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THE GOVERNOR

As required by Government Code, §2002.011(4), the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1828.

Appointments

Appointments for April 2, 2025

Appointed to the Texas Workforce Investment Council for a term to expire September 1, 2025, Aida Coronado of Brownsville, Texas (replacing Lauren A. Gore of Houston who resigned).

Appointed to the Texas Workforce Investment Council for a term to expire September 1, 2025, Bobby K. Smith of Buda, Texas (replacing Brandon R. Willis of Beaumont who resigned).

Appointments for April 3, 2025

Designated as presiding officer of the Texas Commission on Fire Protection for a term to expire at the pleasure of the Governor, John M. "Michael" Glynn, Jr. of Roanoke. Captain Glynn is replacing John Paul "J.P." Steelman of Longview as presiding officer.

Greg Abbott, Governor

TRD-202501139



Proclamation 41-4175

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, issued a disaster proclamation on October 14, 2024, as amended and renewed in a subsequent proclamation, certifying that elevated fire weather conditions pose an imminent threat of widespread or severe damage, injury, or loss of life or property in several counties; and

WHEREAS, the Texas Division of Emergency Management has confirmed that those same elevated fire weather conditions persist in certain counties in Texas;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster in Andrews, Armstrong, Bailey, Baylor, Borden, Brewster, Briscoe, Brown, Callahan, Carson, Castro, Cochran, Coke, Coleman, Collingsworth, Comanche, Concho, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Ector, Edwards, El Paso, Erath, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hartley, Haskell, Hemphill, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jack, Jeff Davis, Jones, Kent, Kimble, King, Kinney, Knox, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, Maverick, McCulloch, Menard, Midland, Mills, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Potter, Presidio, Randall, Reagan, Real, Reeves, Roberts, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terrell, Terry, Throckmorton, Tom Green, Upton, Val Verde, Ward, Wheeler, Winkler, Wise, and Yoakum Counties.

Pursuant to Section 418.017 of the Texas Government Code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016 of the Texas Government Code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 3rd day of April, 2025.

Greg Abbott, Governor

TRD-202501090



Proclamation 41-4176

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the death of the Honorable Sylvester Turner has created a vacancy in the U.S. House of Representatives for the 18th Congressional District of Texas, which is wholly contained within Harris County; and

WHEREAS, Article I, Section 2, Clause 4 of the U.S. Constitution and Section 204.021 of the Texas Election Code require that a special election be ordered upon such a vacancy, and Title 2, Section 8 of the U.S. Code provides that the date of such election may be prescribed by state law; and

WHEREAS, Section 3.003(a)(3) and (b) of the Texas Election Code requires the special election to be ordered by proclamation of the governor; and

WHEREAS, Section 201.051(a) of the Texas Election Code requires a special election to be ordered as soon as practicable after a vacancy occurs; and

WHEREAS, Section 203.004(a) of the Texas Election Code provides that the special election generally must be held on the first uniform date occurring on or after the 36th day after the date the election is ordered; and

WHEREAS, pursuant to Section 41.001(a)(3) of the Texas Election Code, the first uniform election date occurring on or after the 36th day after the date the special election is ordered is Tuesday, November 4, 2025;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Statutes of the State of Texas, do hereby order a special election to be held in Congressional

District 18 on Tuesday, November 4, 2025, for the purpose of electing a U.S. Representative for Congressional District 18 to serve out the unexpired term of the Honorable Sylvester Turner.

Candidates who wish to have their names placed on the special election ballot must file their applications with the Secretary of State no later than 5:00 p.m. on Wednesday, September 3, 2025, in accordance with Section 201.054(a)(1) of the Texas Election Code.

Early voting by personal appearance shall begin on Monday, October 20, 2025, and end on Friday, October 31, 2025, in accordance with Section 85.001(a) and (c) of the Texas Election Code.

A copy of this order shall be mailed immediately to the Harris County Judge, who presides over the county within which Congressional Dis-

trict 18 is wholly contained, and all appropriate writs shall be issued, and all proper proceedings shall be followed to the end so that said special election may be held to fill the vacancy in Congressional District 18 and its result proclaimed in accordance with law.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 7th day of April, 2025.

Greg Abbott, Governor

TRD-202501137

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TEXAS ETHICS COMMISSION

The Texas Ethics Commission is authorized by the Government Code, §571.091, to issue advisory opinions in regard to the following statutes: the Government Code, Chapter 302; the Government Code, Chapter 305; the Government Code, Chapter 572; the Election Code, Title 15; the Penal Code, Chapter 36; and the Penal Code, Chapter 39. Requests for copies of the full text of opinions or questions on particular submissions should be addressed to the Office of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070, (512) 463-5800.

Ethics Advisory Opinion

EAO-617: Whether a particular communication is political advertising, as defined by Section 251.001(16) of the Election Code. (AOR-703).

SUMMARY

The communication at issue is part of a series of communications that was the subject of litigation, which resulted in findings that substantially similar communications are political advertising for purposes of Section 255.003 of the Election Code. As such, and without taking a position on the merits, the TEC does not offer an affirmative defense to prosecution or civil action related to the communication at issue in this request.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on March 11, 2025.

TRD-202501131

Jim Tinley
General Counsel
Texas Ethics Commission
Filed: April 8, 2025



EAO-618: Whether a member of the Texas House of Representatives may accept office space contributed by a Limited Liability Company (LLC). Whether a member of the Texas House of Representatives may continue to use contributed office space for a district office through the moratorium on political contributions prescribed by Section 253.034 of the Election Code. (AOR-709).

SUMMARY

A member of the Texas House of Representatives may accept the use of office space contributed by the LLC, provided the LLC is not engaged in a business specified by Section 253.093 and not owned in whole or in part by a corporation.

As long as the member accepts and receives a political contribution in the form of office space before the beginning of the legislative moratorium, the person may continue to use the office space during the period covered by the moratorium.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on March 11, 2025.

TRD-202501132

Jim Tinley
General Counsel
Texas Ethics Commission
Filed: April 8, 2025



EAO-619: Whether a judge may use political contributions to pay for reasonable travel expenses associated with attending a naval ceremony as an invited local dignitary. (AOR-719).

SUMMARY

Under the facts presented, a judge would not convert political contributions to personal use by using political contributions to pay or reasonable travel expenses to attend a naval ceremony as an invited local dignitary.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on March 11, 2025.

TRD-202501133

Jim Tinley
General Counsel
Texas Ethics Commission
Filed: April 8, 2025



EAO-620: Whether the use of a corporate aircraft may be provided to members of the legislature to attend an event at which the legislators will address an audience and learn about issues facing a West Texas border city. (AOR-720).

SUMMARY

The requestor or the requestor's corporation may grant the use of the aircraft to the legislators as long as it is used to transport the legislators to a conference or similar event where they provide a service, as long as the service is not merely perfunctory. However, the provision of the aircraft appears to be a lobby expenditure that will likely trigger lobby registration and reporting obligations for the person providing the use of the aircraft.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on March 11, 2025.

TRD-202501134

Jim Tinley

General Counsel

Texas Ethics Commission

Filed: April 8, 2025



EAO-621: At what moment does a particular permitting or enforcement matter come within the "official responsibility" of a TCEQ commissioner for purposes of the Section 572.054(b) revolving door prohibition? Does a TCEQ commissioner "participate" in all matters for which a TCEQ investigation was conducted or an application/registration was received before the commissioner left office or only those matters that were presented to the commissioners for consideration? (AOR-721).

SUMMARY

Since a TCEQ commissioner does not exercise authority in an enforcement or permitting matter before it is presented to the commissioners for a decision with notice to the relevant parties, a TCEQ commission does not "participate" in such a matter until it is presented to the commissioners for their consideration.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following

statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on March 11, 2025.

TRD-202501135

Jim Tinley

General Counsel

Texas Ethics Commission

Filed: April 8, 2025



EAO-622: Whether a part-time legislative staff member may accept outside employment assisting a registered lobbyist. (AOR-722).

SUMMARY

A legislative staff member may not accept outside employment assisting a registered lobbyist because such a dual role would put the legislative employee in a situation where he may reasonably be required or induced to disclose confidential information or where his official independence and judgement may be reasonably expected to be impaired.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on March 11, 2025.

TRD-202501136

Jim Tinley

General Counsel

Texas Ethics Commission

Filed: April 8, 2025



PROPOSED RULES

Proposed rules include new rules, amendments to existing rules, and repeals of existing rules. A state agency shall give at least 30 days' notice of its intention to adopt a rule before it adopts the rule. A state agency shall give all interested persons a reasonable opportunity to

submit data, views, or arguments, orally or in writing (Government Code, Chapter 2001).

Symbols in proposed rule text. Proposed new language is indicated by underlined text. ~~[Square brackets and strikethrough]~~ indicate existing rule text that is proposed for deletion. “(No change)” indicates that existing rule text at this level will not be amended.

TITLE 16. ECONOMIC REGULATION

PART 2. PUBLIC UTILITY COMMISSION OF TEXAS

CHAPTER 24. SUBSTANTIVE RULES APPLICABLE TO WATER AND SEWER SERVICE PROVIDERS

SUBCHAPTER H. CERTIFICATES OF CONVENIENCE AND NECESSITY

16 TAC §24.245, §24.257

The Public Utility Commission of Texas (commission) proposes the amendments to §24.257 relating to mapping requirements for certificate of convenience and necessity applications and §24.245 relating to revocation of a certificate of convenience and necessity or amendment of a certificate of convenience and necessity by decertification, expedited release, or streamlined expedited release. The amended rules will require an applicant to attest that it has reviewed the commission's online mapping resources—including all video files—as a necessary component of an application submission.

The commission also invites comments on the following questions:

1. Should the commission adopt remedial requirements for an applicant that fails to present adequate mapping information despite the submission of an attestation?
2. If so, what measures are appropriate? For example, should the rule require an applicant to attest to re-review of PUC mapping resources upon the commission's determination that mapping information in a previous application was deficient?

Growth Impact Statement

The agency provides the following governmental growth impact statement for the proposed rules, as required by Texas Government Code §2001.0221. The agency has determined that for each year of the first five years that the proposed rules are in effect, the following statements will apply:

- (1) the proposed rules will not create a government program and will not eliminate a government program;
- (2) implementation of the proposed rules will not require the creation of new employee positions and will not require the elimination of existing employee positions;
- (3) implementation of the proposed rules will not require an increase and will not require a decrease in future legislative appropriations to the agency;

(4) the proposed rules will not require an increase and will not require a decrease in fees paid to the agency;

(5) the proposed rules will not create a new regulation;

(6) the proposed rules will not expand, limit, or repeal an existing regulation;

(7) the proposed rules will not change the number of individuals subject to the rule's applicability; and

(8) the proposed rules will not affect this state's economy.

Fiscal Impact on Small and Micro-Businesses and Rural Communities

There is no adverse economic effect anticipated for small businesses, micro-businesses, or rural communities as a result of implementing the proposed rules. Accordingly, no economic impact statement or regulatory flexibility analysis is required under Texas Government Code §2006.002(c).

Takings Impact Analysis

The commission has determined that the proposed rules will not be a taking of private property as defined in chapter 2007 of the Texas Government Code.

Fiscal Impact on State and Local Government

Tracy Montes, Director, Mapping, has determined that for the first five-year period the proposed rules are in effect, there will be no fiscal implications for the state or for units of local government under Texas Government Code §2001.024(a)(4) as a result of enforcing or administering the sections.

Public Benefits

Ms. Montes has determined that for each year of the first five years the proposed sections are in effect the public benefit anticipated as a result of enforcing the sections will be enhanced efficiency in processing applications that involve territorial boundaries associated with water and wastewater service. There will be no probable economic cost to persons required to comply with the rules under Texas Government Code §2001.024(a)(5).

Local Employment Impact Statement

For each year of the first five years the proposed sections are in effect, there should be no effect on a local economy; therefore, no local employment impact statement is required under Texas Government Code §2001.022.

Costs to Regulated Persons

Texas Government Code §2001.0045(b) does not apply to this rulemaking because the commission is expressly excluded under subsection §2001.0045(c)(7).

Public Hearing

The commission staff will conduct a public hearing on this rule-making if requested in accordance with Texas Government Code §2001.029. The request for a public hearing must be received by May 15, 2025. If a request for public hearing is received, commission staff will file in this project a notice of hearing.

Public Comments

Interested persons may file comments electronically through the interchange on the commission's website. Comments must be filed by May 15, 2025. Comments should be organized in a manner consistent with the organization of the proposed rules. The commission invites specific comments regarding the costs associated with, and benefits that will be gained by, implementation of the proposed rules. The commission will consider the costs and benefits in deciding whether to modify the proposed rules on adoption. All comments should refer to Project Number 57819.

Each set of comments should include a standalone executive summary as the last page of the filing. This executive summary must be clearly labeled with the submitting entity's name and should include a bulleted list covering each substantive recommendation made in the comments.

Statutory Authority

Texas Water Code §13.041(a), which provides the commission the general power to regulate and supervise the business of each public utility within its jurisdiction and to do anything specifically designated or implied by the Texas Water Code that is necessary and convenient to the exercise of that power and jurisdiction; Texas Water Code §13.041(b), which provides the commission with the authority to adopt and enforce rules reasonably required in the exercise of its powers and jurisdiction §13.242(c) which governs applications for exempt utility registration; §13.244 which governs the procedure for a utility to obtain and amend CCN application; §13.245, which governs procedures for service extensions within the boundaries or extraterritorial jurisdiction of certain municipalities by a retail public utility; §13.250 which governs a utility's application to discontinue service & cancel CCN; §13.255 which governs single certification for incorporated or annexed areas; §13.301 which governs sale, transfer, merger (STM) application; §13.2451 which governs procedures for extension of a municipalities extraterritorial jurisdiction into the service area of a retail public utility; §13.254 which authorizes the commission, after notice and hearing, to revoke or amend a CCN upon written consent of the certificate holder and governs procedures for the expedited release of an area from a CCN's service territory; §13.2541 which governs procedures for the streamlined expedited release of an area from a CCN's service territory as an alternative to decertification or expedited release under §13.254.

Cross Reference to Statute: Texas Water Code §§13.041(a) and (b); 13.242(c); 13.244; 13.250; 13.255; 13.301; 13.245; 13.2451, 13.254, 13.2541.

§24.245. *Revocation of a Certificate of Convenience and Necessity or Amendment of a Certificate of Convenience and Necessity by Decertification, Expedited Release, or Streamlined Expedited Release.*

(a) - (j) (No change.)

(k) Mapping information.

(1) For proceedings under subsections (f) or (h) of this section, the following mapping information must be filed with the petition:

(A) - (B) (No change.)

(C) one of the following for the tract of land:

(i) - (ii) (No change.)

(iii) GIS [digital mapping] data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US feet) or in NAD 83 Texas Statewide Mapping System (meters). The GIS [digital mapping] data must include a single, continuous polygon record.

(D) a written and signed attestation confirming that the representative responsible for creating the mapping information has reviewed the commission's online mapping resources on the commission's CCN Mapping Resources webpage, including all video files. The attestation must be in the following format: "I, {name}, serve as {employment title} of {applicant name}. I am responsible for creating mapping information required for this application. Before submitting mapping information in conjunction with the application, I reviewed the mapping resources on the Public Utility Commission's CCN Mapping Resources webpage, including all video files."

(2) - (3) (No change.)

(1) (No change.)

§24.257. *Mapping Requirements for Certificate of Convenience and Necessity Applications.*

(a) Applications to obtain or amend a certificate of convenience and necessity (CCN) must [shall] include the following mapping information:

(1) - (2) (No change.)

(3) one of the following for the requested area:

(A) - (B) (No change.)

(C) GIS [digital mapping] data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet) or in NAD 83 Texas Statewide Mapping System (Meters). The GIS [digital mapping] data must [shall] include a single, continuous polygon record; and

(4) if applicable, maps identifying any facilities for production, transmission, or distribution of services, customers, or area currently being served outside the certificated service area. Facilities must [shall] be identified on subdivision plats, engineering planning maps, or other large scale maps. Color coding may be used to distinguish the types of facilities identified. The location of any such facility must [shall] be described with such exactness that the facility can be located "on the ground" from the map and may be identified in reference to verifiable man-made and natural landmarks where necessary to show its actual location.

(5) For any application or request for relief that requires the applicant to submit mapping information in accordance with paragraphs (1) - (3) of this subsection, the applicant must also provide a written and signed attestation confirming that the representative responsible for creating the mapping information has reviewed the commission's online mapping resources on the commission's CCN Mapping Resources webpage, including all video files. The attestation must be in the following format: "I, {name}, serve as {employment title} of {applicant name}. I am responsible for creating mapping information required for this application. Before submitting mapping information in conjunction with the application, I reviewed the online mapping resources on the Public Utility Commission's CCN Mapping Resources webpage, including all video files."

(b) All maps must [shall] be filed under §22.71 of this title (relating to Filing of Pleadings, Documents and Other Materials) and §22.72 of this title (relating to Formal Requisites of Pleadings and Documents to be Filed with the Commission).

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 3, 2025.

TRD-202501086

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Earliest possible date of adoption: May 18, 2025

For further information, please call: (512) 936-7322



PART 4. TEXAS DEPARTMENT OF LICENSING AND REGULATION

CHAPTER 61. COMBATIVE SPORTS

16 TAC §61.43, §61.109

The Texas Department of Licensing and Regulation (Department) proposes an amendment to an existing rule at 16 Texas Administrative Code (TAC), Chapter 61, §61.43; and a new rule at §61.109, regarding the Combative Sports program. These proposed changes are referred to as "proposed rules."

EXPLANATION OF AND JUSTIFICATION FOR THE RULES

The rules under 16 TAC, Chapter 61, implement Texas Occupations Code, Chapter 2052, Combative Sports.

The proposed rules add regulations for the combative sport discipline of bare-knuckle boxing. The proposed rules outline and describe parameters and conditions under which contestants are evaluated and approved and by which bare-knuckle boxing contests will be officiated, judged, and decided. The proposed rules identify prohibited actions that could result in disciplinary measures being taken against the contestant by the referee and Department. Finally, the proposed rules allow for the use of instant replay technology in defined circumstances to confirm a contest decision. The proposed rules are necessary to regulate the discipline of bare-knuckle boxing in Texas.

The proposed rules also correct a typographical error in the concentration of adrenaline approved for use in a contestant's corner.

SECTION-BY-SECTION SUMMARY

The proposed rules amend §61.43(i)(1), correcting a typographical error in the concentration of adrenaline approved for use during a contest.

The proposed rules add §61.109(a), stating that all rules apply to bare-knuckle boxing except §§61.106(c) - (f), 61.107, 61.108, and 61.110-61.112. If there is any conflict between §61.109 and other rule language, §61.109 controls.

The proposed rules add §61.109(b), stating that amateur contestants are not allowed to participate in bare-knuckle boxing contests.

The proposed rules add §61.109(c), identifying the maximum number of rounds and minutes of competition for both males and females.

The proposed rules add §61.109(d), describing how the hands of contestants shall be wrapped and identifying prohibited actions during the wrapping of contestants' hands.

The proposed rules add §61.109(e), describing how contestants may dress for a contest and identifying what protective gear must be worn. Contestants' hair must be secured in a manner that does not affect either contestant.

The proposed rules add §61.109(f), stating that contests will be scored by three judges on a ten-point "must" system.

The proposed rules add §61.109(g), defining the possible outcomes of a contest and describing the specific decisions that will be declared in certain circumstances.

The proposed rules add §61.109(h), describing the technique that is permitted in this combative sport discipline.

The proposed rules add §61.109(i), listing illegal actions which can lead to negative consequences both in the contest and after administrative action by the Department.

The proposed rules add §61.109(j), instituting the use of instant replay technology for this discipline, how it can be used, in what circumstances it may be used, and what decisions can result from its use.

FISCAL IMPACT ON STATE AND LOCAL GOVERNMENT

Tony Couvillon, Policy Research and Budget Analyst, has determined that for each year of the first five years the proposed rules are in effect, there will be additional costs to the State of \$8,800.00 per year.

TDLR contracts with third-party individuals to serve as inspectors at each event. The average number of inspectors contracted for each event of the size expected for bare-knuckle boxing events is 10, at an average cost of \$222 per contractor per event. It is anticipated there will be an average of four bare-knuckle boxing events per year for the first five years.

Tony Couvillon, Policy Research and Budget Analyst, has determined that for each year of the first five years the proposed rules are in effect, there will be increases in revenue to the State of \$121,300 per year.

It is anticipated at this time that there will be four bare-knuckle boxing events conducted in Texas or broadcast each year of the first five years that will generate the maximum gross receipts tax a promoter must submit to the State for the event, which is \$30,000 per event. It is believed there could be additional local events each year, but this number cannot currently be determined.

It is estimated that there would be approximately 20 new contestant license holders at the first bare-knuckle boxing event, and approximately 15 new contestant license holders for each subsequent event, for a total of 65 contestants in the first year and a similar number of additional contestants in each subsequent year. The number of contestants is not expected to increase significantly in any year since the overall average number of contestant licenses issued in combative sports stays somewhat consistent year-to-year. The application fee for a contestant license is \$20 for a new or renewal license. Therefore, the additional revenue from licenses issued in the first year would be \$1,300 in each of the first five years the proposed rules are in effect.

Mr. Couvillon has determined that for each year of the first five years the proposed rules are in effect, enforcing or administer-

ing the proposed rules does not have foreseeable implications relating to costs or revenues of local governments.

LOCAL EMPLOYMENT IMPACT STATEMENT

Because Mr. Couvillon has determined that the proposed rules will not affect a local economy, the agency is not required to prepare a local employment impact statement under Texas Government Code §2001.022.

PUBLIC BENEFITS

Mr. Couvillon also has determined that for each year of the first five-year period the proposed rules are in effect, the public benefit will be ensuring the integrity and safety of bare-knuckle boxing events while allowing this rapidly growing discipline to stage events in Texas. The public will also benefit from the additional gross receipt taxes generated from these events, which will add to the state's general revenue fund.

PROBABLE ECONOMIC COSTS TO PERSONS REQUIRED TO COMPLY WITH PROPOSAL

Mr. Couvillon has determined that for each year of the first five-year period the proposed rules are in effect, there are no anticipated economic costs to persons who are required to comply with the proposed rules.

FISCAL IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Because the agency has determined that the proposed rule will have no adverse economic effect on small businesses, micro-businesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under Texas Government Code §2006.002, is not required.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The proposed rules do not have a fiscal note that imposes a cost on regulated persons, including another state agency, a special district, or a local government. Therefore, the agency is not required to take any further action under Texas Government Code §2001.0045.

GOVERNMENT GROWTH IMPACT STATEMENT

Pursuant to Texas Government Code §2001.0221, the agency provides the following Government Growth Impact Statement for the proposed rules. For each year of the first five years the proposed rules will be in effect, the agency has determined the following:

1. The proposed rules do not create or eliminate a government program.
2. Implementation of the proposed rules does not require the creation of new employee positions or the elimination of existing employee positions.
3. Implementation of the proposed rules does not require an increase or decrease in future legislative appropriations to the agency.
4. The proposed rules do not require an increase or decrease in fees paid to the agency.
5. The proposed rules create a new regulation. The proposed rules add bare-knuckle boxing as a combative sports discipline

to be regulated by the Department and create standards for the conduct of bare-knuckle boxing events.

6. The proposed rules do not expand, limit, or repeal an existing regulation.

7. The proposed rules increase or decrease the number of individuals subject to the rules' applicability. The proposed rules increase the number of individuals subject to its applicability by recognizing bare-knuckle boxing as a combative sports discipline. The creation of this new regulation will apply to any additional persons who participate in bare-knuckle boxing.

8. The proposed rules do not positively or adversely affect this state's economy.

TAKINGS IMPACT ASSESSMENT

The Department has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules do not constitute a taking or require a takings impact assessment under Texas Government Code §2007.043.

PUBLIC COMMENTS

Comments on the proposed rules may be submitted electronically on the Department's website at: <https://ga.tdlr.texas.gov:1443/form/gcerules>; by facsimile to (512) 475-3032; or by mail to Shamica Mason, Legal Assistant, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711. The deadline for comments is 30 days after publication in the *Texas Register*.

STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapters 51 and 2052, which authorize the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement these chapters and any other law establishing a program regulated by the Department.

The statutory provisions affected by the proposed rules are those set forth in Texas Occupations Code, Chapters 51 and 2052. No other statutes, articles, or codes are affected by the proposed rules.

§61.43. Responsibilities of Seconds.

(a) - (h) (No change.)

(i) The following rules apply to corner supplies:

(1) Approved supplies are ice, which must be in an ice bag or Department approved container, water, cotton swabs, gauze pads, clean towels, Adrenalin 1:1,000 [1:10,000], Avitene, Thromblin, petroleum jelly or other surgical lubricant, medical diachylon tape, Enswel, and electrolytes. Electrolytes must be brought to the ring in the manufacturer's sealed container. Electrolytes must be opened for the first time in the presence of a representative of the Department. All coagulants shall be in a container with the proper manufacturer's label and not contaminated by any foreign substance.

(2) All containers shall be properly labeled with the manufacturer's label and not contaminated by any foreign substance.

(3) The use of an unapproved substance may result in disciplinary action.

(4) Only water and electrolytes shall be permitted for hydration of a contestant between rounds. Honey, glucose, or sugar, or any other substance may not be mixed with the water.

(5) Excessive use of any lubricant on the contestant's body, arms or face is prohibited.

(j) - (k) (No change.)

§61.109. Bare-Knuckle Boxing.

(a) All rules in this chapter apply to the combative sport of bare-knuckle boxing except §§61.106(c) - (f), 61.107, 61.108, and 61.110-61.112. If any language in this section conflicts with another rule in this chapter, this section prevails.

(b) Amateur contestants prohibited. Amateur contestants may not participate in bare-knuckle boxing contests.

(c) Contest and round parameters. Bare-knuckle boxing contests shall be limited to six rounds and 18 minutes of competition. Contestants shall be provided a one-minute rest period between each non-final round, which does not count towards the 18-minute limit.

(1) Contests between males shall have rounds of no more than three minutes. Contests between females shall have rounds of no more than two minutes.

(2) Contests featuring a contestant making their professional debut shall be restricted to four two-minute rounds.

(d) Hand wraps. Hand wraps for contestants shall include the wrist and are restricted to 12 yards of soft gauze bandage per hand, no more than two inches in width, held in place by no more than 10 yards of surgical tape, no more than one inch in width. Surgical tape may not be applied within one inch of the knuckles. The use of any liquid or material on the tape is prohibited.

(1) No tape or gauze is allowed on or between the contestant's fingers, with the exception of the thumb.

(A) The thumb of a contestant may include a single wrap of tape when the wrist is being wrapped.

(B) Wrapping of the wrist shall not extend more than three inches past the wrist juncture.

(2) Hand wraps shall be applied in the dressing room in the presence of a department representative.

(3) Other than the contestant's hands, there must be no taping, covering, or protective gear of any kind on the upper body. This includes but is not limited to joint sleeves, padding, any form of a brace, or body gauze/tape.

(e) Contestant dress and appearance. Contestants must wear protective gear as deemed necessary by the department. All contestants must appear in appropriate dress.

(1) Male contestants must not wear any form of clothing on their upper body. Male contestants must also wear appropriate groin protection.

(2) Female contestants must wear an appropriate sports bra and may wear a short-sleeved or sleeveless form-fitting rash guard. Breast protectors are optional. Loose-fitting tops are prohibited.

(3) All contestants must wear appropriate shorts, boxing or wrestling shoes, and a fitted mouthpiece approved by the department.

(4) When deemed necessary by the referee, contestants with long hair must secure their hair in a manner that does not hinder vision or interfere with either contestant's ability to compete fairly.

(5) A contestant may use soft neoprene-type sleeves to cover only the knees. Approved sleeves may not have padding, Velcro, plastic, metal, ties, or any other material considered unsafe or that may create an unfair advantage.

(f) Scoring. All contests shall be evaluated and scored by three judges. Contests will be scored using the ten-point must system to determine the winner.

(g) Decisions.

(1) Contestants may prevail by technical knockout, knockout, disqualification, or a judges' decision.

(2) The timekeeper shall not ring the bell during the referee's count, and the referee must continue the count until the contestant rises or is counted out. Once the referee ends the count and determines the contestant is fit to continue, the timekeeper may ring the bell to signal the end of the round.

(3) A contest shall be declared a no contest if stopped due to an injury caused by an accidental foul before the end of:

(A) Two completed rounds of a scheduled three-round contest;

(B) Two completed rounds of a scheduled four-round contest;

(C) Three completed rounds of a scheduled five-round contest; or

(D) Three completed rounds of a scheduled six-round contest.

(4) If, after completion of the round specified in subsection (g)(3)(A) - (D), a contest is stopped due to a contestant being injured by an unintentional foul, or due to the worsening of an injury caused by a previous unintentional foul, all completed and partial rounds will be scored. The contestant ahead on points shall be declared the winner by technical decision.

(5) If, after completion of the round specified in subsection (g)(3)(A) - (D), a contest is stopped due to a contestant being injured by an intentional foul, or due to the worsening of an injury caused by a previous intentional foul, all completed and partial rounds will be scored, and:

(A) The injured contestant will win by technical decision if ahead on points; or

(B) The contest will result in a technical draw if the injured contestant is behind on points.

(6) If the contestant injures themselves while attempting to foul their opponent intentionally, the referee will not take any action in their favor, and this injury shall be considered the same as an injury produced by a fair blow. If the referee determines that a contestant has acted in an unsportsmanlike manner, the referee may stop the contest and disqualify the contestant.

(7) A draw shall be called if each official votes differently or any two vote a draw.

(h) Legal technique. The only fighting technique permitted is that of a bare-knuckle strike with a clenched fist. Contestants may fight in the clinch and make any legal strike while holding their opponent by the back of the neck or head in a downward position to any legal strike zone.

(i) Prohibited actions. The following tactics are fouls and are forbidden. Using these tactics may result in a warning, loss of points as

determined by the referee, disqualification, forfeiture, and an administrative penalty, sanction, or both.

- (1) Hitting the opponent below the belt.
- (2) Hitting an opponent who is down or is getting up after being down.
- (3) Deliberately maintaining a clinch without other action.
- (4) Wrestling or kicking the opponent.
- (5) Putting a finger into any orifice of the opponent or into any cut or laceration on an opponent, including fish-hooking.
- (6) Pulling the opponent's hair.
- (7) Manipulating the opponent's fingers.
- (8) Striking an opponent who is helpless as the result of blows but is supported by the ropes and does not fall.
- (9) Butting the opponent with the head, shoulder, knee, or elbow.
- (10) Hitting the opponent with the elbow or forearm.
- (11) Striking the opponent's body over the kidneys.
- (12) Hitting the opponent on the back of the head or neck.
- (13) Gouging the opponent's eye in any manner.
- (14) Hitting during a break, which is signaled by the referee's command or physical act to separate the contestants.
- (15) Hitting the opponent after the bell has sounded, ending the round.
- (16) Using the ropes or cage to gain an advantage over the opponent.
- (17) Pushing the opponent around the fighting area or into the ropes/cage.
- (18) Timidity, excessive clinching, including intentionally spitting out the mouthpiece, running from an opponent, or other similar behavior.
- (19) Biting the opponent.
- (20) Headlocks.
- (21) Throat punches or strikes directly toward the throat of an opponent.
- (22) Fingers outstretched toward an opponent's face or eyes.
- (23) Throws or takedowns.
- (24) Spinning back fists.
- (25) Hammer-fists.
- (26) Engaging in any other action not described in this subsection that is deemed an intentional foul by the referee on the basis that the action poses a danger to the safety of either contestant, impedes fair and competitive play, or is unsportsmanlike.
 - (j) Instant replay. Instant replay may be used if the promoter and department have agreed in writing before the event, and the promoter provides all necessary instant replay equipment. The use of instant replay shall be limited to the following:
 - (1) Only the referee may determine if the use of instant replay is appropriate.

(2) Before the decision is announced, the referee may use instant replay to conclusively determine whether a foul caused or contributed to the conclusion of the contest.

(3) The review process is authorized and can be conducted by any individual designated by the department.

(4) Based on the instant replay review, the referee shall make the final call with respect to the contest that could result in one of the following decisions:

- (A) Winner of the contest by stoppage;
- (B) No contest or no decision determination;
- (C) Disqualification;
- (D) Technical decision; or
- (E) Technical draw.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 7, 2025.

TRD-202501098

Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

Earliest possible date of adoption: May 18, 2025

For further information, please call: (512) 463-7750



TITLE 19. EDUCATION

PART 2. TEXAS EDUCATION AGENCY

CHAPTER 97. PLANNING AND ACCOUNTABILITY

SUBCHAPTER AA. ACCOUNTABILITY AND PERFORMANCE MONITORING

19 TAC §97.1001

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure in 19 TAC §97.1001 is not included in the print version of the Texas Register. The figure is available in the on-line version of the April 18, 2025, issue of the Texas Register.)

The Texas Education Agency (TEA) proposes an amendment to §97.1001, concerning the accountability rating system. The proposed amendment would adopt in rule applicable excerpts of the *2026 Accountability Manual*. Earlier versions of the manual will remain in effect with respect to the school years for which they were developed.

BACKGROUND INFORMATION AND JUSTIFICATION: TEA has adopted its academic accountability manual in rule since 2000 under §97.1001. The accountability system evolves from year to year, so the criteria and standards for rating and acknowledging schools in the most current year differ to some degree from those applied in the prior year.

The proposed amendment to §97.1001 would adopt excerpts of the *2026 Accountability Manual* into rule as a figure. The ex-

cerpts, Chapters 1-12 of the *2026 Accountability Manual*, specify the indicators, standards, and procedures used by the commissioner to determine accountability ratings for districts, campuses, and charter schools. These chapters also specify indicators, standards, and procedures used to determine distinction designations on additional indicators for Texas public school campuses and districts. Chapter 12 describes the specific criteria and calculations that will be used to assign 2026 Results Driven Accountability (RDA) performance levels. Ratings may be revised as a result of investigative activities by the commissioner as authorized under Texas Education Code, §39.056 and §39.003.

Following is a chapter-by-chapter summary of the changes for this year's manual. In every chapter, dates and years for which data are considered would be updated to align with 2026 accountability and RDA. Edits for clarity regarding consistent language and terminology throughout each chapter are embedded within the proposed *2026 Accountability Manual*. For example, references to the Public Education Information Management System (PEIMS) October submission would be changed to the PEIMS Fall submission throughout the manual.

Chapter 1 gives an overview of the entire accountability system. Language in the Who is Rated section would be adjusted to clarify membership. One reason for being *Not Rated* would be added back into the manual for clarity. Language would be adjusted to add clarity to the Accountability Subset Rule section and the STAAR EOC Retest Performance section.

Chapter 2 describes the "Student Achievement" domain. Emergent bilingual (EB) student coding would be moved to Appendix H--Data Sources instead of being listed in the STAAR Component--Inclusion of EB Students section. A new section regarding Inclusion of STAAR English Learner Performance Measure Results would be added. Language in the College, Career, and Military Readiness Component section would be adjusted to provide clarity regarding college prep courses. A table would be added regarding CCMR credit requirements in the Schedule for Reviewed and Approved College Prep Courses section. Calculation language would be clarified in the Graduation Rate--Minimum Size Criteria and Small Numbers Analysis and the Annual Dropout Rate--Minimum Size Criteria and Small Numbers Analysis sections.

Chapter 3 describes the "School Progress" domain. EB student coding would be moved to Appendix H--Data Sources instead of being listed in the Part A: Academic Growth--Inclusion of EB Students, Part B: Relative Performance--Inclusion of EB Students, and AEA Part B: Retest Growth--Inclusion of EB Students sections.

Chapter 4 describes the "Closing the Gaps" domain. Language regarding minimum size would be moved to the Two Lowest Performing Racial/Ethnic Groups from the Prior Year and the Steps to Determine the Two Lowest Performing Groups sections. EB student coding would be moved to Appendix H--Data Sources instead of being listed in the Inclusion of EB students section. Calculation language would be clarified in the Federal Graduation Status--Minimum Size Criteria and Small Numbers Analysis All Students section. Language would be updated to reflect the new methodology for measuring TELPAS progress in the Progress in Achieving English Language Proficiency Component section.

Chapter 5 describes how the overall ratings are calculated. Language would be added for clarity in the District Proportional Domain Methodology section.

Chapter 6 describes distinction designations. Language would be added to the Other Information section.

Chapter 7 describes the pairing process and the alternative education accountability (AEA) provisions. No edits beyond the technical edits described previously would be made.

Chapter 8 describes the process for appealing ratings. No edits beyond the technical edits described previously would be made.

Chapter 9 describes the responsibilities of TEA, the responsibilities of school districts and open-enrollment charter schools, and the consequences to school districts and open-enrollment charter schools related to accountability and interventions. Language regarding *Not Rated* would be removed from the Actions Required Due to Low Ratings or Low Accreditation Status section.

Chapter 10 provides information on the federally required identification of schools for improvement. No edits beyond the technical edits described previously would be made.

Chapter 11 describes the local accountability system. No edits beyond the technical edits described previously would be made.

Chapter 12 describes the RDA system. Language would be clarified in the Principle 2: Drives Improved Results and High Expectations section. Language in the 2026 RDA Changes section would be rewritten. Language would be adjusted for clarity in the RDA PL Assignments for Program Area Determinations section.

FISCAL IMPACT: Iris Tian, deputy commissioner of analytics, assessment, and reporting, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would limit an existing regulation due to its effect on school accountability for 2026.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand or repeal an existing regulation; would not increase or decrease the number of individuals subject to

its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Tian has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to continue to inform the public of the existence of annual manuals specifying rating procedures for public schools by including this rule in the *Texas Administrative Code*. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins April 18, 2025, and ends May 19, 2025. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on April 18, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §7.021(b)(1), which authorizes the Texas Education Agency (TEA) to administer and monitor compliance with education programs required by federal or state law, including federal funding and state funding for those programs; TEC, §7.028, which authorizes TEA to monitor as necessary to ensure school district and charter school compliance with federal law and regulations, financial integrity, and data integrity and authorizes the agency to monitor school district and charter schools through its investigative process. TEC, §7.028(a), authorizes TEA to monitor special education programs for compliance with state and federal laws; TEC, §12.056, which requires that a campus or program for which a charter is granted under TEC, Chapter 12, Subchapter C, is subject to any prohibition relating to the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with TEC, Chapter 12, Subchapter C, as determined by the commissioner; high school graduation under TEC, §28.025; special education programs under TEC, Chapter 29, Subchapter A; bilingual education under TEC, Chapter 29, Subchapter B; and public school accountability under TEC, Chapter 39, Subchapters B, C, D, F, and J, and Chapter 39A; TEC, §12.104, which states that a charter granted under TEC, Chapter 12, Subchapter D, is subject to a prohibition, restriction, or requirement, as applicable, imposed by TEC, Title 2, or a rule adopted under TEC, Title 2, relating to PEIMS to the extent necessary to monitor compliance with TEC, Chapter 12, Subchapter D, as determined by the commissioner; high school graduation requirements under TEC, §28.025; special education programs under TEC, Chapter 29, Subchapter A; bilingual education under TEC, Chapter 29, Subchapter B; discipline management practices or behavior management techniques under TEC, §37.0021; public school accountability under TEC, Chapter 39, Subchapters B, C, D, F, G, and J, and Chapter 39A; and intensive programs of instruction under TEC, §28.0213;

TEC, §29.001, which authorizes TEA to effectively monitor all local educational agencies (LEAs) to ensure that rules relating to the delivery of services to children with disabilities are applied in a consistent and uniform manner, to ensure that LEAs are complying with those rules, and to ensure that specific reports filed by LEAs are accurate and complete; TEC, §29.0011(b), which authorizes TEA to meet the requirements under (1) 20 U.S.C. §1418(d) and its implementing regulations to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and in the school districts and open-enrollment charter schools in the state with respect to the (a) identification of children as children with disabilities, including the identification of children as children with particular impairments; (b) placement of children with disabilities in particular educational settings; and (c) incidence, duration, and type of disciplinary actions taken against children with disabilities including suspensions or expulsions; or (2) 20 U.S.C. §1416(a)(3)(C) and its implementing regulations to address in the statewide plan the percentage of schools with disproportionate representation of racial and ethnic groups in special education and related services and in specific disability categories that results from inappropriate identification; TEC, §29.010(a), which authorizes TEA to adopt and implement a comprehensive system for monitoring LEA compliance with federal and state laws relating to special education, including ongoing analysis of LEA special education data; TEC, §29.062, which authorizes TEA to evaluate and monitor the effectiveness of LEA programs and apply sanctions concerning emergent bilingual students; TEC, §29.066, which authorizes PEIMS reporting requirements for school districts that are required to offer bilingual education or special language programs to include the following information in the district's PEIMS report (1) demographic information, as determined by the commissioner, on students enrolled in district bilingual education or special language programs; (2) the number and percentage of students enrolled in each instructional model of a bilingual education or special language program offered by the district; and (3) the number and percentage of emergent bilingual students who do not receive specialized instruction; TEC, §29.081(e), (e-1), and (e-2), which define criteria for alternative education programs for students at risk of dropping out of school and subjects those campuses to the performance indicators and accountability standards adopted for alternative education programs; TEC, §29.201 and §29.202, which describe the Public Education Grant (PEG) program and eligibility requirements; TEC, §39.003 and §39.004, which authorize the commissioner to adopt procedures relating to special investigations. TEC, §39.003(d), allows the commissioner to take appropriate action under Chapter 39A, to lower the district's accreditation status or the district's or campus's accountability rating based on the results of the special investigation; TEC, §39.051 and §39.052, which authorize the commissioner to determine criteria for accreditation statuses and to determine the accreditation status of each school district and open-enrollment charter school; TEC, §39.053, which authorizes the commissioner to adopt a set of indicators of the quality of learning and achievement and requires the commissioner to periodically review the indicators for consideration of appropriate revisions; TEC, §39.054, which requires the commissioner to adopt rules to evaluate school district and campus performance and to assign a performance rating; TEC, §39.0541, which authorizes the commissioner to adopt indicators and standards under TEC, Chapter 39, Subchapter C, at any time during a school year before the evaluation of a school district or campus; TEC, §39.0543, which

describes acceptable and unacceptable performance as referenced in law; TEC, §39.0546, which requires the commissioner to assign a school district or campus a rating of "Not Rated" for the 2021-2022 school year, unless, after reviewing the district or campus under the methods and standards adopted under TEC, §39.054, the commissioner determines the district or campus should be assigned an overall performance rating of C or higher; TEC, §39.0548, which requires the commissioner to designate campuses that meet specific criteria as dropout recovery schools and to use specific indicators to evaluate them; TEC, §39.055, which prohibits the use of assessment results and other performance indicators of students in a residential facility in state accountability; TEC, §39.056, which authorizes the commissioner to adopt procedures relating to monitoring reviews and special investigations; TEC, §39.151, which provides a process for a school district or an open-enrollment charter school to challenge an academic or financial accountability rating; TEC, §39.201, which requires the commissioner to award distinction designations to a campus or district for outstanding performance; TEC, §39.2011, which makes open-enrollment charter schools and campuses that earn an acceptable rating eligible for distinction designations; TEC, §39.202 and §39.203, which authorize the commissioner to establish criteria for distinction designations for campuses and districts; TEC, §39A.001, which authorizes the commissioner to take any of the actions authorized by TEC, Chapter 39, Subchapter A, to the extent the commissioner determines necessary if a school does not satisfy the academic performance standards under TEC, §39.053 or §39.054, or based upon a special investigation; TEC, §39A.002, which authorizes the commissioner to take certain actions if a school district becomes subject to commissioner action under TEC, §39A.001; TEC, §39A.004, which authorizes the commissioner to appoint a board of managers to exercise the powers and duties of a school district's board of trustees if the district is subject to commissioner action under TEC, §39A.001, and has a current accreditation status of accredited-warned or accredited-probation; or fails to satisfy any standard under TEC, §39.054(e); or fails to satisfy any financial accountability standard; TEC, §39A.005, which authorizes the commissioner to revoke school accreditation if the district is subject to TEC, §39A.001, and for two consecutive school years has received an accreditation status of accredited-warned or accredited-probation, failed to satisfy any standard under TEC, §39.054(e), or failed to satisfy a financial performance standard; TEC, §39A.007, which authorizes the commissioner to impose a sanction designed to improve high school completion rates if the district has failed to satisfy any standard under TEC, §39.054(e), due to high school completion rates; TEC, §39A.051, which authorizes the commissioner to take action based on campus performance that is below any standard under TEC, §39.054(e); and TEC, §39A.063, which authorizes the commissioner to accept substantially similar intervention measures as required by federal accountability measures in compliance with TEC, Chapter 39A.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§7.021(b)(1); 7.028; 12.056; 12.104; 29.001; 29.0011(b); 29.010(a); 29.062; 29.066; 29.081(e), (e-1), and (e-2); 29.201; 29.202; 39.003; 39.004; 39.051; 39.052; 39.053; 39.054; 39.0541; 39.0543; 39.0546; 39.0548; 39.055; 39.056; 39.151; 39.201; 39.2011; 39.202; 39.203; 39A.001; 39A.002; 39A.004; 39A.005; 39A.007; 39A.051; and 39A.063.

§97.1001. *Accountability Rating System.*

(a) The rating standards established by the commissioner of education under Texas Education Code (TEC), §§39.052(a) and (b)(1)(A); 39.053; 39.054; 39.0541; 39.0548; 39.055; 39.151; 39.201; 39.2011; 39.202; 39.203; 29.081(e), (e-1), and (e-2); and 12.104(b)(2)(L), shall be used to evaluate the performance of districts, campuses, and charter schools. The indicators, standards, and procedures used to determine ratings will be annually published in official Texas Education Agency publications. These publications will be widely disseminated and cover the following:

- (1) indicators, standards, and procedures used to determine district ratings;
- (2) indicators, standards, and procedures used to determine campus ratings;
- (3) indicators, standards, and procedures used to determine distinction designations; and
- (4) procedures for submitting a rating appeal.

(b) The procedures by which districts, campuses, and charter schools are rated and acknowledged for 2026 [2025] are based upon specific criteria and calculations, which are described in excerpted sections of the 2026 [2025] *Accountability Manual* provided in this subsection.

Figure: 19 TAC §97.1001(b)
[Figure: 19 TAC §97.1001(b)]

(c) Ratings may be revised as a result of investigative activities by the commissioner as authorized under TEC, §39.003.

(d) The specific criteria and calculations used in the accountability manual are established annually by the commissioner and communicated to all school districts and charter schools.

(e) The specific criteria and calculations used in the annual accountability manual adopted for prior school years remain in effect for all purposes, including accountability, data standards, and audits, with respect to those school years.

(f) In accordance with TEC, §7.028(a), the purpose of the Results Driven Accountability (RDA) framework is to evaluate and report annually on the performance of school districts and charter schools for certain populations of students included in selected program areas. The performance of a school district or charter school is included in the RDA report through indicators of student performance and program effectiveness and corresponding performance levels established by the commissioner.

(g) The assignment of performance levels for school districts and charter schools in the 2026 [2025] RDA report is based on specific criteria and calculations, which are described in the 2026 [2025] *Accountability Manual* provided in subsection (b) of this section.

(h) The specific criteria and calculations used in the RDA framework are established annually by the commissioner and communicated to all school districts and charter schools.

(i) The specific criteria and calculations used in the annual RDA manual adopted for prior school years remain in effect for all purposes, including accountability and performance monitoring, data standards, and audits, with respect to those school years.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 7, 2025.

TRD-202501093



CHAPTER 101. ASSESSMENT

SUBCHAPTER DD. COMMISSIONER'S RULES CONCERNING SUBSTITUTE ASSESSMENTS FOR GRADUATION

19 TAC §101.4002

The Texas Education Agency (TEA) proposes an amendment to §101.4002, concerning State of Texas Assessments of Academic Readiness (STAAR®) end-of-course assessments. The proposed amendment would update the list of approved substitute assessments to include the addition of the PreACT 8/9 and the PreACT assessments.

BACKGROUND INFORMATION AND JUSTIFICATION: Section 101.4002 specifies the assessments the commissioner of education recommends as substitute assessments that a student may use to meet end-of-course assessment graduation requirements and establishes the satisfactory scores needed for graduation purposes. The proposed amendment would update the rule text in subsection (f) to include the PreACT assessments in place of the PLAN and Aspire assessments, which are no longer administered.

In addition, the figure in subsection (b) would be updated to include the PreACT 8/9 and the PreACT assessments with associated substitute assessment scores. The order of assessments listed in the figure would be adjusted to display the current assessments first followed by the previous assessments. Finally, the order of the footnotes would be adjusted to align with the new order of the assessments, and the text of the footnotes would be amended for consistency where appropriate.

This amendment would provide students, parents, and school district staff with the most up-to-date information regarding substitute assessments that may be used to satisfy graduation assessment requirements.

FISCAL IMPACT: Iris Tian, deputy commissioner of analytics, assessment, and reporting, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation and increase the number of individuals subject to the rule's applicability due to the addition of the PreACT 8/9 and the PreACT assessments to the list of approved substitute assessments.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not limit or repeal an existing regulation; would not decrease the number of individuals subject to the rule's applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Tian has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to provide additional opportunities for students to meet graduation requirements. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins April 18, 2025, and ends May 19, 2025. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on April 18, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §39.023(c), which requires the agency to adopt end-of-course (EOC) assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history; and TEC, §39.025, which establishes the secondary-level performance required to receive a Texas high school diploma. TEC, §39.025(a), requires the commissioner of education to adopt rules requiring students to achieve satisfactory performance on each EOC assessment listed under TEC, §39.023(c), to receive a Texas high school diploma. TEC, §39.025(a-1), (a-2), and (a-3), allow for the use of specific substitute assessments to satisfy the EOC assessment graduation requirements under certain conditions.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §39.023 and §39.025.

§101.4002. State of Texas Assessments of Academic Readiness End-of-Course Substitute Assessments.

(a) For purposes of this subchapter, "equivalent course" is defined as a course having sufficient content overlap with the essential knowledge and skills of a similar course in the same content area listed under §74.1(b)(1)-(4) of this title (relating to Essential Knowledge and Skills).

(b) Effective beginning with the 2011-2012 school year, in accordance with Texas Education Code (TEC), §39.025(a-1), (a-2), and (a-3), the commissioner of education adopts certain assessments as provided in the chart in this subsection as substitute assessments that a student may use in place of a corresponding end-of-course (EOC) assessment under TEC, §39.023(c), to meet the student's assessment graduation requirements. A satisfactory score on an approved substitute assessment may be used in place of only one specific EOC assessment, except in those cases described by subsection (d)(1) of this section.

Figure: 19 TAC §101.4002(b)

~~Figure: 19 TAC §101.4002(b)~~

(c) A student at any grade level is eligible to use a substitute assessment as provided in the chart in subsection (b) of this section if:

(1) a student was administered an approved substitute assessment for an equivalent course in which the student was enrolled;

(2) a student received a satisfactory score on the substitute assessment as determined by the commissioner and provided in the chart in subsection (b) of this section; and

(3) a student using a Texas Success Initiative Assessment (TSIA) or a Texas Success Initiative Assessment, Version 2.0 (TSIA2) also meets the requirements of subsection (d) of this section.

(d) Effective beginning with the 2014-2015 school year, a student must meet criteria established in paragraph (1) or (2) of this subsection in order to qualify to use TSIA or TSIA2 as a substitute assessment.

(1) A student must have been enrolled in a college preparatory course for English language arts (PEIMS code CP110100) or mathematics (PEIMS code CP111200) and, in accordance with TEC, §39.025(a-1), have been administered an appropriate TSIA or TSIA2 at the end of that course.

(A) A student under this paragraph who meets all three TSIA or both TSIA2 English language arts score requirements provided in the figure in subsection (b) of this section satisfies both the English I and English II EOC assessment graduation requirements.

(B) A student under this paragraph may satisfy an assessment graduation requirement in such a manner regardless of previous performance on an Algebra I, English I, or English II EOC assessment.

(2) In accordance with TEC, §39.025(a-3), a student who has not been successful on the Algebra I or English II EOC assessment after taking the assessment at least two times may use the corresponding TSIA or TSIA2 in place of that EOC assessment. For a student under this paragraph who took separate reading and writing assessments for the English II EOC assessment and who did not meet the English II assessment graduation requirement using those tests as specified in §101.3022(b) of this title (relating to Assessment Requirements for Graduation), the separate reading or writing TSIA may not be used to substitute for the corresponding English II reading or writing EOC assessment.

(c) A student electing to substitute an assessment for graduation purposes must still take the corresponding EOC assessment required under TEC, §39.023(c), at least once for federal accountability

purposes. If a student sits for an EOC assessment, a school district may not void or invalidate the test in lieu of a substitute assessment.

(f) A student who fails to perform satisfactorily on a PSAT [; PLAN;] or PreACT [Aspire] test (or any versions of these tests) as indicated in the chart in subsection (b) of this section must take the appropriate EOC assessment required under TEC, §39.023(c). However, a student who does not receive a passing score on the EOC assessment and retakes a PSAT [; PLAN;] or PreACT [Aspire] test (or any versions of these tests) is eligible to meet the requirements specified in subsection (c) of this section.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 7, 2025.

TRD-202501095

Cristina De La Fuente Valadez

Director, Rulemaking

Texas Education Agency

Earliest possible date of adoption: May 18, 2025

For further information, please call: (512) 475-1497



TITLE 31. NATURAL RESOURCES AND CONSERVATION

PART 2. TEXAS PARKS AND WILDLIFE DEPARTMENT

CHAPTER 53. FINANCE

SUBCHAPTER A. FEES

DIVISION 1. LICENSE, PERMIT, AND BOAT AND MOTOR FEES

31 TAC §53.13

The Texas Parks and Wildlife Department proposes an amendment to 31 TAC §53.13, concerning Business Licenses and Permits (Fishing). The proposed amendment would reduce the annual fees for both types of Cultivated Oyster Mariculture (COM) permits issued by the department. The amendment is intended to encourage the development and maturation of a commercially viable oyster mariculture industry that could provide relief to native natural oyster reefs and associated ecosystems.

The 86th Texas Legislature in 2019 enacted House Bill 1300, which added new Chapter 75 to the Texas Parks and Wildlife Code and delegated to the Parks and Wildlife Commission the authority to regulate the process of growing oysters in captivity. In turn, the Texas Parks and Wildlife Commission in 2020 adopted regulations governing oyster mariculture (45 TexReg 5916), which included various fees.

At the direction of the commission, the department has reviewed all department data relative to the costs of implementation and operation of the COM program, similar fees for oyster mariculture in other Gulf states, cooperated extensively with the regulated community, and determined that a reduction in fees could result in more rapid maturation of the industry in Texas and the realization of attendant resource and ecosystem benefits. The department notes that the Texas General Land Office (GLO) recently reduced surface lease fees for COM operations. In 2024,

the GLO lease fee was reduced to \$500 per acre per year from \$1,500 per acre per year.

In Fiscal Year (FY) 2024, the average fee for a COM Grow-Out permit was \$3,495.46 (range \$900 - \$13,500 per year) and for a Nursery-Hatchery it was \$1,805.55 (range \$79.05 - \$3,943.69 per year) (fees are dependent on the acreage of the operation and thus vary from permit to permit).

With respect to an analysis of similar fees in other states, the department concludes that while fee structures vary from state to state, in the states of the Gulf region Texas appears to have the highest fees for oyster mariculture operations. Mississippi and Florida charge an annual flat fee of \$50 and \$100, respectively. Louisiana requires cultivated oyster operators to have a commercial fishing license (\$100) and harvester license (\$96), in addition to which a fee of \$2 per-acre-per-year is imposed. Alabama charges a \$300 per-acre easement fee. The current Texas rate for a Grow-Out facility is \$450 per acre. Staff has determined that a rate reduction of approximately two-thirds would make Texas rates more comparable to other states. The proposed amendment would therefore alter subsection (d) to reflect the reduction in fees and to update permit types to accurately reflect the terminology employed in the regulations contained in Chapter 58, Subchapter D, that regulate COM operations.

With respect to the COM Grow-Out Permit, the fee for any portion of a site located in public water would be reduced to \$150 per-acre-per-year from \$450 per-acre-per-year and the fee for any portion of a site on private property would be reduced to \$57 per-acre-per-year from \$170 per-acre-per-year.

With respect to fees for the COM Nursery-Hatchery Permit, the current fee is \$170 per-acre-per-year, with a \$0.010 per-square-foot-per-year surcharge for the portion of a site in public water, and \$170 per-acre-per-year for the portion of a site located on private land. The proposed amendment would reduce the public water fee to \$150 per-acre-per-year and the private land fee to \$57 per-acre-per-year, or a minimum fee of \$150 per year, whichever is greater. The minimum fee is necessary to recoup costs incurred by the department to conduct required annual inspections, as some Nursery-Hatchery operations occupy much less than an acre but still require a site inspection.

Dr. Lindsay Glass Campbell, Policy and Education, Cultivated Oyster Mariculture Program Coordinator, Coastal Fisheries Division, has determined that for each of the first five years that the rule as proposed is in effect, there will be fiscal implications to the department a result of administering or enforcing the rule as proposed. The department estimates that there will be a revenue reduction of approximately \$32,276.63 per year resulting from the fee reductions, assuming the number of permits issued remains unchanged (the department has no method for predicting how many additional permits might be issued in the future). This estimate was derived by taking the total fee amounts collected in FY2024 (\$48,183.32) and subtracting from that value the amount of fee revenue that would have been realized had the proposed fees been in effect for that fiscal year (\$15,906.69). The department has determined that because of the low number of permits currently issued, the rules as proposed can be effectively administered and enforced using existing personnel as part of their current duties under existing budgets; however, there could be additional fiscal implications to the department if permit demand increases significantly.

There will be no fiscal implications to other units of state or local governments as a result of administering or enforcing the rule.

The rules will not result in adverse economic impacts to persons required to comply with the rule as proposed.

Dr. Campbell also has determined that for each of the first five years that the rule as proposed is in effect, the public benefit anticipated as a result of enforcing or administering the proposed rules will be the enhancement and further development of a growing industry, the ecological benefits provided by oysters in public waters, the possible reduction of harvest pressure on natural oyster reefs, and the production of oysters for public consumption.

Under the provisions of Government Code, Chapter 2006, a state agency must prepare an economic impact statement and a regulatory flexibility analysis for a rule that may have an adverse economic effect on small businesses, micro-businesses, or rural communities. As required by Government Code, §2006.002(g), the Office of the Attorney General has prepared guidelines to assist state agencies in determining a proposed rule's potential adverse economic impact on small and microbusinesses and rural communities. Those guidelines state that an agency need only consider a proposed rule's "direct adverse economic impacts" to determine if any further analysis is required. The department considers "direct economic impact" to mean a requirement that would directly impose recordkeeping or reporting requirements; impose taxes or fees; result in lost sales or profits; adversely affect market competition; or require the purchase or modification of equipment or services.

To ensure that this analysis captures every small or microbusiness affected by the proposed rule, the department assumes that most, if not all persons who hold a COM permit qualify as small or microbusinesses. Department data indicate that there are currently 19 fully permitted and 38 conditionally approved cultivated oyster mariculture sites.

The department has determined that because the rule as proposed would reduce the fee amounts currently in effect by approximately two-thirds, the rule will not result in direct adverse economic impacts to small businesses, microbusinesses, or rural communities; therefore, neither the economic impact statement nor the regulatory flexibility analysis described in Government Code, Chapter 2006, is required.

The department has not drafted a local employment impact statement under the Administrative Procedures Act, §2001.022, as the agency has determined that the rule as proposed will not exert a direct economic impact on local economies.

The department has determined that Government Code, §2001.0225 (Regulatory Analysis of Major Environmental Rules), does not apply to the proposed rule.

The department has determined that there will not be a taking of private real property, as defined by Government Code, Chapter 2007, as a result of the proposed rule.

In compliance with the requirements of Government Code, §2001.0221, the department has prepared the following Government Growth Impact Statement (GGIS). The rule as proposed, if adopted, will neither create nor eliminate a government program; not result in an increase or decrease in the number of full-time equivalent employee needs; not result in a need for additional General Revenue funding; affect the amount of a fee (by reducing annual fees for COM permits); not create a new regulation, but modify existing regulations; not expand an existing regulation; neither increase nor decrease the number of

individuals subject to regulation; and not positively or adversely affect the state's economy.

Comments on the proposal may be submitted to Dr. Lindsay Glass Campbell (Coastal Fisheries), at (512) 389-8575 (email: cfish@tpwd.texas.gov). Comments also may be submitted via the department's website at http://www.tpwd.texas.gov/business/feedback/public_comment/

The amendment is proposed under the authority of Parks and Wildlife Code, §75.0103, which requires the commission to adopt rules to establish a program governing cultivated oyster mariculture, which may establish requirements for the taking, possession, transport, movement, and sale of cultivated oysters; the taking, possession, transport, and movement of broodstock oysters; fees and conditions for use of public resources, including broodstock oysters and public water, and any other matter necessary to implement and administer Parks and Wildlife Code, Chapter 75.

The proposed amendment affects Parks and Wildlife Code, Chapter 75.

§53.13. Business License and Permits (Fishing).

(a) - (c) (No change.)

(d) Cultivated Oyster Mariculture Fees.

(1) Application fee--\$200.

(2) Cultivated Oyster Mariculture Grow-Out Permit [(COMP)].

(A) Portion of site [~~For a COMP~~] located in public water--\$150 [~~\$450~~] per acre per year.

(B) Portion of site [~~For a COMP~~] located on private property--\$57 [~~\$170~~] per acre per year.

(3) Cultivated Oyster Mariculture Nursery-Hatchery Permit: the greater of [- Nursery Only (nursery permit)--\$170 per acre per year, \$0.010 per square foot per year, if the nursery facility is located in public water.]

(A) \$150 per year; or

(B) the total of \$150 per acre per year for portion of site in public water and \$57 per acre per year for portion of site on private property.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 7, 2025.

TRD-202501097

James Murphy

General Counsel

Texas Parks and Wildlife Department

Earliest possible date of adoption: May 18, 2025

For further information, please call: (512) 389-4775



CHAPTER 58. OYSTERS, SHRIMP, AND FINFISH

SUBCHAPTER E. CULTIVATED OYSTER MARICULTURE

31 TAC §58.353

The Texas Parks and Wildlife Department proposes an amendment to 31 TAC §58.353, concerning Cultivated Oyster Mariculture (COM). The amendment would allow for expanded triploid seed sourcing opportunities for oyster mariculture permittees.

The 86th Texas Legislature in 2019 enacted House Bill 1300, which added new Chapter 75 to the Texas Parks and Wildlife Code and delegated to the Parks and Wildlife Commission the authority to regulate the process of growing oysters in captivity. In turn, the Texas Parks and Wildlife Commission in 2020 adopted regulations to implement an oyster mariculture program (45 TexReg 5916).

At the direction of the commission, the department has reviewed regulations regarding permissible genetic origins of triploid oyster seed for use in mariculture. The department considered current scientific information, the current biosecurity and genetic integrity protocols used in the program, and feedback from the regulated community regarding seed supply. Given that the genetic population structure of the northern Gulf stock of the Eastern oyster (*Crassostrea virginica*) is shared with oysters from the northern portion of the Texas coast, the department has determined that regulations regarding broodstock origin for triploid oysters can be altered to include the entire northern Gulf stock without significant risk to wild Texas oyster populations. The northern Gulf stock ranges from Alabama waters west to the San Antonio Bay system in Texas. There is a mixing zone of the Aransas and Corpus Christi Bay systems between the northern stock and the south Texas stock of the Laguna Madre.

Hatcheries and nurseries currently supplying seed to Texas mariculture operations produce more frequent and larger batches of triploid oyster seed with northern Gulf origins than those specific to Texas; thus, availability of Texas-specific triploid seed is limited. Allowing permittees to utilize this more robust seed supply will provide access to a more consistent, stable supply of triploid oyster seed, which in turn is expected to result in COM industry stability and growth.

The proposed amendment would alter §58.353(h) to require that broodstock must originate from the waters of Texas, Louisiana, Mississippi, or Alabama. Additionally, the phrase "originating from the Gulf" is also added to subparagraph (A) to create structural agreement with subparagraph (B), which is intended to eliminate potential confusion or misunderstanding.

Dr. Lindsay Glass Campbell, Cultivated Oyster Mariculture Program Coordinator, Coastal Fisheries Division, has determined that for each of the first five years that the rule as proposed is in effect, there will be no additional fiscal implications to state or local government as a result of administering the rule as proposed, as department personnel currently allocated to the administration and enforcement of the Cultivated Oyster Mariculture Program will continue to administer and enforce the rules as part of their current job duties.

Dr. Campbell also has determined that for each of the first five years that the rule as proposed is in effect, the public benefit anticipated as a result of enforcing or administering the proposed rule will be expanding oyster seed procurement opportunities for a growing industry, including the ecological benefits provided by oysters in public waters and the production of oysters for public consumption.

Under the provisions of Government Code, Chapter 2006, a state agency must prepare an economic impact statement and a

regulatory flexibility analysis for a rule that may have an adverse economic effect on small businesses, micro-businesses, or rural communities. As required by Government Code, §2006.002(g), the Office of the Attorney General has prepared guidelines to assist state agencies in determining a proposed rule's potential adverse economic impact on small and microbusinesses and rural communities. Those guidelines state that an agency need only consider a proposed rule's "direct adverse economic impacts" to determine if any further analysis is required. The department considers "direct economic impact" to mean a requirement that would directly impose recordkeeping or reporting requirements; impose taxes or fees; result in lost sales or profits; adversely affect market competition; or require the purchase or modification of equipment or services.

To ensure that this analysis captures every small or microbusiness affected by the proposed rule, the department assumes that most, if not all persons who hold a COM permit qualify as small or microbusinesses. Department data indicate that there are currently 20 fully permitted and 39 conditionally approved cultivated oyster mariculture sites.

The department has determined that because the rule as proposed does not include any fee, would not change any recordkeeping or reporting requirements, or require additional expense on the part of the regulated community, the rule will not result in direct adverse economic impacts to small businesses, microbusinesses, or rural communities; therefore, neither the economic impact statement nor the regulatory flexibility analysis described in Government Code, Chapter 2006, is required.

The department has not drafted a local employment impact statement under the Administrative Procedures Act, §2001.022, as the agency has determined that the rule as proposed will not directly impact local economies.

The department has determined that Government Code, §2001.0225 (Regulatory Analysis of Major Environmental Rules), does not apply to the proposed rule.

The department has determined that there will not be a taking of private real property, as defined by Government Code, Chapter 2007, as a result of the proposed rule.

In compliance with the requirements of Government Code, §2001.0221, the department has prepared the following Government Growth Impact Statement (GGIS). The rule as proposed, if adopted, will neither create nor eliminate a government program; not result in an increase or decrease in the number of full-time equivalent employee needs; not result in a need for additional General Revenue funding; not affect the amount of a fee; not create a new regulation, but modify existing regulations; not expand an existing regulation; neither increase nor decrease the number of individuals subject to regulation; and not positively or adversely affect the state's economy.

The department has determined that the proposed rule is in compliance with Government Code, §505.11 (Actions and Rule Amendments Subject to the Coastal Management Program).

Comments on the proposed rule may be submitted to Dr. Lindsay Glass Campbell (Coastal Fisheries), at (512) 389-8575 (email: cfish@tpwd.texas.gov). Comments

also may be submitted via the department's website at http://www.tpwd.texas.gov/business/feedback/public_comment/

The amendment is proposed under the authority of Parks and Wildlife Code, §75.0103, which requires the commission to adopt rules to establish a program governing cultivated oyster mariculture, which may establish requirements for the taking, possession, transport, movement, and sale of cultivated oysters; the taking, possession, transport, and movement of broodstock oysters; fees and conditions for use of public resources, including broodstock oysters and public water, and any other matter necessary to implement and administer Parks and Wildlife Code, Chapter 75.

The proposed amendment affects Parks and Wildlife Code, Chapter 75.

§58.353. General Provisions.

(a) - (g) (No change.)

(h) Unless otherwise specifically authorized by the department in writing, cultivated oyster mariculture is restricted to seed and larvae from native Eastern oyster (*Crassostrea virginica* [*Crassostrea virginica*]) broodstock collected or originating from Texas waters and propagated in a permitted Nursery-Hatchery located in Texas.

(1) The department may authorize a person permitted under this subchapter to, on or before December 31, 2033, import:

(A) tetraploid seed, larvae, and/or semen/eggs (germplasm) originating from the Gulf and produced in department-approved out-of-state hatcheries located along the Gulf [of Mexico] for use in cultivated oyster mariculture in this state; and/or

(B) triploid seed, larvae, and/or semen/eggs (germplasm) from a tetraploid line of oysters originating from the Gulf [of Mexico] and crossed with broodstock originating from Texas, Louisiana, Mississippi, or Alabama waters [Texas waters] produced in department-approved out-of-state hatcheries located along the Gulf [of Mexico] for use in cultivated oyster mariculture in this state; and/or

(C) diploid seed, larvae, and/or semen/eggs (germplasm) produced from Texas broodstock at department-approved out-of-state hatcheries located along the Gulf [of Mexico] for use in cultivated oyster mariculture in this state.

(2) - (3) (No change.)

(i) - (w) (No change.)

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on April 7, 2025.

TRD-202501099

James Murphy

General Counsel

Texas Parks and Wildlife Department

Earliest possible date of adoption: May 18, 2025

For further information, please call: (512) 389-4775

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ADOPTED RULES

Adopted rules include new rules, amendments to existing rules, and repeals of existing rules. A rule adopted by a state agency takes effect 20 days after the date on which it is filed with the Secretary of State unless a later date is required by statute or specified in the rule (Government Code, §2001.036). If a rule is adopted without change to the text of the proposed rule, then the *Texas Register* does not republish the rule text here. If a rule is adopted with change to the text of the proposed rule, then the final rule text is included here. The final rule text will appear in the Texas Administrative Code on the effective date.

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 11. TEXAS JUVENILE JUSTICE DEPARTMENT

CHAPTER 343. SECURE JUVENILE PRE-ADJUDICATION DETENTION AND POST-ADJUDICATION CORRECTIONAL FACILITIES

SUBCHAPTER B. PRE-ADJUDICATION AND POST-ADJUDICATION SECURE FACILITY STANDARDS

37 TAC §343.261

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC §343.261, Resident Supervision, with changes to the proposed text as published in the January 10, 2025, issue of the *Texas Register* (50 TexReg 273). The rule will be republished.

SUMMARY OF CHANGES

Amendments to §343.261 will: (1) provide that, when supervision of juveniles is performed through an architectural barrier, such as a door or window, staff must be able to clearly see the juvenile without having to remove or relocate anything that might be on, covering, or blocking the observation window; (2) explain that facilities must have a policy prohibiting staff or residents from using any covering that prevents staff's ability to clearly see the resident without having to remove or relocate anything that might be on, covering, or blocking the observation window; (3) require that the facility policy address the actions to be taken if the policy is violated; (4) provide that refusal to remove an item blocking a window is considered a serious threat to the safety and/or security of the facility; and (5) clarify that nothing in this section requires continuous, uninterrupted visual supervision or constant visual supervision in instances in which such is not required by another section.

PUBLIC COMMENTS

TJJD did not receive any public comments on the proposed rule-making action.

STATUTORY AUTHORITY

The amended section is adopted under §221.002, Human Resources Code, requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

§343.261. Resident Supervision.

(a) When supervision under this chapter is performed through an architectural barrier (e.g., door, window), staff must have the ability to clearly see the resident without having to remove or relocate anything that might be on, covering, or blocking the observation window, regardless of how frequently visual observation recordings are required.

(b) Facility policy must prohibit staff and residents from using any covering that prevents staff's ability to clearly see the resident without having to remove or relocate anything that might be on, covering, or blocking the observation window. Facility policy must address the actions to be taken if the prohibition is violated.

(c) The refusal by staff or a resident to remove an item that prevents staff's ability to clearly see the resident is considered a serious threat to facility safety and/or security.

(d) Nothing in this section requires continuous, uninterrupted visual supervision or constant visual supervision in instances in which such supervision is not required by another section.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on April 3, 2025.

TRD-202501087

Jana Jones

General Counsel

Texas Juvenile Justice Department

Effective date: May 1, 2025

Proposal publication date: January 10, 2025

For further information, please call: (512) 490-7278

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TRANSFERRED RULES

The Government Code, §2002.058, authorizes the Secretary of State to remove or transfer rules within the Texas Administrative Code when the agency that promulgated the rules is abolished. The Secretary of State will publish notice of rule transfer or removal in this section of the *Texas Register*. The effective date of a rule transfer is the date set by the legislature, not the date of publication of notice. Proposed or emergency rules are not subject to administrative transfer.

Department of State Health Services

Rule Transfer

During the 84th Legislative Session, the Texas Legislature passed Senate Bill 200, addressing the reorganization of health and human services delivery in Texas. As a result, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 419, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter J, Institutions for Mental Diseases, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 273, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter A, Institutions for Mental Diseases.

The rules will be transferred in the Texas Administrative Code effective April 30, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 419, Subchapter J

TRD-202501088

Texas Health and Human Services Commission

Rule Transfer

During the 84th Legislative Session, the Texas Legislature passed Senate Bill 200, addressing the reorganization of health and human services delivery in Texas. As a result, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 419, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter J, Institutions for Mental Diseases, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 273, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter A, Institutions for Mental Diseases.

The rules will be transferred in the Texas Administrative Code effective April 30, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 419, Subchapter J

TRD-202501089

Figure: 25 TAC Chapter 419, Subchapter J

Current Rules	Move to
Title 25. Health Services	Title 26. Health and Human Services
Part 1. Department of State Health Services	Part 1. Health and Human Services Commission
Chapter 419. Mental Health Services--Medicaid State Operating Agency Responsibilities	Chapter 273. Mental Health Services--Medicaid State Operating Agency Responsibilities
Subchapter J. Institutions for Mental Diseases	Subchapter A. Institutions for Mental Diseases
§419.371. Purpose and Application.	§273.1. Purpose and Application.
§419.373. Definitions.	§273.3. Definitions.
§419.374. Eligible Population.	§273.5. Eligible Population.
§419.375. IMD Provider Eligibility for Reimbursement.	§273.7. IMD Provider Eligibility for Reimbursement.
§419.376. IMD Provider Reimbursement and Termination.	§273.9. IMD Provider Reimbursement and Termination.
§419.377. Discharge Criteria.	§273.11. Discharge Criteria.
§419.379. Distribution.	§273.13. Distribution.

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REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

Adopted Rule Reviews

Texas Medical Board

Title 22, Part 9

Pursuant to the notice of proposed rule review published in the May 24, 2024, issue of the *Texas Register* (49 TexReg 3818), the Texas Medical Board (Board) adopts the review of the following chapters listed below, in its entirety, contained in Title 22, Part 9, of the Texas Administrative Code:

Chapter 160, Medical Physicists
Chapter 161, General Provisions
Chapter 162, Supervision of Medical School Students
Chapter 163, Licensure
Chapter 164, Physician Advertising
Chapter 165, Medical Records
Chapter 166, Physician Registration
Chapter 167, Reinstatement and Reissuance
Chapter 168, Criminal History Evaluation Letters
Chapter 169, Authority of Physicians To Supply Drugs
Chapter 170, Prescription of Controlled Substances
Chapter 171, Postgraduate Training Permits
Chapter 172, Temporary and Limited Licenses
Chapter 173, Physician Profiles
Chapter 174, Telemedicine
Chapter 175, Fees and Penalties
Chapter 176, Health Care Liability Lawsuits and Settlements
Chapter 177, Business Organizations and Agreements
Chapter 178, Complaints
Chapter 179, Investigations
Chapter 180, Texas Physician Health Program
Chapter 181, Contact Lens Prescriptions
Chapter 182, Use of Experts
Chapter 183, Acupuncture
Chapter 184, Surgical Assistants
Chapter 185, Physician Assistants

Chapter 186, Respiratory Care Practitioners
Chapter 187, Procedural Rules
Chapter 188, Perfusionists
Chapter 189, Compliance Program
Chapter 190, Disciplinary Guidelines
Chapter 191, District Review Committees
Chapter 192, Office-Based Anesthesia Services
Chapter 193, Standing Delegation Orders
Chapter 194, Medical Radiologic Technology
Chapter 195, Pain Management Clinics
Chapter 196, Voluntary Relinquishment Or Surrender Of A Medical License
Chapter 197, Emergency Medical Service
Chapter 198, Standards For Use Of Investigational Agents
Chapter 199, Public Information
Chapter 200, Standards For Physicians Practicing Complementary and Alternative Medicine

This review was conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist.

The Board has completed its review and determined that the reasons for originally adopting these rules continue to exist, but an extensive reorganization was necessary. As a result of the rule review process, the Board proposed and adopted a repeal of the above-listed chapters, in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001. (Proposals can be found in the September 27, 2024, and October 4, 2024, editions of the *Texas Register* (49 TexReg 7704 - 7835 and 49 TexReg 8015 - 8018.) Concurrently, the Board proposed and adopted new rules in the following chapters contained in Title 22, Part 9, of the Texas Administrative Code:

Chapter 160, General Provisions
Chapter 161, Physician Licensure
Chapter 162, Physician Profiles
Chapter 163, Medical Records
Chapter 164, Physician Advertising

Chapter 169, Physician Delegation and Supervision
 Chapter 170, Standards for the Use of Investigational Agents
 Chapter 171, Standards for Physicians Practicing Complementary and Alternative Medicine
 Chapter 172, Pain Management Clinics
 Chapter 173, Office-Based Anesthesia
 Chapter 174, Business Organizations
 Chapter 175, Telemedicine
 Chapter 176, Health Care Liability Lawsuits
 Chapter 177, Complaints and Investigations
 Chapter 179, Procedural Rules
 Chapter 180, Disciplinary Guidelines
 Chapter 181, Compliance
 Chapter 182, Texas Physician Health Program
 Chapter 183, Physician Assistants
 Chapter 184, Acupuncture
 Chapter 185, Surgical Assistants
 Chapter 186, Medical Radiologic Technology
 Chapter 187, Respiratory Care Practitioners
 Chapter 188, Perfusionists
 Chapter 189, Medical Physicists

(Adoptions can be found in the January 10, 2025, edition of the *Texas Register* (50 TexReg 315 - 426).)

The Board accepted comments on the rule review and proposed repeals/new rules. Comments received on the proposed repeals/new rules were addressed in preambles of the adopted repeals/new rules.

With regard to the proposed rule review itself, the Board received written form comments from over 295 individuals associated with the National Board of Physicians and Surgeons (NBPAS). The commenters asked that 22 TAC §164.4(a) be amended to allow physicians to advertise as "board certified" if the physician achieved an initial board certification and the physician continues to practice medicine in the same specialty of the initial certification. The commenters also requested that subsection (c) be eliminated to remove certification renewal requirements. They stated that the rule without amendment placed barriers to physician employment and a disincentive to practice medicine in Texas for some physicians. Some commenters also asked that 22 TAC §164.4 be amended to allow NBPAS member physicians to advertise as board-certified.

The Board thanks the commenters for their input but declined to make the requested changes in their adoption of new 22 TAC §164.4 (see 50 TexReg 338). The rule as proposed allowed for boards' recognition for advertising as board certified; currently at least 14 certifying boards are recognized by TMB. Additionally, board certification is not required for licensure to practice in Texas. However, allowing those licensees who were initially certified, but later lost that certification, to advertise as "board-certified" is not in the best interest of the public.

The Board also received a written comment from the President of the NBPAS, along with a compilation of additional, personal comments from NBPAS members. (Additional written comments from the President of the NBPAS were submitted and considered by the Board in response to the proposed repeal/new §164.4 published in September

27, 2024. The Board's response can be found in the adoption preamble found in the January 10, 2025, edition of the *Texas Register* (50 TexReg 338). This comment (and the accompanying additional, personal comments from NBPAS members) requested the same language addition as noted above- the amendment of 22 TAC §164.4(a) to allow physicians to advertise as "board certified" if the physician achieved an initial board certification and the physician continues to practice medicine in the same specialty of the initial certification. He also asked that subsection (c) be eliminated, as detailed above.

The Board thanks the President of NBPAS and NBPAS members for their input but declined to make the requested changes in their adoption of new 22 TAC §164.4 (see 50 TexReg 338). The Board reiterates its response and rationale above.

The Board received no other comments regarding any other chapters or rules in response to the proposed rule review.

This concludes the Board's review of 22 TAC Chapters 160 - 200.

TRD-202501094
 Scott Freshour
 General Counsel
 Texas Medical Board
 Filed: April 7, 2025



Department of Family and Protective Services

Title 40, Part 19

The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 700, concerning Child Protective Services, in its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1829).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 700. Any amendments, if applicable to Chapter 700 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 700 as required by the Texas Government Code §2001.039.

TRD-202501120
 Sanjuanita Maltos
 Legal Rules Coordinator
 Department of Family and Protective Services
 Filed: April 8, 2025



The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 702, concerning General Administration, in its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1830).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 702. Any amend-

ments, if applicable to Chapter 702 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 702 as required by the Texas Government Code §2001.039.

TRD-202501121

Sanjuanita Maltos

Legal Rules Coordinator

Department of Family and Protective Services

Filed: April 8, 2025



The Texas Department of Family and Protective Services ("DFPS") has completed the rule review of Texas Administrative Code, Title 40, Part 19, Chapter 704, concerning Prevention and Early Intervention Services, in its entirety. The rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1830).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter do not continue to exist and the need for repeal of Chapter 704 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 704 as required by the Texas Government Code §2001.039.

TRD-202501122

Sanjuanita Maltos

Legal Rules Coordinator

Department of Family and Protective Services

Filed: April 8, 2025



The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 705, concerning Adult Protective Services, in its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1830).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 705. Any amendments, if applicable to Chapter 705 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 705 as required by the Texas Government Code §2001.039.

TRD-202501123

Sanjuanita Maltos

Legal Rules Coordinator

Department of Family and Protective Services

Filed: April 8, 2025



The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 707, concerning Child Protective Investigations, in

its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1830).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 707. Any amendments, if applicable to Chapter 707 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 707 as required by the Texas Government Code §2001.039.

TRD-202501124

Sanjuanita Maltos

Legal Rules Coordinator

Department of Family and Protective Services

Filed: April 8, 2025



The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 730, concerning Legal Services, in its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1831).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 730. Any amendments, if applicable to Chapter 730 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 730 as required by the Texas Government Code §2001.039.

TRD-202501125

Sanjuanita Maltos

Legal Rules Coordinator

Department of Family and Protective Services

Filed: April 8, 2025



The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 732, concerning Contracted Services, in its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1831).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 732.

This concludes DFPS's review of 40 TAC Chapter 732 as required by the Texas Government Code §2001.039.

TRD-202501126

Sanjuanita Maltos

Legal Rules Coordinator

Department of Family and Protective Services

Filed: April 8, 2025



The Texas Department of Family and Protective Services (DFPS) has completed its four-year rule review of Texas Administrative Code, Title 40, Part 19, Chapter 735, concerning Independent Court-Ordered Adoption Evaluations, in its entirety. This rule review was conducted under Texas Government Code, §2001.039.

The notice of proposed rule review was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1831).

DFPS received no comments during the public review period.

The agency determined that the original reason for adopting all rules in the chapter continues to exist and readopts Chapter 735. Any amend-

ments, if applicable to Chapter 735 identified by DFPS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DFPS's review of 40 TAC Chapter 735 as required by the Texas Government Code §2001.039.

TRD-202501127
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: April 8, 2025



TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

March 2025

Substitute Assessments Standards

Current Assessments ~~[ACT Substitute Assessments]~~

Substitute Assessment	STAAR Algebra I		STAAR Biology		STAAR English I		STAAR English II		STAAR U.S. History	
	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score
ACT* — September 2015 and After	Mathematics	22	Science	23	Reading English	22 18	Reading English	22 18		
PreACT or PreACT Secure in 10 th Grade*	Mathematics	19	Science	20	Reading English	20 15	Reading English	20 15		
PreACT 8/9, PreACT, or PreACT Secure in 9 th Grade*	Mathematics	18	Science	19	Reading English	18 13	Reading English	18 13		
SAT [†] — Administered March 2016 and After	Mathematics	530			Evidence-Based Reading and Writing	480	Evidence-Based Reading and Writing	480		
PSAT/NMSQT in 11 th Grade — October 2015 and After	Mathematics	510			Evidence-Based Reading and Writing	460				

*Satisfactory scores on the ACT or the PreACT (Reading and English or Reading and Combined English Writing) assessments may be used in place of either the STAAR English I (EOG) or the STAAR English II EOC assessment [a] but not both. To use the ACT or the PreACT assessment, a student must have taken and received a satisfactory score on both sections of the ACT English language arts assessment.

†Satisfactory scores on the SAT (Evidence-Based Reading and Writing or Critical Reading and Writing) assessment may be used in place of either the STAAR English I (EOG) or the STAAR English II EOC assessment [a] but not both. To use the SAT administered in January 2016 or earlier, a student must have taken and received a satisfactory score on both sections of the SAT English language arts (Critical Reading and Writing) assessment.

Figure: 19 TAC §101.40(2)(b)

Current Assessments (cont.) [SAT Substitute Assessments]

Substitute Assessment	STAAR Algebra I		STAAR Biology		STAAR English I		STAAR English II		STAAR U.S. History	
	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score
PSAT 10 or PSAT/NIMSEQ¹ in 10th Grade — October 2015 and After	Mathematics	480			Evidence-Based Reading and Writing	430				
PSAT 8/9 or PSAT/NIMSEQ¹ in 9th Grade — October 2015 and After	Mathematics	450			Evidence-Based Reading and Writing	410				
AP			Biology	3	English Language and Composition	3	English Language and Composition	3	U.S. History	3
IB²			Biology	4	Language A: Language and Literature	4	Language A: Language and Literature	4	History of the Americas	4
TSIA2¹¹ — January 11, 2021, and After	Mathematics	950			English Language Arts Essay	945	English Language Arts Essay	945		

²The satisfactory ~~(set passing)~~ score for the IB ~~(substitute)~~ assessments applies to both Standard Level and Higher-Level examinations.

¹¹The TSIA2 and TSIA English language arts assessments are the only substitute assessments that may be used to simultaneously fulfill two EOC requirements. Satisfactory scores on the TSIA2 (English Language Arts and Essay) or the TSIA (Reading, Objective Writing/Sentence Skills, and Writing) may be used in place of both the STAAR English I ~~(EOC)~~ and the STAAR English II EOC assessment requirements in those cases described by subsection (d)(1) of this section. In all other cases, a satisfactory score on an approved substitute assessment may be used in place of only one specific STAAR EOC assessment.

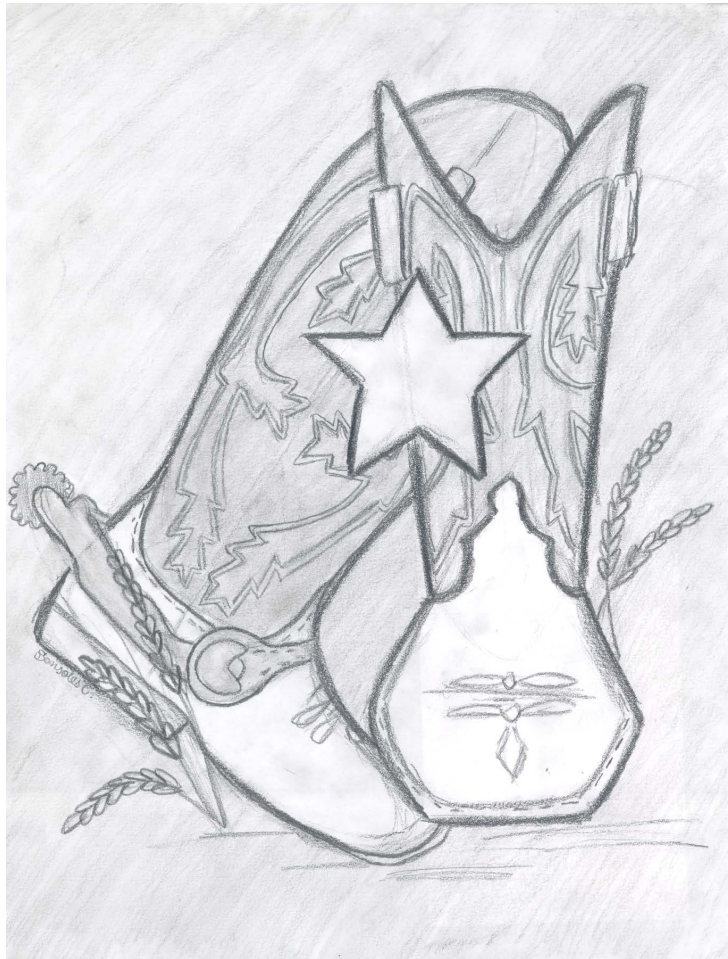
Previous Assessments [AP, IB, and ISI Substitute Assessments]

Substitute Assessment	STAAR Algebra I		STAAR Biology		STAAR English I		STAAR English II		STAAR U.S. History	
	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score	Assessment	Passing Score
ACT* — June 2015 and Before	Mathematics	22			Reading Combined English / Writing	21 18	Reading Combined English / Writing	21 18		
PLAN	Mathematics	19								
Aspire 10	Mathematics	432								
Aspire 9	Mathematics	428								
SAT[†] — Administered January 2016 and Before	Mathematics	500			Critical Reading Writing	500 500	Critical Reading Writing	500 500		
PSAT — 2014 and Before	Mathematics	47								
SAT Subject Tests	Math Level 1 or Level 2	600	Biology-E or Biology-M	500					U.S. History	500
TSIA[¶] — January 10, 2021, and Before	Mathematics	350			Reading Objective Writing / Sentence Skills Writing	351 340 4	Reading Objective Writing / Sentence Skills Writing Arts	351 340 4		

*Satisfactory scores on the ACT or the PreACT [Reading and English or Reading and Combined English Writing] assessments may be used in place of either the STAAR English I [EOC] or the STAAR English II EOC assessment [J] but not both. To use the ACT or the PreACT assessment, a student must have taken and received a satisfactory score on both sections of the ACT English language arts assessment.

† Satisfactory scores on the SAT [Evidence-Based Reading and Writing or Critical Reading and Writing] assessment may be used in place of either the STAAR English I [EOC] or the STAAR English II EOC assessment [J] but not both. To use the SAT administered in January 2016 or earlier, a student must have taken and received a satisfactory score on both sections of the SAT English language arts assessment [Critical Reading and Writing] assessment.

¶ The TSIA2 and TSIA English language arts assessments are the only substitute assessments that may be used to simultaneously fulfill two EOC requirements. Satisfactory scores on the TSIA2 (English Language Arts and Essay) or TSIA (Reading, Objective Writing/Sentence Skills, and Writing) may be used in place of both the STAAR English I [EOC] and the STAAR English II EOC assessment requirements in those cases described by subsection (d)(1) of this section. In all other cases, a satisfactory score on an approved substitute assessment may be used in place of only one specific STAAR EOC assessment.



IN ADDITION

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

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 04/14/25- 04/20/25 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 04/14/25- 04/20/25 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

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

TRD-202501140

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: April 9, 2025

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 **May 19, 2025**. 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 **May 19, 2025**. 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: 32SII, LLC dba Chipper Point Apartments; DOCKET NUMBER: 2024-1421-PWS-E; IDENTIFIER: RN105068431; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(2) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level of ten milligrams per liter for nitrate; PENALTY: \$19,500; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: C.M.T. ENTERPRISES, LLC dba In N Out C Store Gas Station; DOCKET NUMBER: 2024-0729-PST-E; IDENTIFIER: RN103940854; LOCATION: San Elizario, El Paso County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued underground storage tank (UST) delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; and 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; PENALTY: \$4,750; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Central Texas Water Supply Corporation; DOCKET NUMBER: 2024-1563-PWS-E; IDENTIFIER: RN102673480; LOCATION: Salado, Bell County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(m)(6), by failing to maintain all pumps, motors, valves, and other mechanical devices in good working condition; PENALTY: \$615; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (512) 239-2510; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(4) COMPANY: City of Karnes City dba Karnes Electric Cooperative; DOCKET NUMBER: 2024-1400-PST-E; IDENTIFIER: RN100586957; LOCATION: Karnes City, Karnes County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: City of Kirby; DOCKET NUMBER: 2024-0777-PWS-E; IDENTIFIER: RN101390961; LOCATION: Kirby, Bexar County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(o)(3) and §290.45(h)(1), by failing to adopt and submit to the Executive Director a complete Emergency Preparedness Plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$50; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (512) 239-2510; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(6) COMPANY: City of Southmayd; DOCKET NUMBER: 2024-0557-MLM-E; IDENTIFIER: RN101383792; LOCATION: Southmayd, Grayson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §288.20(a) and §288.30(5)(B), and TWC, §11.1272(c), by failing to adopt a drought contingency plan which includes all elements for the municipal use by a retail public water supplier; 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement covering land within 150 feet of the facility's Well Number 3; and 30 TAC §290.46(k), by failing to obtain approval from the Executive Director for the use of interconnections; PENALTY: \$1,322; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(7) COMPANY: D.R. Horton - Texas, Ltd. dba Emerald Homes; DOCKET NUMBER: 2024-1844-WQ-E; IDENTIFIER: RN111822581; LOCATION: Magnolia, Montgomery County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TX1533OP, Part III, Section F.6, by failing to maintain all protective measures identified in the stormwater pollution prevention plan in effective operating condition; and 30 TAC §281.25(a)(4) and TPDES General Permit Number TX1533OP, Part IV, Section A and Part VIII(H), by failing to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants; PENALTY: \$1,501; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(8) COMPANY: Freer Water Control and Improvement District; DOCKET NUMBER: 2024-0848-PWS-E; IDENTIFIER: RN101440204; LOCATION: Freer, Duval County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.010 milligrams per liter for arsenic, based on the running annual average; PENALTY: \$5,500; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: Gaubert Oil Company, L.L.C.; DOCKET NUMBER: 2024-1402-PST-E; IDENTIFIER: RN104267083; LOCATION: Nacogdoches, Nacogdoches County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to make available a valid, current TCEQ delivery certificate before depositing a regulated substance into a regulated underground storage tank system; PENALTY: \$3,057; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(10) COMPANY: General Shale Brick, Incorporated; DOCKET NUMBER: 2024-1539-EAQ-E; IDENTIFIER: RN100851377; LOCATION: Schertz, Comal County; TYPE OF FACILITY: brick manufacturing facility; RULE 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: \$4,500; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: HARROLD WATER SUPPLY CORPORATION; DOCKET NUMBER: 2024-0652-PWS-E; IDENTIFIER: RN101440675; LOCATION: Harrold, Wilbarger County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.39(o)(3) and §290.45(h)(1), by failing to adopt and submit to the Executive Director a complete Emergency Preparedness Plan that

demonstrates the facility's ability to provide emergency operations; PENALTY: \$50; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(12) COMPANY: LAPJ Proverbs III, LLC; DOCKET NUMBER: 2024-1847-MLM-E; IDENTIFIER: RN111436663; LOCATION: Spring Branch, Comal County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §213.23(j) and Edwards Aquifer Protection Plan ID Number 13001480, Standard Conditions Number 2, by failing to comply with the approved Edwards Aquifer Contributing Zone Plan; and 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$7,425; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(13) COMPANY: Llano Grande MHRV LLC; DOCKET NUMBER: 2024-1728-PWS-E; IDENTIFIER: RN102323904; LOCATION: Mercedes, Hidalgo County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.39(o)(1), by failing to adopt and submit to the TCEQ for approval an emergency preparedness plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$585; ENFORCEMENT COORDINATOR: Rachel Frey, (512) 239-4330; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: Lucia Flores dba Royal Oaks Apartments and Margarito Flores dba Royal Oaks Apartments; DOCKET NUMBER: 2024-0988-PWS-E; IDENTIFIER: RN101261006; LOCATION: Fredericksburg, Gillespie County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j) and Texas Health and Safety Code, §341.0351, by failing to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; PENALTY: \$625; ENFORCEMENT COORDINATOR: Ilia Perez-Ramirez, (713) 767-3743; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: Mount Houston Road Municipal Utility District; DOCKET NUMBER: 2024-1266-MWD-E; IDENTIFIER: RN102340288; LOCATION: Houston, 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 WQ0011154001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(16) COMPANY: Quadvest, L.P.; DOCKET NUMBER: 2024-1304-PWS-E; IDENTIFIER: RN107079733; LOCATION: Cleveland, Liberty County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(iv) and Texas Health and Safety Code, §341.0315(c), by failing to provide a pressure tank capacity of 20 gallons per connections; PENALTY: \$750; ENFORCEMENT COORDINATOR: De'Shaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(17) COMPANY: Rock Solid Precast, LP; DOCKET NUMBER: 2024-1300-WQ-E; IDENTIFIER: RN105288740; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: ready-mixed concrete facility; RULES VIOLATED: 30 TAC §305.125(1) and §319.5(b) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXG113338, Part III, Permit Requirements

Sections A.1, A.2, and A.5, by failing to collect and analyze effluent samples at the intervals specified in the permit; and 30 TAC §305.125(1), TWC, §26.121(a)(1), and TPDES General Permit Number TXG113338, Part III, Permit Requirements Section A.1, by failing to comply with permitted effluent limitations; PENALTY: \$12,436; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(18) COMPANY: Savage Services Corporation and Pabtex, Incorporated; DOCKET NUMBER: 2024-1414-WQ-E; IDENTIFIER: RN102194768; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: marine cargo handling facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0001702000, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$4,537; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(19) COMPANY: SPECTRUM QUALITY STANDARDS MANAGEMENT, L.L.C.; DOCKET NUMBER: 2023-1754-IHW-E; IDENTIFIER: RN110471026; LOCATION: Houston, Harris County; TYPE OF FACILITY: petrochemical standards manufacturing company; RULES VIOLATED: 30 TAC §335.4(2) and (3), by failing to not cause, suffer, allow, or permit the collection, handling, processing, or disposal of industrial and hazardous waste in such a manner as to cause the creation and maintenance of a nuisance or the endangerment of the public's health and welfare; 30 TAC §335.53(e) and 40 Code of Federal Regulations (CFR) §262.16(b), by failing to comply with 180-day accumulation time limit for a small quantity generator; 30 TAC §335.53(e) and 40 CFR §262.16(b)(2)(iv) and §265.174, by failing to conduct inspections of all container accumulation areas at least weekly to look for leaking containers and deterioration of containers caused by corrosion or other factors; 30 TAC §335.53(e) and CFR §262.16(b)(6)(i), by failing to clearly label or mark containers of hazardous waste with the words "Hazardous Waste", with indication of the hazards of the contents of the waste, and the date upon which each period of accumulation began; and 30 TAC §335.53(e) and 40 CFR §262.16(b)(8)(vi) and §265.37(a), by failing to make arrangements with local authorities; PENALTY: \$21,728; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$8,691; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2024-1269-MWD-E; IDENTIFIER: RN102314465; LOCATION: Lovelady, Houston County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0011181001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$19,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$15,400; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: Town of Oak Ridge; DOCKET NUMBER: 2024-1373-PWS-E; IDENTIFIER: RN101450799; LOCATION: Gainesville, Cooke County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(o)(3) and §290.45(h)(1), by failing to adopt and submit to the Executive Director a complete emergency preparedness plan that demonstrates the facility's ability to

provide emergency operations; PENALTY: \$115; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(22) COMPANY: US Department of Veterans Affairs dba West Texas VA Health Care System; DOCKET NUMBER: 2024-1082-PST-E; IDENTIFIER: RN101377182; LOCATION: Big Spring, Howard County; TYPE OF FACILITY: emergency generator; RULES VIOLATED: 30 TAC §334.48(e)(1) and §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to conduct a test of the proper operation of the release detection equipment at least annually, and failing to monitor the underground storage tanks (USTs) in a manner which will detect a release at a frequency of at least once every 30 days; 30 TAC §334.48(g)(1)(A)(ii) and TWC, §26.3475(c)(2), by failing to test the spill prevention equipment at least once every three years to ensure that the equipment is liquid tight; 30 TAC §334.48(g)(1)(B) and TWC, §26.3475(c)(2), by failing to inspect the overfill prevention equipment at least once every three years to ensure that the overfill prevention equipment is set to activate at the correct level and will activate when a regulated substance reaches that level; 30 TAC §334.48(h)(1)(A) and TWC, §26.3475(c)(1) and (2), by failing to conduct a walkthrough inspection of the spill prevention equipment and release detection equipment every 30 days; and 30 TAC §334.48(h)(1)(B)(ii) and TWC, §26.3475(c)(2), by failing to conduct the annual walkthrough inspection of the UST containment sumps and visually check for damage to the equipment within the sump and remove any debris; PENALTY: \$6,000; ENFORCEMENT COORDINATOR: Lauren Little, (817) 588-5888; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202501106

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: April 8, 2025

◆ ◆ ◆

Combined Notice of Public Meeting Notice of Receipt of Application and Intent to Obtain Water Quality Permit (NORI) and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0016601001

APPLICATION AND PRELIMINARY DECISION. GRBK Edgewood LLC and Rummel & Rohde Farms Ltd., 5501 Headquarters Drive, Suite 300W, Plano, Texas 75024, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016601001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 660,000 gallons per day. TCEQ received this application on August 19, 2024.

This combined notice is being issued to update the facility location that was included in the NORI.

The facility will be located at **1051 County Road 369, Taylor, in Williamson County, Texas 76574**. The treated effluent will be discharged to North Fork Mustang Creek, thence to Mustang Creek, thence to Brushy Creek in Segment No. 1244 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for North Fork Mustang Creek and intermediate aquatic life use for Mustang Creek. The designated uses for Segment No. 1244 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and the Procedures to Implement the Texas Surface Water Quality Standards (June 2010), an antidegradation review of

the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Mustang Creek, which has been identified as having intermediate aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.478888,30.598888&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Taylor Public Library, reference area, 801 Vance Street, Taylor, Texas. The application, including any updates, and associated notices are available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

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

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments about this application. The TCEQ will hold a public meeting on this application because it was requested by a local legislator.

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

The Public Meeting is to be held:

Tuesday, May 20, 2025 at 7:00 p.m.

Williamson County Exposition Center

South Expo Hall

5350 Bill Pickett Trail

Taylor, Texas 76574

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

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 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 a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a 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 proposed permit number; the location and distance of your property/activities relative to the proposed 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 proposed 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 relating to relevant and material water quality concerns submitted during the comment period.**

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

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

permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/goto/comment within 30 days from the date of newspaper publication of this notice, or by the date of the public meeting, whichever is later.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/goto/comment, 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. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ 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 GRBK Edgewood LLC and Rummel & Rohde Farms Ltd. at the address stated above or by calling Mr. Austin Evetts at (512) 694-5303.

Issuance Date: April 8, 2025

TRD-202501143

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Enforcement Orders

An agreed order was adopted regarding City of Douglassville, Docket No. 2019-0676-MLM-E on April 3, 2025, assessing \$13,904 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Benjamin Pence, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Jimmy Don Hughes, Docket No. 2021-0715-SLG-E on April 3, 2025, assessing \$4,727 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Marilyn Norrod, 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 Texcrete, Inc., Docket No. 2021-1397-WQ-E on April 3, 2025, assessing \$60,000 in administrative penalties with \$12,000 deferred. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding San Miguel Electric Cooperative, Inc., Docket No. 2022-0684-AIR-E on April 3, 2025, assessing \$48,375 in administrative penalties with \$9,675 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545,

Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Antonio Munoz Aserradero, LLC, Docket No. 2022-0712-MLM-E on April 3, 2025, assessing \$13,989 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting A'twar Wilkins, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding TEXAS TAMIL TRANSPORT LLC, Docket No. 2022-0875-IHW-E on April 3, 2025, assessing \$2,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Angelina Forest Products, LLC, Docket No. 2022-0941-AIR-E on April 3, 2025, assessing \$284,950 in administrative penalties with \$56,990 deferred. Information concerning any aspect of this order may be obtained by contacting Desmond Martin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Rayburn Country Municipal Utility District, Docket No. 2022-1029-PWS-E on April 3, 2025, assessing \$9,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Nick Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Willow Creek Farms Municipal Utility District, Docket No. 2022-1449-MWD-E on April 3, 2025, assessing \$10,350 in administrative penalties with \$2,070 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Saint-Gobain Abrasives, Inc., Docket No. 2022-1518-AIR-E on April 3, 2025, assessing \$76,000 in administrative penalties with \$15,200 deferred. Information concerning any aspect of this order may be obtained by contacting Christina Ferrara, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding PALO ALTO SILICA SAND, INC., Docket No. 2023-0342-WQ-E on April 3, 2025, assessing \$43,000 in administrative penalties with \$8,600 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Hitchcock, Docket No. 2023-0525-MWD-E on April 3, 2025, assessing \$139,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Zehraben Momin, Docket No. 2023-0709-MWD-E on April 3, 2025, assessing \$12,500 in administrative penalties with \$2,500 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MULTI-COUNTY WATER SUPPLY CORPORATION, Docket No. 2023-0784-PWS-E on April 3, 2025, assessing \$9,400 in administrative penalties with \$1,880 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Nahum Peña Bretado, Docket No. 2023-1088-MSW-E on April 3, 2025, assessing \$7,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Kurnath, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of The Colony, Docket No. 2023-1544-MWD-E on April 3, 2025, assessing \$26,125 in administrative penalties with \$5,225 deferred. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Entergy Texas, Inc., Docket No. 2023-1728-AIR-E on April 3, 2025, assessing \$11,875 in administrative penalties with \$2,375 deferred. Information concerning any aspect of this order may be obtained by contacting Christina Ferrara, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Department of Transportation, Docket No. 2023-1737-MWD-E on April 3, 2025, assessing \$16,312 in administrative penalties with \$3,262 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Longhorn Excavators, Inc., Docket No. 2024-0293-AIR-E on April 3, 2025, assessing \$18,750 in administrative penalties with \$3,750 deferred. Information concerning any aspect of this order may be obtained by contacting Krystina Sepulveda, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Crouch Sand & Gravel, LLC, Docket No. 2024-0505-WQ-E on April 3, 2025, assessing \$12,314 in administrative penalties with \$2,462 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Trinity River Authority of Texas, Docket No. 2024-0563-MWD-E on April 3, 2025, assessing \$24,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding J&L Imperium Industries, LLC, Docket No. 2024-0571-WQ-E on April 3, 2025, assessing \$12,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Sportsman's World Municipal Utility District, Docket No. 2024-0656-PWS-E on April 3, 2025, assessing \$1,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taner Hengst, En-

forcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Marietta, Docket No. 2024-0824-PWS-E on April 3, 2025, assessing \$1,187 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Wyatt Throm, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Horseshoe Lodges, LLC, Docket No. 2024-0882-PWS-E on April 3, 2025, assessing \$6,750 in administrative penalties with \$6,750 deferred. Information concerning any aspect of this order may be obtained by contacting Mason DeMasi, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Beulah Water Supply Corporation, Docket No. 2024-0933-PWS-E on April 3, 2025, assessing \$1,275 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Tessa Bond, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Sun Coast Resources, LLC FKA A. J. HURT, JR., INCORPORATED, Docket No. 2024-1057-WQ-E on April 3, 2025, assessing \$11,255 in administrative penalties with \$2,251 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding JW Sands, LLC, Docket No. 2024-1060-WQ-E on April 3, 2025, assessing \$9,750 in administrative penalties with \$1,950 deferred. Information concerning any aspect of this order may be obtained by contacting Madison Stringer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202501144

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Enforcement Orders

An agreed order was adopted regarding Drive-In USA, Inc., Docket No. 2022-1617-PWS-E on April 8, 2025 assessing \$1,926 in administrative penalties with \$385 deferred. Information concerning any aspect of this order may be obtained by contacting Claudia Bartley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding UIRC-GSA Cotulla TX, LLC, Docket No. 2023-0831-PWS-E on April 8, 2025 assessing \$250 in administrative penalties with \$50 deferred. Information concerning any aspect of this order may be obtained by contacting Tessa Bond, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Trent Water Works, Inc., Docket No. 2023-0970-PWS-E on April 8, 2025 assessing \$900 in administrative penalties with \$180 deferred. Information concerning any aspect of this order may be obtained by contacting Tessa Bond, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Lubbock, Docket No. 2023-1324-MSW-E on April 8, 2025 assessing \$6,750 in administrative penalties with \$1,350 deferred. Information concerning any aspect of this order may be obtained by contacting Celicia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Pavestone, LLC, Docket No. 2023-1382-PWS-E on April 8, 2025 assessing \$51 in administrative penalties with \$10 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding HALLE PROPERTIES, L.L.C. dba Discount Tire, Docket No. 2024-0097-MSW-E on April 8, 2025 assessing \$625 in administrative penalties with \$125 deferred. Information concerning any aspect of this order may be obtained by contacting Eunice Adegele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MANVEL TERRACE UTILITIES, INC., Docket No. 2024-0472-PWS-E on April 8, 2025 assessing \$1,995 in administrative penalties with \$399 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Water Utilities, L.P., Docket No. 2024-0559-PWS-E on April 8, 2025 assessing \$2,625 in administrative penalties with \$525 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Town of Holiday Lakes, Docket No. 2024-0573-PWS-E on April 8, 2025 assessing \$1,264 in administrative penalties with \$252 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Town of Combes, Docket No. 2024-0651-PWS-E on April 8, 2025 assessing \$55 in administrative penalties with \$11 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding I.M.C. WASTE DISPOSAL, INC., Docket No. 2024-0855-MSW-E on April 8, 2025 assessing \$3,801 in administrative penalties with \$760 deferred. Information concerning any aspect of this order may be obtained by contacting Eresha DeSilva, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Howard Water Supply Corporation, Docket No. 2024-0920-PWS-E on April 8, 2025 assessing \$1,000 in administrative penalties with \$200 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Kerrville, Docket No. 2024-0951-PWS-E on April 8, 2025 assessing \$2,500 in administrative penalties with \$500 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MISSION INDEV, LLC, Docket No. 2024-0969-PWS-E on April 8, 2025 assessing \$660 in administrative penalties with \$132 deferred. Information concerning any aspect of this order may be obtained by contacting Mason DeMasi, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Champion Waste & Recycling Services, LLC dba Champion Compost Facility, Docket No. 2024-1063-AIR-E on April 8, 2025 assessing \$6,250 in administrative penalties with \$1,250 deferred. Information concerning any aspect of this order may be obtained by contacting Eunice Adegele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Cego-Durango Water Supply Corporation, Docket No. 2024-1201-PWS-E on April 8, 2025 assessing \$400 in administrative penalties with \$80 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CYPRESS CREEK WATER SUPPLY CORPORATION, Docket No. 2024-1231-PWS-E on April 8, 2025 assessing \$50 in administrative penalties with \$10 deferred. Information concerning any aspect of this order may be obtained by contacting Mason Demasi, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lone Oak Partners, LLC, Docket No. 2024-1235-PWS-E on April 8, 2025 assessing \$50 in administrative penalties with \$10 deferred. Information concerning any aspect of this order may be obtained by contacting Nicholas Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding AG AVIATION, INC., Docket No. 2024-1275-PST-E on April 8, 2025 assessing \$4,016 in administrative penalties with \$803 deferred. Information concerning any aspect of this order may be obtained by contacting Ramya Wendt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Chris Lawrence, Docket No. 2024-1565-MSW-E on April 8, 2025 assessing \$2,625 in administrative penalties with \$525 deferred. Information concerning any aspect of this order may be obtained by contacting Lauren Little, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Debra Carr, Docket No. 2024-1871-WOC-E on April 8, 2025 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Hilda Iyasele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202501145

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: April 9, 2025



Notice and Comment Hearing Draft Permit No.: O3961

This is a notice for a notice and comment hearing on Federal Operating Permit Number O3961. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: May 27, 2025

Time: 7:00 p.m.

Location: Columbus Club Hall Brazoria

20632 N. Highway 36

Brazoria, Texas 77422

Application and Draft Permit. Chevron Phillips Chemical Company, LP, 10001 Six Pines Dr, The Woodlands, Texas 77380-1498, an All-Other Basic Organic Chemical Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O3961, Application No. 35813 to authorize operation of the Polyethylene Units 40 41 and 1-Hexene Unit 81. The area addressed by the application is located at 21441 Loop 419 in Sweeny, Brazoria County, Texas 77480-1426. This application was received by the TCEQ on October 19, 2023.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) §122.10. The permit will not authorize new construction or new emissions.

Notice and Comment Hearing. The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period will only be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A reasonable time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. There will be no open discussion during the hearing. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this meeting and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act §382.0561, as codified in the Texas Health and Safety Code, and 30 TAC §122.340.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact the

TCEQ Public Education Program toll free at (800) 687-4040 or (800) RELAY-TX (TDD), at least five business days prior to the hearing.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments and/or hearing requests, attended and signed in at the hearing, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

Mailing List. In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

Information. For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at 1 (800) 687-4040. General information about the TCEQ can be found at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained for Chevron Phillips Chemical Company, LP by calling Wendy Irwin, Community Relations Liaison at (979) 491-5815.

Notice Issuance Date: March 28, 2025

TRD-202501081

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 2, 2025



Notice of District Petition - D-01172025-026

Notice issued April 9, 2025

TCEQ Internal Control No. D-01172025-026: CMC Railroad, LLC, a Texas liability company, Cire Industrial I, LP., a Texas limited partnership, Whale Capital, LP., a Texas limited partnership, Ranslem Capital, LP., a Texas limited partnership, Cliffwood Capital, L.P., a Texas limited partnership, and Bonnie C. Reina Marital Trust No. 2, (Petitioners) filed a petition for creation of Liberty County Municipal Management District No. 2 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, InterBank, an Oklahoma state-chartered bank, on the property to be included in the proposed District and information provided indicates that the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approxi-

mately 1,205.6163 acres located within Liberty County, Texas; and (4) all of the land within the proposed District is within the corporate limits of the City of Dayton. By Resolution No. R2024-72, passed and approved on August 19, 2024, the City of Dayton, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, improve, relocate, operate, maintain, and provide works, services, and projects consistent with Chapter 375, Texas Local Government Code, including landscaping, lighting, streets and sidewalks, crosswalks, solid waste, water, sewer, and power facilities, including electrical, gas, steam, parks, plazas, lakes, rivers, bayous, ponds and recreation, and scenic areas, off-street parking facilities, and mass transit systems; and (2) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, that will be consistent with all the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$5,575,000 for recreational facilities.

INFORMATION SECTION

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

TRD-202501147

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Notice of District Petition - D-01242025-030

Notice issued April 2, 2025 TCEQ Internal Control No. D-01242025-030: Margerstadt, LLC, a Delaware limited liability company (Petitioners) filed a petition for creation of Harris County Municipal Utility District No. 610 (District) of Harris County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 196.466 acres located within Harris County, Texas; and (4) all of the land within the proposed District is wholly within Harris County, Texas. No part of the area within the proposed District is within the corporate limits of any incorporated city, town, or village nor the extraterritorial jurisdiction of any other city, town or village. The petition further states that the proposed District will: (1) purchase, construct, acquire, provide, operate, maintain, repair, improve, and extend inside or outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances helpful or necessary to supply and distribute water for municipal, domestic, industrial, or commercial purposes or provide more adequate drainage for the proposed District; (2) collect, transport, process, dispose of and control domestic, industrial, or commercial wastes; (3) gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the District; and (4) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created. Additional work and services which may be performed by the District include the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a roadway system for the District. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$24,190,000 (\$15,230,000 for water, wastewater, and drainage plus \$8,960,000 for roads) at the time of submittal.

INFORMATION SECTION

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

a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202501084

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 2, 2025



Notice of District Petition - D-02272025-041

Notice issued April 4, 2025

TCEQ Internal Control No. D-02272025-041: Century Land Holdings of Texas, LLC, a Colorado limited liability company (Petitioner) filed a petition for creation of Waller County Municipal Utility District No. 46 (District) of Waller County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 318.15 acres located within Waller County, Texas; and (4) none of the land within the proposed District is wholly within the corporate limits or extraterritorial jurisdiction of any incorporated city, town or village. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, own, operate, repair, improve and extend a waterworks and sanitary sewer system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain and operate works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District; (3) control, abate and amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, improve, maintain and operate such additional facilities, systems, plants and enterprises, road facilities, and park and recreational facilities, as shall be consistent with all of the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$65,600,000 (\$44,700,000 for water, wastewater, and drainage plus \$4,500,000 for recreation facilities plus \$16,400,000 for roads).

INFORMATION SECTION

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. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief

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

TRD-202501141

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Notice of District Petition - D-03062025-014

Notice issued April 2, 2025

TCEQ Internal Control No. D-03062025-014: Wallace Scarborough Ranch, LP and Jenchin Partners, Ltd., (Petitioners) filed a petition for creation of Grayson County Municipal Utility District No. 7 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 412.24 acres located within Grayson County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Gunter. The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the proposed District is created. Additionally, it is proposed that the proposed District be granted road powers pursuant to Texas Water Code, Section 54.234. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project

will be approximately \$91,505,494 (\$48,593,000 for water, wastewater, and drainage plus \$42,912,494 for roads).

The Property is located wholly within the extraterritorial jurisdiction of the City of Gunter, Grayson County, Texas (the "City"). In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioners submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioners submitted a petition to the City to provide water and sewer services to the proposed District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioners and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioners to initiate proceedings to include the land within the proposed District.

INFORMATION SECTION

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

TRD-202501083

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 2, 2025



Notice of District Petition - D-03072025-025

Notice issued April 9, 2025

TCEQ Internal Control No. D-03072025-025: Summit Celina Propco LLC and Maroon Star Partners, LLC, (Petitioners) filed a petition

for creation of Golden Ranch Municipal Utility District of Collin County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Lone Star, ACA, on the property to be included in the proposed District and information provided indicates that the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 152.621 acres located within Collin County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, own, operate, repair, improve and extend a waterworks and wastewater system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate and amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, improve, maintain, and operate additional facilities, systems, plants, and enterprises, and road facilities as shall be consistent with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$40,145,000 (\$35,170,000 for water, wastewater, and drainage and \$4,975,000 for roads).

INFORMATION SECTION

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



Notice of District Petition - D-03102025-033

Notice issued April 2, 2025

TCEQ Internal Control No. D-03102025-033: JBZ SLM Katy Land, LLC and TPG AG EHC III (EMP) Multi State 1, LLC, (Petitioners) filed a petition for creation of Waller County Municipal Utility District No. 68 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, DLP Lending Fund LLC, on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 151.497 acres located within Waller County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve or extend a waterworks and sanitary wastewater system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain and operate works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate and amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, maintain, own, operate, repair, improve and extend additional facilities, including roads, parks and recreation facilities, systems, plants and enterprises as shall be consistent with all of the purposes for which the proposed District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$48,150,000 (\$35,590,000 for water, wastewater, and drainage plus \$4,790,000 for recreation plus \$7,770,000 for roads).

INFORMATION SECTION

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

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

TRD-202501085
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: April 2, 2025



Notice of District Petition - D-03132025-026

Notice issued April 9, 2025

TCEQ Internal Control No. D-03132025-026: Tres Rios Properties, LLC, (Petitioner) filed a petition for creation of Saint Barts Municipal Utility District No. 1 (District) of Galveston County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 974.189 acres located within Galveston County, Texas; and (4) the land within the proposed District is partially within the corporate limits and partially within the extraterritorial jurisdiction of City of Sante Fe. By Resolution No. 2024-31, passed and approved on November 11, 2024, the City of Santa Fe, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) construct a water distributions system for domestic purposes; (2) construct a sanitary sewer system; (3) control, abate, and amend harmful excesses of water and reclaim and drain overflowed land; (4) construct and finance macadamized, graveled, or paved roads or improvements in aid of those roads (5) construct, finance, improve, and maintain parks and recreational facilities; (6) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, systems, plants, and enterprises as shall be consistent with the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$323,420,000 (\$200,985,000 for water, wastewater, and drainage plus \$38,115,000 for recreation plus \$84,320,000 for roads).

INFORMATION SECTION

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. The TCEQ may grant a contested case hearing on the petition if a written hearing re-

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

TRD-202501148

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **May 19, 2025**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on May 19, 2025**. The designated

attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: C. COOPER CUSTOM HOMES, INC.; DOCKET NUMBER: 2023-0332-WQ-E; TCEQ ID NUMBER: RN111643029; LOCATION: 10263 County Road 135, Flint, Smith County; TYPE OF FACILITY: a construction site; RULES VIOLATED: 30 TAC §281.25(a)(4), and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$1,975; STAFF ATTORNEY: A'twar Wilkins, Litigation, MC 175, (512) 239-6515; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas, 75701-3734, (903) 535-5100.

(2) COMPANY: JACOB WHITE CONSTRUCTION CO.; DOCKET NUMBER: 2022-1544-WQ-E; TCEQ ID NUMBER: RN111457883; LOCATION: 20500 Farm-to-Market 2920 Road, Hockley, Harris County; TYPE OF FACILITY: a construction site; RULES VIOLATED: 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR1503IK, Part III, Section D.2, by failing to post the TCEQ site notice near the main entrance of the construction site; 30 TAC §305.125(1) and TPDES General Permit Number TXR1503IK, Part III, Section G.1, by failing to install and maintain best management practices at the Site; and TWC, §26.121(a), 30 TAC §305.125(1), and TPDES General Permit Number TXR1503IK, Part III, Section F.6(d), by failing to remove accumulations of sediment at a frequency that minimizes off-site impacts; PENALTY: \$11,485; STAFF ATTORNEY: William Hogan, Litigation, MC 175, (512) 239-5918; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202501114

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: April 8, 2025



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of ABF, INC. dba Clearwater Distribution SOAH Docket No. 582-25-16105 TCEQ Docket No. 2023-1397-PWS-E

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

10:00 a.m.- May 8, 2025

To join the Zoom meeting via computer or smart device:

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

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed September 18, 2024 concerning assessing administrative penalties against and requiring certain actions of ABF, INC. dba Clearwater Distribution, for violations in Harrison County, Texas, of: Tex. Health & Safety Code §341.0315(c) and 30 Texas Administrative Code §290.115(f)(1).

The hearing will allow ABF, INC. dba Clearwater Distribution, 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 ABF, INC. dba Clearwater Distribution, 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 ABF, INC. dba Clearwater Distribution 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.** ABF, INC. dba Clearwater Distribution, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Health & Safety Code ch. 341, Tex. Water Code ch. 5, and 30 Texas Administrative Code Chapters 70 and 290; Tex. 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 Chapter 80, and 1 Texas Administrative Code Chapter 155.

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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. 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: April 9, 2025

TRD-202501149

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: April 9, 2025



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water SOAH Docket No. 582-25-16108 TCEQ Docket No. 2022-1676-PWS-E

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

10:00 a.m.- May 8, 2025

To join the Zoom meeting via computer or smart device:

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

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed July 30, 2024 concerning assessing administrative penalties against and requiring certain actions of Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water, for violations in Angelina County, Texas, of: 30 Texas Administrative Code §§290.42(c)(1), 290.110(e)(2) and (e)(6), 290.111(a)(2) and (h), and 290.122(c)(2)(A) and (f).

The hearing will allow Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water, 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 Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water, 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 Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water 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.** Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Health & Safety Code ch. 341 and 30 Texas Administrative Code Chapters 70 and 290; Tex. 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 Chapter 80, and 1 Texas Administrative Code Chapter 155.

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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. 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: April 9, 2025

TRD-202501150

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Notice of Public Hearing on Proposed Revisions to the State Implementation Plan Concerning Collin County

The Texas Commission on Environmental Quality (TCEQ) will offer a virtual hearing to receive testimony regarding the proposed SECOND 10-YEAR MAINTENANCE PLAN STATE IMPLEMENTATION PLAN (SIP) REVISION FOR THE COLLIN COUNTY AREA FOR THE 2008 LEAD NATIONAL AMBIENT AIR QUALITY STANDARD (NAAQS) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the U.S. Environmental Protection Agency (EPA) concerning SIPs.

The SIP revision would provide a second 10-year maintenance plan that ensures the Collin County area remains in attainment of the 2008 lead NAAQS through 2037 (**Project No. 2024-042-SIP-NR**), as required by federal Clean Air Act, §175A(b).

TCEQ will offer a virtual hearing on the proposed SIP revision on May 9, 2025, at 10:30 a.m. CDT. The hearing is structured for the receipt of oral comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, TCEQ staff mem-

bers will be available to discuss the proposal 30 minutes prior to the hearing.

Persons who do not have internet access or who have special communication or other accommodation needs and are planning to attend the hearing should contact Jamie Zech, Office of Air at (512) 239-3935 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

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

Written comments may be submitted to Eugenia Reynoso Moreno, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via TCEQ's Public Comment system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CDT on May 12, 2025. Information concerning the proposed SIP revision, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips>. For further information concerning this project (**Project No. 2024-042-SIP-NR**), contact Eugenia Reynoso Moreno at (512) 239-1496.

TRD-202501096

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: April 7, 2025



Notice of Public Meeting Air Quality Standard Permit Registration Renewal Air Quality Registration No. 121798

APPLICATION. Texas Concrete Enterprise, L.L.C., has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Registration No. 121798, for an Air Quality Standard Permit for Concrete Batch Plants, which would authorize continued operation of a Concrete Batch Plant located at 3506 Cherry Street, Houston, Harris County, Texas 77026. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsroomcerview/airpermits-pendingpermit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.343436,29.794802&level=13>. The existing facility is authorized to emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on December 13, 2024. The executive director has determined the application is administratively complete and will conduct a technical review of the application. Information in the application indicates that this permit renewal would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted. **The TCEQ may act on this application without seeking further public comment or providing an opportunity for a contested case hearing if certain criteria are met.**

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final de-

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

The Public Meeting is to be held:

Thursday, May 8, 2025 at 6:00 p.m.

Ross (Betsy) Elementary School Cafeteria

2819 Bay Street

Houston, Texas 77026

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

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

The application will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and the Carnegie Neighborhood Library and Center for Learning, 1050 Quitman Street, Houston, Harris County, Texas, 77009. The facility's compliance file, if any exists, is available for public review in the Houston regional office of the TCEQ. The application, including any updates, is available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/air/airpermit-applications-notices>

Further information may also be obtained from Texas Concrete Enterprise, L.L.C., 3506 Cherry Street, Houston, Texas 77026-3502 or by calling Mr. Josh Butler, Principal Consultant, Elm Creek Environmental, LLC at (469) 946-8195.

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

Notice Issuance Date: April 4, 2025

TRD-202501142

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 9, 2025



Notice of Public Meeting for TPDES Permit for Industrial Wastewater Amendment Permit No. WQ0000007000

APPLICATION. Dow Hydrocarbons and Resources LLC and The Dow Chemical Company, 2301 North Brazosport Boulevard, Freeport, Texas 77541, which operates Dow Texas Operations, an organic and inorganic chemical manufacturing plant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0000007000 to authorize the discharge of cooling tower blowdown and stormwater from additional sources via Outfall 001; authorize the discharge of cooling tower blowdown and stormwater from additional sources via Outfall 201; modify effluent limitation allocations at Outfall 601 for the chlor-alkali process wastewater contributing sources; increase effluent limitations at Outfall 701; increase effluent limitations at Outfall 202; authorize the additional discharge of once-through cooling water via Outfall 403; increase effluent limitations at Outfall 503; include permit language that acknowledges the internal recycling of raw water solids clarification decant water into the Dow raw water canal; incorporate the use of bioaccumulation equivalency factors in applicable effluent limitations and monitoring/reporting requirements for polychlorinated biphenyl compounds and dioxin/dibenzofuran compounds; increase the effluent limitations for total purgeable halocarbons at multiple outfalls (Outfalls 101, 201, 301, 401, 501, 601, 701, 002, 102, 103, 203, and 403); remove effluent limitations and monitoring requirements for total phenols at Outfalls 701 and 202; and remove Outfall 111 from the permit.

The draft permit authorizes the discharge of previously monitored effluents (including process wastewater, utility wastewater, and stormwater discharges from Internal Outfalls 101, 201, 301, 401, 501, 601, 701, 901, and 211), utility wastewater, stormwater, and previously regulated discharges from other facilities on a continuous and flow-variable basis via Outfall 001; previously monitored effluents (including process wastewater, utility wastewater, and stormwater discharges from Internal Outfalls 102 and 202), process wastewater, utility wastewater, and stormwater at a daily average flow not to exceed 500,000,000 gallons per day via Outfall 002; previously monitored effluents (including process wastewater, utility wastewater, and stormwater discharges from Internal Outfalls 103, 203, 403, and 503), stormwater, and previously regulated discharges from BASF on a continuous and flow-variable basis via Outfall 003; and stormwater on an intermittent and flow-variable basis via Outfall 004. The TCEQ received this application on May 28, 2019.

The facility is located at 2301 North Brazosport Boulevard, north of the City of Freeport, Brazoria County, Texas 77541. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.38,28.986111&level=18>

The effluent is discharged via Outfalls 001, 002, and 003 to the Dow Canal, thence to the Brazos River Tidal in Segment No. 1201 of the Brazos River Basin; and via Outfall 004 by one of two routes (based on water releases by pumps in the Flag Lake Drainage Canal) to either a) East Union Bayou, thence to the Intracoastal Waterway, thence to

Old Brazos River Channel Tidal in Segment No. 1111 of the San Jacinto-Brazos Coastal Basin, or to b) Flag Lake Drainage Canal Tidal, thence to the Brazos River Tidal in Segment No. 1201 of the Brazos River Basin. The unclassified receiving water use is intermediate aquatic life use for Flag Lake Drainage Canal. The designated uses for Segment No. 1201 are high aquatic life use, primary contact recreation, and public water supply. The public water supply use for Segment No. 1201 only applies from the upstream boundary to 300 meters (330 yards) downstream of State Highway 332 in Brazoria County, which does not include the locations of the permitted outfalls. The designated uses for Segment No. 1111 are high aquatic life use and primary contact recreation.

In accordance with 30 Texas Administrative Code §307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the Flag Lake Drainage Canal, and the Brazos River Tidal, which have been identified as having intermediate and high aquatic life uses, respectively. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ executive director reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

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

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

The Public Meeting is to be held:

Tuesday, May 13, 2025 at 7:00 p.m.

Clute Intermediate School Cafeteria

421 E. Main Street

Clute, Texas 77531

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

The permit application, executive director's preliminary decision, and draft permit are available for viewing and copying at the Freeport Branch Library, 410 North Brazosport Boulevard, Freeport, Texas. Further information may also be obtained from **Dow Hydrocarbons and Resources LLC and The Dow Chemical Company** at the address stated above or by calling Ms. Gabriella Cone at (979) 238-1446 or Dowtxopsinfo@dow.com.

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

Issued: March 28, 2025

TRD-202501082

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 2, 2025

Texas Ethics Commission

List of Late Filers

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

Deadline: 30 day pre-election report due October 7, 2024 for Committees

#00087022- Nicholas Rand, Cy-Fair Professional Firefighters Political Action Committee, 10710 Telge Rd., Houston, Texas 77095

#00017105- Mary Mallett, Mesquite Republican Women's PAC, 220 Toler Dr., Mesquite, Texas 75149

TRD-202501092

J.R. Johnson

Executive Director

Texas Ethics Commission

Filed: April 4, 2025

Texas Facilities Commission

Request for Proposals # 303-6-20801 Garland, Plano, Rockwall, Rowlett, or Richardson

The Texas Facilities Commission (TFC), on behalf of the Texas Parks and Wildlife Department (TPWD), announces the issuance of Request for Proposals (RFP) # 303-6-20801. TFC seeks a five (5) or ten (10) year lease of approximately 3,205 square feet of office space in Garland, Plano, Rockwall, Rowlett, or Richardson, Texas.

The deadline for questions is April 29, 2025, and the deadline for proposals is May 20, 2025, at 3:00 p.m. The award date is August 21, 2025. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of a RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting Ayra Matthews at Ayra.Matthews@tfc.texas.gov. A copy of the RFP may be downloaded from the Electronic State Business Daily at <https://www.txsmartbuy.gov/esbd/303-6-20801>.

TRD-202501107

Amanda Brainard

Acting Director State Leasing Services

Texas Facilities Commission

Filed: April 8, 2025

General Land Office

Coastal Boundary Survey - Hall and Jones, Section 13,
Division 4 - Blaskey, Galveston County

Surveying Services

Coastal Boundary Survey

Project: Hall and Jones, Section 13, Division 4 - Blaskey, Galveston County

Project No: Project Number SWG-2023-00293

Project Manager: Amy Nunez, Dianna Ramirez, Coastal Field Operations.

Surveyor: Stephen C. Blaskey, Licensed State Land Surveyor

Description: Coastal boundary survey of a portion of the littoral boundary of the Hall and Jones Survey, Abstract 121, along the line of Mean High Water, situated on the southerly shore of the Galveston Bay in Galveston County, Texas, in connections with Number SWG-2023-00293. Centroid coordinates 29.132560° N, -95.068739° W, WGS84. A copy of the survey has been filed in the Galveston County Surveyors Records in Document Number SLS2025000003, Galveston County Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Date: March 31, 2025

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer Jones, Chief Clerk and Deputy Land Commissioner

Date: April 7, 2025

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202501116

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: April 8, 2025

Coastal Boundary Survey - Karankawa Subdivision Submerged
Tract 280, 266, Galveston County

Surveying Services

Coastal Boundary Survey

Project: Karankawa Subdivision Submerged Tract 280, 266, Galveston County

Project No: City of Galveston Project Number 24BF-142

Project Manager: Amy Nunez, Dianna Ramirez, Coastal Field Operations.

Surveyor: Stephen C. Blaskey, Licensed State Land Surveyor

Description: Coastal boundary survey of a portion of the littoral boundary of the Karankawa Subdivision (being out of and part of Hall and Jones Survey, Abstract 121), along the line of Mean High Water, situated on the northerly shore of the Gulf of Mexico in Galveston County, Texas, in connections with City of Galveston Project Number 24BF-142. Centroid coordinates 29.172562° N, -94.986437° W, WGS84. A copy of the survey has been filed in the Galveston County Surveyors Records in Document Number SLS2025000002, Galveston County Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Date: March 31, 2025

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer Jones, Chief Clerk and Deputy Land Commissioner

Date: April 7, 2025

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202501117

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: April 8, 2025

Coastal Boundary Survey - Mad Island Preserve Shoreline
Protection & Eco Restoration Phase III

Surveying Services

Coastal Boundary Survey

Project: Mad Island Preserve Shoreline Protection & Eco Restoration Phase III

Project No: Project Number CEPRA 1729

Project Manager: Kristin Hames, Coastal Field Operations.

Surveyor: Stephen C. Blaskey, Licensed State Land Surveyor

Description: Coastal boundary survey of a portion of the littoral boundary of the S. Fisher Survey, Abstract No. 36, and the George Wheelwright Survey Abstract No. 405, along the line of Mean Higher High Water, situated on the northerly shore of the Gulf Intracoastal Waterway, State Submerged Tracts 271 and 272, Matagorda County, Texas, in connection with CEPRA No. 1729. Centroid coordinates 28.633658° N, -96.088711° W, WGS84. A copy of the survey has been filed in Instrument: 2024, Page 21, Matagorda County Plat Records, Matagorda County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Date: March 31, 2025

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer Jones, Chief Clerk and Deputy Land Commissioner

Date: April 8, 2025

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202501119

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: April 8, 2025



Coastal Boundary Survey - South Bay Park-Cayo de Oso Bay-Mattox, Nueces County

Surveying Services

Coastal Boundary Survey

Project: South Bay Park-Cayo de Oso Bay-Mattox, Nueces County

Project No: CL-20250005

Project Manager: Amy Nunez, Dianna Ramirez, Coastal Field Operations.

Surveyor: Joe Mattox, Licensed State Land Surveyor

Description: Coastal boundary survey performed on the line of mean higher high water along a portion of the Enriquez Villareal Survey, Abstract 1, and the shoreline of Cayo De Oso, and State of Texas Submerged Tract B in Nueces County, Texas, in connection with GLO CL20250005. Centroid coordinates 27.691289° N, -97.317903° W, WGS84. A copy of the survey has been filed in Volume 70, Pages 509, Map Records, Nueces County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Date: March 31, 2025

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer Jones, Chief Clerk and Deputy Land Commissioner

Date: April 7, 2025

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202501118

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: April 8, 2025



Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of March 17, 2025 to April 4, 2025. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, April 11, 2025. The public comment period for this project will close at 5:00 p.m. on Sunday, May 11, 2025.

Federal Agency Activities:

Applicant: U.S. Army Corps of Engineers

Location: The Project's study area includes segments of the Cedar Bayou Navigation Channel and the Houston Ship Channel (HSC) within portions of the Tabbs Bay, Trinity Bay, and Galveston Bay (i.e., the Galveston Bay System) in Chambers and Harris Counties, Texas. The Study area also includes the Cedar Port terminal at Cedar Port Industrial Park in Baytown, Texas, and several dredged material management islands adjacent to the HSC.

Project Description: The Cedar Port Navigation Improvement District (CPNID), in coordination with the U.S. Army Corps of Engineers (USACE), is evaluating the feasibility and Federal Interest of the Cedar Port Navigation and Improvement District Channel Deepening Project, Baytown, Texas (Project) under the authority found in Section 216 of the Flood Control Act of 1970, as amended. The Project would provide

a deep-water connection between the HSC and a planned future deep-water terminal facility at Cedar Port Industrial Park while enhancing efficient, safe, and reliable navigation in the Cedar Bayou Navigation Channel and HSC. The CPNID is serving as the Non-Federal Interest (NFI) under the authority granted in Section 203 of the Water Resources Development Act of 1986, as amended, which authorizes NFIs to complete feasibility studies, and associated environmental compliance, on their own and to submit the completed study to the Secretary of the Army for recommendation to Congress.

After considering the available options, a new approximately 3.84 mile deep-draft channel connecting the HSC to the Cedar Port Industrial Park through Atkinson Island was determined to be the tentatively selected plan (TSP). In addition to constructing a deep-draft channel, the TSP would include using dredged material to build two beneficial use islands and shoreline protection. The two beneficial use islands would be built in stages with the first site built using dredged material and designed to support oyster and wetland habitat, and the second site built over time with maintenance dredged material. As part of this alternative, a new Dredge Material Placement Area would be constructed to support future USACE HSC projects, compensating for the 50-year Dredged Material Management Plan capacity lost due to dredging the TSP channel route.

Type of Application: U.S. Army Corps of Engineers - Cedar Port Navigation District Channel Deepening Project section 203 Draft Integrated Feasibility Study and Environmental Impact Statement (Draft FS/EIS).

CMP Project No: 25-1163-F2

Federal License and Permit Activities:

Applicant: Port of Houston Authority

Location: The project site is located within Buffalo Bayou, CARE Terminal Wharf 2, in Harris County, Texas.

Latitude and Longitude: 29.74487, -95.10537

Project Description: The applicant proposes to amend existing Permit #SWG-1997-02927 by means of hydraulically dredging approximately 46,600 cubic yards of material from the CARE Terminal Wharf 2 and further expanding the dredge prism of berth associated with Wharf 2. Specifically, the existing berth will be deepened from -39 feet Mean Low Tide (MLT) to -41 feet MLT (-40.5 feet Mean Lower Low Water (MLLW) and -42.5 feet MLLW), extend the existing berth dredge prism 85 feet to the northeast of the existing berth to a depth of -41 feet MLT (-42.5 feet MLLW), relocate one existing monopile mooring structure to accommodate the expanded berth, place new work dredge material at Lost Lake Dredge Material Placement Area (DMPA), extend the time for maintenance dredging at the CARE Terminal for an additional 10 years, and add the Adloy DMPA for the placement of maintenance dredging material. The applicant has not proposed compensatory mitigation for this project.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-1997-02927. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 25-1130-F1

Applicant: Port of Corpus Christi Authority

Location: The project site is located in the Corpus Christi Ship Channel (CCSC), Aransas Channel, Lydia Ann Channel, and Gulf of America (Gulf), on Harbor Island, in Port Aransas, Nueces County, Texas.

Latitude and Longitude:

Upland Facility- 27.847348, -97.069298

Intake Structure- 27.851231, -97.012724

Gulf Outfall Structure- 27.8490276, - 97.003990

CCSC Outfall Structure- 27.844214, -97.063512

Project Description: The Port of Corpus Christi Authority proposes to construct a 100-million-gallon per day upland seawater desalination facility, including a seawater intake structure, two outfall diffuser structures, two 14-foot-diameter pipes, one 60-inch-diameter pipe, freshwater product pipelines, and other supporting infrastructure. The intake structure and one outfall diffuser will be located approximately 1.3 and 1.8 miles southeast of San Jose Island, respectively, in the Gulf at depths of approximately -35 and -37 feet mean lower low water, respectively. Approximately 6.7 miles of 14-foot-diameter pipelines will be installed by subterranean tunnel boring machine. Muck soils removed during tunneling will be maintained onsite in uplands during construction and dewatered similarly to dredge material, with a dewatering outfall structure into Redfish Bay adjacent to Aransas Channel. Once sufficient dewatering has occurred the material will be used onsite as upland grading material. Marine life protection screens and a return channel are included to mitigate marine fauna impacts.

The finished water pipeline is proposed to include parallel pipes of 48 - 52" diameter installed by upland open trenching and micro tunneling and/or horizontal directional drilling below marine wetlands, open water, and sand/mud flats. The finished water pipeline will connect to an existing Aransas Pass, Texas, water distribution infrastructure. Additionally, Harbor Island has existing tie-in infrastructure to an active Nueces County Water Control and Improvement District 4 12-inch freshwater pipeline that leads to Port Aransas and Mustang Island, Texas. The applicant does not propose to compensate for temporary impacts to freshwater herbaceous and scrub/shrub wetlands.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2025-00112. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 25-1155-F1

Applicant: Dustin Seafood

Location: The project site is located in the Sabine River, at 5500 South 1st Avenue, in Port Arthur, Jefferson County, Texas.

Latitude and Longitude: 29.7380305, -93.8875261

Project Description: The applicant proposes to excavate 5,627 cubic yards (CY) of sandy, non-vegetated material via mechanical dredging to a maximum depth of -10.22 feet mean high water around existing boat slips in an area measuring 20,674-square-foot. The project would include installation of 590 linear feet of new steel bulkhead along an existing bulkhead and filling 4,233-square-foot (0.10 acre) of an abandoned boat slip with approximately 705 CY of material. All dredged material will be placed onsite in uplands and stockpiled until dewatered, then spread and compacted in upland area. Maintenance dredging would occur every five years and remove approximately 2,000 CY of material per dredge cycle. The applicant has not proposed compensatory mitigation.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2024-00788. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project

may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 25-1164-F1

Applicant: TotalEnergies

Location: The project site is located in the Neches River, at Docks 1, 3A, and 3B, at 7600 32nd Street, in Port Arthur, Jefferson County, Texas.

Latitude and Longitude: 29.980556, -93.881844

Project Description: The applicant proposes work associated with construction of twelve 20-foot by 16-foot winch platforms raised one foot above the mean high water and supported by 18-inch-diameter pilings. The project also includes the construction of three 3-foot-wide walkways connecting the platforms with lengths measuring 139 feet, 76 feet, and 106 feet. The applicant has not proposed mitigation.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-1997-01373. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

CMP Project No: 25-1171-F1

Applicant: Texas Department of Transportation-Yoakum District

Location: The project site is located on the Matagorda Bay shoreline, off 8571 State Highway 316, approximately 9 miles south east of Port Lavaca, in Calhoun County, Texas.

Latitude and Longitude: 28.531234, -96.511129

Project Description: The applicant proposes to discharge approximately 44,100 cubic yards (CY) of fill material along 10.12 acres of Matagorda Bay Shoreline for the purposes of shoreline stabilization and beach nourishment. Specifically, the applicant will fill approximately 0.92 acres (5,600 CY) of shoreline with riprap and corestone to construct three rock groins, 7.6 acres (33,600 CY) of shoreline with native sediment/sand material imported from commercial sources, and 1.6 acres (4,900 CY) of shoreline with additional riprap/corestone. The project is intended to restore the existing coastline to pre-erosional conditions and stabilize the area in both normal and extreme hydraulic events adding protection against potential future erosive forces that are threatening impacts to Ocean Drive. The project also has the potential to increase the amount of sea turtle nesting habitat through the addition of beach fill to rebuild the shoreline. The placement of groins will be conducive to providing recreational opportunities, generating oyster habitat, and other wildlife species are likely to benefit from the protection and restoration of the beach. Mitigation is not proposed for this project.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2024-00726. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 25-1172-F1

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

TRD-202501100

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: April 7, 2025

Texas Health and Human Services Commission

Notice of Public Hearing on Proposed State Fiscal Year 2025 Interim Medicaid Reimbursement Rates for the State Veterans Nursing Homes, Effective Retroactive to September 1, 2024

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on May 2, 2025, at 9:00 a.m. CDT to receive public comments on the proposed Medicaid payment rate for the Tuskegee Airmen Texas State Veterans Home.

This hearing will be conducted both in-person and as an online event. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following registration URL:

<https://attendee.gotowebinar.com/register/4759268413029535068>.

After registering, you will receive a confirmation email containing information about joining the webinar. Instructions for dialing in by phone will be provided via email after you register.

Members of the public may attend the rate hearing in person, which will be held in the North Austin Complex Building, Public Hearing Room 1.401 at 4601 W. Guadalupe St., Austin, Texas 78751. A recording of the hearing will be archived and accessible on demand at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings> under the "Archived" tab. The hearing will be held in compliance with Texas Human Resources Code section 32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Any updates to the hearing details will be posted on the HHSC website at <https://www.hhs.texas.gov/about/meetings-events>.

Proposal. HHSC proposes the interim rate proposed by the Veterans Land Board (VLB) for the new Fort Worth facility, Tuskegee Airmen Texas State Veterans Home. The proposed rate will be effective retroactive to September 1, 2024.

Methodology and Justification. HHSC maintains the interim rates program so Medicaid-eligible veterans can reside in State Veterans Nursing Homes. Nine homes are currently in operation and overseen by the VLB. The Tuskegee Airmen Texas State Veterans Home will become the tenth facility and is expected to be operational in early 2025. HHSC is not proposing state fiscal year 2025 interim rates for the other State Veterans Homes. The interim rate is calculated by the VLB and adopted by HHSC. The VLB is authorized to operate these nursing facilities under Chapter 164, Natural Resources Code.

Rate Hearing Packet. A briefing packet describing the proposed payment rates will be made available no later than April 18, 2025, at <https://pfd.hhs.texas.gov/rate-packets>. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (512) 730-7401, by fax at (512) 730-7475, or by email at PFD-LTSS@hhs.texas.gov.

Written Comments. Written comments regarding the proposed payment rates may be submitted instead of oral testimony until 5:00 p.m. on the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by email to PFD-LTSS@hhs.texas.gov. In addition, written comments

may be sent by overnight mail to Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 W. Guadalupe St., Austin, Texas 78751.

Preferred Communication. For the quickest response, please use email or phone to communicate with HHSC regarding this rate hearing.

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

TRD-202501151

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: April 9, 2025



Texas Department of Licensing and Regulation

Notice of Vacancies on Motorcycle Safety Advisory Board

The Texas Department of Licensing and Regulation (Department) announces four vacancies on the Motorcycle Safety Advisory Board (Board) established by the Transportation Code, Chapter 662.0037(b). The purpose of the Motorcycle Safety Advisory Board is to advise the Texas Commission of Licensing and Regulation and the Department on rules and educational and technical matters relevant to the administration of this chapter. The Board meets at the call of the Executive Director of the Department or the presiding officer of the Commission. Service as a Board member is voluntary, and compensation is not authorized by law. **This announcement is for:**

- **one member who is an instructor training provider;**
- **one representative of a law enforcement agency;**
- **two members: (a) of whom must be an instructor or represent a motorcycle school; and (b) who must collectively represent the diversity in size and type of the motorcycle schools licensed under this chapter.**

The Board consists of nine members appointed by the presiding officer of the Commission, with the approval of the Commission. The board consists of the following members:

- 1. three members: (a) each of whom must be an instructor or represent a motorcycle school; and (b) who must collectively represent the diversity in size and type of the motorcycle schools licensed under this chapter;**
- 2. one member who represents the motorcycle dealer retail industry;**
- 3. one representative of a law enforcement agency;**
- 4. one representative of the Texas A&M Transportation Institute;**
- 5. one member who is an instructor training provider; and**
- 6. two public members who hold a valid Class M driver's license issued under Chapter 521.**

Members serve staggered six-year terms. The terms of three members expire September 1 of each odd-numbered year. The presiding officer of the commission, on approval of the commission, shall designate a member of the advisory board to serve as the presiding officer of the advisory board for a one-year term. The presiding officer of the advisory board may vote on any matter before the advisory board.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202, fax (512) 475-2874 or e-mail advisory.boards@tdlr.texas.gov.

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

Issued in Austin, Texas on April 18, 2025.

TRD-202501108

Courtney Arbour

Executive Director

Texas Department of Licensing and Regulation

Filed: April 8, 2025



Texas Lottery Commission

Scratch Ticket Game Number 2646 "20X THE MONEY"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2646 is "20X THE MONEY". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2646 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2646.

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

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

C. Play Symbol- The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 5X SYMBOL, 20X SYMBOL, \$2.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00, \$100, \$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:

Figure 1: GAME NO. 2646 - 1.2D

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

30	TRTY
5X SYMBOL	WINX5
20X SYMBOL	WINX20
\$2.00	TWO\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$40.00	FRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2646), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2646-0000001-001.

H. Pack - A Pack of the "20X THE MONEY" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). 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 "20X THE MONEY" Scratch Ticket Game No. 2646.

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 "20X THE MONEY" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-two (22) 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 a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "20X" Play Symbol, the player wins 20 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly twenty-two (22) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly twenty-two (22) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the twenty-two (22) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the twenty-two (22) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

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

2.2 Programmed Game Parameters.

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

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

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

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

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

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

G. KEY NUMBER MATCH: A Ticket may have up to two (2) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

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

I. KEY NUMBER MATCH: The "20X" (WINX20) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "20X THE MONEY" Scratch Ticket Game prize of \$2.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$40.00, \$50.00 or \$100 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 "20X THE MONEY" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "20X THE MONEY" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "20X THE MONEY" 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 "20X THE MONEY" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 9,000,000 Scratch Tickets in Scratch Ticket Game No. 2646. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2646 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	936,000	9.62
\$5.00	576,000	15.63
\$10.00	144,000	62.50
\$20.00	72,000	125.00
\$40.00	72,000	125.00
\$50.00	17,325	519.48
\$100	1,575	5,714.29
\$1,000	15	600,000.00
\$30,000	5	1,800,000.00

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

**The overall odds of winning a prize are 1 in 4.95. 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. 2646 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. 2646, 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-202501129
Bob Biard
General Counsel
Texas Lottery Commission
Filed: April 8, 2025



Scratch Ticket Game Number 2647 "CASH LINE BINGO"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2647 is "CASH LINE BINGO". The play style is "bingo".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2647 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2647.

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: B01, B02, B03, B04, B05, B06, B07, B08, B09, B10, B11, B12, B13, B14, B15, I16, I17, I18, I19, I20, I21, I22, I23, I24, I25, I26, I27, I28, I29, I30, N31, N32, N33, N34, N35, N36, N37, N38, N39, N40, N41, N42, N43, N44, N45, G46, G47, G48, G49, G50, G51, G52, G53, G54, G55, G56, G57, G58, G59, G60, O61, O62, O63, O64, O65, O66, O67, O68, O69, O70, O71, O72, O73, O74, O75, 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, 41, 42, 43, 44, 45, 46,

47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 and FREE SYMBOL.

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. Crossword and Bingo style games do not typically have Play Symbol captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2647 - 1.2D

PLAY SYMBOL	CAPTION
B01	
B02	
B03	
B04	
B05	
B06	
B07	
B08	
B09	
B10	
B11	
B12	
B13	
B14	
B15	
I16	
I17	
I18	
I19	
I20	
I21	
I22	
I23	
I24	
I25	
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FREE SYMBOL	

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

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2647), 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: 2647-0000001-001.

H. Pack - A Pack of the "CASH LINE BINGO" Scratch Ticket Game contains 125 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 125 while the other fold will show the back of ticket 001 and front of 125.

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 "CASH LINE BINGO" Scratch Ticket Game No. 2647.

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 "CASH LINE BINGO" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 120 (one hundred twenty) Play Symbols. The player completely scratches the "CALLER'S CARD" area to reveal twenty (20) Bingo Numbers. The player scratches only those Bingo Numbers on the four (4) "BINGO CARDS" that match the "CALLER'S CARD" Bingo Numbers. The player also scratches the four (4) "FREE" spaces on the four (4) "BINGO CARDS". If a player matches all Bingo Numbers in a complete vertical, horizontal or diagonal line, the player wins the prize in the corresponding prize legend for that "BINGO CARD". RED LINE: If the player matches all the Bingo Numbers in a RED LINE, the player wins DOUBLE the Line prize for that "BINGO CARD". If the player matches all Bingo Numbers in all four (4) corners, the player wins the prize in the corresponding prize legend for that "BINGO CARD". If the player matches all Bingo Numbers to complete an "X", the player wins the prize in the corresponding prize legend for that "BINGO CARD". Notes: Winning pattern(s) may use one (1) or more "FREE" spaces. Only the highest prize per "BINGO CARD" will be paid. 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 120 (one hundred twenty) 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. Crossword and Bingo style games do not typically have Play Symbol captions;
3. Each of the Play Symbols must be present in its entirety and be fully legible;

4. Each of the Play Symbols must be printed in black ink except for dual image games;

5. The Scratch Ticket shall be intact;

6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly 120 (one hundred twenty) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the 120 (one hundred twenty) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 120 (one hundred twenty) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

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

B. CASH LINE BINGO: The number range used for each letter (B,I,N,G,O) will be as follows: B (1-15), I (16-30), N (31-45), G (46-60) and O (61-75).

C. CASH LINE BINGO: No matching Play Symbols (numbers) will appear in the "CALLER'S CARD".

D. CASH LINE BINGO: Each Play Symbol (number) in the "CALLER'S CARD" will appear on at least one of the "BINGO CARDS".

E. CASH LINE BINGO: Each "BINGO CARD" on a Ticket will be different. Two (2) cards match if they have the same Play Symbols (numbers) in the same spots.

F. CASH LINE BINGO: No matching Play Symbols (numbers) will appear within each "BINGO CARD".

G. CASH LINE BINGO: There can only be one winning pattern on each "BINGO CARD".

H. CASH LINE BINGO: Non-winning "BINGO CARDS" will match a minimum of three (3) Play Symbols (numbers).

I. CASH LINE BINGO: Winning a RED LINE doubles the Line prize for that BINGO CARD as dictated by the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "CASH LINE BINGO" Scratch Ticket Game prize of \$2.00, \$3.00, \$5.00, \$6.00, \$10.00, \$15.00, \$20.00, \$30.00, \$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 \$30.00, \$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. To claim a "CASH LINE BINGO" 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 "CASH LINE BINGO" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lot-

tery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

- B. if there is any question regarding the identity of the claimant;

- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "CASH LINE BINGO" 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 "CASH LINE BINGO" 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 120 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

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

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 18,000,000 Scratch Tickets in Scratch Ticket Game No. 2647. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2647 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	1,800,000	10.00
\$3.00	648,000	27.78
\$5.00	864,000	20.83
\$6.00	432,000	41.67
\$10.00	288,000	62.50
\$15.00	180,000	100.00
\$20.00	144,000	125.00
\$30.00	22,500	800.00
\$50.00	14,250	1,263.16
\$100	3,600	5,000.00
\$500	900	20,000.00
\$1,000	30	600,000.00
\$30,000	10	1,800,000.00

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

**The overall odds of winning a prize are 1 in 4.09. The individual odds of winning for a particular prize level may vary based on sales, distribution, 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. 2647 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 Instant 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. 2647, 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-202501130

Bob Biard
General Counsel
Texas Lottery Commission
Filed: April 8, 2025

Texas Parks and Wildlife Department

Notice of Proposed Real Estate Transactions

Lease of Land - Anderson County

Approximately 543 Acres at the Gus Engeling Wildlife Management Area

In a meeting on May 22, 2025, the Texas Parks and Wildlife Commission (the Commission) will consider approving a lease of land of approximately 543 acres at the Gus Engeling Wildlife Management Area. The public will have an opportunity to comment on

the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Texas 78744. Prior to the meeting, public comment may be submitted to Whitney Gann, Wildlife Division, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, or by email to real.estate.comment@tpwd.texas.gov, or via the department's website at www.tpwd.texas.gov. Visit the TPWD website at tpwd.texas.gov for the latest information regarding the Commission.

Disposition of Land - Parker County

Approximately 3.8 Acres Near Lake Mineral Wells State Park and Trailway

In a meeting on May 22, 2025, the Texas Parks and Wildlife Commission (the Commission) will consider approving a disposition of land of approximately 3.8 acres near Lake Mineral Wells State Park and Trailway. The public will have an opportunity to comment on the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Texas 78744. Prior to the meeting, public comment may be submitted to Stan David, Land Conservation, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, or by email to real.estate.comment@tpwd.texas.gov, or via the department's website at www.tpwd.texas.gov. Visit the TPWD website at tpwd.texas.gov for the latest information regarding the Commission.

Disposition of Land - Williamson County

Approximately 56 Acres at Twin Lakes Park

In a meeting on May 22, 2025, the Texas Parks and Wildlife Commission (the Commission) will consider approving a disposition of land of approximately 56 acres at Twin Lakes Park. The public will have an opportunity to comment on the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Texas 78744. Prior to the meeting, public

comment may be submitted to Stan David, Land Conservation, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, or by email to real.estate.comment@tpwd.texas.gov, or via the department's website at www.tpwd.texas.gov. Visit the TPWD website at tpwd.texas.gov for the latest information regarding the Commission.

Acquisition of Land - Walker County

Approximately 1 Acre at Huntsville State Park

In a meeting on May 22, 2025, the Texas Parks and Wildlife Commission (the Commission) will consider approving a acquisition of land of approximately 1 acre at Huntsville State Park. The public will have an opportunity to comment on the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Texas 78744. Prior to the meeting, public comment may be submitted to Trey Vick, Land Conservation, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, or by email to real.estate.comment@tpwd.texas.gov, or via the department's website at www.tpwd.texas.gov. Visit the TPWD website at tpwd.texas.gov for the latest information regarding the Commission.

TRD-202501109

James Murphy

General Counsel

Texas Parks and Wildlife Department

Filed: April 8, 2025



Supreme Court of Texas

Order Inviting Comments on the Law School Accreditation
Component of Texas's Bar Admission Requirements

Supreme Court of Texas

Misc. Docket No. 25-9018

Order Inviting Comments on the Law School Accreditation Component of Texas's Bar Admission Requirements

Whereas:

Section 82.022 of the Government Code provides that the Supreme Court “may adopt rules on eligibility . . . for a license to practice law,” which may include “provisions to ensure . . . adequate study of law”; and

Section 82.024 provides that completion of the prescribed study at an “approved law school . . . satisfie[s] the law study requirements . . . for a license to practice law” and defines an “approved law school” as one that is approved by the Court; and

Before 1983, the Court decided which law schools would satisfy the law study requirements for licensure based on standards adopted by the Court; and

In 1983, the Court delegated its authority to approve law schools to the American Bar Association; and

With limited exceptions, the current Rules Governing Admission to the Bar of Texas require graduation from a law school approved by the ABA to be eligible for admission to the Texas bar; and

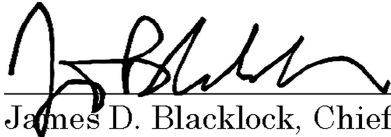
The Court is considering the law school accreditation component of Texas's bar admission requirements;

It is **ORDERED** that:

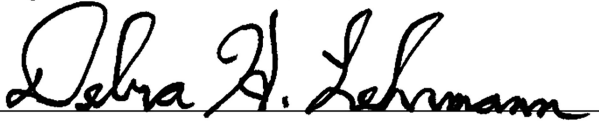
1. The Court invites comments on this topic from the Texas Board of Law Examiners, the Texas law school deans, the bar, and the public.
2. Specifically, the Court requests feedback on:
 - a. whether to reduce or end the Rules' reliance on the ABA; and
 - b. alternatives the Court should consider.

3. The Court requests that comments take into consideration the goals of promoting high-quality and cost-effective legal education, meeting Texans' need for legal services, protecting the public, and promoting public accountability in the State of Texas's governance of the legal profession.
4. Comments should be submitted in writing to rulescomments@txcourts.gov by July 1, 2025.
5. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
 - d. submit a copy of this Order for publication in the *Texas Register*.

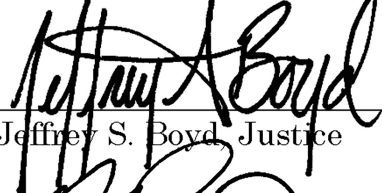
Dated: April 4, 2025.



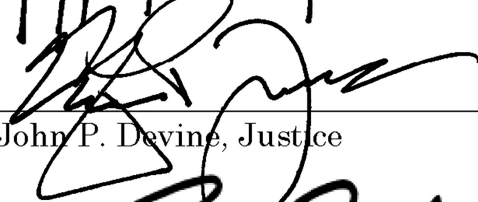
James D. Blacklock, Chief Justice



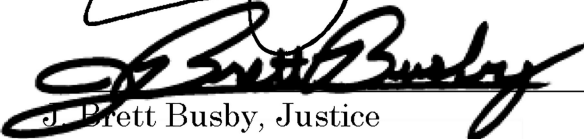
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



J. Brett Busby, Justice



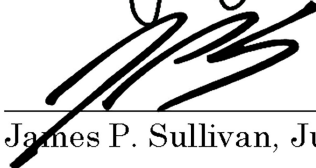
Jane N. Bland, Justice



Rebeca A. Huddle, Justice



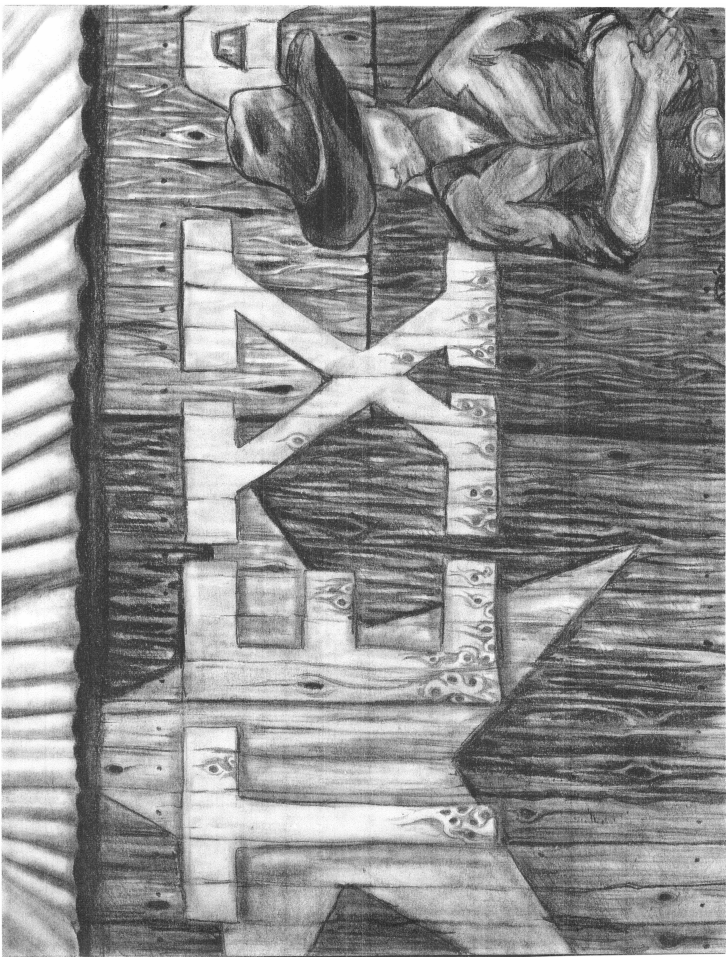
Evan A. Young, Justice



James P. Sullivan, Justice

TRD-202501091
Jaclyn Daumerie
Rules Attorney
Supreme Court of Texas
Filed: April 4, 2025

◆ ◆ ◆



How to Use the Texas Register

Information Available: The sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

Governor - Appointments, executive orders, and proclamations.

Attorney General - summaries of requests for opinions, opinions, and open records decisions.

Texas Ethics Commission - summaries of requests for opinions and opinions.

Emergency Rules - sections adopted by state agencies on an emergency basis.

Proposed Rules - sections proposed for adoption.

Withdrawn Rules - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

Adopted Rules - sections adopted following public comment period.

Texas Department of Insurance Exempt Filings - notices of actions taken by the Texas Department of Insurance pursuant to Chapter 5, Subchapter L of the Insurance Code.

Review of Agency Rules - notices of state agency rules review.

Tables and Graphics - graphic material from the proposed, emergency and adopted sections.

Transferred Rules - notice that the Legislature has transferred rules within the *Texas Administrative Code* from one state agency to another, or directed the Secretary of State to remove the rules of an abolished agency.

In Addition - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words “TexReg” and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 50 (2025) is cited as follows: 50 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written “50 TexReg 2 issue date,” while on the opposite page, page 3, in the lower right-hand corner, would be written “issue date 50 TexReg 3.”

How to Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code* section numbers, or TRD number.

Both the *Texas Register* and the *Texas Administrative Code* are available online at: <https://www.sos.texas.gov>. The *Texas Register* is available in an .html version as well as a .pdf version through the internet. For website information, call the Texas Register at (512) 463-5561.

Texas Administrative Code

The *Texas Administrative Code (TAC)* is the compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the TAC.

The TAC volumes are arranged into Titles and Parts (using Arabic numerals). The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency.

The complete TAC is available through the Secretary of State’s website at <http://www.sos.state.tx.us/tac>.

The Titles of the TAC, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
30. Environmental Quality
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

How to Cite: Under the TAC scheme, each section is designated by a TAC number. For example in the citation 1 TAC §91.1: 1 indicates the title under which the agency appears in the *Texas Administrative Code*; TAC stands for the *Texas Administrative Code*; §91.1 is the section number of the rule (91 indicates that the section is under Chapter 91 of Title 1; 1 represents the individual section within the chapter).

How to Update: To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Index of Rules*.

The *Index of Rules* is published cumulatively in the blue-cover quarterly indexes to the *Texas Register*.

If a rule has changed during the time period covered by the table, the rule’s TAC number will be printed with the *Texas Register* page number and a notation indicating the type of filing (emergency, proposed, withdrawn, or adopted) as shown in the following example.

TITLE 1. ADMINISTRATION

Part 4. Office of the Secretary of State

Chapter 91. Texas Register

1 TAC §91.1.....950 (P)

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