department of Transportation

**Atlanta District Department Policies Affecting Bicycle Use
on the State Highway System**

Notice of Virtual Public Hearing

In accordance with Texas Administrative Code, Title 43, §25.55(a)-(b), the Texas Department of Transportation (TxDOT) will be hosting a 2023 Virtual Annual Bicycle Hearing on district transportation projects, programs, and policies affecting bicycle use on the state highway system.

The virtual public hearing will begin on Tuesday, Dec. 12, 2023 at 4:00 p.m. This is not a live event and the materials and presentations can be viewed any time beginning Tuesday, Dec. 12, 2023 at 4:00 p.m. through Tuesday, Jan. 2, 2024 at 11:59 p.m. To log into the virtual hearing, go to www.txdot.gov and search for "Atlanta 2023 Virtual Annual Bicycle Hearing." A pre-recorded video presentation will include both audio and visual components. Additional materials, including written transcripts of the presentations, exhibits, and supporting documents will also be available.

The purpose of this virtual public hearing is to provide information regarding transportation projects and programs that might affect bicycle use on the state system within the Atlanta District. The nine counties within the Atlanta District include: Bowie, Camp, Cass, Harrison, Marion, Morris, Panola, Titus, and Upshur. A presentation showing bicycle and pedestrian roadway accommodations will be shown during the virtual hearing and you will have the chance to provide verbal or written comments by phone, mail, or email.

Comments from the public regarding the district transportation projects and programs that might affect bicycle use on the state highway system are requested and can be submitted online, by email to Jason.Overmyer@txdot.gov, or by mail to TxDOT Atlanta District Office, Attn: Jason Overmyer, 701 E. Main St., Atlanta, Texas 75551. Verbal comments may be submitted by calling and leaving a voicemail at (903) 884-4169. All comments must be received or postmarked on or before Tuesday, Jan. 2, 2024. Responses to written comments received and public testimony provided will be made available online at www.txdot.gov once they have been prepared.

The 2023 Virtual Annual Bicycle Hearing will be conducted in English. If you need an interpreter or document translator because English is not your primary language or you have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or you are a person with a disability who requires an accommodation to participate in the 2023 Virtual Annual Bicycle Hearing, please contact Jason Overmyer, Atlanta District, at (903) 799-1205 no later than

4:00 p.m. CST, Thursday, Dec. 7, 2023. Please be aware that advance notice is required as some services and accommodations may require time for TxDOT to arrange.

For additional information or to be added to the mailing list of individuals or organizations interested in bicycle use on the state system, or if you have any general questions or concerns regarding the virtual hearing, please contact Jason Overmyer, at 701 E. Main St., Atlanta, Texas 75551, (903) 799-1205 or Jason.Overmyer@txdot.gov.

TRD-202304029
Becky Blewett
Deputy General Counsel
Texas Department of Transportation
Filed: October 31, 2023



Request for Proposals - Traffic Safety Program

In accordance with 43 TAC §25.901 *et seq.*, the Texas Department of Transportation (TxDOT) is requesting project proposals to support the targets and strategies of its traffic safety program to reduce the number of motor vehicle related crashes, injuries, and fatalities in Texas. These targets and strategies form the basis for the Federal Fiscal Year 2025 (FY 2025) Triennial Highway Safety Plan (3HSP).

Authority and responsibility for funding of the traffic safety grant program derives from the National Highway Safety Act of 1966 (23 USC §401 *et seq.*), and the Texas Traffic Safety Act of 1967 (Transportation Code, Chapter 723). The Behavioral Traffic Safety Section (TRF-BTS) is an integral part of TxDOT and works through 25 districts for local projects. The program is administered at the state level by TxDOT's Traffic Safety Division (TRF). The Executive Director of TxDOT is the designated Governor's Highway Safety Representative.

The following is information related to the FY 2025 General Traffic Safety Grants - Request for Proposals (RFP). Please review the full FY 2025 RFP located online at: <https://www.txdot.gov/apps/egrants/eGrantsHelp/RFP/2025/RFP2025.pdf>

This request for proposals does not include solicitations for Selective Traffic Enforcement Program (STEP) proposals. Information regarding STEP proposals for FY 2025 can be found at: <https://www.txdot.gov/apps/egrants/eGrantsHelp/RFP/2025/STEPFRFP2025.pdf> and FY 2025 STEP proposals will be submitted under a separate process.

General Proposals for highway safety funding are due to the TRF-BTS no later than 5:00 p.m. CST, January 4, 2024.

All questions regarding the development of proposals must be submitted by sending an email to: TRF_RFP@txdot.gov by 12:00 p.m. (Noon) CST, on November 29, 2023. A list of the questions with answers (Q&A document) will be posted at: <https://www.txdot.gov/apps/egrants/eGrantsHelp/rfp.html> by 5:00 p.m. CST on December 04, 2023.

The training on general proposal submissions via the Traffic Safety eGrants system will be hosted by the TRF-BTS Austin headquarters staff on Wednesday, November 15, 2023, from 9:00 a.m. to Noon CST for General Traffic Safety Grant Proposals and from 1:00 - 4:00 p.m. CST for STEP Proposals. For access information please go to <https://www.txdot.gov/apps/egrants/eGrantsHelp/rfp.html>

The Program Needs Section of the RFP includes Performance Measures tables which outline the targets, strategies, and performance measures for each of the Traffic Safety Program Areas. TRF-BTS is seeking proposals in all program areas but is particularly interested in proposals which address the specific program needs listed in the High Pri-

ority Program Needs subsection of the Program Needs Section of the RFP.

The proposals must be completed and submitted using eGrants, which can be found by going to <https://www.txdot.gov/apps/egrants>

TRD-202303939
Becky Blewett
Deputy General Counsel
Texas Department of Transportation
Filed: October 25, 2023



Statewide Transportation Improvement Program November 2023 Revision

Public Hearing Notice

The Texas Department of Transportation (department) will hold a public hearing on Wednesday, November 29, 2023, at 10:00 a.m. Central Standard Time (CST) to receive public comments on the November 2023 Quarterly Revisions to the Statewide Transportation Improvement Program (STIP) for FY 2023-2026. The hearing will be conducted via electronic means. Instructions for accessing the hearing will be published on the department's website at: <https://www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings.html>.

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

Title 23, United States Code, §134 and §135 require each designated MPO and the state, respectively, to develop a TIP and STIP as a condition to securing federal funds for transportation projects under Title 23 or the Federal Transit Act (49 USC §5301, *et seq.*). Section 134 requires an MPO to develop its TIP in cooperation with the state and affected public transit operators and to provide an opportunity for interested parties to participate in the development of the program. Section 135 requires the state to develop a STIP for all areas of the state in cooperation with the designated MPOs and, with respect to non-metropolitan areas, in consultation with affected local officials, and further requires an opportunity for participation by interested parties as well as approval by the Governor or the Governor's designee.

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

Persons wishing to speak at the hearing may register in advance by notifying Karen Burkhard, Transportation Planning and Programming Division, at (512) 484-9813 no later than 12:00 p.m. CST on Wednesday, November 28, 2023. Speakers will be taken in the order registered and will be limited to three minutes. Speakers who do not register in advance will be taken at the end of the hearing. Any interested person may offer comments or testimony; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only

one speaker. Speakers are requested to refrain from repeating previously presented testimony.

The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to participate in the hearing are encouraged to contact the Transportation Planning and Programming Division, at (512) 484-9813. Requests should be made at least three working days prior to the public hearing. Every reasonable effort will be made to accommodate the needs.

Interested parties who are unable to participate in the hearing may submit comments regarding the proposed November 2023 Quarterly Revisions to the FY 2023-2026 STIP to Humberto Gonzalez, P.E., Director

of the Transportation Planning and Programming Division, P.O. Box 149217, Austin, Texas 78714-9217. In order to be considered, all written comments must be received at the Transportation Planning and Programming office by 4:00 p.m. CST on Monday, December 11, 2023.

TRD-202304031

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: October 31, 2023

