Central Texas Regional Mobility Authority

Notice of Availability of Request for Qualifications for the 183 North Mobility Project

The Central Texas Regional Mobility Authority ("Mobility Authority"), a political subdivision of the State of Texas, is soliciting statements of qualifications from entities interested in pursuing the development of the 183 North Mobility Project ("the Project"), through a design-build agreement ("DB Agreement"). The Project extends from State Highway (SH) 45 North/Ranch-to-Market (RM) 620 to State Loop 1 (MoPac), a distance of approximately nine miles and generally consists of the construction of four express lanes (two in each direction) and widening of the existing United States Highway (US) 183 as required to bring the total number of general purpose lanes to four in each direction. Other improvements include the addition of direct connector ramps providing access between the existing express lanes on MoPac and the proposed express lanes on US 183, a new shared-use path, new sidewalks, cross-street connections for bicycles/pedestrians, and other improvements and widening necessary for the aforementioned improvements. The entity selected for the Project, if any, will be responsible for the design and construction and other identified requirements for development of the Project through a DB Agreement.

The request for qualifications ("RFQ") will be available on March 15, 2019. Copies may be obtained from the Business Opportunities section of the Mobility Authority website, or the CivCast website at https://www.civcastusa.com. Periodic updates, addenda, and clarifications will be posted on the CivCast website, and interested parties are responsible for monitoring the website accordingly. Final responses to the RFQ must be received in the offices of the Mobility Authority by or before 12:00 p.m. Central Time, June 3, 2019, to be eligible for consideration.

It is the policy of the Mobility Authority to encourage the participation of minorities and women in all facets of its activities. The commitment of the proposing entity to utilization of DBEs will be considered in the RFQ evaluation process. Each proposing entity will be evaluated based on the criteria and process set forth in the RFQ.

TRD-201900770
Geoff Petrov
General Counsel
Central Texas Regional Mobility Authority
Filed: March 6, 2019

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/11/19 - 03/17/19 is 18% for Consumer/Agricultural/Commercial credit through $250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/11/19 - 03/17/19 is 18% for Commercial over $250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/11/19 - 03/17/19 is 18% or Consumer/Agricultural/Commercial credit through $250,000.

1 Credit for personal, family or household use.
2 Credit for business, commercial, investment or other similar purpose.
3 For variable rate commercial transactions only.

TRD-201900738
Leslie Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: March 5, 2019

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Texas State Board of Examiners of Professional Counselors

Correction of Error

The Texas State Board of Examiners of Professional Counselors (board) adopted amendments, repeals and new rules for 22 TAC Chapter 681 in the February 22, 2019, issue of the Texas Register (44 TexReg 844). Due to an error as submitted by the board, the preamble included three references to the "Health Insurance Accountability and Portability Act" on pages 848 and 849. The correct reference is the "Health Insurance Portability and Accountability Act."

TRD-201900722

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Texas Education Agency

Notice of Correction: Request for Applications Concerning the 2019-2020 School Action Fund - Planning Grant Program

Filing Date. March 6, 2019

Filing Authority. The availability of grant funds under Request for Applications #701-19-107 is authorized by P.L. 114-95, Every Student Succeeds Act, Title I, Part A, Section 1003, School Improvement.

The Texas Education Agency (TEA) published Request for Applications Concerning the 2019-2020 School Action Fund - Planning Grant Program in the March 1, 2019, issue of the Texas Register (44 TexReg 1173).

TEA is amending the applicant eligibility and the due date for submission of applications. In the Eligible Applicants section, the criteria is amended to read, "LEAs currently receiving a Texas Title I Priority School (TTIPS) Cycle 4 or 5 grant, a School Redesign grant, a School Transformation Fund grant, or a Transformation Zone grant for an eligible campus may not apply for or receive an award from this grant program." The new grant submission due date is May 2, 2019.
Notice of Correction: Request for Applications Concerning the 2019-2021 School Action Fund - Implementation Grant Program

Filing Date. March 6, 2019

Filing Authority. The availability of grant funds under Request for Applications #701-19-106 is authorized by P.L. 107-110, Elementary and Secondary Education Act of 1965, as amended by No Child Left Behind Act of 2001, Section 1003(g).

The Texas Education Agency (TEA) published Request for Applications Concerning the 2019-2021 School Action Fund - Implementation Grant Program in the March 1, 2019, issue of the Texas Register (44 TexReg 1174).

TEA is amending the applicant eligibility and the due date for submission of applications. In the Eligible Applicants section, the criteria is amended to read, “LEAs currently receiving a Texas Title I Priority School (TTPS) Cycle 4 or 5 grant, a School Redesign grant, a School Transformation Fund grant, or a Transformation Zone grant for an eligible campus may not apply for or receive an award from this grant program.” The new grant submission due date is May 2, 2019.

TRD-201900759
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: March 6, 2019

Public Notice Announcing the Availability of the Proposed Texas Individuals with Disabilities Education Improvement Act of 2004 (IDEA) Eligibility Document: State Policies and Procedures

Filing Date. March 6, 2019

Purpose and Scope of the Part B Federal Fiscal Year (FFY) 2019 State Application and its Relation to Part B of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA Part B). The Texas Education Agency (TEA) is inviting public comment on its Proposed State Application under IDEA Part B. The annual grant application provides assurances that the state’s policies and procedures in effect are consistent with the federal requirements to ensure that a free appropriate public education is made available to all children with a disability from 3 to 21 years of age, including children who have been suspended or expelled from school. 34 Code of Federal Regulations, §300.165, requires that states conduct public hearings, ensure adequate notice of those hearings, and provide an opportunity for public comment, including comment from individuals with disabilities and parents of children with disabilities, before adopting policies and procedures.

Availability of the State Application. The Proposed State Application is available on the TEA website at http://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Programs_and_Services/Annual_State_Application_under_IDEA_Part_B_and_IDEA_Eligibility_Documentation/. Instructions for submitting public comments are available from the same site. The Proposed State Application will also be available at the 20 regional education service centers and at the TEA Library (Ground Floor, Room G-102), William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. Parties interested in reviewing the Proposed State Application at the William B. Travis location should contact the TEA Division of Special Education at (512) 463-9414.

Procedures for Submitting Written Comments. The TEA will accept written comments pertaining to the Proposed State Application by mail to the TEA, Division of Special Education, 1701 North Congress Avenue, Austin, Texas 78701-1494 or by email to spedrule@tea.texas.gov.

Participation in Public Hearings. The TEA will provide individuals with opportunities to testify on the Proposed State Application and the state’s policies and procedures for implementing IDEA Part B on March 27, 2019, and March 28, 2019, between 1:00 p.m. and 4:00 p.m. at the TEA (1st floor, Room 1-111), William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. Parties interested in testifying are encouraged to also include written testimony. Public hearing information is available on the TEA website at http://www.tea.state.tx.us/index2.aspx?id=2147493812.

Timetable for Submitting the State Application. After review and consideration of all public comments, the TEA will make necessary or appropriate modifications and will submit the State Application to the U.S. Department of Education on or before May 17, 2019.

For more information, contact the TEA Division of Special Education by mail at 1701 North Congress Avenue, Austin, Texas 78701; by telephone at (512) 463-9414; by fax at (512) 463-9560; or by email at spedrule@tea.texas.gov.

TRD-201900758
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: March 6, 2019

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 April 15, 2019. 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 April 15, 2019. 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: Active Deployment Systems, Incorporated; DOCKET NUMBER: 2018-1613-EAQ-E; IDENTIFIER: RN110488012; LOCATION: Wimberly, Hays County; TYPE OF FACILITY: property; RULES VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: $3,750; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(2) COMPANY: Alfonso's Tire and Wheels, LLC and Alfonso R. Martinez dba Alfonso's Tire Shop; DOCKET NUMBER: 2018-1602-MLM-E; IDENTIFIER: RN10831717; LOCATION: Schertz, Guadalupe County; TYPE OF FACILITY: out-of-service underground storage tank (UST) system at a new and used tire shop; RULES VIOLATED: 30 TAC §324.1 and 40 Code of Federal Regulations §279.22c(1), by failing to mark or clearly label used oil storage containers with the words "Used Oil"; 30 TAC §328.56(c), by failing to use manifests, work orders, invoices, or other records to document the removal and management of all scrap tires generated at the facility; and 30 TAC §334.55(a), by failing to permanently remove petroleum USTs in accordance with accepted industry practices or codes; PENALTY: $5,500; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(3) COMPANY: Joseph D. Buerkle; DOCKET NUMBER: 2019-0233-WOC-E; IDENTIFIER: RN11023361; LOCATION: Jayton, Kent County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALITY: $175; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(4) COMPANY: City of Baytown; DOCKET NUMBER: 2018-1556-MWD-E; IDENTIFIER: RN10611572; LOCATION: Baytown, Harris 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 WQ0010395002, Effluent Limitations and Monitoring Requirements Numbers 1 and 3, by failing to comply with permitted effluent limitations; PENALITY: $19,050; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $15,240; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: City of Del Rio; DOCKET NUMBER: 2018-1711-AIR-E; IDENTIFIER: RN102143294; LOCATION: Del Rio, Val Verde County; TYPE OF FACILITY: landfill; RULES VIOLATED: 30 TAC §122.143(4) and §122.145(2)(C), Federal Operating Permit Number O3803/General Operating Permit Number 518, Terms and Conditions Number (b)(3)(C)(ii)(III), and Texas Health and Safety Code, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of each reporting period; PENALITY: $1,837; ENFORCEMENT COORDINATOR: Amanda Diaz, (512) 239-2601; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(6) COMPANY: City of Eldorado; DOCKET NUMBER: 2018-1191-MSW-E; IDENTIFIER: RN102142999; LOCATION: Eldorado, Schleicher County; TYPE OF FACILITY: type I-arid exempt landfill; RULES VIOLATED: 30 TAC §330.15(a) and (c) and TWC, §26.121(a)(1), by failing to note cause, suffer, allow, or permit the unauthorized discharge of municipal solid waste (MSW); 30 TAC §330.121(a) and MSW Permit Number 2264, Site Operating Plan (SOP) Section 4 Site Operations, Table IV-5: Site Inspection Maintenance List, by failing to not deviate from the incorporated SOP; 30 TAC §330.121(a) and §330.125(a) and MSW Permit Number 2264, SOP Section 3 Record-Keeping Requirements, Item a.i. Additional Copies of Landfill Records, by failing to maintain copies of the permit, Site Development Plan, Final Closure Plan, Post-Closure Maintenance Plan, and Landfill Gas Management Plan at the facility; 30 TAC §330.121(a) and §330.129 and MSW Permit Number 2264, SOP Section 5 Fire Protection Plan, Item 5.i. Fire Equipment, by failing to not deviate from the incorporated SOP; 30 TAC §330.121(a) and §330.133(a) and MSW Permit Number 2264, SOP Section 7 Unloading of Waste, Item a.i. Working Face Control, by failing to not deviate from the incorporated SOP; 30 TAC §330.121(a) and §335.586(c) and MSW Permit Number 2264, SOP Section 4 Site Operations, Item e.vii. Time Full and Part Time Personnel Training, by failing to not deviate from the incorporated SOP; 30 TAC §330.131 and MSW Permit Number 2264, SOP Section 6 Access Control, Item b.i. Barrier Materials and item b.ii. Fencing, by failing to control public access to the facility by means of artificial barriers, natural barriers, or a combination of both, appropriate to protect human health and safety in the environment; 30 TAC §330.139(1) and (2) and MSW Permit Number 2264, SOP Section 10 Control of Windblown Waste and Litter, Item a.i. Windblown Litter and item a.ii. Control of Scattered Litter, by failing to control windblown waste and litter at the active working face of the facility; 30 TAC §330.165(a) and (c) and MSW Permit Number 2264, SOP Section 24 Landfill Cover, Item a. Daily Cover and item b. Intermediate Cover, by failing to provide timely and adequate landfill cover; and 30 TAC §330.165(g) and MSW Permit Number 2264, SOP Section 24 Landfill Cover, Item f. Erosion of Cover, by failing to repair erosion of final or intermediate cover within five days of detection; PENALITY: $15,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $12,100; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(7) COMPANY: City of Emory; DOCKET NUMBER: 2018-1466-MWD-E; IDENTIFIER: RN102961822; LOCATION: Emory, Rains 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 WQ0010082001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALITY: $10,062; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $8,050; ENFORCEMENT COORDINATOR: Chase Davenport, (512) 239-2615; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(8) COMPANY: City of Junction; DOCKET NUMBER: 2018-1480-PWS-E; IDENTIFIER: RN101383990; LOCATION: Junction, Kimble County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes based on the locational running annual average; PENALITY: $417; ENFORCEMENT COORDINATOR: Drew Gartman, (512) 239-1437;

(9) COMPANY: CONNERS CONSTRUCTION, INCORPORATED dba Dippel Quarry; DOCKET NUMBER: 2018-1705-PST-E; IDENTIFIER: RN108890617; LOCATION: Oglesby, Coryell County; TYPE OF FACILITY: aggregate extraction facility; RULES VIOLATED: 30 TAC §§334.127(a)(1) and TWC, §26.346(a), by failing to obtain a permit necessary to operate a covered portion of the quarry, and by failing to maintain a groundwater monitoring plan that includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(3)(K), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(1)(F), by failing to maintain an effluent control system that complies with the Standards of Practice for the Storage of Petroleum Products, §§305.125(1) and 305.125(2), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(3)(L), by failing to maintain an effluent control system that complies with the Standards of Practice for the Storage of Petroleum Products, §§305.125(1) and 305.125(2), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(1)(F), by failing to maintain an effluent control system that complies with the Standards of Practice for the Storage of Petroleum Products, §§305.125(1) and 305.125(2), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(3)(K), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier.

(10) COMPANY: Cynthia Anne Young dba Whispering Oaks Water Coop; DOCKET NUMBER: 2018-1301-MLM-E; IDENTIFIER: RN101212181; LOCATION: Quinlan, Hunt County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §288.20(a) and §288.30(5)(B) and TWC, §11.127(c), by failing to adopt a drought contingency plan which includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(1)(F), by failing to maintain a groundwater control system that complies with the Standards of Practice for the Storage of Petroleum Products, §§305.125(1) and 305.125(2), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier; 30 TAC §290.41(c)(3)(K), by failing to maintain a groundwater monitoring plan which includes all elements for municipal use by a retail water supplier.

(11) COMPANY: David Johnson; DOCKET NUMBER: 2018-1222-MSW-E; IDENTIFIER: RN109859033; LOCATION: Buna, Jasper County; TYPE OF FACILITY: unauthorized municipal solid waste disposal site; RULES VIOLATED: 30 TAC §§330.15(a) and (c), by failing to notify the public, allow, or permit the collection, storage, processing, or disposal of municipal solid waste; PENALTY: $1,312; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(12) COMPANY: Equistar Chemicals, LP and LyondellBasell Acetylts, LLC; DOCKET NUMBER: 2018-0544-1WD-E; IDENTIFIER: RN100210319; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0004013000, Outfall Numbers 001 - Interim Phase, 003, 004, 005, 104, 105, 207, 307, and 407, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; 30 TAC §§305.125(1), 307.6(e)(2)(B), and 319.5(b) and TPDES Permit Number WQ0004013000, Attachment C, 24-Hour Biomonitoring Monitoring Requirements: Marine, Number 1, by failing to collect and analyze effluent samples at the intervals specified in the permit; and 30 TAC §305.125(1) and §319.5(b) and TPDES Permit Number WQ0004013000, Outfall Number 003, Effluent Limitations and Monitoring Requirements Number 1, by failing to collect and analyze effluent samples at the intervals specified in the permit; PENALTY: $113,403; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $45,361; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: Gypsy River LLC; DOCKET NUMBER: 2018-0952-PWS-E; IDENTIFIER: RN102319399; LOCATION: New Braunfels, Comal 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 well; 30 TAC §290.45(c)(1)(A)(i), by failing to provide a well capacity of 1.0 gallon per minute per unit; 30 TAC §290.46(f)(2) and (3)(A)(i)(I) and (ii)(I), (B)(iii), and (D)(i), by failing to properly maintain water works operation and maintenance records and make them readily available for review by commission personnel during the investigation; 30 TAC §290.46(l), by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(m)(1)(A), by failing to conduct an annual inspection of the facility's four ground storage tanks; 30 TAC §290.46(m)(1)(B), by failing to conduct the annual inspection of the facility's two pressure tanks; 30 TAC §290.46(m)(2), by failing to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meters at least once every three years; 30 TAC §290.46(s)(2)(C)(i), by failing to determine the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.46(i), by failing to post a legible sign at the facility's production, treatment, and storage facilities that contains the name of the facility and an emergency telephone number where a responsible official can be contacted; 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements and maintain a copy at each plant site; PENALTY: $4,274; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.
the monitoring requirements; and 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of the public notification to the ED regarding the failure to collect nitrate samples during the third quarter of 2016; PENALTY: $427; ENFORCEMENT COORDINATOR: Michaelle Garza, (512) 239-4728; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.


(15) COMPANY: Jerry Bransomed; DOCKET NUMBER: 2018-1438-WR-E; IDENTIFIER: RN100737139; LOCATION: Kennedale, Tarrant County; TYPE OF FACILITY: racetrack, facilities, and associated parking lots; RULES VIOLATED: 30 TAC §297.11 and TWC, §1.081 and §11.121, by failing to obtain authorization prior to diverting, impounding, storing, taking, or using state water; PENALTY: $2,000; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(16) COMPANY: Liberty Utilities (Woodmark Sewer) Corp.; DOCKET NUMBER: 2018-1276-MWD-E; IDENTIFIER: RN101511400; LOCATION: Flint, Smith 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 WQ0013168001, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of wastewater from the collection system into or adjacent to water in the state; PENALTY: $12.375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $6,187; ENFORCEMENT COORDINATOR: Caleb Olson, (817) 588-5856; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(17) COMPANY: Matthew Road Water Supply Corporation; DOCKET NUMBER: 2018-1566-PWS-E; IDENTIFIER: RN101455053; LOCATION: Arlington, Dallas County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement for all land within 100 feet of the facility’s Well Number 2; 30 TAC §290.45(b)(1)(C)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; 30 TAC §290.46(f)(2) and (3)(A)(i)(III) and (ii)(III), (B)(iii), and (E)(ix), by failing to maintain water works operations and maintenance records and make them readily available for review by the executive director upon request; 30 TAC §290.46(m)(1)(B), by failing to conduct an inspection of the interior of the facility's pressure tank with an inspection port at least once every five years; and 30 TAC §290.46(s)(1), by failing to calibrate the facility's Well Number 2 meter at least once every three years; PENALTY: $412; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(18) COMPANY: John H. McDonald; DOCKET NUMBER: 2019-0234-WOC-E; IDENTIFIER: RN110606008; LOCATION: Jayton, Kent County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: $175; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(19) COMPANY: Nathan A. Miller; DOCKET NUMBER: 2019-0101-WOC-E; IDENTIFIER: RN110442332; LOCATION: Splendora, Montgomery County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: $175; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(20) COMPANY: Natgasoline LLC; DOCKET NUMBER: 2018-1465-AIR-E; IDENTIFIER: RN106586795; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: gasoline production plant; RULES VIOLATED: 30 TAC §101.20(3) and §116.115(c), New Source Review Permit Numbers 107764 and PSDTX1340, Special Conditions Number 1, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: $3,975; ENFORCEMENT COORDINATOR: Richard Garza, (512) 239-2697; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(21) COMPANY: PALO ALTO SILICA SAND, INCORPORATED; DOCKET NUMBER: 2018-1651-WQ-E; IDENTIFIER: RN107251324; LOCATION: Poteet, Atascosa County; TYPE OF FACILITY: aggregate production operation; 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 under a Texas Pollutant Discharge Elimination System General Permit associated with industrial activities; PENALTY: $2,000; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(22) COMPANY: John C. Pope; DOCKET NUMBER: 2018-0252-WOC-E; IDENTIFIER: RN110408044; LOCATION: Lott, Falls County; TYPE OF FACILITY: wastewater treatment plant; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: $175; ENFORCEMENT COORDINATOR: Aaron Vincent, (512) 239-0855; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(23) COMPANY: Richard C. Sanders, Jr. dba Sanders Motor; DOCKET NUMBER: 2018-1596-AIR-E; IDENTIFIER: RN101976306; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: commercial motor vehicle sales facility; RULES VIOLATED: 30 TAC §114.20(c)(1) and Texas Health and Safety Code (THSC), §382.085(b), by failing to ensure a motor vehicle is equipped with either the emission control system or devices that were originally part of the motor vehicle or motor vehicle engine, or an alternate emission control system or device prior to selling the motor vehicle; and 30 TAC §114.20(c)(3) and THSC, §382.085(b), by failing to display a notice of the prohibitions and requirements of 30 TAC §114.20 at a commercial motor vehicle sales facility in a conspicuous and prominent location; PENALTY: $2,750; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(24) COMPANY: Shell Oil Company; DOCKET NUMBER: 2017-1450-AIR-E; IDENTIFIER: RN100211879; LOCATION: Deer Park, Harris County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §117.310(c)(1)(A) and §122.143(4), Federal Operating Permit (FOP) Number O1669, Special Terms and Conditions Number 1.A, and Texas Health and Safety Code (THSC), §382.085(b), by failing to comply with the concentration limit; and 30 TAC §122.142(b)(2)(B) and §122.210(a) and THSC, §382.085(b), by failing to include the correct detailed applicability determinations in the FOP; PENALTY: $14,063; SUPPLEMENTAL ENVIRON-

(25) COMPANY: Solidwood Forest Ltd.; DOCKET NUMBER: 2018-1501-PWS-E; IDENTIFIER: RN105074736; LOCATION: Waller, Waller County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfectant Level Quarterly Operating Report to the executive director by the tenth day of the month following the end of the quarter for the fourth quarter of 2017 through the second quarter of 2018; PENALTY: $243; ENFORCEMENT COORDINATOR: Julianne Dewar, (512) 239-1001; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(26) COMPANY: TX Energy Services, LLC; DOCKET NUMBER: 2018-1508-PWS-E; IDENTIFIER: RN106621253; LOCATION: Big Lake, Reagan County; TYPE OF FACILITY: public water supply (PWS); RULES VIOLATED: 30 TAC §290.39(h)(1) and Texas Health and Safety Code, §341.035(a), by failing to receive approval of plans and specifications from the executive director prior to the construction of a new PWS; 30 TAC §290.39(m), by failing to provide written notification to the commission of the startup of a new PWS system immediately upon meeting the definition of a PWS as defined in 30 TAC §290.38; and 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; PENALTY: $595; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(27) COMPANY: Jason W. West; DOCKET NUMBER: 2019-0217-WQ-E; IDENTIFIER: RN110451077; LOCATION: Nocona, Montague County; TYPE OF FACILITY: wastewater treatment plant; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: $175; ENFORCEMENT COORDINATOR: Chase Davenport, (512) 239-2615; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.


(29) COMPANY: Woodlake Josserand Water Supply Corporation; DOCKET NUMBER: 2018-1552-PWS-E; IDENTIFIER: RN101452621; LOCATION: Groveton, Trinity County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the executive director (ED) prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement that covers the land within 150 feet of Well Number 1; 30 TAC §290.42(f)(1)(E)(ii), by failing to provide adequate containment facilities for all liquid chemical storage tanks; 30 TAC §290.45(b)(1)(D)(iii) and THSC, §341.0315(c), by failing to provide two or more having a total capacity of 2.0 gallons per minute per connection at each pump station or pressure plane; 30 TAC §290.45(b)(1)(D)(iv) and THSC, §341.0315(c), by failing to provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection; 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account Number 92280010 for Fiscal Year 2018; 30 TAC §290.121(a), by failing to maintain an up-to-date chemical and microbiological monitoring plan that is subject to the review and approval of the ED, and a copy of which is maintained at each water treatment plant and at a central location; and 30 TAC §291.76 and TWC, §5.702, by failing to pay Regulatory Assessment Fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 10936 for calendar year 2016; PENALTY: $535; ENFORCEMENT COORDINATOR: Michael Garza, (210) 403-4076; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(30) COMPANY: WTG Gas Processing, L.P.; DOCKET NUMBER: 2018-1320-AIR-E; IDENTIFIER: RN100211473; LOCATION: Coahoma, Howard County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 20137, Special Conditions Numbers 17.C and 21, Federal Operating Permit Number O3180, General Terms and Conditions and Special Terms and Conditions Number 9, and Texas Health and Safety Code, §382.085(b), by failing to prevent the loss of quality-assured data due to periods of monitor downtime that exceeded 5% of the time that the tail gas incinerator operated over the previous rolling 12-month period, and failing to measure the in-stack sulfur dioxide (SO2) concentration to determine the SO2 hourly emissions rate; PENALTY: $21,562; ENFORCEMENT COORDINATOR: Rebecca Johnson, (361) 825-3424; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

TRD-201900731
Charmaine Backens
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: March 5, 2019

Enforcement Orders

An agreed order was adopted regarding Green Mobile Home Park, Inc., Docket No. 2016-0652-MLM-E on March 5, 2019, assessing $2,398 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ryan Rutledge, 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 Jerrie L. Hinostrosa dba Three Rivers RV Park, Docket No. 2018-0582-PWS-E on March 5, 2019, assessing $224 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Logan Harrell, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201900749
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: March 5, 2019

Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls: Proposed Air Quality Registration Number 155598

APPLICATION: BURNCO Texas LLC, 8505 Freeport Parkway Suite 190, Irving, Texas 75063-2532, has applied to the Texas Commission
on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 155598 to authorize the operation of two concrete batch plants. The facility is proposed to be located on the east side of Austin Road approximately 0.27 mile south of its intersection with Midway Road, Fort Worth, Tarrant County, Texas 76118. 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. http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.790451&lng=-97.229312&zoom=13&type=r. This application was submitted to the TCEQ on February 8, 2019. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on February 21, 2019.

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

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

The Public Hearing is to be held:
Tuesday, April 16, 2019, at 6:00 p.m.
La Quinta Inn & Suites Fort Worth Northeast Mall
653 Northeast Loop 820
Hurst, Texas 76053

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

The executive director shall approve or deny the application not later than 35 days after the date of the public hearing, considering all comments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

CENTRAL/REGIONAL OFFICE. The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Dallas/Fort Worth Regional Office, located at 2309 Gravel Dr., Fort Worth, Texas 76118-6951, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

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

Further information may also be obtained from BURNCO Texas LLC, 8505 Freeport Parkway Suite 190, Irving, Texas 75063-2532, or by calling Mrs. Melissa Fitts, Vice President, Westward Environmental, Inc. at (830) 249-8284.

Notice Issuance Date: March 1, 2019
TRD-201900752
Bridge C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: March 5, 2019

Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of R & K LLC dba Discount Self Serve 2: SOAH Docket No. 582-19-3136;
TCEQ Docket No. 2018-0796-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 at:
10:00 a.m. - April 4, 2019
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed October 23, 2018, concerning assessing administrative penalties against and requiring certain actions of R & K LLC dba Discount Self Serve 2, for violations in Tarrant County, Texas, of: Tex. Water Code §26.3475(a), (c)(1), and (d) and 30 Texas Administrative Code §334.49(a)(1) and §334.50(b)(1)(A) and (b)(2).

The hearing will allow R & K LLC dba Discount Self Serve 2, 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 R & K LLC dba Discount Self Serve 2, 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 R & K LLC dba Discount Self Serve 2 to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes. R & K LLC dba Discount Self Serve 2, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Further information regarding this hearing may be obtained by contacting Taylor Pearson, 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 Vic McWherter, 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 http://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: March 5, 2019
TRD-201900751
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: March 5, 2019


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

10:00 a.m. - April 4, 2019
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed August 10, 2018 concerning assessing administrative penalties against and requiring certain actions of SECURITY AIRPARK, INCORPORATED, for violations in Bexar County, Texas, of: Texas Water Code §26.3475(c)(1) and 30 Texas Administrative Code §§334.10(b)(2), 334.50(b)(1)(A), and 334.602(a).

The hearing will allow SECURITY AIRPARK, INCORPORATED, 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 SECURITY AIRPARK, INCORPORATED, 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 SECURITY AIRPARK, INCORPORATED to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes. SECURITY AIRPARK, INCORPORATED, 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 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 Taylor Pearson, 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 Vic McWherter, 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 http://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: March 5, 2019
TRD-201900750
Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment Proposed Limited Scope Amendment to Permit No. 2382

Application. NETEX Composting, Inc., P.O. Box 2008, Sulphur Springs, Hopkins County, Texas 75483-2008, a composting facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a limited scope permit amendment to authorize an expansion of the dryer building, an additional in-vessel compost unit, additional compost curing area; acceptance of water treatment plant residuals, an increase in compost production and increase in closure costs. The facility is located at 1000 County Road 3372, Pickton, in Hopkins County, Texas 75471. The TCEQ received this application on December 14, 2018. The permit application is available for viewing and copying at the Sulphur Springs Library, 611 N. Davis Street, Sulphur Springs, in Hopkins County, Texas 75482, and may be viewed online at https://login.filesanywhere.com/fs/v.aspx?v=8c69658c5e637279b298. 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: http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=33.116388&lng=-95.368055&zoom=13&type=r. For exact location, refer to application.

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 NETEX Composting, Inc., at the address stated above or by calling the project manager, Ms. Kathleen J. Bell, with Bell Environment Engineering, at (903) 967-2478.

TRD-201900754
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: March 5, 2019
Notice of Receipt of Application and Intent to Obtain
Municipal Solid Waste Permit Limited Scope Amendment
Permit No. 358B

Application. The City of Arlington, 101 W. Abram St., Mail Stop 01-220, Arlington, Texas 76010, owner of the City of Arlington Landfill, a Type I municipal solid waste disposal facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a limited scope permit amendment to authorize the following changes: revisions to the surface water drainage plan and the addition of final cover aesthetic enhancements for the East Disposal Area; revisions to the sequence of development for the West Disposal Area; and the addition of an alternative containment system design option which includes the addition of an alternative liner system, a leachate removal plan and removal of a slurry wall for the West Disposal Area. The facility is located at 800 Mosier Valley Road, Arlington 76040 in Tarrant County, Texas. The TCEQ received this application on January 2, 2019. The permit application is available for viewing and copying at the Arlington Public Library-Northeast Branch, 1905 Brown Blvd., Arlington, Tarrant County, Texas 76006, and may be viewed online at https://www.ftwwaverboos.com. 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://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.8075&lng=-97.101388&zoom=13&type=r. For exact location, refer to application.

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, púe dé llamadas al (800) 687-4040.

Further information may also be obtained from the City of Arlington at the address stated above or by calling Mr. Bob Weber, Environmental Administrator at (817) 459-6220.

TRD-201900755
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: March 5, 2019

Notice of Water Quality Application
The following notice was issued on February 28, 2019.
The following 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 OF THE ISSUED DATE OF THE NOTICE.

INFORMATION SECTION

FORT BEND COUNTY WCID NO. 2 has applied for a minor amendment to Texas Pollutant Discharge Elimination System Permit No. WQ00100866002 to authorize an update in the discharge of treated domestic wastewater from an annual average flow not to exceed 4,000,000 gallons per day. The existing permit authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 1.5 million gallons per day (MGD) in Interim I phase and 4.0 MGD in the Final phase. The minor amendment authorizes the facility to be constructed in three phases. The proposed permit will include three operational phases to discharge in Interim I phase 2.0 MGD, Interim II phase 3.0 MGD and Final phase 4.0 MGD. The facility is located approximately 3,300 feet southeast of the intersection of Cravens Road and U.S. Highway 90 in Fort Bend, County, Texas 77489.

If you need more information about these permit applications or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. General information about the TCEQ can be found at our website at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

TRD-201900753
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality

Notice of Water Rights Application Notices Issued March 1, 2019

APPLICATION NO. 4044B; North Texas Municipal Water District, P.O. Box 2408, Wylie, Texas 75098, Applicant, has applied for an amendment to Water Use Permit No. 4044 to add a diversion reach along the Red River, add additional acreage to the current place of use in Fannin and Lamar Counties, and add instream use to the permit. The application and partial fees were received on May 2, 2017. Additional information and fees were received on June 22 and June 26, 2017. The application was declared administratively complete and filed with the Office of the Chief Clerk on July 24, 2017. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, streamflow restrictions. The application, technical memorandum, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by March 20, 2019.

APPLICATION NO. 12618; Red River Authority of Texas, P.O. Box 240, Wichita Falls, Texas 76310, Applicant, seeks authorization to construct and maintain an inflatable weir across the North Wichita River, Red River Basin in Cottle County and impound water during high-saline low-streamflow conditions. Applicant further seeks to divert water from the impoundment and transfer water via pipeline for subsequent discharge into the Truscott Brine Reservoir on Bluff Creek, in Knox County, authorized by Certificate of Adjudication No. 02-5116, for water quality purposes. The application was received on July 30, 2010. Additional information and fees were received October 18, 2010, January 7, 2011, and February 24, 2011. The application was declared administratively complete and filed with the Office of the Chief Clerk on March 24, 2011. Additional information was received on February 14, June 26, and June 27, 2012; March 13, 2014; and October 20, 2015. The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, a requirement to account for the quantity diverted. The application and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Building F., Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

To view the complete issued notice, view the notice on our website 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 website, type in the issued date range shown at the top of this document to obtain search results. A public meeting is intended for the taking of public comment, and is not a contested case hearing. The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement (I/we) request a contested case hearing; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested application which would satisfy your concerns.

Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below. If a hearing request is filed, the Executive Director will not issue the requested permit and may forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

TRD-201900748
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality

File: March 5, 2019

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 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of February 25, 2019, to March 1, 2019. 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 §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office website. The notice was published on the web site on Friday, March 8, 2019. The public comment period for this project will close at 5:00 p.m. on Sunday, April 7, 2019.

FEDERAL AGENCY ACTIONS:

Applicant: Howard Street Condos

Location: The project site is located on the Gulf of Mexico, on the south side of Surf Drive, in Surfside Beach, Brazoria County, Texas. The property is bordered on the north side by Surf Drive, to the west by Starfish Drive, to the south by Surfside Beach, and to the east by Texas State Highway 332.

Latitude & Longitude (NAD 83): 28.95012, -95.2864

Project Description: The applicant proposes to excavate and fill approximately 0.23 acre of waters of the U.S. (palustrine emergent wetlands) in order to construct a mixed-use development consisting of condominiums, roadways, and parking lots on the south side of Surf Drive.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2018-00945. This application will be reviewed pursuant to Section 404 of the Clean Water Act (CWA).

CMP Project No: 19-1175-F1

Applicant: Hilcorp Energy Company

Location: The project site is located in the Sun Oil Company Canal and East Bay, approximately 2.75 miles northwest of Caplen, in Galveston County, Texas.

Latitude & Longitude (NAD 83): 29.526511, -94.571522

Project Description: The applicant proposes to mechanically and hydraulically dredge approximately 168,000 cubic yards of material within an approximate 21.42-acre area of the Sun Oil Company Canal to a depth of approximately -7.7 feet NAVD88. Dredging of an approximate 0.96-acre area that currently separates the canal from the Gulf Intracoastal Waterway (GIWW) is also proposed in order to provide access to the canal from the GIWW. Dredging of an additional 2.63 acres of tidal marsh located at the northern end of the canal is also proposed in order to provide drill barge access to two oil and gas exploration well drilling locations. Dredged material is proposed for discharge in marsh and open water areas adjacent to the canal. Construction of vinyl sheet piles at various locations along the canal is also proposed in order to prevent discharged fill material from flowing back into the canal. A 2,000-square-foot separator platform north of the two wells and a 160-square-foot well protection structure at each well location is also proposed.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2018-00733. 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 (CWA). Note: The consistency review for this project may be conducted by the Texas Railroad Commission as part of its certification under Section 401 of the Clean Water Act.

CMP Project No: 19-1181-F1

Applicant: Richard Agee

Location: The project site is located in Cold Pass (Christmas Bay) on San Luis Island on the Stephen F. Austin Peninsula League (Abstract 29) on the north side of Highway 257, in Brazoria County, Texas.

Latitude & Longitude (NAD 83): 29.06728, -95.137574

Project Description: The applicant proposes to conduct clearing, excavation, and earthwork to construct a 500-foot-long and 8-foot-wide boardwalk, a boardwalk/dock that is 120-foot-long and ranges from 8- to 20-foot-wide, a 25-foot-long by 25-foot-wide boathouse, and an 800-foot-long bulkhead. Approximately 0.131-acre of wetlands will be filled by approximately 810 cubic yards of fill material to construct the bulkhead structure. The pilings for the boathouse and pier will be installed via a barge and a water jet. The boardwalk will be installed with an auger.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2018-00620. 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 (CWA).

CMP Project No: 19-1182-F1

Applicant: Jefferson County

Location: The project site is located in the Gulf of Mexico (GOM), along a 20-mile section of the McFaddin National Wildlife Refuge (NWR). The eastern limit of the project is located approximately 0.35-mile southeast of the McFaddin NWR Headquarters located on Clam Lake Road, in High Island, Jefferson County, Texas.

Latitude & Longitude (NAD 83): 29.648077, -94.138454

Project Description: The applicant proposes to modify the previously authorized work as described below: The applicant proposes to construct the remainder of this project (approximately 17 miles) in summer 2019 with the inclusion of seven permit amendments: (1) To increase the fill density to 50 cubic yards per linear foot; (2) To expand the currently permitted borrow area and add two new borrow areas; (3) To place unsuitable overburden back into the previously determined Area of Potential Effects (APE); (4) To add three new staging areas for construction equipment; (5) To implement updated conservation measures based on recent Section 7 Intra-service coordination; (6) To include modified archaeological surveys; and (7) To modify Special Condition 5 regarding bathymetric survey of the borrow area.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2015-00444. 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 (CWA).

CMP Project No: 19-1188-F1

Applicant: Cargill, Inc.

Location: The project site is located in Buffalo Bayou, adjacent to a portion of the Houston Ship Channel, approximately 15.5 miles east of Houston, in Harris County, Texas.

Latitude & Longitude (NAD 83): 29.740956, -95.113847

Project Description: The applicant requests a 10-year extension on their existing permit to dredge approximately 6.39 acres at their dock facility adjacent to the Houston Ship Channel. In addition to this extension of time, the applicant requests authorization to increase the dredge depth to -46.5 feet mean lower low water with 1-foot over dredge, as needed. This additional work will result in approximately 70,000 cubic yards of dredging material every three years. The applicant proposes to utilize existing and previously authorized dredge material placement areas (DMPAs).
Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-1997-02845. 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 (CWA). Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under Section 401 of the Clean Water Act.

CMP Project No: 19-1189-F1
Applicant: Dutko Family Partnership, LTD
Location: The project site is located in wetlands adjacent to Taylor Bayou and Galveston Bay, on a 107-acre tract, on the southeast corner of State Highway 146 and McCabe Road, in La Porte, Harris County, Texas.
Latitude & Longitude (NAD 83): 29.628270, -95.029684
Project Description: The applicant proposes to discharge fill material into 6.37 acres of palustrine forested wetlands during the construction of a commercial development.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2018-00811. This application will be reviewed pursuant to Section 404 of the Clean Water Act (CWA). Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under Section 401 of the Clean Water Act.

CMP Project No: 19-1219-F1
Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from Ms. Allison Buchtien, P.O. Box 12873, Austin, Texas 78711-2873, or via email at federal.consistency@glo.texas.gov. Comments should be sent to Ms. Buchtien at the above address or by email.

TRD-201900757
Mark A. Havens
Chief Clerk and Deputy Land Commissioner
General Land Office
Filed: March 6, 2019

Texas Health and Human Services Commission

Public Notice: Waiver Amendment of the Medically Dependent Children Program

The Texas Health and Human Services Commission (HHSC) is submitting to the Centers for Medicare & Medicaid Services (CMS) a request to amend the Medically Dependent Children Program (MDCP) waiver, which is implemented under the authority of section 1915(c) of the Social Security Act. CMS has approved this waiver through August 31, 2022. The proposed effective date for this amendment is August 31, 2019, with updates to the cost neutrality.

This amendment request proposes to make the following changes:

--Appendix J: The Cost Neutrality Demonstration information in appendix J will be updated for waiver years two through five as it relates to the projections for the comparison population reflected in G and G'.

--Appendix H.2 will be added to specify whether the state has deployed a patient experience of care or quality of life survey, including the type of survey tool utilized, for its Home and Community Based Services (HCBS) population in the last 12 months based on CMS direction.

--Appendix E will clarify in E-2 a. ii, the state's method to conduct background checks does not vary from Appendix C-2-a based on CMS direction.

The MDCP waiver provides home and community-based services to persons under age 21 who are medically fragile and meet the requirements for nursing facility care. Services include respite, adaptive aids, minor home modifications, employment assistance, supported employment, financial management services, transition assistance services, and flexible family support services. Texas uses the MDCP waiver to provide services to Texans in the least restrictive environment possible. These environments include the individual's or a family member's home, or a Child Protective Services foster care home which can meet the individual's complex medical needs.

An individual may obtain a free copy of the proposed waiver amendment, including the MDCP Home and Community Based Services (HCBS) transition plan, or ask questions, obtain additional information, or submit comments regarding this amendment or the MDCP HCBS transition plan by contacting Courtney Pool by U.S. mail, telephone, fax, or email. The addresses are as follows:

U.S. Mail
Texas Health and Human Services Commission
Attention: Courtney Pool, Waiver Coordinator, Policy Development Support
P.O. Box 13247
Mail Code H-600
Austin, Texas 78711-3247

Telephone
(512) 424-6889
Fax
Attention: Courtney Pool, Waiver Coordinator, at (512) 487-3403
Email
TX_Medicaid_Waivers@hhsc.state.tx.us

In addition, the HHSC local offices will post this notice for 30 days. The complete waiver amendment request can be found online on the Health and Human Services website at:

TRD-201900730
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: March 4, 2019

Department of State Health Services

Order Removing Hemp, as Defined by the Agricultural Marketing Act of 1946, From Schedule I

The United States Congress enacted the Agriculture Improvement Act of 2018 (Public Law No: 115-334) amending the definitions of marijuana and tetrahydrocannabinols in schedule I of the Controlled Substances Act, effective December 20, 2018. The amendments removed hemp, as defined in 297A of the Agricultural Marketing Act of 1946, from the schedules of controlled substances.
Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced action was taken. In the capacity as Commissioner of the Texas Department of State Health Services, John Hellerstedt, M.D., does hereby order that the listing for marihuana and tetrahydrocannabinols be amended to align with the amendments in P.L. 115-334.

-Schedule I hallucinogenic substances

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, position, and geometric isomers):

1. Alpha-ethyltryptamine (some trade or other names: etryptamine; Monase; alpha-ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; alpha-ET; AET);
2. alpha-methyltryptamine (AMT), its isomers, salts, and salts of isomers;
3. 4-bromo-2,5-dimethoxy-amphetamine (some trade or other names: 4-bromo-2,5-dimethoxy-alpha-methylphenethylamine; 4-bromo-2,5-DMA);
4. 4-bromo-2,5-dimethoxyphenethylamine (some trade or other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl-DOB);

5. 2,5-dimethoxyamphetamine (some trade or other names: 2,5-dimethoxy-alpha-methylphenethylamine; 2,5-DMA);
6. 2,5-dimethoxy-4-ethylamphetamine (some trade or other names: DDET);
7. 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7), its optical isomers, salts, and salts of isomers;
8. 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT), its isomers, salts, and salts of isomers;
9. 5-methoxy-3,4-methylenedioxy-amphetamine;
10. 4-methoxyamphetamine (some trade or other names: 4-methoxy-alpha-methylphenethylamine; paramethoxyamphetamine; PMA);
11. 1-methyl-4-phenyl-1,2,5,6-tetrahydro-pyridine (MPTP);
12. 4-methyl-2,5-dimethoxyamphetamine (some trade or other names: 4-methyl-2,5-dimethoxy-alpha-methylphenethylamine; "DOM"; and "STP");
13. 3,4-methylenedioxyamphetamine;
14. 3,4-methylenedioxy-methamphetamine (MDMA, MDM);
15. 3,4-methylenedioxy-N-ethylamphetamine (some trade or other names: N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine; N-ethyl-MDA; MDE; MDEA);
16. 3,4,5-trimethoxyamphetamine;
17. N-hydroxy-3,4-methylenedioxyamphetamine (Also known as N-hydroxy-MDA);
18. 5-methoxy-N,N-dimethyltryptamine (Some trade or other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT;
19. Bufotene (some trade and other names: 3-(beta-Dimethylaminoethyl) 5-hydroxyindole; 3-(2 dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine);
20. Diethyltryptamine (some trade and other names: N,N-diethyl-tryptamine; DET);
21. Dimethyltryptamine (some trade and other names: DMT);
22. Ethylamine Analog of Phencyclidine (some trade or other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)-ethylamine; N-(1-phenylcyclohexyl)-ethylamine; cyclohexamine; PCE);
23. Ibogaine (some trade or other names: 7-Ethyl-6,6-beta, 7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2] azepino[5,4-b]-indole; tabernanthe iboga);
24. Lysergic acid diethylamide;
25. Marihuana;

*Marihuana;
The term marihuana does not include hemp, as defined in section 297A(1) of the Agricultural Marketing Act of 1946.

- (26) Mescaline;
- (27) N-ethyl-3-piperidyl benzilate;
- (28) N-methyl-3-piperidyl benzilate;
- (29) Parahexyl (some trade or other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo-[b,d]-pyran; Synhexyl);
- (30) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as Lophophora, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;
- (31) Psilocybin;
- (32) Psilocin;
- (33) Pyrrolidine analog of phencyclidine (some trade or other names: 1-(1-phenyl-cyclohexyl)-pyrrolidine, PCPy, PHP);
- (34) Tetrahydrocannabinols;

meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), except for tetrahydrocannabinols in hemp (as defined under section 297A(1) of the Agricultural Marketing Act of 1946), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extracts of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

1 cis or trans tetrahydrocannabinol, and their optical isomers;
2 cis or trans tetrahydrocannabinol, and their optical isomers;
3,4 cis or trans tetrahydrocannabinol, and its optical isomers;
4,5 cis or trans tetrahydrocannabinol, and its optical isomers;

Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered;

- (35) Thiophene analog of phencyclidine (some trade or other names: 1 [1 1(2 thienyl)cyclohexyl] piperidine; 2 thienyl analog of phencyclidine; TPCP);
- (36) 1-[1-(2 thienyl)cyclohexyl]-pyrrolidine (some trade or other names: TPCP);
- (37) 4-methylmethedrine (Other names: 4-methyl-N-methedrine; naphedrone);
(38) 3,4-methylenedioxyxprovalerone (Other names: MDPV);
(39) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (Other names: 2C-E);
(40) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (Other names: 2C-D);
(41) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-C);
(42) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-I);
(43) 2-(4-Ethylthio)-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-T-2);
(44) 2-(4-(Isopropylthio)-2,5-dimethoxyphenyl)ethanamine (Other names: 2C-H);
(45) 2-(2,5-Dimethoxyphenyl)ethanamine (Other names: 2C-H);
(46) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (Other names: 2C-N);
(47) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (Other names: 2C-P);
(48) 3,4-Methylenedioxy-N-methylcathinone (Other name: Methylvone);
(49) \(1\)-(pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144 and 1-pentyl-1-(2,2,3,3-tetramethylcyclopropyl)indole);
(50) \(1\)-(5-fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144 and 5-F-UR-144 and XLR11 and 1-(5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole);
(51) N-(1-adamananyl)-1-pentyl-1H-indazole-3-carboxamide (Other names: APINACA, AKB48);
(52) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PB-22; QUPIC);
(53) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5-fluoro-PB-22; 5F-PB-22);
(54) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: AB-FUBINACA);
(55) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (ADB-PINACA);
(56) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe; 2CI-NBOMe; 25I; Cimbi-5);
(57) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);
(58) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);
(59) Marihuana Extract

Meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, other than the separated resin (whether crude or purified) obtained from the plant.

(60) 4-methyl-N-ethylcathinone (4-MEC);
(61) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
(62) alpha-pyrrolidinopentiophenone ([alpha]-PVP);
(63) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone, bk-MBDDB);
(64) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
(65) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylene, bk-MBDP);
(66) 4-fluoro-N-methylcathinone (4-FMC, flephedrone);
(67) 3-fluoro-N-methylcathinone (3-FMC);
(68) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (naphyrene);
(69) alpha-pyrrolidinobutiophenone ([alpha]-PB);
(70) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: AB-CHMINACA);
(71) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (Other names: AB-PINACA);
(72) N-(5-fluoropentyl)-1H-indazol-3-yl(naphthalen-1-yl)methanone (Other names: THJ-2201).

Changes to the schedules are marked with an asterisk (*).

Texas Department of Housing and Community Affairs

Notice of Public Hearing: Multifamily Housing Revenue Bonds (Lago de Plata Apartments)

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the City of Corsicana Public Library, 100 N. 12th Street, Corsicana, Texas 75110, at 6:00 p.m. on April 2, 2019. The hearing is regarding an issue of tax-exempt bonds in an aggregate principal amount not to exceed $14,000,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The Bonds will be issued as exempt facility bonds for a qualified residential rental project (the "Development") pursuant to Section 142(a)(7) of the Internal Revenue Code of 1986, as amended (the "Code"). The Project is known as Lago de Plata Apartments and is located at 1600 East 13th Avenue, Corsicana, Navarro County, Texas 75110. The initial legal owner and principal user of the Development will be LHI Lago de Plata, LP, a Texas limited partnership, or a related person or affiliate thereof.

All interested parties are invited to attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Shannon Roth at the Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941; (512) 475-3929; and/or shannon.roth@tdhca.state.tx.us.

Persons who intend to appear at the hearing and express their views are invited to contact Shannon Roth in writing in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to Shannon Roth prior to the date scheduled for the hearing. Individuals who require a language interpreter for the public hearing should contact Elena Peinado at (512) 475-3814 at least five
Texas Department of Insurance

Notice of Hearing

On February 11, 2019, The Texas Land Title Association (TLTA) filed a petition requesting to decrease title insurance premium rates by 4.9 percent. The filing requests changes to Rate Rules R-1, R-5, R-8, and R-20.

Insurance Code Section 2703.202 requires the Commissioner of Insurance hold a public hearing to consider TLTA’s request to change the rates.

The Commissioner will accept written and oral comments on the petition in a public hearing under Docket No. 2812 at 1:30 p.m. on Thursday, May 23, 2019, in Room 100 of the William P. Hobby Jr. State Office Building, 333 Guadalupe St., Austin, Texas. The Commissioner will take all comments into consideration before issuing a final order.

How to request and review copies of the filing and comment on it:

To review or get copies of TLTA’s rate petition and supporting documentation:


In person: You can review the filing at the Office of the Chief Clerk, Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78701 during regular business hours.

By mail: Write to the Office of the Chief Clerk, Mail code 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104.

To comment on the filing, send written comments to Chief-Clerk@tdi.texas.gov or by mail to Office of the Chief Clerk, Mail code 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104. Hand delivered comments must be directed to the Office of the Chief Clerk, Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78701 during regular business hours. TDI must receive your comments by 5:00 p.m. on May 23, 2019.

TRD-201900761
Norma Garcia
General Counsel
Texas Department of Insurance
Filed: March 6, 2019

Texas Lottery Commission

Scratch Ticket Game Number 2134 "$500 Frenzy"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2134 is "$500 FRENZY". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2134 shall be $5.00 per Scratch Ticket.

http://www.tdhca.state.tx.us/multifamily/communities.htm
TRD-201900756
David Cervantes
Acting Director
Texas Department of Housing and Community Affairs
Filed: March 6, 2019

Texas Department of Insurance

Notice of Hearing

Individuals who require auxiliary aids in order to attend this hearing should contact Shannon Roth, ADA Responsible Employee, at (512) 475-3829 or Relay Texas at (800) 735-2989 at least five days before the hearing so that appropriate arrangements can be made.

This notice is published and the hearing is to be held in satisfaction of the requirements of section 147(f) of the Code.

http://www.tdhca.state.tx.us/multifamily/communities.htm
1.2 Definitions in Scratch Ticket Game No. 2134.

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, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, DOLLAR BILL SYMBOL, $500 BURST SYMBOL, STAR SYMBOL, $5.00, $10.00, $15.00, $20.00, $25.00, $50.00, $100 and $500.

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:
<table>
<thead>
<tr>
<th>PLAY SYMBOL</th>
<th>CAPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>ONE</td>
</tr>
<tr>
<td>02</td>
<td>TWO</td>
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<td>03</td>
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<td>04</td>
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<td>TLV</td>
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<td>15</td>
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<td>SXN</td>
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<td>39</td>
<td>TRNI</td>
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<tr>
<td>40</td>
<td>FRTY</td>
</tr>
<tr>
<td><strong>DOLLAR BILL SYMBOL</strong></td>
<td><strong>DBL</strong></td>
</tr>
<tr>
<td><strong>$500 BURST SYMBOL</strong></td>
<td><strong>AUTO</strong></td>
</tr>
<tr>
<td><strong>STAR SYMBOL</strong></td>
<td><strong>WIN</strong></td>
</tr>
<tr>
<td>$5.00</td>
<td>FIV$</td>
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<tr>
<td>$10.00</td>
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<td>$100</td>
<td>ONHN</td>
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<tr>
<td>$500</td>
<td>FVHN</td>
</tr>
</tbody>
</table>

E. Serial Number - A unique 13 (thirteen) 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 24 (twenty-four) 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 Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2134), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2134-00000001-001.

H. Pack - A Pack of the "$500 FRENZY" 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 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 "$500 FRENZY" Scratch Ticket Game No. 2134.

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 "$500 FRENZY" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 67 (sixty-seven) Play Symbols. TICKET FRONT: 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 a player reveals a "DOLLAR BILL" Play Symbol, the player wins DOUBLE the PRIZE for that symbol. If a player reveals a "$500 BURST" Play Symbol, the player wins $500 instantly! TICKET BACK: If a player matches any of the YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the PRIZE for that number. If a player reveals a "STAR" Play Symbol, the player wins the PRIZE for that symbol instantly! 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 67 (sixty-seven) 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, Retailer Validation Code and Pack-Scratch 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;

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**IN ADDITION**  March 15, 2019  44 TexReg 1473
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, Retailer Validation Code and Pack-Scratch 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 67 (sixty-seven) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch 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 67 (sixty-seven) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the 67 (sixty-seven) 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 Pack-Scratch Ticket Number must be printed in the Pack-Scratch 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: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
B. GENERAL: The top Prize Symbol will appear on every Ticket unless restricted by other parameters, play action or prize structure.

C. KEY NUMBER MATCH - TICKET FRONT: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 05 and $5).
D. KEY NUMBER MATCH - TICKET FRONT: No matching non-winning YOUR NUMBERS Play Symbols in this game.
E. KEY NUMBER MATCH - TICKET FRONT: No matching WINNING NUMBERS Play Symbols in this game.
F. KEY NUMBER MATCH - TICKET FRONT: A non-winning Prize Symbol will never match a winning Prize Symbol in this game.
G. KEY NUMBER MATCH - TICKET FRONT: A Ticket may have up to four (4) matching non-winning Prize Symbols, in this game, unless restricted by other parameters, play action or prize structure.
H. KEY NUMBER MATCH - TICKET FRONT: The "DOLLAR BILL" (DBL) Play Symbol will only appear on intended winning Tickets as dictated by the prize structure.
I. KEY NUMBER MATCH - TICKET FRONT: The "$500 BURST" (AUTO) Play Symbol will only appear on intended winning Tickets and will only appear with the $500 Prize Symbol.
J. KEY NUMBER MATCH - TICKET BACK: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 05 and $5).
K. KEY NUMBER MATCH - TICKET BACK: No matching non-winning YOUR NUMBERS Play Symbols in this game.
L. KEY NUMBER MATCH - TICKET BACK: No matching WINNING NUMBERS Play Symbols in this game.
M. KEY NUMBER MATCH - TICKET BACK: A non-winning Prize Symbol will never match a winning Prize Symbol in this game.
N. KEY NUMBER MATCH - TICKET BACK: A Ticket may have up to two (2) matching non-winning Prize Symbols, in this game, unless restricted by other parameters, play action or prize structure.
O. KEY NUMBER MATCH - TICKET BACK: The "STAR" (WIN) Play Symbol may appear multiple times on intended winning Tickets in this game, unless restricted by other parameters, play action or prize structure.
P. KEY NUMBER MATCH - TICKET BACK: No win(s) will appear in this game unless there is at least one (1) win in the Key Number Match (ticket front) game.

2.3 Procedure for Claiming Prizes.

A. To claim a "$500 FRENZY" Scratch Ticket Game prize of $5.00, $10.00, $15.00, $20.00, $25.00, $50.00, $100 or $500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and 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 $25.00, $50.00, $100 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. As an alternative method of claiming a "$500 FRENZY" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both 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.

C. 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.

D. 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 "$500 FRENZY" 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 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.

2.7 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. 2134. The approximate number and value of prizes in the game are as follows:
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 the number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 4.34. 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. 2134 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. 2134, 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-201900715
Bob Biard
General Counsel
Texas Lottery Commission
Filed: February 28, 2019

Scratch Ticket Game Number 2139 "Triple Play"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2139 is "TRIPLE PLAY". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2139 shall be $2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2139.

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, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, MONEYBAG SYMBOL, $2.00, $5.00, $10.00, $15.00, $20.00, $50.00, $100, $200, $1,000 and $30,000.

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:
<table>
<thead>
<tr>
<th>PLAY SYMBOL</th>
<th>CAPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>ONE</td>
</tr>
<tr>
<td>02</td>
<td>TWO</td>
</tr>
<tr>
<td>03</td>
<td>THR</td>
</tr>
<tr>
<td>04</td>
<td>FOR</td>
</tr>
<tr>
<td>05</td>
<td>FIV</td>
</tr>
<tr>
<td>06</td>
<td>SIX</td>
</tr>
<tr>
<td>07</td>
<td>SVN</td>
</tr>
<tr>
<td>08</td>
<td>EGT</td>
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<tr>
<td>09</td>
<td>NIN</td>
</tr>
<tr>
<td>10</td>
<td>TEN</td>
</tr>
<tr>
<td>11</td>
<td>ELV</td>
</tr>
<tr>
<td>12</td>
<td>TLV</td>
</tr>
<tr>
<td>13</td>
<td>TRN</td>
</tr>
<tr>
<td>14</td>
<td>FTN</td>
</tr>
<tr>
<td>15</td>
<td>FFN</td>
</tr>
<tr>
<td>16</td>
<td>SXN</td>
</tr>
<tr>
<td>17</td>
<td>SVT</td>
</tr>
<tr>
<td>18</td>
<td>ETN</td>
</tr>
<tr>
<td>19</td>
<td>NTN</td>
</tr>
<tr>
<td>20</td>
<td>TWY</td>
</tr>
<tr>
<td>MONEYBAG SYMBOL</td>
<td>WIN</td>
</tr>
<tr>
<td>$2.00</td>
<td>TWO$</td>
</tr>
<tr>
<td>$5.00</td>
<td>FIV$</td>
</tr>
<tr>
<td>$10.00</td>
<td>TEN$</td>
</tr>
<tr>
<td>$15.00</td>
<td>FFN$</td>
</tr>
<tr>
<td>$20.00</td>
<td>TWY$</td>
</tr>
<tr>
<td>$50.00</td>
<td>FFTY$</td>
</tr>
<tr>
<td>$100</td>
<td>ONHN</td>
</tr>
<tr>
<td>$200</td>
<td>TOHN</td>
</tr>
<tr>
<td>$1,000</td>
<td>ONTH</td>
</tr>
<tr>
<td>$30,000</td>
<td>30TH</td>
</tr>
</tbody>
</table>
E. Serial Number - A unique 13 (thirteen) 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 24 (twenty-four) 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 Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2139), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2139-0000001-001.

H. Pack - A Pack of the "TRIPLE PLAY" Scratch Ticket Game contains 125 Tickets. One Ticket will be folded over to expose a front and back of one ticket on each pack. Please note the packs will be in an A, B, C, and D configuration.

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 "TRIPLE PLAY" Scratch Ticket Game No. 2139.

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 "TRIPLE PLAY" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 22 (twenty-two) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the PRIZE for that number. If the player reveals 3 matching PRIZE amounts, the player wins that amount. If the player reveals a "MONEYBAG" Play Symbol, the player wins 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 22 (twenty-two) 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, Retailer Validation Code and Pack-Scratch 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, Retailer Validation Code and Pack-Scratch 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 22 (twenty-two) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch 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 22 (twenty-two) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the 22 (twenty-two) 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 Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

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

2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
B. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

C. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., $2 and 02).

D. No matching WINNING NUMBERS Play Symbols on a Ticket.

E. A non-winning Prize Symbol will never match a winning Prize Symbol.

F. A Ticket may have up to two (2) matching non-winning Prize Symbols.

G. No matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

H. The "MONEYBAG" (WIN) Play Symbol may appear multiple times on intended winning Tickets, unless restricted by other parameters, play action or prize structure.

I. No three (3) or more non-winning Prize Symbols will appear on a Ticket.

J. Three (3) matching Prize Symbols will only appear as dictated by the prize structure.

K. There will be no more than three (3) pairs of matching Prize Symbols on a Non-Winning Ticket.

L. There will be no more than one (1) set of three (3) matching Prize Symbols on a Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "TRIPLE PLAY" Scratch Ticket Game prize of $2.00, $5.00, $10.00, $15.00, $20.00, $50.00, $100 or $200, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and 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 or $200 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 "TRIPLE PLAY" Scratch Ticket Game prize of $1,000 or $30,000, the claimant must sign the winning Scratch Ticket and 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 "TRIPLE PLAY" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both 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;

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 "TRIPLE PLAY" 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 "TRIPLE PLAY" 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.

Figure 2: GAME NO. 2139 - 4.0

<table>
<thead>
<tr>
<th>Prize Amount</th>
<th>Approximate Number of Winners*</th>
<th>Approximate Odds are 1 in **</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2</td>
<td>849,600</td>
<td>8.33</td>
</tr>
<tr>
<td>$5</td>
<td>283,200</td>
<td>25.00</td>
</tr>
<tr>
<td>$10</td>
<td>141,600</td>
<td>50.00</td>
</tr>
<tr>
<td>$15</td>
<td>141,600</td>
<td>50.00</td>
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<tr>
<td>$20</td>
<td>56,640</td>
<td>125.00</td>
</tr>
<tr>
<td>$50</td>
<td>8,850</td>
<td>800.00</td>
</tr>
<tr>
<td>$100</td>
<td>3,599</td>
<td>1,967.21</td>
</tr>
<tr>
<td>$200</td>
<td>1,888</td>
<td>3,750.00</td>
</tr>
<tr>
<td>$1,000</td>
<td>20</td>
<td>354,000.00</td>
</tr>
<tr>
<td>$30,000</td>
<td>8</td>
<td>885,000.00</td>
</tr>
</tbody>
</table>

*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 4.76. 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. 2139 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. 2139, 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-201900716
Bob Biard
General Counsel
Texas Lottery Commission
Filed: February 28, 2019

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. 2139. The approximate number and value of prizes in the game are as follows:

Texas State Board of Examiners of Marriage and Family Therapists

Correction of Error

The Texas State Board of Examiners of Marriage and Family Therapists (board) adopted amendments, repeals and new rules for 22 TAC Chapter 801 in the March 1, 2019, issue of the Texas Register (44 TexReg 1131). Due to an error by the board, subsections (k) and (j) in §801.143 were lettered incorrectly on page 1151. The TAC was corrected as follows:

§801.143. Supervisor Requirements.

(j) A supervisor whose license status is other than "current, active" is no longer an approved supervisor. Supervised clinical experience hours accumulated under that person's supervision after the date his or her license status changed from "current, active" or after removal of the supervisor designation will not count as acceptable hours unless approved by the board.

(k) A supervisor who becomes subject to a board disciplinary order is no longer an approved supervisor. The person must:
(1) inform each LMFT Associate of the board disciplinary order;
(2) refund all supervisory fees received after date the board disciplinary order was signed by the board chair to the LMFT Associate who paid the fees; and
(3) assist each LMFT Associate in finding alternate supervision.

TRD-201900727
Jennifer Smotherman, MA, LPC, LMFT
Chair
Texas State Board of Examiners of Marriage and Family Therapists
Filed: March 4, 2019

North Central Texas Council of Governments

Industry Forum for Private Sector Carpooling Solutions for the North Texas (DFW) Region

On Friday, March 22, 2019, at 11:00 a.m. Central Time, the North Central Texas Council of Governments (NCTCOG) will hold an industry forum for providers of carpooling services and technologies. The forum will have two purposes: (i) inform the carpooling industry of NCTCOG’s plans to access private sector carpooling solutions and (ii) seek industry input on a number of issues such as those described below. The forum will be Web only; no in-person attendance will be required or accepted.

As laid out in Mobility 2045, NCTCOG seeks to make North Texas a region of transportation mode choice. This means building capacity for multiple mobility options to thrive in the region. The purpose of this industry forum is to help NCTCOG assess whether private sector carpooling solutions can make carpooling a viable transportation option at all times of day and throughout all of North Texas. NCTCOG’s goal is a carpooling network that is robust enough that North Texans can access their jobs, schools and other destinations on a reliable basis via carpooling. This carpooling network will supplement and extend the current carpooling network established and maintained by NCTCOG, through its TryParkingIt platform.

At the industry forum NCTCOG will lay out its vision for carpooling in the North Texas region and its thoughts on how to best access private sector carpooling solutions.

The industry forum will be open to all interested parties. While all parties are encouraged to participate, no one is required to participate. There will be time for short (5 minutes or less) presentations by up to five parties on a first come first served basis. More information about the Industry Forum is available on our website at www.nctcog.org/rfp, including submittal of questions and agenda topics in advance. Please advise Emily Beckham (TransRFPs@nctcog.org) if you would like to make a presentation. Presentations should focus on answering the basic question of can private sector carpooling solutions scale to a point that carpooling can become a dependable mode of travel throughout the day (and night) and throughout the North Texas region for people who don’t wish to drive or are unable to drive?

Relevant Dates

March 18, 2019: Deadline for submitting questions, suggested forum topics, and requests to make a presentation at the forum.

March 22, 2019, 11:00 a.m. Central Time: Industry forum. The forum will be scheduled to run for one hour but may run longer at NCTCOG’s discretion if the discussion warrants such. In no event will the forum run for more than two hours. Please send your RSVP to Emily Beckham (TransRFPs@nctcog.org) by 6:00 p.m. Central Time on 3/21/19--include participant's name and organization in the email body.

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

TRD-201900762
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: March 6, 2019

Public Utility Commission of Texas

Request for Comments

PUC PROJECT NO. 48540

REVIEW OF REAL-TIME CO-OPTIMIZATION IN THE ERCOT MARKET

The staff of the Public Utility Commission of Texas (commission) requests comments on a number of issues relating to the implementation of Real-Time Co-Optimization (RTC) in the ERCOT wholesale electricity market. The commission requests that interested persons file written comments to the questions listed below.

1. Upon implementation of real-time co-optimization (RTC) in the ERCOT region, what value should the commission establish as the system-wide offer cap (SWOC)? Why?

2. Upon implementation of RTC in the ERCOT region, what value should the commission establish as the value of lost load (VOLL)? Why?

3. What parameters, if any, should the commission consider when determining the SWOC and VOLL?

4. Should the values for SWOC and VOLL be codified in the commission's rules, set by commission order, or established through some other method?

5. What set of ancillary services should be used in developing ancillary service demand curves for use in the implementation of RTC? Please consider the implementation of Nodal Protocol Revision Request (NPRR) 863, Creation of ERCOT Contingency Reserve Service and Revisions to Responsive Reserve, in your response.

6. Should the demand curves for each of the ancillary services be developed independently, based on the reliability benefit provided by each service for any given level of available operating reserves? Why or why not?

7. If the answer to Question 6 is no, what methodology or parameters should be used to develop the demand curves for each of the ancillary services?

8. Should offers for the provision of ancillary services in the Day-Ahead Market continue to be physically binding after implementation of RTC, or should the trading of ancillary services in the Day-Ahead Market become financial-only? Why or why not?

9. Which market rules established in the commission's rules and in ERCOT protocols, such as prohibitions on withholding of capacity or the "small fish" rule, should apply to the offer of ancillary services in the Real-Time Market? Why or why not?

10. Should other market rules specific to ancillary services be established?
11. Should all online capacity be required to have an offer curve for each ancillary service for which a resource is qualified? Why or why not?

12. How should ancillary service performance be monitored following the adoption of RTC?

13. Are there any other policy issues which the commission should decide before the process of RTC implementation may commence? If so, please describe the issue or issues in detail.

Written comments on the above questions may be filed by submitting 16 copies of such comments to the commission’s Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 within 21 days of the date of publication of this notice. Comments longer than ten (10) pages or any comments that include color figures or illustrations should also be filed in digital native format via the commission’s electronic filer at: http://interchange.puc.texas.gov/filer. Reply comments may be filed within 31 days after publication of this notice. All responses should reference Project Number 48540.

Questions concerning this notice should be referred to Mark Bryant at (512) 936-7279 or mark.bryant@puc.texas.gov. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1.

TRD-201900717
Andrea Gonzalez
Assistant Rules Coordinator
Public Utility Commission of Texas
Filed: February 28, 2019

University of Houston System

Notice of Procurement
The University of Houston System announces a Request for Proposal (RFP) for consultant services pursuant to Government Code, Chapter 2254, Subchapter B.

RFP783-19011 Consulting Services - Business and Vision Development for University Auxiliary and Retail Operations

Purpose:
The University of Houston System (UHS) is seeking competitive responses to a Request for Proposal (RFP) for a Consultant to provide an independent assessment of the current retail and other services/businesses (non-Housing) offered to the community by Auxiliary Services and recommendations for additional services based on a study of the University of Houston System’s master plans and projections for future growth.

Eligible Applicants:
Consulting firms with related knowledge and experience in:
Firms that have expertise in evaluating University Auxiliary and Retail Operations
Services to be performed:
1) A complete strategic plan that includes:
(a) An independent assessment of the current retail and other services/businesses (non-Housing) offered to the community by Auxiliary Services and recommendations for additional services based on a study of the University of Houston System’s master plans and projections for future growth;
(b) Business plans and business terms if additional services/business opportunities are recommended;
(c) Site locations for future business opportunities at each University of Houston System university;
(d) Development of master plan and five-year vision for enhanced business and retail services for the community;
(e) Recommended lease rates/ground lease terms if additional services are recommended.

Finding by Chief Executive Officer, Renu Khator:
After reviewing the current status and discussing this matter with the staff, the evaluation of the Auxiliary and Retail Operations can only be conducted by a firm considered an expert in this field. The University believes that using a third-party consultant, who has conducted similar evaluations for universities comparable in context and size to the UH System, will provide the System with best practices that can be used to enhance and improve the service to our customers. The expertise needed for this evaluation is complex and requires a comprehensive knowledge of Auxiliary and Retail Operations.

Currently, the Office of Administration does not have the expertise to complete this evaluation. Thus, it is necessary for the University to engage a consultant to advise it regarding Auxiliary and Retail Operations, and make recommendations, as appropriate for the improvement of this program.

Review and Award Criteria:
All proposals will be evaluated by appointed representatives of the University in accordance with the following procedures:

1. Purchasing will receive and review each RFP proposal to ensure it meets the requirements of the RFP. Qualified proposals will be given to the selection committee.
2. Each member of the selection committee will independently evaluate the qualified proposals according to the criteria in section IX of the RFP, except for price, and send their evaluations to Purchasing. Price will be evaluated by Project Manager.
3. Purchasing will combine the committee's scores to determine which proposal received the highest combined score.
4. Purchasing will notify the respondent with the highest score that the University intends to contract with them.

Deadlines: UH must receive proposals according to instructions in the RFP package on or before Tuesday, April 16, 2019, @ 2:00 p.m. CDT and HUB Subcontracting Plan (HSPs) on or before Wednesday, April 17, 2019, @ 2:00 p.m. CDT.

Obtaining a copy of the RFP: Copies will be available on the Electronic State Business Daily (ESBD) at http://www.txsmart-buy.com/?sp/RFP783-19011.

Sole point of contact for inquiries concerning RFP is:

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