

IN ADDITION

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

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 09/18/23 - 09/24/23 is 18% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/18/23 - 09/24/23 is 18% for commercial² credit.

¹ Credit for personal, family, or household use.

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

TRD-202303394

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: September 13, 2023

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Court of Criminal Appeals

Misc. Docket 23-004

Court of Criminal Appeals of Texas

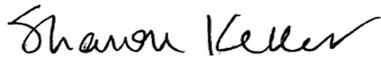
Misc. Docket No. 23-004

Preliminary Approval of Amendments to Texas Rule of Appellate Procedure 9.2 and Rule 2.7 of the Statewide Rules Governing Electronic Filing in Criminal Cases

ORDERED that:

1. The Court invites public comments on proposed amendments to Texas Rule of Appellate Procedure 9.2 and Rule 2.7 of the Statewide Rules Governing Electronic Filing in Criminal Cases.
2. To effectuate the Act of May 28, 2023, 88th Leg., R.S., ch. 861 (H.B. 3474, codified at TEX. GOV'T CODE § 18.002(b)), the amendments are effective immediately, but may later be changed in response to public comments. The Court requests that public comments regarding the proposed amendments be submitted in writing to the Court of Criminal Appeals by January 1, 2024 at txccarulescomments@txcourt.gov or by mail to the Clerk of the Court of Criminal Appeals at P.O. Box 12308, Austin, Texas 78711.
3. By Texas Supreme Court order, for purposes of Texas Rule of Appellate Procedure 9.2, the Texas Appeals Management and E-filing System ("TAMES") is an approved e-filing system.
4. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to each elected member of the Legislature; and
 - d. submit a copy of this Order for publication in the *Texas Register*.

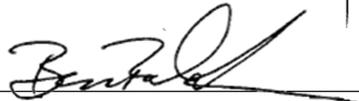
Dated: September 6, 2023.



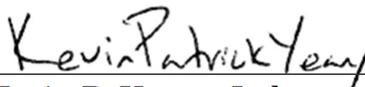
Sharon Keller, Presiding Judge



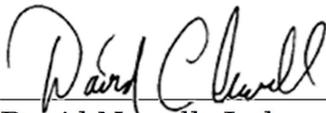
Barbara P. Hervey, Judge



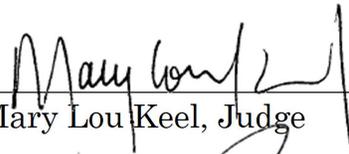
Bert Richardson, Judge



Kevin P. Yeary, Judge



David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Michelle Slaughter, Judge



Jesse F. McClure, Judge

TRD-202303395
Deana Williamson
Clerk of the Court
Court of Criminal Appeals
Filed: September 13, 2023

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Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity

to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **October 23, 2023**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **October 23, 2023**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: BAILEE CUSTOM HOMES, INCORPORATED; DOCKET NUMBER: 2022-0136-WQ-E; IDENTIFIER: RN111282562; LOCATION: New Fairview, Denton County; TYPE OF FACILITY: residential construction site; RULES VIOLATED: 30 TAC §281.25(a)(4), TWC, §26.121, and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: Buckeye Texas Processing LLC; DOCKET NUMBER: 2022-0398-MLM-E; IDENTIFIER: RN106620438; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: crude oil refining facility; RULES VIOLATED: 30 TAC §281.25(a)(4), TWC, §26.121(a)(1), and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0005024000, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (5), TWC, §26.121(a)(1), and TPDES Permit Number WQ0005024000, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state; and 30 TAC §305.125(1) and (9)(A) and TPDES Permit Number WQ0005024000, Monitoring and Reporting Requirements Number 7(c), by failing to timely report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of noncompliance; PENALTY: \$231,250; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(3) COMPANY: City of Ector; DOCKET NUMBER: 2022-0353-PWS-E; IDENTIFIER: RN101406734; LOCATION: Ector, Fannin County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(i) and Texas Health and Safety Code §341.0315(c), by failing to provide two or more wells having

a total capacity of 0.6 gallon per minute per connection; PENALTY: \$250; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: Hernandez Rock, Incorporated; DOCKET NUMBER: 2021-1349-WQ-E; IDENTIFIER: RN108128331; LOCATION: Granbury, Hood County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §305.125(1), Texas Pollutant Discharge Elimination System General Permit Number TXR05DL42, Part III(A)(5)(b), by failing to maintain a complete Stormwater Pollution Prevention Plan and make it readily available upon request; and 30 TAC §342.25, by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$15,563; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: Kevin Leon Keck; DOCKET NUMBER: 2022-0093-LII-E; IDENTIFIER: RN103538419; LOCATION: Keller, Tarrant County; TYPE OF FACILITY: landscape irrigation; RULE VIOLATED: 30 TAC §344.35(d)(2), by failing to obtain a permit required to install an irrigation system; PENALTY: \$900; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: North Texas Municipal Water District; DOCKET NUMBER: 2022-0855-MWD-E; IDENTIFIER: RN102095585; LOCATION: Allen, Collin County; TYPE OF FACILITY: wastewater treatment facility and associated collection system; RULES VIOLATED: 30 TAC §305.125(1) and (5), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0012446001, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$14,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$14,250; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(7) COMPANY: Nutrien US LLC f/k/a Agrium U.S. Incorporated; DOCKET NUMBER: 2021-1562-AIR-E; IDENTIFIER: RN101865715; LOCATION: Borger, Hutchinson County; TYPE OF FACILITY: fertilizer manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 19778 and PSDTX1326, Special Conditions Number 1, Federal Operating Permit (FOP) Number O1689, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 10, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §101.201(a)(1)(B) and §122.143(4), FOP Number O1689, GTC and STC Number 2.F, and THSC, §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; and 30 TAC §101.201(c) and §122.143(4), FOP Number O1689, GTC and STC Number 2.F, and THSC, §382.085(b), by failing to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event; PENALTY: \$50,938; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(8) COMPANY: Rocky Branch Grocery, LLC; DOCKET NUMBER: 2022-0898-PST-E; IDENTIFIER: RN101745909; LOCATION: Naples, Morris 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; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(9) COMPANY: Town of Sunnyvale; DOCKET NUMBER: 2022-0137-WQ-E; IDENTIFIER: RN105592471; LOCATION: Sunnyvale, Dallas County; TYPE OF FACILITY: storm sewer system; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System General Permit Number TXR040000, Part IV, Section B(2), by failing to submit concise annual reports to the Executive Director within 90 days of the end of each reporting year; PENALTY: \$9,000; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: Westwood Shores Municipal Utility District; DOCKET NUMBER: 2021-0025-MWD-E; IDENTIFIER: RN102916426; LOCATION: Trinity, Trinity County; TYPE OF FACILITY: wastewater treatment; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0011300001, Monitoring and Reporting Requirements Number 7.c, by failing to report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of noncompliance; 30 TAC §305.125(1) and (5) and §317.4(g)(1)(C) and TPDES Permit Number WQ0011300001, Operational Requirements Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; 30 TAC §305.125(1) and (11)(C)(ii) and (vi) and TPDES Permit Number WQ0011300001, Monitoring and Reporting Requirements Number 3.c, by failing to properly record monitoring activities during effluent sampling; and 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0011300001, Sludge Provisions, Section IV.C, by failing to submit a complete annual sludge report to the TCEQ by September 30th of each year; PENALTY: \$7,490; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$5,992; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202303375

Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: September 12, 2023



Enforcement Orders

An agreed order was adopted regarding US Department of the Interior, Docket No. 2022-1086-MWD-E on September 12, 2023, assessing \$3,562 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Erandi Ratnayake, 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 Rivero Restaurants, Inc., Docket No. 2020-1373-PWS-E on September 12, 2023, assessing \$7,462 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202303404

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 13, 2023



Notice of Commission Action on General Permit TXG830000

The Texas Commission on Environmental Quality (TCEQ) reissued Texas Pollutant Discharge Elimination System General Permit Number TXG830000 during its public meeting on September 6, 2023. This general permit authorizes discharges of water contaminated by petroleum substances into or adjacent to any water in the state.

Texas Water Code, §26.040(d) and 30 Texas Administrative Code (TAC) §205.3(e) require the executive Director (ED) of TCEQ to respond to all timely filed public comments. The ED must make these responses publicly available and must file them with the Office of Chief Clerk at least ten days before the commission considers whether to approve the general permit. Additionally, 30 TAC §205.3(e)(4) requires notice of the commission's action on the proposed general permit and the text of the response to comments to be published in the *Texas Register*.

No public comments were received on the draft permit. This notice satisfies the requirement to publish notice of the commission's action on the proposed general permit.

The issued permit is available at the TCEQ Central File Room and on TCEQ's website at: www.tceq.texas.gov/permitting/wastewater/general/index.html.

TRD-202303295

Charmaine Backens
Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: September 8, 2023



Notice of District Petition

Notice issued September 8, 2023

TCEQ Internal Control No. D-05192023-036; Lone Oak Valley, LLC, a Texas limited liability company, and Valley View 624, LLC, a Texas limited liability company (collectively, the "Petitioners"), filed a petition for the creation of Lone Oak Valley MUD No. 1 of Cooke County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 227.25 acres of land located within Cooke County, Texas; and (4) none of the land to be included within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the work to be done by the District at the present time is to purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; to collect, transport, process, dispose of and control domestic, and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; to design, acquire,

construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$37,000,000 (\$25,225,000 for water, wastewater, and drainage and \$11,775,000 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-202303389

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023



Notice of District Petition

Notice issued September 8, 2023

TCEQ Internal Control No. D-07122023-013; Century Land Holdings of Texas, LLC, a Colorado limited liability company, (Petitioner) filed a petition for creation of Harris County Municipal Utility District No. 586 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the

Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 162.76 acres located within Harris County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Houston. By Ordinance No. 2023-292, passed and approved on April 26, 2023, the City of Houston, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve, and extend a waterworks and sanitary sewer system for residential and commercial 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 Petitioner that the cost of said project will be approximately \$27,898,100 (\$24,776,020 for water, wastewater, and drainage facilities plus \$1,720,160 for recreation facilities plus \$1,401,920 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-202303390

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023



Notice of District Petition

Notice issued September 8, 2023

TCEQ Internal Control No. D-05252023-050; KSH Group, LLC, a Texas limited liability company, Andrewakka, LLC, a Texas limited liability company, Terrell FM429 Land, LLC, a Texas limited liability company, Poonuru, LLC, a Texas limited liability company and Terrell 429 Eaden Prairie, LLC, a Texas limited liability company, ("Petitioners") filed a petition for creation of Kaufman County Municipal Utility District No. 25 (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 Petitioners own of a majority in value of the land to be included in the proposed District; (2) there are two lienholders, Texas Farm Credit Services, FLCA and Texas Heritage National Bank, on the property to be included in the proposed District, and the aforementioned entities have consented to the creation of the District and inclusion of the land in the District; (3) the proposed District will contain approximately 574.887 acres of land, located entirely within Kaufman County, Texas; and (4) none of the land to be included in the proposed District is within the corporate limits or extraterritorial jurisdiction of any municipality. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain and operate a waterworks, sanitary sewer, drainage and storm sewer system, and road facilities for residential and commercial 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 District, (3) control, abate and amend local storm waters or other harmful excesses of waters in the District, and (4) such other purchase, construction, acquisition, improvement, maintenance and operation of such additional facilities, systems, plants and enterprises as shall be consistent with all of the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$28,850,000.

INFORMATION SECTION

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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-202303391

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023



Notice of District Petition

Notice issued September 8, 2023

TCEQ Internal Control No. D-08162023-031; East Park Place LLC, a Texas limited liability company, and EDDEB Investments, Ltd., a Texas limited partnership, (Petitioners) filed a petition for creation of Sky Ranch Municipal Utility District (District) of Comal and Guadalupe Counties with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Schumacher Rentals, LLC, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 303.684 acres of land, more or less, located within Comal County and Guadalupe County, Texas; (4) all of the land to be included within the proposed District is located within the extraterritorial jurisdiction of the City of New Braunfels (City); and (5) the City has consented to creation of the District by resolution adopted on October 24, 2022. The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plants, and enterprises as shall be consistent with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and

the public health and welfare of the community. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$56,640,000 (\$30,665,000 for water, wastewater, and drainage facilities and \$25,975,000 for road facilities).

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-202303392

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023



Notice of Public Hearing on Proposed Revisions to 30 TAC Chapter 334

The Texas Commission on Environmental Quality (TCEQ) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 334, Underground and Aboveground Storage Tanks, under the requirements of Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would amend 30 TAC §334.48(c) to remove the requirement for all retail service stations to conduct inventory control procedures. Inventory control may still be performed as part of a combined method under 30 TAC §334.50(d)(4) and (d)(9) (i.e. combination of inventory control plus automatic tank gauging or a combination of inventory control plus statistical inventory reconciliation).

TCEQ will hold a public hearing on this proposal in hybrid virtual and in-person public hearing on this proposal in Austin on Thursday, October 19, 2023, at 10:00 a.m. in Building F, Room 2210A at TCEQ's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, TCEQ staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by Tuesday, October 17. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on Wednesday, October 18, to those who register for the hearing.

For the public who do not wish to provide oral comments but would like to view the hearing may do so at no cost at: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDVmMDFIMmMtN2Q5Yy00OGU0LTkxN-WMtMGY0MWQ1YzczNzZj%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atru%7d

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Candice Slater, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Rule Project Number 2023-115-334-CE. The comment period closes October 23, 2023. Copies of the proposed rulemaking can be obtained from TCEQ's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Zachary King, Program Support and Environmental Assistance Division, at zachary.king@tceq.texas.gov or (512) 239-1931.

TRD-202303289

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: September 8, 2023



Notice of Public Hearings and Opportunity for Comment on the Edwards Aquifer Protection Program

The Texas Commission on Environmental Quality (TCEQ) conducts annual public hearings to receive comments from the public on actions the commission should take to protect the Edwards Aquifer from pollution, as required under Texas Water Code, §26.046. These annual public hearings are held by the Edwards Aquifer Protection Program and cover TCEQ rules, found at 30 Texas Administrative Code, Chapter 213, which regulate development over the delineated contributing, recharge, and transition zones of the Edwards Aquifer. These annual public hearings assist the commission in its shared responsibility with

local governments, such as cities, counties, and groundwater conservation districts, to protect the water quality of the aquifer. In addition to receiving comments, agency staff will provide an update on application process improvements and electronic records management.

This year the hearing will be conducted in person in two locations, TCEQ Headquarters in Austin and TCEQ San Antonio Regional Office. The hearing in Austin will be at TCEQ Headquarters located at 12100 Park 35 Circle, Austin, Texas 78753 on Tuesday, October 17, 2023, and begin at 10:00 a.m. in Building A, Room 172. The hearing in San Antonio will be at TCEQ San Antonio Regional Office located at 14250 Judson Road, San Antonio, Texas 78233-4480 on Wednesday, October 18, 2023, and begin at 10:00 a.m.

Persons with disabilities who need special accommodations at the hearings should call the Office of the Chief Clerk at (512) 239-3300 or 1-800-RELAY-TX (TDD) at least five business days prior to the scheduled hearings.

The hearings will be structured for the receipt of oral or written comments by interested persons. There will be no open question and answer discussion during the hearing; however, agency staff members will be available to answer questions 30 minutes prior to and 30 minutes after the conclusion of the hearing. All other comments must be received by 5:00 p.m., Monday, October 23, 2023.

Additional written comments submitted before or after the hearing should reference the Edwards Aquifer Protection Program and may be sent to Ms. Lillian Butler, Texas Commission on Environmental Quality, Austin Region, MC R11, P.O. Box 13087, Austin, Texas 78711-3087 or emailed to eapp@tceq.texas.gov. For further information or questions concerning these hearings, please contact Ms. Butler, or visit: www.tceq.texas.gov/permitting/eapp/history.html.

Si desea información en español, puede llamar 1 (800) 687-4040.

TRD-202303400

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: September 13, 2023



Notice of Public Meeting Air Permit Renewal Permit Number 55557

APPLICATION. Midwest Sterilization Corporation has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Air Quality Permit Number 55557, which would authorize continued operation of the Midwest Sterilization Laredo Facility located at 12010 General Milton, Laredo, Webb County, Texas 78045. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-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/LocationMapper/?marker=-99.503056,27.620278&level=13>. The existing facility is authorized to emit the following air contaminants: carbon monoxide, hazardous air pollutants, 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 February 24, 2023.

The executive director has determined the application is administratively complete and will conduct a technical review of the application. Information in the application indicates that this permit renewal would

not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted. **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:

Tuesday, October 17, 2023 at 7:00 p.m.

Texas A&M International University

Center for Fine and Performing Arts Recital Hall

5201 University Boulevard

Student Center 127

Laredo, Texas 78041

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 Laredo regional office, and the Webb County Courthouse, 1000 Houston Street, Laredo, Webb County, Texas. The facility's compliance file, if any exists, is available for public review in the Laredo regional office of the TCEQ. Further information may also be obtained from Midwest Sterilization Corporation, P.O. Box 411, Jackson, Missouri 63755-0411 or by calling Ms. Karen Eldridge, President at (573) 243-8456.

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: September 12, 2023

TRD-202303387

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023



Notice of Public Meeting for TPDES Permit for Industrial Wastewater New Permit No. WQ0005417000

APPLICATION. Leprino Foods Company, 1830 West 38th Avenue, Denver, Colorado 80211, which proposes to operate Leprino Foods Lubbock Manufacturing Facility, a mozzarella cheese and nutrition (powdered dairy) products manufacturing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005417000, to authorize the discharge of process wastewater, utility wastewater, and water treatment wastes at a **daily average flow** not to exceed 2,000,000 gallons per day via Outfall 001, and the **disposal of high total dissolved solids (TDS) water (such as brine, reverse osmosis reject, and other wastewaters high in TDS) at an annual average flow not exceed 80,000 gallons per day via evaporation.** The TCEQ received this application on September 30, 2022.

The wastewater facility will be located at **4502 East 4th Street**, in the City of Lubbock, Lubbock County, Texas 79403. 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://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-101.7775%2C33.580277&level=12>

The effluent will be discharged to Canyon Lake #6, thence to the North Fork Double Mountain Fork Brazos River, thence to Double Mountain Fork Brazos River in Segment No. 1241 of the Brazos River Basin. The unclassified receiving water uses are high aquatic life use for Canyon Lake #6 and North Fork Double Mountain Fork Brazos River. The designated uses for Segment No. 1241 are primary contact recreation and high aquatic life use.

In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Canyon Lake #6 or North Fork Double Mountain Fork Brazos River, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be re-examined and may be modified if new information is received.

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

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

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

The Public Meeting is to be held:

Tuesday, October 24, 2023 at 7:00 p.m.

American Windmill Museum

1701 Canyon Lake Drive

Lubbock, Texas 79403

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 TCEQ-Region 2, 5012 50th Street, Suite 100, Lubbock, Texas. Further information may also be obtained from Leprino Foods Company at the address stated above or by calling Ms. Kim DeVigil, Director of Communications, at (303) 264-5336.

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

Issued: September 11, 2023

TRD-202303388

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023

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Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment

Notice issued on September 13, 2023

Proposed Limited Scope Amendment to Permit No. 2317

Application. SouthWaste Disposal, LLC, 16350 Park Ten Place #215, Houston, Texas 77084, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit amendment to authorize changes to the hours of operation, equipment used, energy and mass balance calculations, closure and post-closure care plan, and an increase in the amount of feedstocks received at the composting site. The facility is located at 20805 Old Lamm Road, Elmendorf, in Bexar County, Texas 78112. The TCEQ received this application on August 7, 2023. The permit application is available for viewing and copying at the San Antonio Public Library-Central Library, 600 Soledad Street, San Antonio, Texas 78205, and may be viewed online at <http://parkhill.com/tceq-permits/>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/jL9z90>. For exact location, refer to application.

Alternative Language Notice/Aviso de idioma alternativo. Alternative language notice in Spanish is available at www.tceq.texas.gov/goto/mswapps. La notificación en otro idioma en español está disponible en www.tceq.texas.gov/goto/mswapps.

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to 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.

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.

Opportunity for 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. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit 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; a list of all disputed issues of fact that you submit during the comment period; 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. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

Mailing List. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this 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 permit number; and/or (2) the mailing list for a specific county. 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 (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit 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 www14.tceq.texas.gov/epic/eComment/ 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 permit application or the permitting 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 SouthWaste Disposal, LLC, at the address stated above or by calling Mr. Ben Camacho at (713) 413-9400.

TRD-202303393

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 13, 2023

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Texas Department of Insurance

Notice of Public Hearing

PROPOSED AMENDMENTS TO THE FILINGS MADE EASY RULES

DOCKET NO. 2839

The commissioner of insurance will hold a public hearing to consider proposed amendments to the Filings Made Easy Rule (FME) Rules. The hearing will begin at 2:00 p.m., central time, October 4, 2023, in Room 2.029 of the Barbara Jordan Building, 1601 Congress Avenue in Austin, Texas.

The proposed amendments were published in the July 7, 2023, issue of the *Texas Register*. The proposed amendments may also be viewed at www.tdi.texas.gov/rules/2023/documents/593101.pdf.

You may submit written comments or make oral comments on this rule-making at the hearing, or you may submit your written comments to TDI on or before 5:00 p.m., central time, on October 4, 2023. Send your comments to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030. Please include the docket number on any written or emailed comments.

TRD-202303364
Jessica Barta
General Counsel
Texas Department of Insurance
Filed: September 11, 2023



Public Notice of Recommendation to Decrease the Stamping Fee Rate for the Surplus Lines Stamping Office of Texas

The Texas Department of Insurance (TDI) received a recommendation from the Surplus Lines Stamping Office of Texas (stamping office) to decrease the stamping fee from the current rate of 0.075% of gross premium to 0.04%, effective January 1, 2024. The stamping office collects from each surplus lines agent a stamping fee for the costs of operations to be paid by the insured. The commissioner of insurance must approve any change to the stamping fee.

TDI requests public comments on the proposed decrease and effective date.

A copy of the recommendation and supporting documents can be found at www.tdi.texas.gov/rules/2023/exrules.html.

Public Comment: TDI will consider any written comments that are received no later than 5:00 p.m., central time, on October 12, 2023. Send your comments to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030.

TRD-202303361
Jessica Barta
General Counsel
Texas Department of Insurance
Filed: September 11, 2023



Texas Windstorm Insurance Association--Form Filings

Notice of TWIA Commercial Application Form Filing

Reference No. P-0923-01

SERFF State Tracking Nos. S714858 and S714859

In accordance with 28 TAC §5.4911, the Texas Windstorm Insurance Association (TWIA) has filed revised forms with the Texas Department of Insurance for approval:

--TWIA Commercial Policy

--TWIA Dwelling Policy

TWIA is revising the policy forms to reflect House Bill 3208, 88th Legislature, 2023. Under House Bill 3208, if an insured cancels the policy, TWIA will keep the entire annual premium unless the cancellation is for one of the reasons listed in Insurance Code §2210.204(d).

You can see the revised forms, TWIA's description of the filings, and other supporting information online at www.tdi.texas.gov/submissions/indextwia.html#form. You can also get a copy of the filings from the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030.

Public Comment: Send comments on the revised form filings to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030 by 5:00 p.m., central time, on October 23, 2023.

Hearing Requests: To request a public hearing about the revised form filings, you must submit a request separately by 5:00 p.m., central time, on October 12, 2023. Send the hearing request by email to ChiefClerk@tdi.texas.gov or by mail to the Texas Department of Insurance, Office of the Chief Clerk, MC: GC-CCO, P.O. Box 12030, Austin, Texas 78711-2030.

TRD-202303335
Jessica Barta
General Counsel
Texas Department of Insurance
Filed: September 8, 2023



Texas Parks and Wildlife Department

Notice of a Public Comment Hearing on an Application for a Sand and Gravel Permit

Venture Global CP Express, LLC (CP Express) has applied to the Texas Parks and Wildlife Department (TPWD) for an Individual Permit pursuant to Texas Parks and Wildlife Code chapter 86 to remove or disturb approximately 1,290 cubic yards of sedimentary material within four tributaries of Indian Bayou in Newton County during construction of an 85.4-mile-long, 48-inch diameter natural gas pipeline in Texas and Louisiana. The pipeline crossing locations are located approximately 1.52 miles south of County Road 4154 and approximately 1.14 miles north of County Road 4213 at the following coordinates: 30.2734, -93.717841; 30.273964, -93.71485; 30.274096, -93.714212; 30.274491, -93.712017. This notice is being published and mailed pursuant to Title 31 Texas Administrative Code section 69.105(d).

TPWD will hold a public comment hearing regarding the application at 11:00 a.m. on Friday, October 20, 2023, at TPWD headquarters, located at 4200 Smith School Road, Austin, Texas 78744. A remote participation option will be available upon request. Potential attendees should contact Beth Bendik at (512) 389-8521 or at beth.bendik@tpwd.texas.gov for information on how to participate in the hearing remotely. The hearing is not a contested case hearing under the Texas Administrative Procedure Act. Oral and written public comment will be accepted during the hearing.

Written comments may be submitted directly to TPWD and must be received no later than 30 days after the date of publication of this notice in the *Texas Register*. A written request for a contested case hearing

from an applicant or a person with a justiciable interest may also be submitted and must be received by TPWD prior to the close of the public comment period. Timely hearing requests shall be referred to the State Office of Administrative Hearings. Submit written comments, questions, requests to review the application, or requests for a contested case hearing to the TPWD Sand and Gravel Program by mail: Attn: Beth Bendik, Texas Parks and Wildlife Department, 4200 Smith County Road, Austin, TX 78744; or e-mail sand.gravel@tpwd.texas.gov.

TRD-202303385
James Murphy
General Counsel
Texas Parks and Wildlife Department
Filed: September 12, 2023

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Public Utility Commission of Texas

Notice of Application for True-Up of 2020 Federal Universal Service Fund Impacts to the Texas Universal Service Fund

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on September 1, 2023, for true-up of 2020 Federal Universal Service Fund (FUSF) impacts to the Texas Universal Service Fund (TUSF).

Docket Style and Number: Application of Valley Telephone Cooperative, Inc. for True-Up of 2020 Federal Universal Service Fund Impacts to Texas Universal Service Fund, Docket No. 55427.

The Application: Valley Telephone Cooperative, Inc. filed a true-up in accordance with findings of fact 16 and 17 and ordering paragraphs 2, 3, and 4 of the Notice of Approval issued in Docket No. 54314, *Application of Valley Telephone Cooperative, Inc. to Recover Funds from the Texas Universal Service Fund Under PURA § 56.025 and 16 TAC § 26.406 for Calendar Year 2020*, Docket No. 54314, Notice of Approval (Mar. 3, 2023). In that docket, the Commission determined that the Federal Communications Commission's actions were reasonably projected to reduce the amount that Valley Telephone received in FUSF revenue by \$2,951,772.05 in 2020. It was also estimated that Valley Telephone would recover \$587,866.80 of the projected FUSF revenue impact from rate increases implemented for the time period. Valley Telephone's request to recover the remaining \$2,363,905.25 from the TUSF for 2020 was approved. Based on the data, calculations, supporting documentation and affidavits included with the application, Valley Telephone stated that the realized FUSF losses for 2020 were \$2,269,822.25. Therefore, Valley Telephone states that it is due to refund to the TUSF the amount of \$94,083 in this true-up proceeding.

Persons wishing to intervene or comment on the action sought should contact the commission 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. A deadline for intervention in this proceeding will be established. 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 55427.

TRD-202303268
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: September 7, 2023

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Notice of Application for True-Up of 2020 Federal Universal Service Fund Impacts to the Texas Universal Service Fund

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on September 1, 2023, for true-up of 2020 Federal Universal Service Fund (FUSF) impacts to the Texas Universal Service Fund (TUSF).

Docket Style and Number: Application of Brazoria Telephone Company for True-Up of 2020 Federal Universal Service Fund Impacts to Texas Universal Service Fund, Docket No. 55426.

The Application: Brazoria Telephone Company filed a true-up in accordance with findings of fact 16 and 17 and ordering paragraphs 2, 3, and 4 of the notice of approval issued in Docket No. 54192, *Application of Brazoria Telephone Company to Recover Funds from the Texas Universal Service Fund Under PURA § 56.025 and 16 TAC § 26.406 for Calendar Year 2020*, Docket No. 54192, Notice of Approval (Feb. 28, 2023). In that docket, the Commission determined that the Federal Communications Commission's actions were reasonably projected to reduce the amount that Brazoria Telephone received in FUSF revenue by \$1,202,168.08 in 2020. It was also estimated that Brazoria Telephone would recover \$154,800.72 of the projected FUSF revenue impact from rate increases implemented for the time period. Brazoria Telephone's request to recover the remaining \$1,047,367.36 from the TUSF for 2020 was approved. Ordering paragraphs 2, 3 and 4 detail how Brazoria was required to file its final and actual FUSF impacts for 2020 by September 1, 2023, with detailed supporting documentation, and deal with potential over or under recovery from the TUSF. Based on the data, calculations, supporting documentation, and affidavits included with the application in Docket No. 55426, Brazoria Telephone states that the realized FUSF losses for 2020 were \$968,947.36. Therefore, Brazoria Telephone asserts that it is due to refund the TUSF in the amount of \$78,420 in this true-up proceeding.

Persons wishing to intervene or comment on the action sought should contact the commission 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. A deadline for intervention in this proceeding will be established. 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 55426.

TRD-202303269
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: September 7, 2023

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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 September 5, 2023, to adjust the high-cost support received from the Small and Rural Incumbent Local Exchange Company Universal Service Plan without effect to current rates.

Docket Title and Number: Application of Coleman County Telephone Cooperative, Inc. to Adjust High Cost Support Under 16 TAC §26.407(h), Docket Number 55435.

Coleman County Telephone Cooperative, Inc. requests a high-cost support adjustment increase of \$210,700 in annual high-cost support. The requested adjustment complies with the cap of 140% of the annualized support the provider was authorized to receive in the 12 months of the 2021 calendar year, 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 55435.

TRD-202303265
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: September 6, 2023

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Supreme Court of Texas

Preliminary Approval of Amendments to Texas Rules of Civil Procedure 21, 165a, 239a, 246, 297, 298, 299, 299a, and 306a; Texas Rule of Appellate Procedure 9.2; and Rule 2.7 of the Statewide Rules Governing Electronic Filing in Criminal Cases (Joint Order, Court of Criminal Appeals Misc. Docket No. 23-004)

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included in the print version of the Texas Register. The order is available in the on-line version of the September 22, 2023, issue of the Texas Register.)

TRD-202303374
Jaclyn Daumerie
Rules Attorney
Supreme Court of Texas
Filed: September 11, 2023

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Texas Windstorm Insurance Association

Texas FAIR Plan Association Announces Request for Proposals

Texas FAIR Plan Association

Request for Proposal Posted - Texas FAIR Plan Association (TFPA)
Third Party Administrator

TFPA invites all qualified Respondents to submit proposals in accordance with the requirements outlined in the below-listed Request for Proposal (RFP) issued by TFPA.

The purpose of this RFP is to obtain proposals from qualified Respondents for Third Party Administrator services related to the development and management of commercial property owners' association insurance policies to be offered by TFPA. These services would include, but may not be limited to, the underwriting and issuance of policies, the billing

and collection of premiums, and handling of claims. More information about the required services will be included in the RFP.

For more information on the requirements for proposals to be submitted by interested Respondents, please contact the Vendor and Contract Manager at vendormanagement@twia.org.

A copy of the RFP will be posted to <https://www.twia.org/vendor-requests/> no later than September 27, 2023. Important deadlines pertaining to these RFPs are as follows:

RFP Type

Third Party Administrator

RFP Issuance Date

September 27, 2023

Proposal Due Date

October 18, 2023

RFP Award Date

November 1, 2023

All deadlines are subject to change at TFPA's discretion.

TRD-202303405
Sonya Palmer
Staff Attorney
Texas Windstorm Insurance Association
Filed: September 13, 2023

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Workforce Solutions North Texas

RFP# 2023-011 Employer of Record for Paid Work Experience

Workforce Resource, Inc. dba Workforce Solutions North Texas Board (WSNT) is seeking proposals from qualified payroll/staffing organizations licensed in the State of Texas to serve as the Employer of Record. Specifically, the RFP is soliciting entities who will process paid work experience as a work-based learning opportunity to individuals with disabilities, and particularly for students with disabilities. WSNT serves the Texas Counties of Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, and Young. The RFP2323-011 is posted on website at <https://ntxworksolutions.org/business-opportunities/>. Deadline for questions is September 19, 2023 by 5:00 p.m. Proposals are due no later than 4:00 p.m. (CDT) Wednesday, September 27, 2023 to email wsb@ntxworksolutions.org.

TRD-202303384
Sharon Hulcy
Contract Manager
Workforce Solutions North Texas
Filed: September 12, 2023