

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 the Attorney General

Notice of Settlement of a Recovery Action for Natural Resource Damages

The State of Texas gives notice of the following proposed resolution of an action to recover damages for injury to, destruction of, loss of, or loss of use of natural resources under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"). Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title: *United States of America and State of Texas v. Intercontinental Terminals Company, LLC*; Case No. 4:24-cv-01207, in the U.S. District Court for the Southern District of Texas.

Background: On April 2, 2024, the United States and the State of Texas filed a joint Complaint against Intercontinental Terminals Company, LLC ("ITC") for natural resource damages related to the release of petrochemical products and hazardous substances resulting from a fire at ITC's terminal facility in Deer Park, Texas, under Section 107 of CERCLA, 42 U.S.C. § 9607. The Complaint in this natural resource damages case was filed against ITC concurrently with the lodging of the proposed Consent Decree. The Complaint alleges that ITC is liable for damages under CERCLA; specifically, that hundreds of thousands of barrels of a mixture of petrochemical products, including, but not limited to, benzene, xylene, and toluene, were released into nearby waters, including Tucker Bayou, Buffalo Bayou, and the Houston Ship Channel, as a result of a fire that ignited on March 17, 2019, within the 2nd 80's Tank Farm at ITC's terminal facility, and that natural resources were injured as a result of the release. The State of Texas is acting through its designated State trustees: the Texas General Land Office, the Texas Commission on Environmental Quality, and the Texas Parks and Wildlife Department. The Federal and State trustees seek damages in order to compensate for and restore natural resources injured by ITC's release of hazardous substances. The Federal and State trustees also seek to recover unreimbursed costs of assessing such injuries.

Proposed Settlement: In addition to \$1,082,999 that ITC has already reimbursed the Federal and State trustees for costs incurred conducting natural resource damage assessment, ITC will pay \$6,645,000 under the proposed Consent Decree. Of this total, \$6,617,175.20 is designated for the Federal and State trustees for future planning costs and to restore, replace, or acquire the equivalent of the natural resources allegedly injured, destroyed, or lost as a result of ITC's release of hazardous substances, and the remaining amount will go to reimburse the Federal trustees for their unpaid assessment costs.

For a complete description of the settlement, the Complaint and proposed Consent Decree should be reviewed in its entirety. Requests for copies of the Complaint and proposed Consent Decree, and written comments on the same, should be directed to Katie B. Hobson, Assistant Attorney General, Office of the Attorney General

of Texas, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, phone (512) 475-4165, facsimile (512) 320-0911, email address: Katie.Hobson@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202401425

Justin Gordon

General Counsel

Office of the Attorney General

Filed: April 8, 2024



Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an action to recover damages for injury to, destruction of, loss of, or loss of use of natural resources under the federal Oil Pollution Act. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title: *United States of America and State of Texas v. Flint Hills Resources Ingleside, LLC*, Case No. 2:24-cv-00079, in the United States District Court for the Southern District of Texas, Corpus Christi Division.

Background: On April 8, 2024, the United States and the State of Texas filed a joint Complaint, and concurrently lodged a proposed Consent Decree, against Flint Hills Resources Ingleside, LLC ("Flint Hills") for recovery of damages for injury to, destruction of, loss of, or loss of use of natural resources, under the Oil Pollution Act, 33 U.S.C. § 2702 and separate civil penalties to the United States for violations of the Clean Water Act, 33 U.S.C. § 1321. The Complaint alleges that Flint Hills is liable for damages under the Oil Pollution Act; specifically, that an estimated 335 barrels (over 14,000 gallons) of crude oil was discharged into Corpus Christi Bay from Flint Hills' Ingleside crude oil terminal, starting on December 24, 2022, resulting in injury to natural resources. In addition to and separate from natural resource damages, the Complaint seeks civil penalties for the release under the Clean Water Act. The State of Texas is acting through its designated State trustees: the Texas General Land Office, the Texas Commission on Environmental Quality, and the Texas Parks and Wildlife Department. The United States and Texas seek damages in order to compensate for and restore natural resources injured by the oil discharge. The United States and Texas also seek to recover unreimbursed costs of assessing such injuries.

Proposed Settlement: Flint Hills will pay a total of \$989,212.80 to the United States and the State under the proposed Consent Decree. Of this total, \$427,000.00 is designated for the trustees to design, implement, and oversee natural resource restoration projects to compensate for the injuries resulting from the oil discharge; \$400,000.00 is to be paid to the United States as a Clean Water Act civil penalty; and the remaining

amount will go to the Texas and United States trustees for their unpaid assessment costs.

For a complete description of the settlement, the Complaint and proposed Consent Decree should be reviewed in its entirety. Requests for copies of the Complaint and proposed Consent Decree, and written comments on the same, should be directed to Clark C. Reeder, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC 066, Austin, Texas 78711-2548, phone (512) 463-2012, facsimile (512) 320-0911, email address: Clark.Reeder@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202401467
Justin Gordon
General Counsel
Office of the Attorney General
Filed: April 10, 2024

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 04/15/24 - 04/21/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 04/15/24 - 04/21/24 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

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

TRD-202401447
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: April 10, 2024

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Texas Education Agency

Request for Applications (RFA) Concerning Subchapter G Adult Education Charter Application (RFA #701-24-130)

Filing Authority. Texas Education Code (TEC), §12.255

Eligible Applicants. The Texas Education Agency (TEA) is requesting applications under Request for Applications (RFA) #701-24-130 from eligible entities to operate adult education charter schools. Possible eligible entities include nonprofit entities; school districts; an entity granted a charter under Texas Education Code (TEC), Chapter 12, Subchapter D; general academic teaching institutions; public junior colleges; or public technical institutes, as defined by TEC, §61.003. The entity, or a member of the entity's executive leadership, must have a successful history of providing education services, including industry certifications and job placement services, to adults 18 years of age and older whose educational and training opportunities have been limited by educational disadvantages, disabilities, homelessness, criminal history, or similar marginalizing circumstances. For any of the previously listed entities to be eligible, the criteria named must be met in full, describing a history serving the identified adult learner populations as well as demonstrable success serving those populations. At least one member of the applicant team must attend one required appli-

cant information session webinar. In addition, the board president of the entity, if identified, must attend. To see webinar dates and registration links, please visit the TEA website at <https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-school-applicants>. Registrants will receive a confirmation email containing information about joining the webinar. The webinar will also be recorded and made available publicly; however, failure to attend the mandatory live webinar in its entirety will disqualify an applicant from further consideration.

Description. The purpose of an adult education charter is to meet industry needs for a sufficiently trained workforce within the state and strengthen the economic and educational prosperity of the state. Adult education charters must be designed to offer a high school program that can lead to a diploma and career and technology education courses that can lead to industry certification. The entity must demonstrate through the application process that the proposed school model complies with allowable provisions under state law and the specific provisions for adult education under TEC, §12.1259. Those provisions include using an instructional model in which a significant portion of instruction, as approved by the commissioner of education, is delivered in a teacher-led, interactive classroom environment; providing access to career and technical education courses that lead to an industry certification, career readiness training, postsecondary counseling, and job-placement services; and providing support services to students, including child care at no cost to students; life coaching services, at a ratio not to exceed one life coach for every 100 students, that use strategic and holistic interventions designed to facilitate graduation planning and assist students in overcoming life obstacles to achieve academic and career goals; mental health counseling; instructional support services for students with identified disabilities or impairments; and transportation assistance. An adult high school charter program is subject to federal laws and certain state laws governing public schools, including laws and rules relating to a criminal offense, requirements relating to the Public Education Information Management System, criminal history records, high school graduation, special education programs, bilingual education, health and safety, requirements to report an educator's misconduct, and the right of an employee to report a crime. The commissioner will evaluate each adult education charter school annually according to the performance framework adopted specifically for these schools. The commissioner may revoke the charter if the charter's adult education program fails to meet the minimum performance standards established by commissioner rule on the applicable accountability framework for three consecutive school years after the second year of operation.

Dates of Project. An electronic version of the completed application must be submitted to TEA by 5:00 p.m. (Central Time), Thursday, October 31, 2024, to be eligible for review.

Project Amount. TEC, §12.263, specifies the following.

- (a) Except as otherwise provided by this section, funding for an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, is an amount per participant through the Foundation School Program equal to the amount of state funding per student in weighted average daily attendance that would be allocated under the Foundation School Program for the student's attendance at an open-enrollment charter school in accordance with TEC, §12.106.
- (b) For purposes of determining the average daily attendance of an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, a student is considered to be in average daily attendance, with a 100% attendance rate, for (1) all of the instructional days of the school year, if the student is enrolled for at least 75% of the school year; (2) half of the instructional days of the school year, if the student is enrolled for at least 50% but less than 75% of the school year; (3) a quarter of the instructional days of the school year, if the student

is enrolled for at least 25% but less than 50% of the school year; or (4) one-tenth of the instructional days of the school year, if the student is enrolled for at least 10% but less than 25% of the school year.

(c) A student enrolled in an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, for less than 10% of a school year may not be counted toward the adult education program's average daily attendance for that school year.

(d) For purposes of the compensatory education allotment under TEC, §48.104, the commissioner shall (1) permit an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, to give a final report at the end of each school year of students who were enrolled in the adult education program at any time during that school year and who qualify for that allotment; and (2) provide the allotment for each student reported under subsection (d)(1) in an amount proportional to the duration of the student's enrollment in the adult education program.

(e) For purposes of the college, career, or military readiness outcomes bonus under TEC, §48.110, notwithstanding subsection (f) of that section, an annual graduate of an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, demonstrates career readiness by earning an industry-accepted certificate not later than six months after completing the program.

(f) In addition to funding provided under subsection (a), an eligible entity granted a charter under TEC, Chapter 12, Subchapter G, is entitled to receive for the adult education program an annual allotment, provided in accordance with a schedule established by commissioner rule, equal to the maximum basic allotment under TEC, §48.051(a) or (b), multiplied by (1) for each credit earned by a student enrolled in the adult education program during the preceding school year (A) 0.01 for a course other than a career and technology education course; and (B) 0.02 for a career and technology education course; and (2) 0.1 for each student who successfully completed the adult education program and earned a high school diploma during the preceding school year.

(g) TEC, §12.107 and §12.128, apply as though funds under this section were funds under TEC, Subchapter D.

(h) Notwithstanding any other law, for purposes of any budget reductions requested by the Legislative Budget Board or the governor, any money received by a nonprofit entity granted a charter under TEC, Chapter 12, Subchapter G, or appropriated to the agency for purposes of operating an adult education program under TEC, Chapter 12, Subchapter G, is considered to be part of the foundation school program and is not subject to those budget reductions.

TEC, §12.258, specifies for admission that (a) a person who is at least 18 years of age and not more than 50 years of age is eligible to enroll in an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, if the person (1) has failed to complete the curriculum requirements for high school graduation; or (2) has failed to perform satisfactorily on an assessment instrument required for high school graduation. (b) In admitting students to an adult education program operated under a charter granted under TEC, Chapter 12, Subchapter G, an eligible entity shall give priority to a person who has not earned a high school equivalency certificate.

Selection Criteria. A complete description of selection criteria is included in the RFA. The commissioner may approve adult high school charter schools as provided in TEC, §12.255. There is currently one adult education charter approved under TEC, §12.255. There is a cap of 10 adult education charters approved under TEC, §12.255.

Requesting the Application. An application must be submitted under commissioner guidelines to be considered. A complete copy of the publication Subchapter G Adult Education Charter Application (RFA

#701-24-130), which includes an application and guidance, may be obtained on the TEA website at <https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-school-applicants>.

Further Information. For clarifying information about the adult high school charter school application, contact the Division of Authorizing, Texas Education Agency, at (512) 463-9575 or charterapplication@tea.texas.gov.

Issued in Austin, Texas, on April 10, 2024.

TRD-202401457

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: April 10, 2024

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 20, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **May 20, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Aqua Texas, Incorporated; DOCKET NUMBER: 2023-0211-PWS-E; IDENTIFIER: RN102686409; LOCATION: Lakehills, Bandera County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for trihalomethanes, based on the locational running annual average; PENALTY: \$2,250; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: C R C WATER SUPPLY CORPORATION; DOCKET NUMBER: 2023-1014-PWS-E; IDENTIFIER: RN101263994; LOCATION: Athens, Henderson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: Hannah Martinez, (512) 239-6728; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: CALEB AND CASEN ENT INCORPORATED dba Al's Food Mart; DOCKET NUMBER: 2023-1727-PST-E; IDENTIFIER: RN101431567; LOCATION: La Grange, Fayette County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.48(e)(1) and §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases in a manner which will detect a release at a frequency of at least once every 30 days, and failing to conduct a test of the proper operation of the release detection equipment at least annually; and 30 TAC §334.51(a)(6) and TWC, §26.3475(c)(2), by failing to ensure that all installed spill and overflow prevention devices are maintained in good operating condition; PENALTY: \$5,004; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: City of Granite Shoals; DOCKET NUMBER: 2023-1357-PWS-E; IDENTIFIER: RN101214815; LOCATION: Granite Shoals, Burnet County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; 30 TAC §290.117(c)(2)(A), (h), and (i)(1), by failing to collect lead and copper tap samples at the required 40 sample sites, have the samples analyzed, and report the results to the executive director (ED) for the January 1, 2023 - June 30, 2023, monitoring period; and 30 TAC §290.117(e)(2), (h), and (i)(3), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the ED for the January 1, 2023 - June 30, 2023, monitoring period; PENALTY: \$10,950; ENFORCEMENT COORDINATOR: Hannah Martinez, (512) 239-6728; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(5) COMPANY: City of Littlefield; DOCKET NUMBER: 2022-1363-MWD-E; IDENTIFIER: RN102078581; LOCATION: Littlefield, Lamb County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Commission on Environmental Quality Permit Number WQ0010207002, Permit Condition Number 2.g., by failing to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state; PENALTY: \$6,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,800; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(6) COMPANY: Equinix LLC; DOCKET NUMBER: 2024-0043-AIR-E; IDENTIFIER: RN108987058; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: data center and telecommunication service; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Federal Operating Permit Number O4157, General Terms and Conditions and Special Terms and Conditions Number 9, and Texas Health and Safety Code, §382.085(b), by failing to submit a permit

compliance certification within 30 days of any certification period; PENALTY: \$3,250; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(7) COMPANY: G. E. HUEBNER CONCRETE INCORPORATED; DOCKET NUMBER: 2023-1193-WQ-E; IDENTIFIER: RN108713140; LOCATION: Bellville, Austin County; TYPE OF FACILITY: sand mining operation; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26, by failing to obtain authorization to discharge stormwater associated with industrial activities; PENALTY: \$2,125; ENFORCEMENT COORDINATOR: Shane Glantz, (325) 698-6124; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(8) COMPANY: GLENDALE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-0454-PWS-E; IDENTIFIER: RN101436319; LOCATION: Trinity, Trinity County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(e), by failing to provide the results of nitrate and nitrite sampling to the executive director (ED) for the January 1, 2021 - December 31, 2021, monitoring period; 30 TAC §290.107(e), by failing to provide the results of synthetic organic chemical contaminants sampling to the ED for the January 1, 2019 - December 31, 2021, monitoring period, and failing to provide the results of volatile organic chemical contaminants sampling to the ED for the January 1, 2021 - December 31, 2021, monitoring period; 30 TAC §290.115(e), by failing to provide the results of Stage 2 Disinfection Byproducts sampling to the ED for the third and fourth quarters of 2021; 30 TAC §290.117(i)(6) and (j), by failing to provide a consumer notification of lead tap water monitoring results to persons served at the sites that were tested, and failing to mail a copy of the consumer notification of tap results to the ED along with certification that the consumer notification has been distributed in a manner consistent with TCEQ requirements for the July 1, 2020 - December 31, 2020, and the January 1, 2021 - June 30, 2021, monitoring periods; 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account Number 92280012; 30 TAC §291.76 and TWC, §5.702, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 11224 for calendar years 2021 through 2022; 30 TAC §290.271(b) and §290.274(a) and (c), by failing to mail or directly deliver one copy of the Consumer Confidence Report (CCR) to each bill paying customer by July 1st each year, and failing to submit to the TCEQ by July 1st for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar year 2020; and 30 TAC §290.272 and §290.274(a), by failing to meet the adequacy, availability, and/or content requirements for the CCR for the year of 2019; PENALTY: \$8,250; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: INV Performance Surfaces, LLC; DOCKET NUMBER: 2021-1207-AIR-E; IDENTIFIER: RN102663671; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), New Source Review (NSR) Permit Number 809, Special Conditions (SC) Number 1, Federal Operating Permit (FOP) Number O1867, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 15, and Texas Health and Safety Code (THSC), §382.085(b), by failing to comply with the maximum allowable emissions rate; and 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 813, SC Number 11, FOP Number O1867,

GTC and STC Number 15, and THSC, §382.085(b), by failing to maintain the ammonia concentration in the stacks as measured by the continuous emissions monitoring system from exceeding ten parts per million by volume dry corrected to 3% oxygen on a 24-hour rolling average; PENALTY: \$34,875; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$13,950; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(10) COMPANY: Jackson County Water Control and Improvement District Number 2; DOCKET NUMBER: 2021-0937-MWD-E; IDENTIFIER: RN102185071; LOCATION: Vanderbilt, Jackson County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010196001, Other Requirements Number 4, by failing to submit a closure plan for the existing pond system for review and approval; 30 TAC §305.125(1) and TPDES Permit Number WQ0010196001, Operational Requirements Number 4, by failing to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0010196001, Operational Requirements Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; 30 TAC §305.125(1) and (12) and TPDES Permit Number WQ0010196001, Permit Conditions Number 1.a, by failing to accurately report monitoring activities; and 30 TAC §305.125(1) and §309.13(e)(3) and TPDES Permit Number WQ0010196001, Other Requirements Number 3, by failing to submit sufficient evidence of legal restriction prohibiting residential structures within the part of the buffer zone not owned by the respondent; PENALTY: \$17,100; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$13,680; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(11) COMPANY: K and K CONSTRUCTION, INCORPORATED; DOCKET NUMBER: 2023-1233-WQ-E; IDENTIFIER: RN111052551; LOCATION: Porter, Montgomery County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with construction activities; PENALTY: \$4,875; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: Kantipur Investment LLC dba Super Xpressway; DOCKET NUMBER: 2023-1002-PST-E; IDENTIFIER: RN101555498; LOCATION: Greenville, Hunt County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Danielle Fishbeck, (512) 239-5083; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: Kinder Morgan Production Company LLC; DOCKET NUMBER: 2023-0607-AIR-E; IDENTIFIER: RN100226455; LOCATION: Snyder, Scurry County; TYPE OF FACILITY: carbon dioxide treatment plant; RULES VIOLATED: 30 TAC §§101.4, 116.115(c), 116.615(2), and 122.143(4), New Source Review Permit Number 45842, and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent unauthorized emissions;

PENALTY: \$22,500; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: Lake Livingston Heights Water Supply Corporation; DOCKET NUMBER: 2023-0559-PWS-E; IDENTIFIER: RN101455103; LOCATION: Huntsville, Walker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$1,400; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: Meta Marie Dolgener dba Bernhard Trailer Park; DOCKET NUMBER: 2022-1288-PWS-E; IDENTIFIER: RN109450668; LOCATION: Fredericksburg, Gillespie 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; and 30 TAC §290.117(e)(2), (h), and (i)(3), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the Executive Director for the January 1, 2017 - December 31, 2017, monitoring period; PENALTY: \$30,885; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: Michael G. MacDougall; DOCKET NUMBER: 2023-1673-MLM-E; IDENTIFIER: RN111594289; LOCATION: Johnson City, Blanco County; TYPE OF FACILITY: residential 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; and 30 TAC §297.11 and TWC, §11.121, by failing to obtain authorization prior to diverting, impounding, storing, taking, or using state water; PENALTY: \$17,945; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: Millersview-Doole Water Supply Corporation; DOCKET NUMBER: 2023-0122-PWS-E; IDENTIFIER: RN101457786; LOCATION: Millersview, Concho County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.060 milligrams per liter for haloacetic acids, based on the locational running annual average; PENALTY: \$2,550; ENFORCEMENT COORDINATOR: Daphne Greene, (903) 535-5157; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(18) COMPANY: NEW HOUTEX READY MIX CONCRETE, INCORPORATED; DOCKET NUMBER: 2021-1141-WQ-E; IDENTIFIER: RN104156492; LOCATION: Houston, Harris County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System General Permit Number TXG112693, Part III, Section A, Permit Requirements Numbers 1, 2, and 5; and Part IV, Standard Permit Conditions Number 7.f, Outfall Numbers 001Y, 003Y, and 004Y and TX1Y, TX3Y, and TX4Y, by failing to timely submit monitoring results at the intervals specified in the permit; PENALTY: \$3,563; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(19) COMPANY: OXY USA WTP LP; DOCKET NUMBER: 2023-0864-AIR-E; IDENTIFIER: RN110408671; LOCATION: Pecos, Reeves County; TYPE OF FACILITY: sweet natural gas and liquid hydrocarbons processing facility; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §101.201(c) and THSC, §382.085(b), by failing to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event; and 30 TAC §106.6(b), Permit By Rule Registration Number 170054, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$19,695; ENFORCEMENT COORDINATOR: Yuliy Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(20) COMPANY: Palo Duro Service Company, Incorporated; DOCKET NUMBER: 2022-1620-PWS-E; IDENTIFIER: RN102324217; LOCATION: Aurora, Wise County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(C)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; PENALTY: \$312; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(21) COMPANY: Prime Realty SA LLC and SUNSHINE SA REALTY LLC; DOCKET NUMBER: 2023-0918-EAQ-E; IDENTIFIER: RN111569976; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: commercial business; RULES VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(22) COMPANY: RON STURGEON REAL ESTATE, L.P.; DOCKET NUMBER: 2023-0894-PWS-E; IDENTIFIER: RN111705547; LOCATION: Haslet, Tarrant County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(e) and (h)(1) and Texas Health and Safety Code, §341.035(a), by failing to submit plans and specifications to the Executive Director for review and approval prior to the construction of a new public water supply; and 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's well into service; PENALTY: \$1,000; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(23) COMPANY: SANVI ENTERPRISES, INCORPORATED dba Chilly Mart Drive-In; DOCKET NUMBER: 2023-0204-PST-E; IDENTIFIER: RN101559177; LOCATION: Richardson, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; 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: \$2,438; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(24) COMPANY: SigmaPro Properties, LLC; DOCKET NUMBER: 2023-0826-MWD-E; IDENTIFIER: RN110487162; LOCATION: Fort Worth, Tarrant 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 WQ0015722001, Effluent Limitations and Monitoring

Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(25) COMPANY: SIMPLY AQUATICS, INCORPORATED; DOCKET NUMBER: 2022-1135-PWS-E; IDENTIFIER: RN101247815; LOCATION: Broaddus, San Augustine County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$5,210; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(26) COMPANY: SJWTX, Incorporated; DOCKET NUMBER: 2023-0137-PWS-E; IDENTIFIER: RN101285153; LOCATION: Blanco, Blanco County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(C)(ii) and Texas Health and Safety Code, §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; PENALTY: \$315; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(27) COMPANY: SOUTHWEST RESEARCH INSTITUTE; DOCKET NUMBER: 2023-0973-AIR-E; IDENTIFIER: RN100222983; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: research and development facility; RULES VIOLATED: 30 TAC §§111.111(a)(7), 116.115(c), and 122.143(4), New Source Review Permit Number 43833, Special Conditions Number 3.C., Federal Operating Permit Number O1469, General Terms and Conditions and Special Terms and Conditions Number 10, and Texas Health and Safety Code, §382.085(b), by failing to prevent an excess opacity event; PENALTY: \$6,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,800; ENFORCEMENT COORDINATOR: Trenton White, (903) 535-5155; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(28) COMPANY: Undine Texas, LLC; DOCKET NUMBER: 2022-1478-PWS-E; IDENTIFIER: RN102694106; LOCATION: Somerville, Burleson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running average; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202401434
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: April 9, 2024



Enforcement Orders

An agreed order was adopted regarding ANJALI & MAYA CORPORATION dba Park In Beverages, Docket No. 2022-0117-PST-E on April 9, 2024 assessing \$3,000 in administrative penalties with \$600 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 Jacob Transportation Inc, Docket No. 2022-0413-MSW-E on April 9, 2024 assessing \$7,425 in administrative penalties with \$1,485 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Aqua Texas, Inc., Docket No. 2022-0548-PWS-E on April 9, 2024 assessing \$216 in administrative penalties with \$43 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, 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 Alliance Community Fellowship, Docket No. 2022-0580-PWS-E on April 9, 2024 assessing \$3,315 in administrative penalties with \$663 deferred. 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 Franz Warehouse DE, LLC, Docket No. 2022-0600-PWS-E on April 9, 2024 assessing \$4,916 in administrative penalties with \$983 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 BABITA CORPORATION dba Heli Docket No. 2022-0951-PST-E on April 9, 2024 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, 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 JHEM Investment LLC dba Dollar Saver 3, Docket No. 2022-1303-PST-E on April 9, 2024 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, 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. 2022-1708-PST-E on April 9, 2024 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, 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 ORE CITY VALERO LLC dba Dry Creek 2, Docket No. 2023-0944-PST-E on April 9, 2024 assessing \$3,575 in administrative penalties with \$715 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.

TRD-202401452

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 10, 2024



Notice of District Petition

Notice issued April 9, 2024

TCEQ Internal Control No. D-01252024-032 Big Horn 124, LLC and JC Water Resource Recovery Facility, LLC, (Petitioners) filed a petition for creation of Big Horn Municipal Utility District No. 1 of Johnson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 112 acres located within Johnson 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, 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 and control local storm water or other local 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 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 \$15,725,000 (\$11,040,000 for water, wastewater, and drainage and \$4,685,000 for roads).

INFORMATION SECTION

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

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

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

TRD-202401451

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: April 10, 2024

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General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of April 1, 2024 to April 5, 2024. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, April 12, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday May 12, 2024.

Federal License and Permit Activities:

Applicant: Brownsville Navigation District

Location: The project site is located on of a 167-acre parcel adjacent to the Brownsville Ship Channel (BSC) owned by the Port of Brownsville located approximately 9 miles northeast of Brownsville on the northern side of the BSC and south of Brownsville-Port Isabel Highway and Old State Highway 48 in Cameron County, Texas.

Latitude and Longitude: 25.980572, -97.330879

Project Description: The applicant proposes to develop a 167-acre parcel on the BSC to be utilized as a marine terminal (Project) for the receiving, handling, storage, and transport of raw materials, including iron ore and scrap steel. The proposed Project would construct a bulk carrier dock, barge dock, a conveyor belt system, stockpiles for raw materials, and on-site and off-site rail lines for transportation of materials to Pesquería, Mexico. The Project also includes the associated dredging of a bulk carrier berth and basin and a barge berth and basin. A one-mile extension of the existing shortline railroad and a tie-in to the proposed on-site railroad is also included in this Project.

Construction would take place from both the waterside from within the BSC and from the land. No cofferdams or other dewatering methods would be required. Construction of the steel pipe pile-supported docks would require driving 60-inch (in) diameter steel pipe piles to support the dock structure. Based on a preliminary design, it is believed an impact hammer may be required to drive the piles to design depths. Mechanical excavation and hydraulic dredging would occur within of the BSC to construct the docks and deepen the berths and basins. Riprap would be placed within open water below the mean high tide line within the BSC for shoreline protection. The bulk carrier dock would require placement of 14,193.12 cubic yards (3.78 acres) of riprap within the footprint of the dock. The barge dock would require placement of 2,685.0 cubic yards (0.85 acre) of riprap. The applicant anticipates dredging with a cutterhead dredge. Dredging operations for the construction of the bulk carrier berth and basin would consist of approximately 1.28 million cubic yards (MCY) of dredged material. Additionally, the barge berth and basin dredging would consist of 0.14 MCY of dredged material. A total of approximately 1.42 MCY material would be dredged and placed in Port of Brownsville-owned Dredged Material Placement Areas (DMPA) 5A or 5B, located on the south side of the BSC. It is expected that at full operation, 3.1 million tons/year of imported iron ore and 0.1 million tons/year of steel scrap would be imported at the facility for transfer into rail cars for delivery to the steelmaking plant in Pesquería.

The purpose of the Project is to receive, handle, store, and transport iron ore and scrap steel to a Ternium electric steelmaking plant in Pesquería, Mexico. The purpose of the steelmaking plant and this associated Project is to meet new regional steel content requirements established for the automotive industry by the United States-Mexico-Canada Agreement (USMCA), formally known as the North American Free Trade Agreement (NAFTA), which demands that at least 70% of the steel used in the automotive industry must be melted in the region. The proposed Project would impact a total of 34.11 acres of the Brownsville Ship Channel, a TNW, but no special aquatic sites, including oyster reef, seagrass, or submerged aquatic vegetation, would be impacted. Therefore, no compensatory mitigation is proposed for this Project.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2024-00136. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 24-1202-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-202401436

Mark Havens

Chief Clerk

General Land Office

Filed: April 9, 2024

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Texas Health and Human Services Commission

Notice of Stakeholder Engagement Meetings for Medicaid and Non-Medicaid Payment Rates

MEETINGS.

The Texas Health and Human Services Commission (HHSC) will conduct stakeholder engagement meetings on April 25, 2024, to receive comments on Medicaid and non-Medicaid payment rate topics that may potentially be addressed at the upcoming May 2024 rate hearings. Commentary will be collected solely on the topics listed in this notice. Proposed rates will not be published at this time. These meetings will be conducted online only.

The meetings will be held online only at the following times according to topic areas:

Long-term Services & Supports: April 25, 2024, 9:00 a.m. - 11:00 a.m.

Acute Care and Hospital Services: April 25, 2024, 11:30 a.m. - 1:30 p.m.

To attend online: The meetings will be held online via GoToWebinar. Visit the following GoToWebinar link to register to attend one or both of the online meetings. After registering, you will receive a confirmation email containing information about joining the webinar.

<https://attendee.gotowebinar.com/register/8021748103032913496>

Webinar ID: 873-212-131

HHSC will record the meetings. The recording will be archived and can be accessed on-demand at: <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>.

HHSC may limit speakers' time to ensure all attendees wishing to present public comment are afforded an opportunity to do so. HHSC reserves the right to end an engagement meeting if no participants have registered to present public comments within the first 30 minutes of the meeting.

TOPICS.

Below is a list of topics that HHSC will collect commentary for during the stakeholder engagement meetings. These topics may potentially be presented at the subsequent rate hearing in May 2024. The final list of topics to be presented at the May 2024 rate hearing is at the discretion of HHSC.

Acute Care Services - Calendar Fee Review:

- Cardiovascular System Surgery
- Dental Services
- Digestive System Surgery
- Eye and Ocular Adnexa Surgery
- Indian Health Services
- Medical Transportation Program (MTP) - Individual Transportation Participant (ITP)
- Physician Administered Drugs - Non-Oncology
- Physician Administered Drugs - Oncology
- Physician Administered Drugs - Vaccines & Toxoids
- Proton Therapy Codes
- "R" Codes
- Renal Dialysis Medication
- Respiratory System Surgery
- "T" Codes
- Urinary System Surgery

-- Vision Devices

Acute Care Services - Medical Policy Review:

- FQHC/RHC Telemonitoring - G0511
- PAD Non-Oncology- Acetaminophen (J0131)
- "Q" Codes - Skin Substitute Products
- THSteps Ortho Dental (D8070)

-- Unlisted Colonoscopy Procedure

Acute Care Services - Legislative:

-- Biomarkers (SB989)

Acute Care Services - HCPCS:

-- Quarterly Healthcare Common Procedure Coding System (HCPCS) Updates

---- Q3 HCPCS Drugs

---- Q4 HCPCS Drugs

Hospital Services - Medical Policy Review:

-- Renal Dialysis

Long-term Services & Supports:

-- Consumer-directed Services (CDS) Financial Management Services Agency (FMSA) Monthly Fees

-- Home-delivered Meals (HDM) - Medicaid and Non-Medicaid Adult Foster Care

-- Prescribed Pediatric Extended Care Center (PPECC) / PPECC Transportation

-- NF Rehabilitative and Specialized Services (PASRR) - Occupational Therapy and Assessments, Physical Therapy and Assessments, and Speech Therapy and Assessments

-- Support Consultation

-- Transition Assistance Services (TAS)

-- Youth Empowerment Services (YES) 1915(c) Waiver Services

WRITTEN COMMENTS.

Written comments regarding the proposed topics may be submitted in lieu of, or in addition to, oral comments until 5:00 p.m. the day following the meetings, April 26, 2024. Written comments may be sent by U.S. mail, overnight mail, fax, or email.

U.S. Mail:

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail or special delivery mail:

Texas Health and Human Services Commission

Attn: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 Guadalupe St

Austin, Texas 78751

Fax: Attention: Provider Finance at (512) 730-7475

Email: ProviderFinanceDept@hhs.texas.gov

PREFERRED COMMUNICATION.

Email or telephone communication is preferred.

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

TRD-202401429

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: April 8, 2024



Public Notice - Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act. The proposed amendments will be effective May 1, 2024.

The purpose of the amendments is to update the fee schedules in the current state plan by adjusting fees, rates, or charges for Physicians and Other Practitioners.

The proposed amendment is estimated to result in an annual aggregate expenditure of \$5,480 for federal fiscal year (FFY) 2024, consisting of \$3,296 in federal funds and \$2,184 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$13,004 consisting of \$7,802 in federal funds and \$5,202 in state general revenue. For FFY 2026, the estimated annual aggregate expenditure is \$12,857 consisting of \$7,714 in federal funds and \$5,143 in state general revenue.

Further detail on specific reimbursement rates and percentage changes will be made available on the HHSC Provider Finance website under the proposed effective date at: <https://pfd.hhs.texas.gov/rate-packets>.

Rate Hearing.

A rate hearing will be conducted in person and online in the future to address the proposed rate updates. Once available, information about the proposed rate changes and the hearing will be published in a subsequent issue of the *Texas Register* at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Nicole Hotchkiss, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 487-3349; by facsimile at (512) 730-7472; or by e-mail at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendment will be available for review at the local county offices of HHSC, (which were formerly the local offices of the Texas Department of Aging and Disability Services).

Written Comments.

Written comments about the proposed amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission Attention: Provider Finance Department

Mail Code H-400 P.O. Box 149030 Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission Attention: Provider Finance Department

North Austin Complex

Mail Code H-400 4601 W. Guadalupe St.

Austin, Texas 78751

Phone number for package delivery: (512) 730-7401

Fax Attention: Provider Finance at (512) 730-7475

Email: PFDAcuteCare@hhs.texas.gov

Preferred Communication.

For quickest response, please use e-mail or phone, if possible, for communication with HHSC related to this state plan amendment.

TRD-202401428

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: April 8, 2024



Texas Department of Housing and Community Affairs

Notice of Public Hearing and Public Comment Period on the Draft 2024 State of Texas Consolidated Plan: One-Year Action Plan

The Texas Department of Housing and Community Affairs (TDHCA) will hold one public hearing during a 31-day Public Comment period to accept public comment on the draft 2024 State of Texas Consolidated Plan: One-Year Action Plan (the Plan). The Public Comment period for the draft Plan will be held Monday, April 22, 2024 - Wednesday, May 22, 2024.

The public hearing for the 2024 One-Year Action Plan is scheduled to take place as follows:

Wednesday, May 8, 2024 - 2:00 p.m.

Barbara Jordan State Office Building

Room 2.006

1601 Congress Ave, Austin, Texas 78711

TDHCA, Texas Department of Agriculture (TDA), and Texas Department of State Health Services (DSHS) prepared the Draft 2024 State of Texas Consolidated Plan: One-Year Action Plan (the Plan) in accordance with 24 CFR §91.320. TDHCA coordinates the preparation of the State of Texas Consolidated Plan documents. The Plan covers the State's administration of the Community Development Block Grant Program (CDBG) by TDA, the Housing Opportunities for Persons with AIDS Program (HOPWA) by DSHS, and the Emergency Solutions Grants (ESG) Program, the HOME Investment Partnerships (HOME) Program, and the National Housing Trust Fund (NHTF) by TDHCA.

The Plan reflects the intended uses of funds received by the State of Texas from HUD for Program Year 2024. The Program Year begins on September 1, 2024, and ends on August 31, 2025. The Plan also illustrates the State's strategies in addressing the priority needs and specific goals and objectives identified in the 2020-2024 State of Texas Consolidated Plan.

The Plan may be accessed from TDHCA's Public Comment Web page at: <https://www.tdhca.texas.gov/tdhca-public-comment-center>. The public comment period for the Plan will be open from Monday, April 22, 2024, through Wednesday, May 22, 2024. Anyone may submit comments on the Plan in written form or oral testimony at the May 8, 2024, public hearing. In addition, written comments concerning the Plan may be submitted in the following ways:

1. by mail to: The Texas Department of Housing and Community Affairs,

Housing Resource Center, P.O. Box 13941, Austin, Texas 78711-3941,

2. by email to: info@tdhca.texas.gov

Comments may be submitted at any time during the comment period. Comments must be received no later than Wednesday, May 22, 2024, at 5:00 p.m. Central Standard Time.

Individuals who require auxiliary aids or services at the public hearing should contact Elizabeth Yevich, at (512) 463-7961 or Relay Texas at 1-800-735-2989 at least three (3) days before the meeting so that appropriate arrangements can be made.

Non-English speaking individuals who require interpreters at the public hearing should contact Danielle Leath by phone at (512) 475-4606 or by email at danielle.leath@tdhca.texas.gov at least three (3) days before the meeting so that appropriate arrangements can be made.

Personas que hablan español y requieren un intérprete, favor de llamar a Danielle Leath al siguiente número (512) 475-4606 o enviarle un correo electrónico a danielle.leath@tdhca.texas.gov por lo menos tres días antes de la junta para hacer los preparativos apropiados.

TRD-202401435

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: April 9, 2024

Texas Department of Insurance

Company Licensing

Application for incorporation in the state of Texas for Tower Hill E&S Insurance Exchange, a domestic reciprocal. The home office is in Dallas, Texas.

Application for Columbian Mutual Life Insurance Company, a foreign life, accident, and/or health company, to change its name to Columbian

Life Insurance Company of New York, Inc. The home office is in East Binghamton, New York.

Application for American National Lloyds Insurance Company, a domestic fire and/or casualty company, to change its name to American National Specialty Insurance Company. The home office is in League City, Texas.

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

TRD-202401460

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: April 10, 2024

Texas Lottery Commission

Scratch Ticket Game Number 2583 "\$1,000,000 CROSSWORD"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2583 is "\$1,000,000 CROSSWORD". The play style is "crossword".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2583 shall be \$20.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2583.

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: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, BLACKENED SQUARE SYMBOL, \$20.00, \$40.00, \$50.00, \$100, \$150, \$200, \$500 and \$1,000.

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. 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. 2583 - 1.2D

PLAY SYMBOL	CAPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
Z	
BLACKENED SQUARE SYMBOL	

\$20.00	TWY\$
\$40.00	FRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$150	ONFF
\$200	TOHN
\$500	FVHN
\$1,000	ONTH

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 (2583), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 025 within each Pack. The format will be: 2583-0000001-001.

H. Pack - A Pack of the "\$1,000,000 CROSSWORD" Scratch Ticket Game contains 025 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 025 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 025 will be shown on the back of the Pack.

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 "\$1,000,000 CROSSWORD" Scratch Ticket Game No. 2583.

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 "\$1,000,000 CROSSWORD" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose the Play Symbols as indicated per the game instructions from the total four hundred eighty-four (484) Play Symbols. \$1,000,000 CROSSWORD PLAY INSTRUCTIONS: The player completely scratches all of the YOUR 20 LETTERS Play Symbols. The player then scratches all the letters

found in the \$1,000,000 CROSSWORD puzzle that exactly match the YOUR 20 LETTERS Play Symbols. If the player has scratched at least 2 complete WORDS, the player wins the prize found in the PRIZE LEGEND on the back of the Scratch Ticket. Only 1 prize paid in the \$1,000,000 CROSSWORD puzzle. Only letters within the \$1,000,000 CROSSWORD puzzle that are matched with the YOUR 20 LETTERS Play Symbols can be used to form a complete WORD. Every lettered square within an unbroken horizontal (left to right) or vertical (top to bottom) sequence must be matched with the YOUR 20 LETTERS Play Symbols to be considered a complete WORD. Words revealed in a diagonal sequence are not considered valid WORDS. Words within WORDS are not eligible for a prize. Words that are spelled from right to left or bottom to top are not eligible for a prize. A complete WORD must contain at least 3 letters. BONUS WORDS PLAY INSTRUCTIONS: The player scratches all the letters in BONUS WORD 1 and BONUS WORD 2 that exactly match the YOUR 20 LETTERS Play Symbols. If the player scratches a complete BONUS WORD, the player wins the PRIZE for that BONUS WORD. A completed BONUS WORD cannot be used to win in the \$1,000,000 CROSSWORD puzzle. The \$1,000,000 CROSSWORD puzzle and each BONUS WORD are played separately. 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 four hundred eighty-four (484) 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 four hundred eighty-four (484) 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 four hundred eighty-four (484) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the four hundred eighty-four (484) 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 either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket can win as indicated by the prize structure.

C. GENERAL: Each Ticket in a Pack will be different (i.e., the \$1,000,000 CROSSWORD puzzle grid will have different words and configuration of words and each BONUS WORD will have different words).

D. GENERAL: There will be no correlation between any exposed data on a Ticket and its status as a winning or Non-Winning Ticket.

E. GENERAL: Each Ticket consists of a \$1,000,000 CROSSWORD puzzle grid, a YOUR 20 LETTERS play area, two (2) BONUS WORD play areas and a BONUS WORDS PRIZE play area.

F. GENERAL: A Ticket can win one (1) time in the \$1,000,000 CROSSWORD puzzle grid and one (1) time per BONUS WORD for a total of up to three (3) times per Ticket, as dictated by the prize structure.

G. GENERAL: The BONUS WORDS Prize Symbols will only appear in the BONUS WORDS PRIZE play area and will never appear in either of the BONUS WORDS play areas, the \$1,000,000 CROSSWORD puzzle grid or the YOUR 20 LETTERS play area.

H. \$1,000,000 CROSSWORD: The \$1,000,000 CROSSWORD puzzle grid will be formatted with at least one thousand (1,000) configurations (i.e., puzzle layouts not including words).

I. \$1,000,000 CROSSWORD: All \$1,000,000 CROSSWORD puzzle grid configurations will be formatted within a grid that contains thirty (30) spaces (height) by fifteen (15) spaces (width).

J. \$1,000,000 CROSSWORD: No matching words on a Ticket.

K. \$1,000,000 CROSSWORD: No matching Play Symbols in the YOUR 20 LETTERS play area.

L. \$1,000,000 CROSSWORD: Each grid will contain the following: a) Twelve (12) 3 - letter words, b) Thirteen (13) 4 - letter words, c) Ten (10) 5 - letter words, d) Ten (10) 6 - letter words, e) Five (5) 7 - letter words, f) Five (5) 8 - letter words, and g) Five (5) 9 - letter words.

M. \$1,000,000 CROSSWORD: There will be a minimum of three (3) vowels in the YOUR 20 LETTERS play area. Vowels are A, E, I, O and U.

N. \$1,000,000 CROSSWORD: All words will contain a minimum of three (3) letters.

O. \$1,000,000 CROSSWORD: Words will contain a maximum of nine (9) letters.

P. \$1,000,000 CROSSWORD: All words used will be from TX_Approved_Words_Vers.2.042321.doc.

Q. \$1,000,000 CROSSWORD: Words from TX_Prohibited_Words_Vers.2.042321.docx will not appear horizontally in the YOUR 20 LETTERS play area when read from left to right or right to left.

R. \$1,000,000 CROSSWORD: A player will never find a word horizontally (in either direction), vertically (in either direction) or diagonally (in either direction) in the YOUR 20 LETTERS play area that matches a word in the grid.

S. \$1,000,000 CROSSWORD: Each grid will have a maximum number of different grid formations with respect to other constraints. That is, for identically formatted grids (i.e., the same puzzle grid), all "approved words" will appear in every logical (i.e., 3 letter word = 3 letter

space) position, with regards to limitations caused by the actual letters contained in each word (i.e., this will not place the word "ZOO" in a position that causes an intersection word to require the second letter to be "Z" when in fact, there are no approved words with a "Z" in the second letter position).

T. \$1,000,000 CROSSWORD: No consonant will appear more than thirty (30) times in the grid.

U. \$1,000,000 CROSSWORD: On Non-Winning Tickets, there will be one (1) completed word in the grid.

V. \$1,000,000 CROSSWORD: At least fifteen (15) of the YOUR 20 LETTERS Play Symbols will open at least one (1) letter in the grid.

W. \$1,000,000 CROSSWORD: The presence or absence of any letter in the YOUR 20 LETTERS play area will not be indicative of a winning or Non-Winning Ticket.

X. \$1,000,000 CROSSWORD: The \$1,000,000 CROSSWORD puzzle grid will not have more than ten (10) words completed.

Y. BONUS WORDS: Each of the two (2) BONUS WORDS will contain exactly six (6) letters and will not match any word in the \$1,000,000 CROSSWORD puzzle grid.

Z. BONUS WORDS: Each BONUS WORD will have at least two (2) letter play spots opened by the YOUR 20 LETTERS.

AA. BONUS WORDS: Non-winning BONUS WORDS Prize Symbols will be different and will not match a winning Prize Symbol.

BB. BONUS WORDS: The BONUS WORDS can be completed and won, as indicated by the prize structure.

CC. BONUS WORDS: The two (2) BONUS WORDS on a Ticket will be different.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$1,000,000 CROSSWORD" Scratch Ticket Game prize of \$20.00, \$40.00, \$50.00, \$100, \$150, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$40.00, \$50.00, \$100, \$150, \$200 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 "\$1,000,000 CROSSWORD" Scratch Ticket Game prize of \$2,000, \$20,000 or \$1,000,000, 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 "\$1,000,000 CROSSWORD" 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 "\$1,000,000 CROSSWORD" 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 "\$1,000,000 CROSSWORD" 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 man-

ufactured, 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 15,000,000 Scratch Tickets in Scratch Ticket Game No. 2583. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2583 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$20.00	2,000,000	7.50
\$40.00	700,000	21.43
\$50.00	800,000	18.75
\$100	700,000	21.43
\$150	65,625	228.57
\$200	125,000	120.00
\$500	10,625	1,411.76
\$2,000	250	60,000.00
\$20,000	20	750,000.00
\$1,000,000	6	2,500,000.00

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. 2583 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. 2583, 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-202401438

Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: April 9, 2024

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Motor Vehicle Crime Prevention Authority

Fiscal Year 2024 Request for Applications - SB 224 Catalytic Converter Grants Second Solicitation

The Motor Vehicle Crime Prevention Authority (MVCPA) has authorized the issuance of the Fiscal Year 2024 (FY 2024) Request for Applications (RFA). Senate Bill 224 provides that, "The money deposited to the credit of the general revenue fund for coordinated regulatory and law enforcement activities intended to detect and prevent catalytic converter theft in this state... may be appropriated to the Authority for the activities required by this section." To implement SB 224, the MVCPA is providing grants to local law enforcement taskforces and agencies to combat Catalytic Converter Theft. Eligible applicants may request funds for program operation by submission of an application consistent

with the information, including the requirements and conditions stated in this RFA. This RFA is posted in the *Texas Register* for at least thirty (30) days prior to the due date for Applications.

All applications submitted will be for FY 2024. If awarded an FY 2024 SB 224 Catalytic Converter Grant, the MVCPA may provide a FY 2025 grant subject to availability of funding and grantees' positive program performance. The MVCPA may use the same FY 2024 application and prorated budget values as originally submitted for the additional period. Any ongoing program (scope) changes or budget changes will be submitted by grantees through the grant adjustment process after the creation of the second-year grants.

Due Date

Grant Applications from eligible applicants must be completely submitted on-line at <https://MVCPA.tamu.edu> on or before 5:00 p.m., May 10, 2024. First time applicants must establish an account and perform account setup steps prior to an application being able to be submitted.

The required Resolution and any optional supporting documents must be scanned and submitted as attachments to the application at <https://MVCPA.tamu.edu> on or before 5:00 p.m., May 10, 2024.

Applicable Authority and Rules

Motor Vehicle Crime Prevention Authority grant programs are governed by the following statutes, rules, standards, and guidelines:

- Texas Transportation Code Chapter 1006 (<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.1006.htm>)
- Texas Administrative Code (TAC): Title 43; Part 3; Chapter 57 ([https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=43&pt=3](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=43&pt=3))
- Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts (<https://comptroller.texas.gov/purchasing/grant-management/>)
- The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and any subsequent adopted grantee instruction manuals (https://www.txdmv.gov/sites/default/files/body-files/MVCPA_FY20_Grant_Admin_Manual.pdf)
- This Request for Applications issued on April 5, 2024.

Eligible Applicants.

Only Texas law enforcement agencies through their city or county are eligible to apply for the FY 2024 SB 224 Catalytic Converter Grant funding.

Application Category

New Grant - These are potentially annual grants subject to available legislative funding. The 20% Cash Match will be waived for this grant application only (FY 2024). Applicants meeting the eligibility requirements may submit a new grant application to the priority established by the MVCPA in the FY 2024 RFA. New applicants shall email MVCPA at GrantsMVCPA@txdmv.gov from an official governmental agency email account to request an account and that access be established.

Grant Type

Reimbursement - This is a total program budget reimbursement grant. Applicants that are awarded grants will expend local (agency) funds and then will be reimbursed quarterly, subject to compliance with standard and special conditions as contained in the Statement of Grant Award (SGA), at the agreed rate for all allowable, reasonable, and necessary program costs incurred.

Grant Term

The FY 2024 grant cycle is a one (1) year funding cycle to begin on September 1, 2023, and end August 31, 2024. Subject to availability of funding and grantees' positive program performance the MVCPA may provide a FY 2025 grant using the same on-line application systems and prorated budget values as originally submitted. No obligations or expenses may be incurred or made outside of the grant period(s).

Method of Application

Grant Applications from eligible applicants shall be completely submitted on-line at <https://MVCPA.tamu.edu> on or before 5:00 p.m., May 10, 2024. All forms will be completed on-line. The Resolution and all supporting documents must be submitted as attachments.

Resolution Required

A Resolution (Order or Ordinance) by the applicant governing body is required to make application for these funds. The resolution shall provide that the governing body applies for the funds for the purpose provided in statute (SB 224 and this RFA) and agrees to return the grant funds in the event of loss or misuse and designate the officials that the governing body chooses as its agents to make uniform assurances and administer the grant if awarded.

Only the governing body that submits an application needs to adopt and submit a Resolution. Participating jurisdictions in multi-agency taskforces shall agree and commit to the grant through Interlocal Cooperation Contract or agreements as provided under Texas Local Government Code Chapter 362, Texas Government Code Chapter 791, and TxGMS.

In the event a governing body has delegated the application authority to a city manager, chief of police, sheriff or other official, then applicants must submit on-line a copy of the delegation order (documentation) along with the Resolution signed by the official. A sample Resolution is attached as Appendix A.

Program Category

To be eligible for consideration for funding, a law enforcement taskforce grant application must be designed to support one or more of the following MVCPA program categories (43 TAC §57.14):

Law Enforcement, Detection, and Apprehension - provide financial support to law enforcement agencies for catalytic converter theft and crime enforcement teams (referred to as taskforces). Taskforces will develop organized methods to combat catalytic converter theft through the enforcement of applicable law. This may include recovery of vehicles, clearance of cases, arrest of law violators, and disruption of organized motor vehicle crime. This category includes development of uniform programs to prevent stolen catalytic converters from entering Mexico or being removed from Texas through outbound seaports.

Prosecution/Adjudication/Conviction - provide financial support for taskforces to work with prosecutors and the judiciary to implement programs designed to reduce the incidence of catalytic converter theft.

Prevention, Anti-Theft Devices and Automobile Registration - provide financial support for taskforces to work with organizations and communities to reduce the incidence of catalytic converter theft. The application shall demonstrate how financial support will assist motor vehicle owners to reduce catalytic converter theft.

Reduction of the Sale of Stolen Vehicles or Parts - provide financial support for taskforces to work with businesses, organizations, and communities to reduce the sale of catalytic converters. Applicants will develop organized methods to combat the sale of stolen catalytic converters using any of the following: vehicle identification number (VIN) inspections; inspections of motor vehicle part and component distri-

bution enterprises; parts labeling and etching methods; and means to detect the fraudulent sale of stolen catalytic converters.

Educational Programs and Marketing - provide financial support for taskforces to work with individuals, businesses, organizations, and communities to assist motor vehicle owners in detecting and preventing catalytic converter theft. Develop and provide specialized training or education program(s) to the public on detecting and preventing catalytic converter theft, law enforcement on interdiction and prosecution, and government officials on detecting and preventing catalytic converter theft in this state.

Priority Funding

The MVCPA enabling statute provides that "The authority shall allocate grant funds primarily based on the number of motor vehicles stolen in, or the motor vehicle burglary or theft rate across, and the number of fraud-related motor vehicle crimes committed in the state rather than based on geographic distribution." (TTC Section 1006.151(c); SB 224). In addition, the following grant features will be given priority consideration in evaluating new grant applications:

Continuing Funded Programs in Compliance with MVCPA Grant Conditions - Applications that provide for the continuation of existing programs that currently meet the program and fiscal reporting conditions of the MVCPA grant program. Applicants must provide the ongoing need and their progress and impactful performance toward detecting and preventing catalytic converter theft.

The applicant must describe the experience and qualifications of investigators used in the program and how utilization of grant inventory and resources for continued operation of these specialized investigative grant programs are useful for state and local governments.

Programs to Combat Organized Catalytic Converter Crime - Applications for detecting and preventing catalytic converter theft enforcement teams that introduce, increase, or expand efforts to detect and prevent theft of catalytic converters by organized crime.

Border and Port Security - Applications that provide specific initiatives to identify and prevent stolen catalytic converters from crossing the border with Mexico using automatic license plate readers, training of local state and federal personnel in the identification of stolen vehicles, and bridge and port inspections.

Use of Technology - Applications that incorporate automatic license plate reader programs, surveillance equipment, and other uses of technology to increase the number of stolen catalytic converters recovered and the number of persons arrested for catalytic converter crimes.

Theft of Parts from a Motor Vehicle - Applications that incorporate a reasonable, objective plan to combat and prevent the theft of catalytic converters.

Dedicated Prosecutors - Applications that incorporate a dedicated prosecutor to increase the priority of catalytic converter theft prosecutions and decrease the number of repeat offenders through successful and timely prosecution efforts.

Supporting Documents

Documents that provide evidence of local support or commitment from other officials or agencies for the application may be submitted following the same instructions as the Resolution. Interagency agreements shall be submitted prior to payments being authorized if an award is made. MVCPA recommends that interagency agreements be completed after award determinations are made to ensure correct amounts are reflected in those agreements. All interagency agreements must meet the conditions and elements required in the TxGMS.

Supplanting Prohibited

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state or local funds that otherwise would be available for the same purposes (43 Texas Administrative Code §57.9). Supplanting means the replacement of other funds with MVCPA grant funds. This shall include using existing resources already available to a program activity as cash match.

NICB - Applicants may enter into formal agreements with the National Insurance Crime Bureau (NICB) to work on grant funded activities. The amount of salary and other direct costs related to the work on grant activity provided by the NICB may be reported. Time certifications are required to be made by the employee for these positions as required by TXGMS.

In-Kind Match

Only include in-kind match if necessary for the local jurisdiction. In-kind match may be used to: 1) reflect the total level of jurisdictions' effort/costs to combat catalytic converter theft; 2) reflect how the grant program fits into jurisdictions' operation; 3) effectively operate a single program with multiple funding streams; and/or 4) contributions from the applicant or third parties that are for grant funded activity. Costs in detail line items shall not be split between in-kind match and grant funding. For example, the entire salary of an officer shall be placed in one expense type rather than split between grant and in-kind.

Reporting and Webinar Attendance Requirements

Applicants that are awarded grants will be required to provide:

Quarterly Progress Reports - The MVCPA requires the submission of quarterly progress reports to demonstrate progress toward meeting goals and activities provided in the grant application. These include: 1) Monthly progress toward meeting statutorily required performance measures; 2) Monthly progress recorded on the Goals, Strategies and Activities report; and 3) Quarterly Summary and Success section. Grantees designated as Border/Port Security grants are required to complete additional sections required by the Texas Legislature.

Quarterly Financial Reports - Reports of actual expenses incurred are required to request funds. All expenditures must be in accordance with local policies and procedures and grant requirements. Grantees shall review all expenditures, ensure all applicable regulations are followed, and maintain documentation that is accurate and complete. All expenses must be supported by appropriate documentation.

Webinar Attendance: One grant financial representative from the applicant agency is required to attend a monthly session via teleconference or webinar that includes information on MVCPA grant administration.

One law enforcement officer is required to attend the information sharing and networking sessions on a monthly session via teleconference or webinar that includes law enforcement issues and other MVCPA issues critical to the successful operation of MVCPA taskforces.

Funding Requirements and Conditions

State Funds Availability - All awards by the MVCPA are subject to availability of state funds.

Right of Refusal - The Authority reserves the right to reject any or all of the applications submitted.

Awards - Publishing the RFA does not legally obligate the Authority to fund any programs.

Partial Funding - The Authority may choose to offer funds for all, or any portion of a program submitted in an application.

Substitution - The Authority may offer alternative funding sources, special conditions, or alternative program elements in response to submitted Applications.

Application Required - Registration for on-line access is required. The MVCPA is not responsible for applicants that cannot complete the registration and application process on time.

No Alternative Application Submission - Paper applications and requests for funding are not accepted in lieu of the on-line grant application process.

Review Criteria - Authority staff and any designated MVCPA Board member(s) will review each grant using subjective and objective tools and comparative analysis. The weight given to each section or combination of sections is at the sole discretion of the Authority.

Questions and Clarification - During the review period, the applicant may be contacted by Authority staff to ask questions or to seek clarification regarding information provided in the application. Failure to promptly respond will not disqualify an applicant, but information that is submitted after the review period may not be considered.

Final Selection - The Authority may select and award programs that best meet the statutory and legislative purposes of SB 224 and that reflect its current priorities. No appeal may be made regarding the Authority's decisions.

Changes in Application - If an applicant proposes changes to be made in the program type or participation of jurisdictions after an award is determined, then the Authority will review the changes and may make modifications (including the amount) or cancel the award as deemed appropriate by the Authority.

Delayed Start - An applicant that is awarded a grant and does not begin operations within 30 days of the issuance of the Statement of Grant Award is considered terminated.

Application instructions - the MVCPA will provide additional details and instructions in the on-line application system that are incorporated by reference as part of this RFA and which must be followed during the application and award process.

Program Income - is defined in the TxGMS. Current grantees carrying forward program income to future years will follow the new rules established by the Texas Comptroller and MVCPA Grant Administrative Manual.

TCOLE Certifications Required - All law enforcement agencies regulated by Chapter 1701, Occupations Code must certify that they are

in compliance with the Texas Commission on Law Enforcement standards or provide a certification from the Texas Commission on Law Enforcement that states that the requesting agency is in the process of achieving compliance with said rules.

Selection Process:

Eligible applications will be reviewed. Grant award decisions by MVCPA are final and not subject to judicial review.

Applications that do not meet the stated requirements of this RFA and that are not eligible for review will be notified within ten (10) working days after the due date.

Application Workshop

Potential applicants are requested to attend the on-line "Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant Application Workshop" which has been scheduled for: Wednesday April 24, 2024 (9:00 a.m. to 11:00 a.m.). Join by using the following links:

THIS MEETING WILL BE HELD REMOTELY VIA MICROSOFT TEAMS MEETING

Join on your computer, mobile app or room device.

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NmFmY-WMxZDAZjM4NS00NzNkLTg0YzAtMjBiNDU3MmExZ-GRh%40thread.v2/0?context=%7b%22Tid%22%3a%2272719f70-3533-46b3-9456-ec1235143768%22%2c%22Oid%22%3a%220514ac85-ebb6-4d6b-83c8-d095df91e59b%22%7d

Meeting ID: 276 681 916 419 Passcode: yEZLm6

Download Teams (<https://www.microsoft.com/en-us/microsoft-teams/download-app>)

Join on the web (<https://www.microsoft.com/microsoft-teams/join-a-meeting>)

Or call in (audio only)

+1 (737) 787-8456,870654560# United States, Austin

Phone Conference ID: 870 654 560#

Figure 1

MVCPA Application Checklist

Each Applicant must:

- 1) Complete the on-line Application on or before **5:00 PM, May 10, 2024;**
- 2) Complete the Resolution with the city or county and attach with other supporting documents on or before **5:00 PM, May 10, 2024.**

Appendix A

Updated Sample Motor Vehicle Crime Prevention Authority Resolution

Applicants must use the language below to meet the minimum legal elements to execute an agreement with the MVCPA through the grant application process. Cities and counties not wanting to use the sample below must address all the legal elements contained herein.

2024 **Blank City / County** Resolution or Order or Ordinance

Motor Vehicle Crime Prevention Authority

2024 **Blank City / County** Resolution

SB 224 Catalytic Converter Grant Program

WHEREAS, under the provisions of the Texas Transportation Code Chapter 1006 and Texas Administrative Code Title 43; Part 3; Chapter 57, entities are eligible to receive grants from the Motor Vehicle Crime Prevention Authority to provide financial support to law enforcement taskforces and agencies for economic motor vehicle theft, including catalytic converter theft; and

WHEREAS, this grant program will assist this jurisdiction to combat catalytic converter theft; and

WHEREAS, [GOVERNMENTAL ENTITY] has agreed that in the event of loss or misuse of the grant funds, [GOVERNMENTAL ENTITY] agrees and assures that the grant funds will be returned in full to the Motor Vehicle Crime Prevention Authority.

NOW THEREFORE, BE IT RESOLVED and ordered that [TITLE], is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Motor Vehicle Crime Prevention Authority Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that [Name] is designated as the Program Director and [Name] is designated as the Financial Officer for this grant.

Adopted this _____ day of _____, 2024.

NAME

TITLE: County Judge /Mayor/ City Manager

TRD-202401422
David Richards
General Counsel
Motor Vehicle Crime Prevention Authority
Filed: April 8, 2024



Texas Department of Motor Vehicles

Correction of Error

The Texas Department of Motor Vehicles (department) proposed amendments to 43 TAC Chapter 206, 43 TAC Chapter 215, 43 TAC §217.63, and 43 TAC Chapter 221 in the December 29, 2023, issue of the *Texas Register* (48 TexReg 8192, 48 TexReg 8202, 48 TexReg 8265, and 48 TexReg 8278, respectively). Due to errors by the department, some of the text of the rules was published incorrectly.

For 43 TAC §206.23(a)(1), the word "the" was omitted. The paragraph should read as follows:

(1) to consider the adoption of rules;

For 43 TAC §215.141(b)(4)(B), the word "and" was omitted at the end of the subparagraph after the semicolon. The subparagraph should read as follows:

(B) ownership papers for a vehicle owned by that dealer or under that dealer's control; ~~and~~

For 43 TAC §215.144(d), the word "of" after the word "days" should not be underlined. Also, the words "a representative of" following the word "from" were omitted. The subsection should read as follows:

(d) Request for records. Within 15 days of receiving a request ~~[receipt of a request sent by mail or electronic document transfer]~~ from a representative of the department, a dealer must deliver a copy of the specified records to the address listed in the request. If a dealer has a concern about the origin of a records request, the dealer may verify that request with the department ~~[division]~~ prior to submitting its records.

For 43 TAC §217.63(b)(2), the words "of this section" were omitted after the words "subsection (a)" in the deleted text. The paragraph should read as follows:

(2) The fees for issuance of digital license plates will be paid directly to the state through the digital license plate provider and state systems. ~~[Digital license plate providers that have received the administrative fee under subsection (a) of this section must submit payment of the administrative fee due in full to the department upon receipt of an application for a digital license plate.]~~

For 43 TAC §221.15(b)(1), the word "the" before the words "application reason" should not be underlined. The paragraph should read as follows:

(1) the application reason ~~[full legal name of the applicant];~~

For 43 TAC §221.71(d), the word "electronic" should appear between the words "by" and "document transfer" in the clause at the end of the second sentence. The subsection should read as follows:

(d) A salvage vehicle dealer must make records available for review and copying upon request by ~~[a representative of]~~ the department. The department may request records [A request for records may be made by the department] in person, by mail, or electronically from a department email or a department-designated system ~~[by electronic document transfer].~~

For 43 TAC §221.112(8), the word "or" was included after the words "mailing address,"; however, the word "or" should be deleted. Also, the clause ", physical address or location" was omitted after the words "email address" and before the words "within 30 days." The paragraph should read as follows:

(8) fails to notify the department of a change of the salvage vehicle dealer's license holder information as required under §221.19 of this title (relating to Notice of Change in License Holder Information) ~~[legal business entity name, assumed name, mailing address, email address, physical address or location within 30 days of such change by submitting an amendment to the license];~~

TRD-202401440

Laura Moriaty

General Counsel

Texas Department of Motor Vehicles

Filed: April 10, 2024



Texas Parks and Wildlife Department

Notice of Proposed Real Estate Transactions

Acquisition of Land - Harrison County

Approximately 1.1 Acres at Caddo Lake State Park

In a meeting on May 23, 2024, the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the acquisition of approximately 1.1 acres at Caddo Lake 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 meeting.

Acquisition of Land - Limestone County

Approximately 3.0 Acres at Fort Parker State Park

In a meeting on May 23, 2024, the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the acquisition of approximately 3.0 acres at Fort Parker 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 meeting.

Acquisition of Land - Bastrop County

Approximately 43 Acres at Bastrop State Park

In a meeting on May 23, 2024, the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the acquisition of approximately 43 acres at Bastrop 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 meeting.

Acceptance of Donation of Land - Bastrop County

Approximately 49 Acres at Bastrop State Park

In a meeting on May 23, 2024, the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the acceptance of a donation of approximately 49 acres of land at Bastrop 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 meeting.

Acquisition of Land - Anderson County

Approximately 6900 Acres in the Middle Trinity River Ecosystem Project

In a meeting on May 23, 2024, the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the acquisition of approximately 6,900 acres in the Middle Trinity River Ecosystem Project. 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 meeting.

TRD-202401473
James Murphy
General Counsel
Texas Parks and Wildlife Department
Filed: April 10, 2024



Workforce Solutions for the Heart of Texas

Request for Proposal - Legal Notice

The Heart of Texas Workforce Development Board, Inc. (HOTWDB) is soliciting proposals for operation and management of the Workforce

Solutions for the Heart of Texas Child Care Services Program for the Heart of Texas Workforce Development Board, Inc. (the Board) based in Waco, Texas. Proposals are due May 2, 2024, by 1:00 p.m. Any proposal received after that time and date will not be considered.

For bid specifications, the Request for Proposal will be available at <https://www.hotworkforce.com/home/about-us/business-opportunities/>.

The Heart of Texas Workforce Development Board, Inc. reserves the right to reject any and/or all bids, and to make awards as they may appear to be advantageous to HOTWDB.

The Heart of Texas Workforce Development Board, Inc. provides workforce services to six counties; Bosque, Falls, Freestone, Hill, Limestone and McLennan.

The Heart of Texas Workforce Board, Inc. is an equal opportunity employer. Programs and auxiliary aids and services are available upon request to include individuals with disabilities. TTY/TDD via RELAY Texas service at 711 or (TDD) (800) 735-2989/(800) 735-2988 (voice).

TRD-202401410
Erin Doshier
Workforce Grants and Initiatives Manager
Workforce Solutions for the Heart of Texas
Filed: April 4, 2024

