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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.

33rd and 424th District Court

CSCD Director Position

Announcement 33rd & 424th Judicial Districts CSCD Director Position

Closing Date: March 2, 2024

Salary: Will be commensurate with experience.

General Information

The 33rd and 424th Judicial Districts CSCD serves two (2) District Courts, one (1) County Court at Law and three (3) County Courts in four (4) counties (Blanco, Burnet, Llano and San Saba). The District is also served by a Drug Court, three (3) specialized caseloads and one (1) Bond Supervision caseload. CSCD staff consists of 18 full time positions, one (1) part time position and two (2) contract substance abuse counselor positions. The CSCD also allows its field officers to be certified to carry a weapon during the performance of their duties. The CSCD also operates an Intermediate Sanctions Facility with a staff of 22 full time positions and one (1) part time position, with two (2) contract counselors. The CSCD has seven (5), operating budgets totaling \$3,468,180.00. The CSCD supervises a total of 1863 probationers and 257 pre-trial defendants as of September 1, 2023.

Minimum Qualifications

Texas Government Code 76.004, 76.005, as well as Texas Administrative Code Title 37 Part 6 Rules 163.21 & 163.33 require the Judges to appoint a CSCD Director who must meet, at minimum, the eligibility requirements for officers.

--A bachelors' degree conferred by an institution of higher education accredited by an accrediting organization recognized by the Texas Higher Education Coordinating Board.

--Cannot be employed as a peace officer, or work as a reserve or volunteer peace officer; and

--Cannot currently be on community supervision, parole or serving a sentence for a criminal offense.

--Must possess a valid Driver License.

--Must pass a background investigation.

Ideal Experience, Skills, and Abilities

--Ten years of experience with a CSCD with at least five years of experience in administration or supervisory position.

--Demonstrated leadership abilities and experience in successfully directing or assisting with the building of effective community supervision.

--High level of communication and interpersonal skills used with the public, employees, elected and appointed officials; ability to speak effectively in public.

--A working knowledge of techniques and procedures in best practices for effective community supervision.

--Computer skills with working knowledge of spreadsheets, word processing, databases and programming.

--Knowledge of grant preparation, process, and maintenance.

--Experience in working in a multi-county jurisdiction.

--Working knowledge of Community Corrections Facility (Residential) Standards and issues.

--Working knowledge of CJAD Weapons policy and Standards (163.34).

--Willingness to continue working in direct contact with probationers, as the need arises.

--Willingness

Essential Duties and Responsibilities

--Maintain department's full compliance with all standards, statutes and ethics as detailed in the Texas Administrative Code, Government Code, TDCJ-CJAD Standards and Financial Management Manual as well as all other state and federal statutes.

--Provide leadership and day to day management of the operations of the department.

--Employ officers, assistants and other employees to carry on the core services of the department including but not limited to conducting presentence investigations, supervise and rehabilitate defendants placed under supervision, enforce the conditions of supervision and serve the local Courts. Responsible for the cost effective development, coordinate the preparation and implement the department budgets with fiscal responsibility.

--Attend all related trainings for the duties and responsibilities.

--Continue to develop and implement the Strategic Plan for the department including reducing recidivism and revocations.

--Responsible for the continued development of administration and for standards, procedures and policies related to personnel, including staff development, interns/volunteers, training, budget and physical facilities. Interprets department policies, job responsibilities and assignments to staff. Establishes or adjusts work procedures to achieve goals.

--Initiate and be responsible for all personnel actions such as promotions, discharges, grievances and disciplinary measures for staff personnel.

--Negotiate and enter into contracts on behalf of and benefitting the department in accordance with state laws and requirements of TDCJ-CJAD.

--Submit all required and or requested reports timely to TDCJ-CJAD. Insure all program records and statistical data is consistent with the requirements of the law and TDCJ-CJAD standards.

--Prepare reports for local Judges.

--Professionally represent the department in meetings and committees with TDCJ-CJAD, other government entities, other CSCDs, Civic and Social Service organizations, and the public.

--Perform other duties as identified, needed and including those required by statute.

Send resume, copies of transcripts reflecting degree conferred (employment offer will be contingent on official transcripts being submitted), and three (3) references to:

The Honorable Allan Garrett; Judge, 33rd Judicial District Court
c/o Lisa Bell
1701 E. Polk
Burnet, Texas 78611
Email: 33coordinator@gmail.com
TRD-202400228
Judge Allan Garrett
Judge
33rd and 424th District Court
Filed: January 24, 2024

Office of the Attorney General

Request for Applications (RFA) for the Sexual Assault Prevention and Crisis Services Program (SAPCS) State: Rural and Border County Service Enhancement

The Office of the Attorney General (OAG) is soliciting applications from programs with an active SAPCS-State grant contract who provide (or request to provide) services to victims of sexual assault in a rural or border county.

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

Eligibility Requirements:

Eligible Applicants: Current FY 2024 SAPCS-State grantees who provide (or request to provide) services in a rural or border county. For the purposes of this grant, rural counties are defined as counties having a population of 150,000 or less and border counties are any county designated as such by the Texas Department of Public Safety. The OAG reserves the right to make final classification of rural counties. Applicant must be a current FY 2024 SAPCS-State grantee. A current SAPCS-State grantee is a Sexual Assault Program with an active (September 1, 2023 - August 31, 2024) SAPCS-State grant contract.

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

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

Deadlines and Filing Instructions for the Grant Application:

Create an On-Line Account: Creating an on-line account in the Grant Offering and Application Lifecycle System (GOALS) is required to apply for a grant. *If an on-line account is not created, the Applicant will be*

unable to apply for funding. To create an on-line account, the Applicant must email the point of contact information to Grants@oag.texas.gov with the following information:

--First Name

--Last Name

--Email Address (*It is highly recommended to use a generic organization email address if available*)

--Organization Legal Name

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

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

Minimum and Maximum Amounts of Funding Available: The minimum amount of funding for all programs is \$60,000 per fiscal year. The maximum amount of funding for all programs is \$125,000 per fiscal year.

Minimum and maximum amounts of funding are subject to change as stated in the Application Kit. The OAG is not obligated to fund a grant at the amount requested.

Start Date and Length of Grant Contract Period: The grant contract period (term) is up to two years from April 1, 2024 through August 31, 2025, subject to and contingent on funding and/or approval by the OAG.

No Match Requirements: There are no match requirements.

Award Criteria: The OAG will make funding decisions that support the efficient and effective use of public funds. Scoring components will include, but are not limited to, information provided by the Applicant on the proposed project activities and budget. Funding decisions will be determined using a competitive allocation method.

Grant Purpose Area: All grant projects must address the required purpose area(s) as stated in the Application Kit.

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

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

TRD-202400212

Justin Gordon
General Counsel
Office of the Attorney General
Filed: January 22, 2024

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Comptroller of Public Accounts

**Certification of the Average Closing Price of Gas and Oil -
December 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 December 2023 is \$53.58 per barrel for the three-month period beginning on September 1, 2023, and ending November 30, 2023. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of December 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 December 2023 is \$1.61 per mcf for the three-month period beginning on September 1, 2023, and ending November 30, 2023. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of December 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 December 2023 is \$72.12 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 December 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 December 2023 is \$2.54 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 December 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.

Issued in Austin, Texas, on January 24, 2024.

TRD-202400251
Jenny Burleson
Director, Tax Policy
Comptroller of Public Accounts
Filed: January 24, 2024

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Notice of Eligibility of Appraised Value

In compliance with Property Tax Code, §6.425(g), the Comptroller of Public Accounts has determined that a property's minimum appraised value for the 2024 tax year, as determined by the local appraisal district, must be \$59,562,331 to be eligible for a protest hearing in front of a local appraisal review board special panel for that tax year.

Inquiries may be submitted to Shannon Murphy, Director, Property Tax Assistance Division, P.O. Box 13528 Austin, Texas 78711 or to the email address: ptad.rulecomments@cpa.texas.gov.

Issued in Austin, Texas, on January 22, 2024.

TRD-202400214
Victoria North
General Counsel for Fiscal and Agency Affairs
Comptroller of Public Accounts
Filed: January 22, 2024

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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 and §303.009 Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/29/24 - 02/04/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/29/24 - 02/04/24 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

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

TRD-202400235
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: January 24, 2024

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Credit Union Department

Application to Expand Field of Membership

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

An application was received from Members Choice Credit Union, Houston, Texas, to expand its field of membership. The proposal would permit persons who live, worship, work, or attend school and businesses and other legal entities located in Fort Bend County, Texas, to be eligible for membership in the credit union.

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

TRD-202400204
Michael S. Riepen
Commissioner
Credit Union Department
Filed: January 19, 2024

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Texas Council for Developmental Disabilities

Request for Applications: Increasing Employment Opportunities for Adult Texans with DD in South Texas

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for activities to increase opportunities for employment for early career adult Texans with DD of Hispanic origin who live in the deep south area of Texas through outreach, training, and inter-agency communication post-transition. Applicants will investigate barriers to employment in the region and create programs that are culturally and linguistically responsive aimed at increasing employment opportunities for people with disabilities. Applications must be submitted by an organization established and working in Cameron, Hidalgo, Willacy, and Starr counties in Texas.

TCDD has approved funding for one organization for up to two years. Funding is approved for up to \$125,000 per year. Funds available for this project are provided to TCDD by the Administration for Community Living (ACL), U.S. Department of Health and Human Services, with 100% federal funding pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds at a reduced rate of 10% of the total project costs are required for project activities conducted in these four designated poverty counties.

Additional information concerning this Request for Applications (RFA) and TCDD is available at <https://tcdd.texas.gov/grants-rfas/funding-available-for-grants/>. All questions pertaining to this RFA should be directed in writing to TCDD via email at apply@tcdd.texas.gov or via telephone at (512) 437-5432.

Deadline: Proposals must be submitted through <https://tcdd.smapply.org/prog/lst/>. Proposals are due by 11:59 p.m. on March 15, 2024. Proposals will not be accepted outside of these due dates.

TRD-202400225

Beth Stalvey

Executive Director

Texas Council for Developmental Disabilities

Filed: January 23, 2024

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Education Service Center, Region 16

Official Notice for Election of Places 1, 2 and 7 on the Board of Directors of Region 16 Education Service Center

Persons interested in filing for positions on the Board of Directors of Region 16 Education Service Center, an organization that provides educational services to 61 school districts and three charter schools in the north 26 counties of the Texas Panhandle, may do so at the office of the Executive Director (5800 Bell Street, Amarillo, Texas) during regular office hours (8:00 a.m. to 5:00 p.m.) Monday through Thursday, (8:00 a.m. to 4:00 p.m.) Friday, beginning Thursday, February 1, 2024. Deadline for filing is Tuesday, February 20, 2024, at 5:00 p.m.

Interested persons may file in person or, upon request, may receive a filing form by mail with the return by certified mail postmarked no later than 4:00 p.m., February 20, 2024. Phone: (806) 677-5015; Mailing address: 5800 Bell Street, Amarillo, Texas 79109-6230.

The Board of Directors shall be elected by place. The following places (by counties) that are up for election are described as follows:

Place 1: Counties of Armstrong, Briscoe, Carson, Donley, Randall, and Swisher

Place 2: Counties of Castro, Deaf Smith, and Parmer

Place 7: Counties of Childress, Collingsworth, Gray, Hall, and Wheeler

To hold the office of an Education Service Center Board of Director, one must:

--Be a United States of America citizen;

--Be at least 18 years of age;

--Be a resident of the region served and of the geographic area included in the place designated outlined above;

To hold the office of Board member, one may not:

--Be engaged professionally in education;

--Be a member of a board of any educational agency or institution.

Should there be an uncontested election; the Region 16 ESC Board has determined that no election will be held.

TRD-202400208

Dr. Tanya Larkin

Executive Director

Education Service Center, Region 16

Filed: January 22, 2024

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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 **March 5, 2024**. 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 **March 5, 2024**. 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: A RAHMAN HOLDINGS, LLC; DOCKET NUMBER: 2023-0982-PST-E; IDENTIFIER: RN105572192; LOCATION: Orange, Orange County; TYPE OF FACILITY: convenience store

with retail sales of gasoline; RULE VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks; PENALTY: \$2,998; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Arimak Water Supply Corporation (Arimak); DOCKET NUMBER: 2022-0552-PWS-E; IDENTIFIER: RN101264380; LOCATION: Kerrville, Kerr County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement covering land within 150 feet of the facility's Well Number 2; and 30 TAC §290.46(m)(4), by failing to maintain all water system treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$812; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(3) COMPANY: City of Galveston; DOCKET NUMBER: 2021-1589-MWD-E; IDENTIFIER: RN101613925; LOCATION: Galveston, 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 Permit Number WQ0010688005, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$20,625; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$16,500; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(4) COMPANY: FIVE RIVERS INCORPORATED dba Graham Food Mart; DOCKET NUMBER: 2023-0888-PST-E; IDENTIFIER: RN102348828; LOCATION: Graham, Young County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases in a manner which will detect a release at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,493; ENFORCEMENT COORDINATOR: Jalan Jefferson, (512) 239-2527; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(5) COMPANY: HINO GAS SALES, INCORPORATED dba Hino Gas; DOCKET NUMBER: 2023-0748-PST-E; IDENTIFIER: RN101678647; LOCATION: Port Isabel, Cameron County; TYPE OF FACILITY: convenience store with retail sales of gasoline and fleet refueling station; RULES VIOLATED: 30 TAC §334.48(g)(1)(A)(ii) and TWC, §26.3475(c)(2), by failing to test the spill prevention equipment and containment sumps at least once every three years; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; 30 TAC §334.74, by failing to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TAC §334.72 within 30 days; and 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for a Class A, Class B, and Class C operator for the facility; PENALTY: \$20,302; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: Nilmah Investment Incorporated dba 1 Pitt Stop; DOCKET NUMBER: 2023-0983-PST-E; IDENTIFIER:

RN102269503; LOCATION: Pittsburg, Camp County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TAC §334.72 within 30 days; PENALTY: \$14,957; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: PINCO INCORPORATED dba Thelma Food Store; DOCKET NUMBER: 2022-0982-PST-E; IDENTIFIER: RN102828944; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,600; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(8) COMPANY: Post Granada, LP; DOCKET NUMBER: 2022-0390-WQ-E; IDENTIFIER: RN103769592; LOCATION: Uvalde, Uvalde County; TYPE OF FACILITY: privately owned lift station; RULES VIOLATED: 30 TAC §317.3(e)(5), by failing to provide an audiovisual alarm system for the lift station; 30 TAC §327.3(b) and TWC, §26.039(b), by failing to notify the TCEQ as soon as possible but not later than 24 hours after the occurrence of a spill or discharge; and TWC, §26.121(a)(1), by failing to prevent an unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$33,602; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(9) COMPANY: Quadvest, L.P.; DOCKET NUMBER: 2023-0969-MWD-E; IDENTIFIER: RN106514979; LOCATION: Cleveland, Liberty 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 WQ0015061001, by failing to prevent the unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$11,875; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(10) COMPANY: STUDY BUTTE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-1002-PWS-E; IDENTIFIER: RN101207504; LOCATION: Terlingua, Brewster County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$225; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202400216

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: January 23, 2024

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Cancellation of Public Meeting

This is notice that the public meeting previously scheduled for February 1, 2024, for Martin Marietta Materials Southwest, LLC; Proposed Permit No. 55353, has been cancelled and will be rescheduled for a later date. Notice of the rescheduled meeting will be sent by mail. If you have any questions, please contact Mr. Brad Patterson, Section Manager, Office of the Chief Clerk, at (512) 239-1201.

TRD-202400245

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 24, 2024

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Enforcement Orders

An order was adopted regarding Corey Morrell, Docket No. 2021-0787-MSW-E on January 24, 2024, assessing \$6,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Charles Patrick Patterson, Docket No. 2019-1447-MSW-E on January 24, 2024, assessing \$1,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Barrett Hollingsworth, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Energy Transfer GC NGL Fractionators LLC f/k/a Lone Star NGL Fractionators LLC, Docket No. 2021-0408-AIR-E on January 24, 2024, assessing \$83,200 in administrative penalties with \$6,240 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding The Kansas City Southern Railway Company, Docket No. 2021-0593-WQ-E on January 24, 2024, assessing \$45,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, 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 Juan Maltos, Docket No. 2021-0789-MSW-E on January 24, 2024, assessing \$12,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Rickey Evans, Jr., Docket No. 2021-1263-WQ-E on January 24, 2024, assessing \$4,987 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ExxonMobil Pipeline Company, Docket No. 2021-1370-AIR-E on January 24, 2024, assessing \$67,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding FARMERS COOPERATIVE SOCIETY NO. 1 OF JAYTON, TEXAS, Docket No. 2021-1451-PST-E on January 24, 2024, assessing \$12,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Peltier, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ash Grove Cement Company, Docket No. 2021-1507-IWD-E on January 24, 2024, assessing \$27,082 in administrative penalties with \$5,416 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Apple Springs Independent School District, Docket No. 2021-1595-MWD-E on January 24, 2024, assessing \$13,750 in administrative penalties with \$2,750 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 McMullen County Water Control and Improvement District No. 1 and McMullen County, Docket No. 2022-0720-MWD-E on January 24, 2024, assessing \$12,937 in administrative penalties with \$2,587 deferred. Information concerning any aspect of this order may be obtained by contacting Madison Stringer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding RAYLEE TRUCKING SERVICES, INC., Docket No. 2022-0764-MSW-E on January 24, 2024, assessing \$2,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Kurnath, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Pearland, Docket No. 2022-0781-MWD-E on January 24, 2024, assessing \$83,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Vander Horst Enterprises, LLC and 360 AG MANAGEMENT LLC, Docket No. 2022-0795-AGR-E on January 24, 2024, assessing \$17,213 in administrative penalties with \$3,442 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 Joe Bland Construction, L.P., Docket No. 2022-0995-EAQ-E on January 24, 2024, assessing \$15,000 in administrative penalties with \$3,000 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 default order was adopted regarding ALAUDDIN INVESTMENTS, INC. dba Kwik Trip Food Store, Docket No. 2022-1014-PST-E on January 24, 2024, assessing \$4,125 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting

Taylor Pack Ellis, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202400246

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 24, 2024



Notice of Declaration of Administrative Completeness Radioactive Material License Number R04100

Notice Issued on January 19, 2024

APPLICATION. Waste Control Specialists LLC (WCS), P.O. Box 1129, Andrews, Texas 79714, has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Radioactive Material License R04100. Radioactive Material License R04100 authorizes commercial disposal of low-level radioactive waste and commercial storage and processing of radioactive waste. WCS currently conducts a variety of waste management services at its site in Andrews County, Texas, and is the licensed operator of the Compact Waste Disposal Facility and Federal Waste Disposal Facility for commercial and federal low-level radioactive waste disposal.

The facility is located at 9998 West Highway 176, Andrews, Texas 79714 in Andrews County, Texas. 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. For exact location, refer to application: <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-103.063055%2C32.4425&level=12>.

The TCEQ received the application on August 25, 2023. The license application is available for viewing and copying at the TCEQ's central office in Austin, Texas and at Andrews Public Library at 109 NW 1st Street, Andrews, Texas 79714.

ADDITIONAL NOTICE. The TCEQ Executive Director has determined that the application is administratively complete and will conduct a technical review of the application. After completion of the technical review, the Executive Director may prepare a draft license, technical summary, compliance summary, and if applicable, an environmental analysis and submit them to the chief clerk of the TCEQ for issuance of additional public notice. Notice of the Completion of Technical Review will be published and mailed to adjacent landowners, those who are on the county-wide mailing list, and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments and requests for a contested case hearing.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments.

OPPORTUNITY FOR A CONTESTED CASE HEARING. A contested case hearing is a legal proceeding similar to a civil trial in state district court. The TCEQ may grant a contested case hearing on this application if a written hearing request is timely submitted.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, mailing address, phone number; applicant's name and license number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the license and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

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

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

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

Further information may also be obtained from WCS at the address stated above or by calling Mr. Jay Cartwright at (432) 525-8698.

TRD-202400244

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: January 24, 2024



Notice of District Petition

Notice issued January 17, 2024

TCEQ Internal Control No. D-09272023-036; 45 Maple Woods Development, LLC, a Texas limited liability company, (Petitioner) filed a petition for creation of Waller County Municipal Utility District No. 47 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Joe C. Smith, on the property to be included in the proposed District and information provided indicates that the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 142.479 acres located within Waller County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve, and extend a waterworks and sanitary sewer system for residential purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of water; and (4) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, including roads, parks and recreation facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$33,700,000 (\$19,500,000 for water, wastewater, and drainage, \$7,800,000 for roads, and \$6,400,000 for recreation).

INFORMATION SECTION

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

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

section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

TRD-202400238

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: January 24, 2024



Notice of District Petition

Notice issued January 18, 2024

TCEQ Internal Control No. D-08212023-037; Lackland Gunter Development, LLC, a Texas limited liability company, ("Petitioner") filed a petition for creation of Gunter Crossing Municipal Utility District of Grayson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, Section 52 and Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner owns a majority in value of the land to be included in the proposed District; (2) there is one lienholder, PlainsCapital Bank, on the property to be included in the proposed District, and the aforementioned entity has consented to the creation of the District and inclusion of all of the land in the District; (3) the proposed District will contain approximately 48.978 acres of land, located entirely within Grayson County, Texas; and (4) a portion of the land to be included in the district is located within the extraterritorial jurisdiction of the City of Gunter, Texas (City). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water and sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to proceed to the TCEQ for inclusion of their Property into the District. The petition further states that the proposed District will: (1) construct a water distribution system for domestic purposes, (2) construct a sanitary sewer system, (3) control, abate and amend the harmful excess of waters and reclaim and drain overflowed lands within the District, (4) construct and finance macadamized, graveled or paved roads, or improvements in aid of those roads, and (5) construct, install, maintain, purchase and operate such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized, all to the extent authorized by law from time to

time. It is specifically proposed that the District be granted the authority to design, acquire, construct, finance, issue bonds for, operate, maintain, and convey to this state, a county, or a municipality, for operation and maintenance a road or any improvement in aid of the road, pursuant to Texas Water Code, Section 54.234. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$9,850,000 (\$7,500,000 for water, wastewater and drainage and \$2,350,000 for roads).

INFORMATION SECTION

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

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

TRD-202400240

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 24, 2024



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 **March 5, 2024**. 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 March 5, 2024**. 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: SIRBAN USA ENTERPRISE INC dba SK Quick Mart; DOCKET NUMBER: 2021-0381-PST-E; TCEQ ID NUMBER: RN102873395; LOCATION: 5904 Farm-to-Market Road 1765, Texas City, Galveston County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the USTs at the station; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every 30 days; TWC, §26.3475(a) and 30 TAC §334.50(b)(2)(A)(i)(III), by failing to test the line leak detectors at least once per year for performance and operational reliability; and Texas Health and Safety Code, §382.085(b) and 30 TAC §115.225, by failing to comply with annual Stage I vapor recovery testing requirements; PENALTY: \$7,875; STAFF ATTORNEY: Benjamin Warms, Litigation, MC 175, (512) 239-5144; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202400217

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: January 23, 2024



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of HAQUE SALMA ENTERPRISE INC dba Poppy Food Mart SOAH Docket No. 582-24-08279 TCEQ Docket No. 2021-0193-PST-E

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

10:00 a.m. - February 22, 2024

To join the Zoom meeting via computer or smart device:

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

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's First Amended Report and Petition mailed October 23, 2023 concerning assessing administrative penalties against and requiring certain actions of HAQUE SALMA ENTERPRISE INC dba Poppy Food Mart, for violations in Bexar County, Texas, of: Texas Water Code § 26.3475(a), (c)(1), and (d) and 30 Texas Administrative Code §§334.10(b)(2), 334.49(c)(2)(C) and (c)(4)(C), 334.50(b)(1)(A) and (b)(2), 334.602(a), and 334.606.

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

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

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

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

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

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

Issued: January 18, 2024

TRD-202400242

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 24, 2024



Notice of Public Meeting

APPLICATION. Vulcan Construction Materials, LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Air Quality Permit Number 52357L001, which would authorize continued operation of an Asphalt Plant located at 600 Lockwood Drive, Houston, Harris County, Texas 77011. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsource/airpermits-pending/permit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/Location-Mapper/?marker=-95.321023,29.753616&level=13>. The existing facility and/or related facilities are authorized to emit the following air contaminants: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide. This application was submitted to the TCEQ on September 18, 2023.

The executive director has determined the application is administratively complete and will conduct a technical review of the application. In addition to the renewal, this permitting action includes the incorporation of permits by rule related to this permit. The reasons for any changes or incorporations, to the extent they are included in the renewed permit, may include the enhancement of operational control at the plant or enforceability of the permit. **The TCEQ may act on this application without seeking further public comment or providing an opportunity for a contested case hearing if certain criteria are met.**

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application, and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. At the conclusion of the comment period, all formal comments will be considered before a decision is reached on the permit application. A written response

to all formal comments will be prepared by the executive director and will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Thursday, February 22, 2024 at 7:00 p.m.

HCC Felix Fraga Campus

301 N. Drennan, 3rd Floor, Room 360

Houston, Texas 77003

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

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

The application will be available for viewing and copying at the TCEQ central office, TCEQ Houston regional office, and the Stanaker Neighborhood Library, 611 South Sergeant Macario Garcia Drive, Houston, Harris County, Texas. The facility's compliance file, if any exists, is available for public review in the Houston regional office of the TCEQ. Further information may also be obtained from Vulcan Construction Materials, LLC, P.O. Box 791550, San Antonio, Texas 78279-1550 or by calling Mrs. Melissa Fitts, Westward Environmental, Inc. at (830) 829-8284.

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

Notice Issuance Date: January 18, 2024

TRD-202400241

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 24, 2024



Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016243001

APPLICATION. Circle S Midlothian, LLC, 5940 South West McGee Road, Lane, Oklahoma 74555, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016243001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 950,000 gallons per day. TCEQ received this application on October 26, 2022.

The facility will be located approximately one-mile northeast of the intersection of Murr Road and Farm-to-Market Road 157, in Ellis County, Texas 76084. The treated effluent will be discharged to Spring Branch, thence to Armstrong Creek, thence to Cottonwood Creek, thence to North Fork Chambers Creek, thence to Chambers Creek Above Richland-Chambers Reservoir in Segment No. 0814 of the Trinity River Basin. The unclassified receiving water use is limited aquatic life use for Spring Branch and Armstrong Creek. The designated uses for Segment No. 0814 are primary contact recreation, public water supply, and high aquatic life use.

In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's Procedures to Implement the Texas Surface Water Quality Standards (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.05469,32.38909&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notice>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notice>.

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

**The Public Meeting is to be held:
Monday, March 4, 2024 at 7:00 p.m.**

**Venus Civic Center
210 S. Walnut Street
Venus, Texas 76084**

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Nicholas P. Sims Library & Lyceum, 515 West Main Street, Waxahachie, Texas. Further information may also be obtained from Circle S Midlothian, LLC at the address stated above or by calling Mr. Rick Miskimom at (214) 546-5366.

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

Issuance Date: January 18, 2024

TRD-202400239

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 24, 2024



Notice of Water Quality Application

The following notice was issued on January 18, 2024:

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

INFORMATION SECTION

Frito-Lay, Inc., which operates Frito-Lay Rosenberg Facility, a facility that produces snack food, including potato chips, corn chips, and tortilla chips, has applied for a major amendment of Texas Pollutant Discharge Elimination System Permit No. WQ0002443000 to Change sampling locations for Outfalls 003; merge effluent limits at Outfall 103 to Outfall 003 and then remove Outfall 103 in phase IV. The draft permit authorizes the discharge of process wastewater, stormwater runoff, and utility wastewater on an intermittent and flow-variable basis via Outfall 001; domestic wastewater at a daily average flow not to exceed 18,000 gallons per day (gpd) via Outfall 002; and process wastewater, stormwater runoff, and utility wastewater at a daily average flow not to exceed 1,100,000 gpd in phases I, II, III, and IV via Outfall 003. The facility is located at 3310 State Highway 36 North, near the City of Rosenberg, in Fort Bend County, Texas 77471.

TRD-202400243

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: January 24, 2024



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 January 8, 2024 to January 19, 2024. 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, January 26, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday February 25, 2024.

Federal License and Permit Activities:

Applicant: Buckeye Texas Hub, LLC

Location: The project site is located within the Corpus Christi Ship Channel, specifically the Viola Channel and the Tule Lake Turning Basin, in Nueces County, Corpus Christi, Texas. Twenty Dredge Material Placement Area (DMPA) locations are scattered throughout the Corpus Christi Bay area.

Latitude and Longitude: 27.831718, -97.499751

Project Description: The applicant proposes to perform dredging operations and construct both previously authorized, but never constructed, and new proposed structures at the Buckeye Texas Hub Terminal. The applicant proposes to construct one ship dock (proposed Ship Dock 5), one barge dock (proposed Barge Dock 1), two bulkheads, one loading dock, thirty-eight mooring dolphins, perform dredging operations, and perform maintenance dredging and bed leveling for 10 years.

The ship and barge dock structures and maintenance dredging were previously authorized on September 24, 2014 and expired on December 31, 2019. During the authorized permit period, the dock structures were not constructed, and dredging was not undertaken before permit expiration. Due to the previous permit being expired, this permit analysis will be conducted as if all work is newly proposed.

Specifically, the proposed ship dock, consists of a pier supported 34' x 16' access trestle and 34' x 16' pipe rack leading to a 60' x 90' cast in place dock with six 84" mooring dolphins, six 96" breasting dolphins, and four 66" protection dolphins. Additionally, the proposed barge dock consists of a pier supported 156' x 16' access trestle and 156' x 16' pipe rack leading to a 40' x 60' cast in place dock with four 42" mooring dolphins and sixteen 48" breasting dolphins, and two 96" mooring dolphins at an existing dock structure immediately adjacent to the dock.

Associated dredging for the ship dock structure consists of a 6.2-acre area (275,000 cubic yards) dredged to -60 feet mean low-lower water and associated dredging for the barge dock structure consists of a 0.90-

acre (2,500 cubic yards) dredged to -15 feet mean low-lower water. The applicant requests to use previously authorized upland DMPAs to place the 277,500 cubic yards of dredged material. The applicant requests to perform maintenance dredging and bed leveling for 10 years.

Additionally, two proposed bulkheads, a loading platform, and associated fill, related to the installation of the ship dock and barge dock, are planned to be placed immediately adjacent to tidal waters, but above the high-tide line. The bulkhead, landing dock structure, and upland fill will serve as stabilized access points for the in-water structures and prevent damage from larger than average high tides associated with tropical storm and king tide events. The bulkhead for the barge dock will extend an existing sheet-pile structure 770 linear feet; additionally, minimal amounts of rip-rap currently below the high-tide line (adjacent to the existing bulkhead) will be removed permanently. The bulkhead for the ship dock will be a new 1,465 linear foot combi-wall system. The landing dock structure will consist of a 30' x 580' pad within the uplands. The applicant has not proposed compensatory wetland mitigation for the project.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2008-00904. 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: 24-1111-F1

Applicant: Enterprise Products Operating LLC

Location: The project site is located in the Houston Ship Channel at the Enterprise Houston Terminal, 15602 Jacintoport Boulevard, in Houston, Harris County, Texas.

Latitude and Longitude: 29.737892, -95.126816

Project Description: The applicant proposes to modify Department of the Army Permit SWG-2008-00073 to construct a 20-foot by 20-foot gangway platform, supported by four 20-inch-diameter pipe piles. The gangway platform will serve as an extension to the existing barge dock adjacent to the Houston Ship Channel. The piles will be driven to a depth that ensures structural integrity and obtains an elevation of +12 feet above mean lower low water for the proposed gangway platform.

The applicant stated that the purpose of the project is to provide the infrastructure and space necessary to improve berthing and vessel engagement capabilities at the applicant's existing facility. The applicant has not proposed to mitigate for the proposed impacts.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2008-00073. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

CMP Project No: 24-1122-F1

Applicant: City of Corpus Christi

Location: The project site is located the Industrial/Main Turning Basin of the Port of Corpus Christi Authority's Inner Harbor, Corpus Christi, Nueces County, Texas.

Latitude and Longitude: 27.814146, -97.418478

Project Description: The applicant proposes to construct a seawater desalination plant with intake structures and outfall structures/diffusers and pipelines within the waters of the Inner Harbor, onshore pipeline within adjacent wetlands, and an onshore processing facility. The seawater desalination project would involve an intake structure in the Inner Harbor with waterlines that lead to a pump station on land. From the pump station, waterlines would then lead further inland to the main

project components associated with treatment facilities. Treated water would then be stored in a ground storage tank and distributed into the city's potable water system. Discharge water would exit via waterlines to the discharge/diffuser structure located in the Inner Harbor. The components of the project are:

-- Permanent placement of an intake structure consisting of a 48-inch diameter intake pipe and three 30 MGD wedgewire intake screens within 0.22 acre of the waters of Inner Harbor.

-- The intake structure will be placed at a depth of -33 feet below mean high water at a distance of 332 feet from the channel centerline.

-- Permanent placement of two 54-inch diameter intake pipelines for a distance of 116 feet at a maximum depth of -7 feet mean high water within the waters of the Inner Harbor.

-- Temporarily impact a total of 0.19 acre of wetlands, Wetlands 3 and 4, during the open cut trench installation of two 54-inch diameter intake pipelines for a distance of 589 linear feet and 612 linear feet, respectively.

-- Permanent placement of a discharge/outfall structure consisting of a 48-inch diameter header pipe and four 16-inch diffuser nozzles within 0.40 acre of the waters of the Inner Harbor.

-- Hydraulically dredge a total of 508 cubic yards to a depth of -40 feet below mean high water for placement of the discharge/outfall structure. Placement of the dredged material would be utilized as fill within the pump station, facility, or placed on property located at 27.804128° N, 97.401218° W.

-- The discharge/outfall structure would be placed at a depth of -35 feet below mean high water at a distance of 316 feet from the channel centerline.

-- Permanent placement of a 54-inch diameter discharge/outfall pipeline along 2,142 linear feet (4.2 acres) of the shoreline (2,087 linear feet in the water and 55 linear feet from water to onshore) at a maximum depth of -17 feet below mean high water within the waters of the Inner Harbor.

-- Permanent impact of 0.07 acre of Ditch 1 and a total of 0.77 acre of Wetlands 1 and 2 during the construction of a permanent intake pump station pad.

The applicant's stated purpose of the proposed project is to construct a drought-proof seawater desalination plant located near the City of Corpus Christi and improve the reliability of the Corpus Christi regional water system. The project is needed to accommodate present and future growth of the City of Corpus Christi region and to reduce the vulnerabilities and risks of the City's current water supply in the uncertainty of climate change. No mitigation is proposed.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2014-00850. 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: 24-1125-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.

◆ ◆ ◆
Department of State Health Services

Correction of Error

The Department of State Health Services proposed amendments to 25 TAC §157.2 in the January 19, 2024, issue of the *Texas Register* (49 TexReg 199). Due to an error by the Texas Register, some of the rule text in new paragraph (133) is incorrect. The corrected language reads as follows:

(133) Stroke activation--The process of mobilizing the stroke care team when a patient screens positive for stroke symptoms; may be referred to as a "stroke alert" or "code stroke."

TRD-202400215

◆ ◆ ◆
Texas Higher Education Coordinating Board

Notice of Intent to Engage in Negotiated Rulemaking-100-Mile Non-State Resident Tuition Waiver (Texas Public Universities, Health-Related Institutions, and State Colleges)

The Texas Higher Education Coordinating Board (THECB) intends to engage in negotiated rulemaking to amend 19 Texas Administrative Code, Chapter 21, Subchapter SS, §21.2264, to provide public universities, health-related institutions, and state colleges with greater clarity when administering the 100-mile waiver program. The amendments to 19 Texas Administrative Code, Subchapter SS, are authorized by Texas Education Code, §54.0601.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via GovDelivery to all chancellors and presidents at Texas public university, health-related, and state college institutions of higher education soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their system/campus.

From this effort, 12 individuals responded (out of approximately 60 affected entities) and expressed an interest to participate or nominated a representative from their system/institution to participate on the negotiated rulemaking committee. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee:

1. Public universities;
2. Public health-related institutions;
3. Public state colleges; and
4. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following nine individuals to the negotiated rulemaking committee for the 100-mile non-state resident tuition waiver to represent affected parties and the agency:

Public Universities

Donna C. Lang, Associate Vice President, Academic Operations, Texas A&M University at Galveston (Texas A&M University System)

Jordan Stevenson, Assistant Vice President, Enrollment Management, Texas A&M University-Commerce (Texas A&M University System)

Christine Blakney, Senior Managing Director, Student Business Services, Texas Tech University (Texas Tech University System)

Amanda Withers, Chief Financial Officer, and Senior Vice President, Operations, Sam Houston State University (Texas State University System)

Matthew Aschenbrenner, Vice President, Strategic Enrollment Management, University of Houston-Clear Lake (University of Houston System)

Chris Foster, Associate Vice President, Student Accounting, University of North Texas (University of North Texas System)

Kristine A. Velasquez, Director, Admissions and Recruitment, and Residency Official, The University of Texas at El Paso (The University of Texas System)

Public Health-Related Institutions

Griselda Castilla, Associate Vice President, Strategic Enrollment, The University of Texas Rio Grande Valley-Medical School (The University of Texas System)

Texas Higher Education Coordinating Board

Charles Contero-Puls, Assistant Commissioner, Student Financial Aid Programs

If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for the 100-mile non-state resident tuition waiver. Comments and applications for membership on the committee must be submitted by February 11, 2024, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email at Laurie.Frederick@highered.texas.gov.

TRD-202400247

Nichole Bunker-Henderson

General Counsel

Texas Higher Education Coordinating Board

Filed: January 24, 2024

Notice of Intent to Engage in Negotiated Rulemaking-Nursing Scholarship Program (Texas Public and Independent Institutions of Higher Education)

The Texas Higher Education Coordinating Board (THECB) intends to engage in negotiated rulemaking to develop new rules for the Nursing Scholarship Program in Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter R. The new rules in 19 Texas Administrative Code, Subchapter R, are authorized by Senate Bill 25, 88th Texas Legislature, Regular Session (2023).

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via GovDelivery to all chancellors and presidents at Texas public and independent institutions of higher education soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their system/campus.

From this effort, 29 individuals responded (out of approximately 211 affected entities) and expressed an interest to participate or nominated a representative from their system/institution to participate on the negotiated rulemaking committee. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee:

1. Public community colleges;
2. Public universities;
3. Public health-related institutions;
4. Public technical colleges;
5. Public state colleges;
6. Independent institutions; and
7. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following 17 individuals to the negotiated rulemaking committee for the nursing scholarship program to represent affected parties and the agency:

Public Community Colleges

Janena Norris, Associate Vice President, Healthcare Professions, and Chief Nursing Officer, Lee College

Jayson Valerio, Dean, Nursing and Allied Health, South Texas College

Jason Smith, Associate Vice President, Health Science Center, Trinity Valley Community College

Public State Colleges

Melanie James, Nursing Faculty, Lamar State College-Port Arthur (Texas State University System)

Public Technical Colleges

Brandon Hernandez, Dean, Health Sciences, Texas State Technical College

Public Universities

Angela Phillips, Director, Family Nurse Practitioner Program, and Professor, Nursing, West Texas A&M University (Texas A&M University System)

Kathryn Tart, Founding Dean and Professor, College of Nursing, University of Houston (University of Houston System)

Beth Merwin, Dean, College of Nursing and Health Innovation, The University of Texas at Arlington (The University of Texas System)

Public Health-Related Institutions

Lori Franco, Associate Dean, Finance and Administration, School of Nursing, Texas Tech University Health Sciences Center (Texas Tech University System)

Cindy Weston, Founding Dean and Professor, College of Nursing, University of North Texas Health Science Center (University of North Texas System)

Angela Watts, Director, Student Success, School of Nursing, The University of Texas Health Science Center at San Antonio (The University of Texas System)

Independent Institutions

Marcia Straughn, Director, School of Nursing, McMurry University

Claudine Dufrene, Executive Dean and Associate Professor, School of Nursing, University of St. Thomas

Rebekah Grigsby, Dean, Mieth School of Nursing, Wayland Baptist University

Texas Nurses Association

Jack Frazee, General Counsel, Director, Government Affairs

Western Governors University

LaDana Badger, State Director of Nursing

Texas Higher Education Coordinating Board

Charles Contero-Puls, Assistant Commissioner, Student Financial Aid Programs

If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for the nursing scholarship program. Comments and applications for membership on the committee must be submitted by February 11, 2024, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email at Laurie.Frederick@highered.texas.gov.

TRD-202400248

Nichole Bunker-Henderson
General Counsel
Texas Higher Education Coordinating Board
Filed: January 24, 2024



Notice of Intent to Engage in Negotiated Rulemaking-
Professional Nursing Shortage Reduction Program (Texas
Public and Independent Institutions of Higher Education)

The Texas Higher Education Coordinating Board (THECB) intends to engage in negotiated rulemaking to amend definitions for the Professional Nursing Shortage Reduction Program in Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter S, to better align with the General Appropriations Act, House Bill 1, 88th Texas Legislature, Regular Session (2023). The amendments to 19 Texas Administrative Code, Subchapter S, are authorized by Texas Education Code, §61.9624.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via GovDelivery to all chancellors and presidents at Texas public and independent institutions of higher education soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their system/campus.

From this effort, 30 individuals responded (out of approximately 211 affected entities) and expressed an interest to participate or nominated a representative from their system/institution to participate on the negotiated rulemaking committee. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee:

1. Public community colleges;
2. Public universities;
3. Public health-related institutions;
4. Public technical colleges;
5. Public state colleges;
6. Independent institutions; and
7. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following 17 individuals to the negotiated rulemaking committee for the professional nursing shortage reduction program to represent affected parties and the agency:

Public Community Colleges

Tetsuya Umebayashi, Vice Provost, School of Health Sciences, Dallas College

Agapito Flores, Dean, Health and Human Service Pathway, Hill College

Tyrone Sharp, Interim Dean, Nursing, Houston Community College

Jayson Valerio, Dean, Nursing and Allied Health, South Texas College

Darla Strother, Dean, Allied Health, Victoria College

Public Technical Colleges

Brandon Hernandez, Dean, Health Sciences, Texas State Technical College

Public Universities

Dean Horsley, Dean and Professor, School of Nursing, Texas A&M University (Texas A&M University System)

Collette Loftin, Associate Department Head, and Professor of Nursing, West Texas A&M University (Texas A&M University System)

Paula Clutter, Interim Dean, School of Nursing, Texas Woman's University

Beth Merwin, Dean, College of Nursing and Health Innovation, The University of Texas at Arlington (The University of Texas System)

Barbara Haas, Dean, School of Nursing, The University of Texas at Tyler (The University of Texas System)

Public Health-Related Institutions

Linda Lane, Assistant Dean, Finance and Administration, School of Nursing, Texas Tech University Health Sciences Center (Texas Tech University System)

Cindy Weston, Founding Dean and Professor, College of Nursing, University of North Texas Health Science Center (University of North Texas System)

Kristen Starnes-Ott, Vice Dean, Academic Affairs, and Professor, School of Nursing, The University of Texas Medical Branch at Galveston (The University of Texas System)

Independent Institutions

Linda Plank, Dean, School of Nursing, Baylor University

Lisa Washington, Chair, Patty Hanks Shelton School of Nursing, McMurry University

Texas Higher Education Coordinating Board

Elizabeth Mayer, Assistant Commissioner, Academic and Health Affairs

If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for the professional nursing shortage reduction program. Comments and applications for membership on the committee must be submitted by February 11, 2024, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email at Laurie.Frederick@highered.texas.gov.

TRD-202400249

Nichole Bunker-Henderson
General Counsel
Texas Higher Education Coordinating Board
Filed: January 24, 2024



Notice of Intent to Engage in Negotiated Rulemaking-Rural Resident Physician Grant Program (Texas Public Institutions of Higher Education)

The Texas Higher Education Coordinating Board (THECB) intends to engage in negotiated rulemaking to amend rules for graduate medical education positions in Texas Administrative Code, Title 19, Part 1, Chapter 6, Subchapter B, to better align with Texas Education Code Chapter 58A, Subchapter E, and the General Appropriations Act, House Bill 1, 88th Texas Legislature, Regular Session, Section 63 (III-69), (2023). The amendments to 19 Texas Administrative Code, Subchapter B, are authorized by Texas Education Code, §58A.081.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via GovDelivery to all chancellors and presidents at Texas public institutions of higher education soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their system/campus.

From this effort, 13 individuals responded (out of approximately 169 affected entities) and expressed an interest to participate or nominated a representative from their system/institution to participate on the negotiated rulemaking committee. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee:

1. Public universities;
2. Public health-related institutions;
3. Public technical colleges;
4. Public state colleges; and
5. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following 10 individuals to the negotiated rulemaking committee for the rural resident physician grant program to represent affected parties and the agency:

Public Universities

Courtney Dodge, Associate Dean, Graduate Medical Education, Texas A&M University (Texas A&M University System)

Thomas Mohr, Dean and Professor of Internal Medicine, College of Osteopathic Medicine, Sam Houston State University (Texas State University System)

J. Kevin Langford, Director, Rural Health Initiative, and Associate Professor, Stephen F. Austin State University (The University of Texas System)

Public Health-Related Institutions

J. Edward Bates, Assistant Dean, Graduate Medical Education and Resident Affairs, School of Medicine, Texas Tech University Health Sciences Center (Texas Tech University System)

Lisa Nash, Senior Associate Dean, Graduate Medical Education, University of North Texas Health Science Center (University of North Texas System)

Jonathan E. MacClements, Senior Associate Dean and DIO, Graduate Medical Education, The University of Texas at Austin Dell Medical School (The University of Texas System)

Emmanuel Elueze, Vice President, Medical Education and Professional Development; Designated Institutional Officer; and Professor of Medicine, The University of Texas at Tyler Health Science Center (The University of Texas System)

John P. Walker, Vice Chair, Clinical Operations-General Surgery; Medical Director Perioperative Services; and Professor, Surgery, The University of Texas Medical Branch at Galveston (The University of Texas System)

Michael Hocker, Dean, School of Medicine, and Senior Vice President, The University of Texas Rio Grande Valley-Medical School (The University of Texas System)

Texas Higher Education Coordinating Board

Elizabeth Mayer, Assistant Commissioner, Academic and Health Affairs

If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for the rural resident physician grant program. Comments and applications for membership on the committee must be submitted by February 11, 2024, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email at Laurie.Frederick@highered.texas.gov.

TRD-202400250

Nichole Bunker-Henderson

General Counsel

Texas Higher Education Coordinating Board

Filed: January 24, 2024



Texas Department of Insurance

Company Licensing

Application for OnStar National Insurance Company, a foreign fire and/or casualty company, to change its name to GM National Insurance Company. The home office is in Naperville, Illinois.

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-202400233

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: January 24, 2024

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Texas Lottery Commission

Scratch Ticket Game Number 2554 "50X THE WIN"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2554 is "50X THE WIN". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2554 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2554.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 5X SYMBOL, 10X SYMBOL, 50X SYMBOL, \$5, \$10, \$20, \$50, \$100, \$250, \$500, \$1,000, \$5,000 and \$100,000.

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

Figure 1: GAME NO. 2554 - 1.2D

| PLAY SYMBOL | CAPTION |
|-------------|---------|
| 01 | ONE |
| 02 | TWO |
| 03 | THR |
| 04 | FOR |
| 06 | SIX |
| 07 | SVN |
| 08 | EGT |
| 09 | NIN |
| 11 | ELV |
| 12 | TLV |
| 13 | TRN |
| 14 | FTN |
| 15 | FFN |
| 16 | SXN |
| 17 | SVT |
| 18 | ETN |
| 19 | NTN |
| 20 | TWY |
| 21 | TWON |
| 22 | TWTO |
| 23 | TWTH |
| 24 | TWFR |
| 25 | TWV |
| 26 | TWSX |
| 27 | TWSV |
| 28 | TWET |
| 29 | TWNI |

| | |
|------------|--------|
| 30 | TRTY |
| 31 | TRON |
| 32 | TRTO |
| 33 | TRTH |
| 34 | TRFR |
| 35 | TRFV |
| 36 | TRSX |
| 37 | TRSV |
| 38 | TRET |
| 39 | TRNI |
| 40 | FRTY |
| 5X SYMBOL | WINX5 |
| 10X SYMBOL | WINX10 |
| 50X SYMBOL | WINX50 |
| \$5 | FIV\$ |
| \$10 | TEN\$ |
| \$20 | TWY\$ |
| \$50 | FFTY\$ |
| \$100 | ONHN |
| \$250 | TOFF |
| \$500 | FVHN |
| \$1,000 | ONTH |
| \$5,000 | FVTH |
| \$100,000 | 100TH |

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

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

(10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2554), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2554-0000001-001.

H. Pack - A Pack of the "50X THE WIN" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "50X THE WIN" Scratch Ticket Game No. 2554.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "50X THE WIN" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-five (45) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. If the player reveals a "50X" Play Symbol, the player wins 50 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly forty-five (45) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly forty-five (45) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the forty-five (45) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-five (45) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

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

C. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 20 and \$20).

D. KEY NUMBER MATCH: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

E. KEY NUMBER MATCH: There will be no matching WINNING NUMBERS Play Symbols on a Ticket.

F. KEY NUMBER MATCH: A non-winning Prize Symbol will never match a winning Prize Symbol.

G. KEY NUMBER MATCH: A Ticket may have up to three (3) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

H. KEY NUMBER MATCH: The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

I. KEY NUMBER MATCH: The "10X" (WINX10) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

J. KEY NUMBER MATCH: The "50X" (WINX50) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "50X THE WIN" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$250 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$250 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "50X THE WIN" Scratch Ticket Game prize of \$1,000, \$5,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "50X THE WIN" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
- D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "50X THE WIN" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "50X THE WIN" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 7,080,000 Scratch Tickets in Scratch Ticket Game No. 2554. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2554 - 4.0

| Prize Amount | Approximate Number of Winners* | Approximate Odds are 1 in ** |
|--------------|--------------------------------|------------------------------|
| \$5.00 | 755,200 | 9.38 |
| \$10.00 | 660,800 | 10.71 |
| \$20.00 | 188,800 | 37.50 |
| \$50.00 | 94,400 | 75.00 |
| \$100 | 23,600 | 300.00 |
| \$250 | 5,605 | 1,263.16 |
| \$500 | 1,534 | 4,615.38 |
| \$1,000 | 120 | 59,000.00 |
| \$5,000 | 10 | 708,000.00 |
| \$100,000 | 5 | 1,416,000.00 |

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

**The overall odds of winning a prize are 1 in 4.09. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2554 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2554, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202400230
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: January 24, 2024



Panhandle Regional Planning Commission

Region 1 Canadian-Upper Red Regional Flood Planning Group
 Request for Qualifications - 2028 Regional Flood Plan

The Region 1 Canadian-Upper Red Regional Flood Planning Group (RFPG) acting through the Panhandle Regional Planning Commission (PRPC) is seeking proposals to provide professional services to assist in the development of the region's second Regional Flood Plan by January 2028 for the Canadian-Upper Red Flood region (FPR). The successful firm(s) will demonstrate knowledge of large-scale flood planning in general, the specific requirements of flood planning as defined by 31 TAC Chapters 361 and 362.

The Canadian-Upper Red flood planning region (FPR) is one of fifteen across the state of Texas. It is comprised of 44 counties including the entirety of Armstrong, Briscoe, Carson, Childress, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Foard, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Motely, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Wheeler, Wichita, and Wilbarger and partially includes Archer, Baylor, Castro, Clay, Cooke, Crosby, Dickens, Floyd, Hale, King, Knox, Montague, Parmer, Swisher, and Young.

I. Statement of Qualifications - The Canadian-Upper Red RFPG, through the PRPC, is seeking to contract with a competent firm(s) or individual(s), with the necessary credentials and qualifications, that has specific experience and knowledge in providing technical services including research, analysis, and documentation in the field of large- scale flood planning. Please provide with your statement of qualifications including the approach to executing the work associated with this project, a list of at least five (5) projects with a similar scope of work, resumes for team members associated with the project should you receive the contract award, and a list of proposed sub-consultants or team members who are or may be involved in your proposal.

II. Scope of Services - Regional Flood Plan Development a. Consultant will provide all required planning services in accordance with the developed Scope of Work for the Regional Flood Plan except those services that have been specifically exempted. The Scope of Work may be reviewed here: <https://www.twdb.texas.gov/flood/planning/doc/2023DraftSOW.pdf?d=9534.899999976158>

b. Consultant will provide, at a minimum, monthly reporting to the Region 1 Canadian- Upper Red RFPG on the progress of the regional flood planning effort.

c. Consultant will assist with the adoption of the Regional Flood Plan.

d. Consultant will ensure the Regional Flood Plan adheres to the guidance principles and requirements as defined by 31 TAC Chapters 361 and 362.

III. Submission a. Proposals will only be accepted from firms or individuals having requested an RFQ package. RFQ Packages are available by written request from the Panhandle Regional Planning Commission, contact information below. Faxed or e-mailed requests will be accepted; however, the requesting entity must verify receipt. All inquiries and requests must be directed to the attention of: Jarian Fred, Local Government Services Program Coordinator.

b. The deadline for responses to this request is 5:00 PM, Thursday, February 22, 2024. The statement of qualifications should be no more than 30 pages in length, including cover letter and resumes of project team members. One (1) electronic copy in PDF format of each submittal shall be emailed to Jarian Fred, administrative agent of the RFPG, at the following email address:

Panhandle Regional Planning Commission

Attn: Jarian Fred

jfred@theprpc.org

Proposals received after the stated deadline will not be considered.

The Canadian-Upper Red RFPG reserves the right to negotiate with any and all individuals and firms that submit proposals and to award more than one contract or to award no contracts. All potential contracts and tasks arising from this RFQ are subject to approval by the Texas Water Development Board and are contingent upon receiving funding from the Texas Water Development Board for the approved tasks.

TRD-202400207

Jarian Fred

Local Government Services Program Coordinator

Panhandle Regional Planning Commission

Filed: January 19, 2024

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Public Utility Commission of Texas

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

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on January 18, 2024, 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 West Texas Rural Telephone Cooperative, Inc. to Adjust High Cost Support Under 16 TAC §26.407(h), Docket Number 56145.

West Texas Rural Telephone Cooperative, Inc. requests a high-cost support adjustment increase of \$422,367 in annual high-cost support. According to West Texas Rural 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 December 31, 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 56145.

TRD-202400232

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: January 24, 2024

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Texas Water Development Board

Request for Application

Fiscal Year 2024 Agricultural Water Conservation Grants

The Texas Water Development Board requests applications for Fiscal Year 2024 Agricultural Water Conservation Grants. The Texas Water Development Board plans to award up to \$1,500,000 in grants from the Agricultural Water Conservation Fund. The rules governing the Agricultural Water Conservation Program may be found in 31 Texas Administrative Code Chapter 367. Due Date (Closing): 2:00 p.m., Wednesday, April 3, 2024. Anticipated Award Date: July 2024. For more information on the Request for Applications and Application Instructions visit:

https://www.twdb.texas.gov/about/contract_admin/request/index.asp

TRD-202400177

Ashley Harden

General Counsel

Texas Water Development Board

Filed: January 18, 2024
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