

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.

Texas State Affordable Housing Corporation

Notice of The Implementation of a 2022 Qualified Mortgage Credit Certificate Program by Texas State Affordable Housing Corporation

The Texas State Affordable Housing Corporation (the "Corporation"), a nonprofit corporation organized under the laws of the State of Texas, is implementing a qualified mortgage credit certificate program (the "Program") within the State of Texas (the "Program Area") to assist eligible purchasers. A Mortgage Credit Certificate ("MCC") is an instrument designed to assist persons better afford home ownership. The MCC Program allows first-time homebuyers an annual federal income tax credit equal to the 20% credit rate for the MCC multiplied by the amount of interest paid by the holder on a home mortgage loan during each year that they occupy the home as their principal residence.

An eligible purchaser of a residence located within the Program Area may apply to the Corporation for an MCC through a participating lender of his or her choice at the time of purchasing a principal residence and obtaining a mortgage loan from a participating lender.

To be an eligible purchaser to receive an MCC, a purchaser must meet the following criteria:

(1) Be one of the following:

(a) A person living in Texas whose annual household income does not exceed 100% of area median family income ("AMFI") (for families of two persons or less) or 115% of AMFI (for families of three or more persons); or

(b) A full-time Texas classroom teacher, teacher's aide, school librarian, school nurse, school counselor, or an allied health or nursing faculty member whose annual family income does not exceed 100% of AMFI (for families of two persons or less) or 115% of AMFI (for families of three or more persons); or

(c) A full-time paid fire fighter, peace officer, corrections officer, juvenile corrections officer, county jailer, EMS personnel, veteran, or public security officer, working in the State of Texas whose annual family income does not exceed 100% of AMFI (for families of two persons or less) or 115% of AMFI (for families of three or more persons).

Visit www.tsahc.org for a more complete description of the maximum income limits.

(2) The applicant for the MCC cannot have had an ownership interest in his or her principal residence during the three-year period ending on the date the mortgage loan is obtained.

(3) The applicant must intend to occupy the residence with respect to which the MCC is obtained as his or her principal residence within 60 days after the MCC is issued. The MCC issued to an applicant will be revoked if the residence to which the MCC relates ceases to be occupied by the applicant as his or her principal residence.

(4) The MCC cannot be issued to an applicant in conjunction with the replacement or refinancing of an existing mortgage loan. The MCC can, however, be obtained in conjunction with the replacement of a construction period or bridge loan having a term of less than 24 months.

(5) Federal law imposes limitations on the purchase price of homes financed under the program. These limitations are periodically adjusted. Visit www.tsahc.org to view the current maximum purchase prices allowed. Two-family, three-family and four-family residences are also eligible, provided that one of the units will be occupied by the mortgagor as his or her principal residence and that the residence was first occupied for residential purposes at least five years prior to the closing of the mortgage.

Anyone receiving an MCC and selling his or her residence within nine years of the issuance of the MCC may be required to return all or a portion of the tax credit received in connection therewith to the Internal Revenue Service.

To defray the costs of implementing the Program, the Corporation will charge applicants a compliance fee, plus an MCC issuance fee.

The Corporation strongly encourages anyone who believes that he or she qualifies for an MCC to apply at the offices of a participating lender. For more information regarding the Program and its restrictions, including a list of current participating lenders, please contact Joniel LeVecque, Homeownership Programs Director, at (512) 477-3561 or by email at jlevecque@tsahc.org.

TRD-202202320

David Long

President

Texas State Affordable Housing Corporation

Filed: June 22, 2022

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§303.003, 303.009, and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/27/22 - 07/03/22 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/27/22 - 07/03/22 is 18% for Commercial over \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 07/01/22 - 07/31/22 is 5.00% for Consumer/Agricultural/Commercial credit through \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 07/01/22 - 07/31/22 is 5.00% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-202202317

◆ ◆ ◆
Texas Council for Developmental Disabilities

Request for Applications: TCDD Accessible and Effective Treatment for Substance Use Disorders for People with Developmental Disabilities

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for three organizations to address accessible and effective treatment for substance use disorders for people with developmental disabilities.

The purpose of offering funding for the projects described in this Request for Applications (RFA) is to promote statewide capacity building and systems change improvements in the prevention, identification, and treatment of substance use disorders (SUD) and to increase the number of individuals with developmental disabilities receiving community-based SUD services and supports from providers with expertise in this field. Projects may expand access through training, or telehealth care and treatment of people with co-occurring SUD and developmental disabilities; improve communication and collaboration among providers and the creation of a framework for sharing expertise across providers from multiple specialties; or may involve policy analysis to address state support structures for expansion of SUD community-based services that consider co-occurring IDD and other conditions.

TCDD has approved funding for up to \$150,000 for three organizations for up to five years. Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 25% of total project costs are required for projects. Non-federal matching funds of at least 10% of the total project costs are required for project activities conducted in federally designated poverty areas.

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

Deadline: Proposals must be submitted through <https://tcdd.smapply.org/prog/1st/>. Proposals are due by 11:59 p.m. on August 26, 2022. Proposals will not be accepted outside of these due dates.

TRD-202202318
Beth Stalvey
Executive Director
Texas Council for Developmental Disabilities
Filed: June 22, 2022

◆ ◆ ◆
Request for Applications: TCDD Disability Cultural Humility for Elected Officials and Staff

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for one organization to develop and conduct Disability Cultural Humility for Elected Officials and Staff.

The purpose of offering funding for the projects described in this Request for Applications (RFA) is to provide resources and promote learning to give elected officials and their staff the tools they need to address public issues with disability in mind, how to ask important questions respectfully, and how and when to enter conversations with the disability community. The training program should include guidance on how elected officials should engage self-advocates and family members in the policy making process. Post-training evaluation plans should include ways to measure the comfort-level of elected officials and their staff, along with how people with disabilities feel when interacting with public offices.

TCDD has approved funding for up to \$150,000 for one organization for up to five years. Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 25% of total project costs are required for projects. Non-federal matching funds of at least 10% of the total project costs are required for project activities conducted in federally designated poverty areas.

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

Deadline: Proposals must be submitted through <https://tcdd.smapply.org/prog/1st/>. Proposals are due by 11:59 p.m. on August 26, 2022. Proposals will not be accepted outside of these due dates.

TRD-202202315
Beth Stalvey
Executive Director
Texas Council for Developmental Disabilities
Filed: June 22, 2022

◆ ◆ ◆
Request for Applications: TCDD Equipping People with Disabilities to be Community Researchers in Participatory Action Research

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for two organizations to develop and conduct training for people with disabilities to be community researchers in a Participatory Action Research model.

The purpose of offering funding for the projects described in this Request for Applications (RFA) is to promote an equal relationship between research entities and community member research participants by actively including community members in project development, implementation, and outcomes. This model focuses less on doing research *on or for* the community and more on doing research *with* the community to improve the quality of project results. Participatory research takes place in public policy forums such as the legislature, health and human services studies, medical settings, and non-profit providers--not just in universities. Projects will focus on enhancing self-advocates' opportunities to have a voice in the research process and increasing connections between researchers and the disability community.

TCDD has approved funding for up to \$150,000 for two organizations for up to three years. Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Ad-

ministration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 25% of total project costs are required for projects. Non-federal matching funds of at least 10% of the total project costs are required for project activities conducted in federally designated poverty areas.

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

Deadline: Proposals must be submitted through <https://tcdd.smapply.org/prog/lst/>. Proposals are due by 11:59 p.m. on August 26, 2022. Proposals will not be accepted outside of these due dates.

TRD-202202316
Beth Stalvey
Executive Director
Texas Council for Developmental Disabilities
Filed: June 22, 2022



Request for Applications: TCDD Promoting Civic Engagement Among Individuals with Developmental Disabilities

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for one organization to develop and conduct training to promote Civic Engagement Among Individuals with Developmental Disabilities.

The purpose of offering funding for the projects described in this Request for Applications (RFA) is to support people with developmental disabilities and their families to participate in the policy making process and take part in the design of and have access to needed community services and individualized supports. By bringing the perspectives and experiences of individuals with disabilities into our systems, our policies can become more creative, flexible, and sustainable for the future. Civic engagement training programs will provide needed experience and skills for individuals to fully engage in civil discourse and dialogue within our communities through volunteering, discussing community issues with others, or serving in leadership roles in an organization, community, local government, and/or state government.

TCDD has approved funding for up to \$100,000 for one organization for up to two years. Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 25% of total project costs are required for projects. Non-federal matching funds of at least 10% of the total project costs are required for project activities conducted in federally designated poverty areas.

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

Deadline: Proposals must be submitted through <https://tcdd.smapply.org/prog/lst/>. Proposals are due by 11:59 p.m. on August 26, 2022. Proposals will not be accepted outside of these due dates.

TRD-202202314
Beth Stalvey
Executive Director
Texas Council for Developmental Disabilities
Filed: June 22, 2022



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 **August 2, 2022**. 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 **August 2, 2022**. 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: 2021-1202-MWD-E; IDENTIFIER: RN102343126; LOCATION: Humble, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013870001, Effluent Limitations and Monitoring Requirements Numbers 1 and 2, by failing to comply with permitted effluent limitations; and 30 TAC §305.125(1) and §319.5(b) and TPDES Permit Number WQ0013870001, Effluent Limitations and Monitoring Requirements Number 1, by failing to collect and analyze effluent samples at the intervals specified in the permit; PENALTY: \$39,165; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Aqua Utilities, Incorporated; DOCKET NUMBER: 2021-1277-PWS-E; IDENTIFIER: RN102678612; LOCATION: Burleson, Tarrant 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:

\$787; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (361) 881-6990; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: Carroll & Sons Investments, LLC dba Eagle Resorts RV Park; DOCKET NUMBER: 2021-1361-PWS-E; IDENTIFIER: RN109871327; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; 30 TAC §290.45(c)(1)(A)(i), by failing to provide a well capacity of 1.0 gallons per minute per connection; and 30 TAC §290.45(c)(1)(A)(ii), by failing to provide a pressure tank capacity of ten gallons per connection with a minimum of 220 gallons; PENALTY: \$700; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: Chevron Phillips Chemical Company LP; DOCKET NUMBER: 2021-0411-AIR-E; IDENTIFIER: RN102200482; LOCATION: Brazoria, Brazoria County; TYPE OF FACILITY: hydrocarbon storage facility; RULES VIOLATED: 30 TAC §§116.115(c), 116.116(a)(1), and 122.143(4), New Source Review Permit Number 19718, Special Conditions Number 1, Federal Operating Permit (FOP) Number O2710, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 11, and Texas Health and Safety Code (THSC), §382.085(b), by failing to comply with the annual hours of operation; and 30 TAC §122.143(4) and §122.146(2), FOP Number O2710, GTC and STC Number 15, and THSC, §382.085(b), by failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$19,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$7,800; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: City of Dallas; DOCKET NUMBER: 2021-1093-MWD-E; IDENTIFIER: RN100762590; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and TWC, §26.121(a)(1), Texas Pollutant Discharge Elimination System Permit Number WQ0010060006, Permit Conditions Number 2.g, by failing to prevent the unauthorized discharge of wastewater into or adjacent to any water in the state; PENALTY: \$9,625; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5886; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: City of Elmendorf; DOCKET NUMBER: 2020-1573-MWD-E; IDENTIFIER: RN104369434; LOCATION: Elmendorf, Bexar County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010749006, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$12,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$12,000; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(7) COMPANY: Eco Services Operations Corp.; DOCKET NUMBER: 2021-0205-AIR-E; IDENTIFIER: RN100211317; LOCATION: Baytown, Harris County; TYPE OF FACILITY: chemical manufac-

turing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 9565 and PS-DTX695M3, Special Conditions Number 1, Federal Operating Permit (FOP) Number O1610, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 10, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §101.201(b)(1)(H) and §122.143(4), FOP Number O1610, GTC and STC Number 2.F, and THSC, §382.085(b), by failing to identify all required information on the final record for a reportable emissions event; and 30 TAC §122.143(4) and §122.146(2), FOP Number O1610, GTC and STC Number 14, and THSC, §382.085(b), by failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$6,531; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: Friday Building Corporation Inc; DOCKET NUMBER: 2022-0608-WQ-E; IDENTIFIER: RN111462388; LOCATION: Granbury, Hood County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit (stormwater); PENALTY: \$875; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(9) COMPANY: LSLP Twisted Creek Ranch LLC; DOCKET NUMBER: 2022-0691-WQ-E; IDENTIFIER: RN111403119; LOCATION: Energy, Comanche County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit (stormwater); PENALTY: \$875; ENFORCEMENT COORDINATOR: Katelyn Tubbs, (512) 239-2512; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(10) COMPANY: Mike Brattloff Homes Inc; DOCKET NUMBER: 2022-0607-WQ-E; IDENTIFIER: RN111465597; LOCATION: Troup, Smith County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit (stormwater); PENALTY: \$875; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(11) COMPANY: North Alamo Water Supply Corporation; DOCKET NUMBER: 2021-0013-MWD-E; IDENTIFIER: RN106880636; LOCATION: Donna, Hidalgo County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.65 and TWC, §26.121(a)(1), by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$6,562; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(12) COMPANY: POTAC, LLC; DOCKET NUMBER: 2021-0891-IWD-E; IDENTIFIER: RN100214188; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: petroleum refining facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0002720000, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$4,050; ENFORCEMENT COORDINATOR: Katelyn Tubbs, (512) 239-2512; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(13) COMPANY: SAM RAYBURN WATER, INCORPORATED; DOCKET NUMBER: 2021-1460-PWS-E; IDENTIFIER:

RN101249787; LOCATION: Pineland, San Augustine County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement that covers the land within 150 feet of Well Number 2; 30 TAC §§290.41(c)(3)(O), 290.42(m), and 290.43(e), by failing to provide an intruder-resistant fence or well house around each treatment plant, well unit, potable water storage tanks, pressure maintenance facilities, and related appurtenances that remains locked during periods of darkness and when the facility is unattended; 30 TAC §290.46(f)(2) and (3)(B)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; and 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; PENALTY: \$842; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 881-6991; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(14) COMPANY: Sam Surani dba Tonies Beer & Grocery; DOCKET NUMBER: 2021-1316-PST-E; IDENTIFIER: RN101434611; LOCATION: Euless, Tarrant 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 for releases at a frequency of at least once every 30 days; PENALTY: \$3,937; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(15) COMPANY: Victoria County Water Control and Improvement District Number 2; DOCKET NUMBER: 2021-1424-PWS-E; IDENTIFIER: RN101398303; LOCATION: Placedo, Victoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; and 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$3,063; ENFORCEMENT COORDINATOR: Carlos Molina, (512) 239-2557; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

TRD-202202307

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 21, 2022



Notice of Application and Opportunity to Request a Public Meeting for a New Municipal Solid Waste Facility Aviso de Solicitud y Oportunidad para Pedir una Reunión Pública para una Nueva Planta de Residuos Sólidos Municipales

Registration Application No. 40330

Application. City of Houston, 611 Walker Street, 12th Floor, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Registration No. 40330, to construct and operate a Type V municipal solid waste transfer station. The proposed facility, Northeast Transfer Station, will be located at 5711 Neches Street, northwest of the intersection of I-610 North and I-69 (US 59 North), Houston, Texas 77026, in Harris County. The Applicant is requesting authorization to transfer municipal solid waste that includes municipal solid

waste, putrescible waste, rubbish, yard waste, construction or demolition debris, Class 2 non-hazardous industrial solid waste, Class 3 non-hazardous industrial solid waste, and tires that are, at minimum, split in-half or quartered. The registration application is available for viewing and copying at the McCrane-Kashmere Gardens Neighborhood Library at 5411 Pardee Street, Houston, Texas 77026, in Harris County, and may be viewed online at <https://houstontx.gov/solid-waste/publicnotice.html>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/0iviDO2>. For exact location, refer to application.

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

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. Written public comments or written requests for a public meeting must be submitted to the Office of the Chief Clerk at the address included in the information section below. If a public meeting is held, comments may be made orally at the meeting or submitted in writing by the close of the public meeting. A public meeting will be held by the executive director if requested by a member of the legislature who represents the general area where the development is to be located, or if there is a substantial public interest in the proposed development. The purpose of the public meeting is for the public to provide input for consideration by the commission, and for the applicant and the commission staff to provide information to the public. A public meeting is not a contested case hearing. The executive director will review and consider public comments and written requests for a public meeting submitted during the comment period. The comment period shall begin on the date this notice is published and end 30 calendar days after this notice is published. The comment period shall be extended to the close of any public meeting. The executive director is not required to file a response to comments.

Executive Director Action. The executive director shall, after review of an application for registration, determine if the application will be approved or denied in whole or in part. If the executive director acts on an application, the chief clerk shall mail or otherwise transmit notice of the action and an explanation of the opportunity to file a motion to overturn the executive director's decision. The chief clerk shall mail this notice to the owner and operator, the public interest counsel, to adjacent landowners as shown on the required land ownership map and landowners list, and to other persons who timely filed public comment in response to public notice. Not all persons on the mailing list for this notice will receive the notice letter from the Office of the Chief Clerk.

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

Mailing List. If you submit public comments, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

Agency Contacts and Information. All public comments and requests must be submitted either electronically at

www14.tceq.texas.gov/epic/eComment/ or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this registration application or the registration process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their webpage, www.tceq.texas.gov/goto/pep. General information regarding the TCEQ can be found on our website at www.tceq.texas.gov/. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from City of Houston at the address stated above or by calling Ms. Helvia Quiñones, GIS Manager, Director's Office, Solid Waste Management at (832) 393-0462.

Solicitud de Registro No. 40330

Solicitud. Ciudad de Houston, 611 Walker Street, Piso 12, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ, por sus siglas en inglés) el registro propuesto con No. 40330, para construir y operar una Estación de transferencia de Tipo V de residuos sólidos municipales. La planta propuesta, Northeast Transfer Station, estará ubicada en al noroeste de la intersección de la I-610 Norte y la I-69 (US 59 Norte), Houston, Texas 77026, en el Condado de Harris. El Solicitante está pidiendo autorización para transferir residuos sólidos municipales que incluyen residuos sólidos urbanos, residuos putrescibles, basura, residuos de jardinería, escombros de construcción o demolición, residuos sólidos industriales no peligrosos de clase 2, residuos sólidos industriales no peligrosos de clase 3 y neumáticos partidos al menos por la mitad o en cuartos. La solicitud del registro está disponible para ver y copiar en McCrane-Kashmere Gardens Neighborhood Library at 5411 Pardee Street, Houston, Texas 77026, en el Condado de Harris, y se puede ver en línea en el siguiente enlace <https://houstontx.gov/solidwaste/publicnotice.html>. El siguiente enlace muestra un mapa electrónico de la ubicación general del sitio o planta y es proporcionado como cortesía pública y no forma parte de la solicitud o aviso: <https://arcg.is/0iviDO2>. Para la ubicación exacta, consulte la solicitud.

El director ejecutivo de TCEQ ha revisado esta acción en cuanto a consistencia con las metas y políticas del Programa de Manejo Costero de Texas (CMP, por sus siglas en inglés) de acuerdo con las normas del Consejo Coordinador Costero y ha determinado que la medida es consistente con las metas y políticas del CMP.

Comentario Público/Reunión Pública. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. Los comentarios públicos escritos o las peticiones escritas para una reunión pública deben ser presentados a la Oficina del Secretario Principal en la dirección incluida en la sección de información que se encuentra al final de este aviso. Si se celebra una reunión pública, los comentarios pueden hacerse oralmente en la reunión o ser presentados por escrito antes de que cierre la reunión pública. El director ejecutivo llevará a cabo una reunión pública si lo solicita un miembro de la legislatura que represente el área general donde se ubicará el proyecto o si hay abundante interés público en el proyecto propuesto. El propósito de la reunión pública es que el público proporcione aportes de consideración para la comisión, y que el solicitante y el personal de la comisión brinden información al público. Una reunión pública no es una audiencia de caso impugnado. El director ejecutivo revisará y considerará los comentarios públicos y las peticiones escritas para una reunión pública que hayan sido presentados durante el período de comentarios. Dicho período de comentarios comenzará en la fecha de publicación de este aviso y terminará 30 días calendario después de la publicación de este

aviso. El director ejecutivo no está obligado a presentar una respuesta a los comentarios.

Acción del Director Ejecutivo. El director ejecutivo deberá, después de revisar una solicitud de registro, determinar si la solicitud será aprobada o denegada en su totalidad o en parte. Si el director ejecutivo actúa sobre una solicitud, el secretario principal deberá mandar por correo o de otro modo transmitir un aviso de la acción y una explicación de la oportunidad de presentar una moción para anular la decisión del director ejecutivo. El secretario principal deberá enviar este aviso por correo al propietario y al operador, al abogado de interés público, a los propietarios de terrenos adyacentes como se muestra en el mapa de propiedad de tierras y la lista de terratenientes y a las personas que hayan oportunamente presentado comentarios públicos en respuesta al aviso público. No todas las personas en la lista de correos para este aviso recibirán la carta de aviso de la Oficina del Secretario Principal.

Información Disponible en Línea. Para detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados (CID, por sus siglas en inglés) en www.tceq.texas.gov/goto/cid. Una vez que tenga acceso al CID usando el enlace anterior, ingrese el número de registro para esta solicitud, que se proporciona al inicio de este aviso.

Lista De Correo. Si presenta comentarios públicos, será añadido a la lista de correo de esta solicitud para recibir futuros avisos públicos enviados por la Oficina del Secretario Principal. Además, puede solicitar ser incluido en: (1) la lista de correo permanente para un específico nombre de solicitante y número de permiso y/o (2) la lista de correo de un condado específico. Para ser incluido en la lista de correo permanente y/o del condado, especifique claramente qué lista(s) y envíe su solicitud a la Oficina de la Secretario Principal de la TCEQ a la dirección a continuación.

Contactos e Información de la Agencia. Todos los comentarios públicos y solicitudes deben presentarse electrónicamente en www14.tceq.texas.gov/epic/eComment/ o por escrito a la Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Por favor tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasará a formar parte del registro público de la agencia. Para obtener más información sobre esta solicitud de registro o el proceso de registro, llame al Programa de Educación Pública de la TCEQ, sin costo, al (800) 687-4040 o visite su página web, www.tceq.texas.gov/goto/pep. If you would like information in English, you may call (800) 687-4040.

Se puede obtener información adicional de la Ciudad de Houston en la dirección indicada en el inicio de este aviso o llamando a Ms. Helvia Quiñones, GIS Manager, Director's Office, Solid Waste Management at (832) 393-0462.

TRD-202202280

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 16, 2022

Notice of Opportunity to Comment on a Default Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hear-

ing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is 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 **August 2, 2022**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO 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 DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on August 2, 2022**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Al Jones dba Al's Tire Shop; DOCKET NUMBER: 2020-0163-MSW-E; TCEQ ID NUMBER: RN110778420; LOCATION: 3201 North Chadbourne Street, San Angelo, Tom Green County; TYPE OF FACILITY: tire sales and service shop; RULES VIOLATED: 30 TAC §328.56(a)(1), by failing to obtain a registration for a generator storing more than 500 tires on-site; 30 TAC §328.56(c), by failing to use manifests, work orders, invoices or other records to document the removal and management of all scrap tires generated on-site; and Texas Health and Safety Code, §361.112(a) and 30 TAC §328.60(a), by failing to obtain a scrap tire storage site registration prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in trailers or lockable containers; PENALTY: \$11,812; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: San Angelo Regional Office, 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

TRD-202202305
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: June 21, 2022



Notice of Opportunity to Comment on an Agreed Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which

the public comment period closes, which in this case is **August 2, 2022**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on August 2, 2022**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: MAHEK & MALIKA, INC. dba W & W Grocery; DOCKET NUMBER: 2021-0499-PST-E; TCEQ ID NUMBER: RN101539047; LOCATION: 300 North Main Street, Hutchins, Dallas County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days; and 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; PENALTY: \$3,600; STAFF ATTORNEY: William Hogan, Litigation, MC 175, (512) 239-5918; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202202304
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: June 21, 2022



Notice of Public Hearing on Proposed Revision to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding a proposed revision to the state implementation plan (SIP) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed SIP revision would satisfy the federal Clean Air Act, §172(c)(3) and §182(a)(1) emissions inventory reporting requirements for El Paso County for the 2015 eight-hour ozone National Ambient Air Quality Standard (NAAQS). The proposed SIP revision would also include a certification statement to confirm that the emissions statements and nonattainment new source review requirements have been met for the El Paso County portion of the El Paso-Las Cruces, Texas-New Mexico nonattainment area (**Project Number 2022-010-SIP-NR**).

The commission will hold a public hearing on this proposal in El Paso on July 18, 2022, at 6:00 p.m. MDT in the Carlos M. Ramirez Tech₂O

Water Resources Learning Center, located at 10751 Montana Avenue. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Jamie Zech, Air Quality Division at (512) 239-3935 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments will be accepted through the *eComments* system at <https://www6.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. For additional submission methods, please contact Jacoup Roiz at (512) 239-2376 or jacouproiz@tceq.texas.gov.

All comments for this SIP revision should reference **Project Number 2022-010-SIP-NR**. The comment period closes July 21, 2022. Copies of the El Paso County Emissions Inventory SIP Revision for the 2015 Eight-Hour Ozone NAAQS can be obtained from the commission's website at <https://www.tceq.texas.gov/airquality/sip/sip-plans.html#prosips>. For further information, please contact Jacoup Roiz, Air Quality Planning, (512) 239-2376.

TRD-202202282

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 16, 2022



Notice of Public Meeting for an Air Quality Permit: Permit Number 152131

APPLICATION. West Fraser Wood Products, 3935 Farm-to-Market 326, Lufkin, Texas 75901-1720, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to Air Quality Permit Number 152131, which would authorize modification to the Lumber Mill located at 3935 Farm-to-Market 326, Lufkin, Angelina County, Texas 75901. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This application was submitted to the TCEQ on December 21, 2021. The existing facility will emit the following contaminants: carbon monoxide, hazardous air pollutants, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision to issue the permit because it meets all rules and regulations.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and

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

The Public Meeting is to be held:

Thursday, July 21, 2022 at 7:00 p.m.

Angelina College (Hudgins Hall Auditorium)

3500 South 1st Street, Lufkin, Texas 75904

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

The permit application, executive director's preliminary decision, and draft permit will be available for viewing and copying at the TCEQ central office, the TCEQ Beaumont regional office, and at the Kurth Memorial Library, 706 South Raguet Street, Lufkin, Angelina County, Texas. The facility's compliance file, if any exists, is available for public review at the TCEQ Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas. Further information may also be obtained from West Fraser Wood Products at the address stated above or by calling Mr. Scott Stubblefield, EHS Manager at (936) 824-7407 or (936) 824-9663.

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

Notice Issuance Date: June 21, 2022

TRD-202202303

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 21, 2022



TCEQ Seeks Stakeholder Input on Upcoming Rulemaking Related to the new Chapter 388, Aboveground Storage Vessel Safety Program

The Texas Commission on Environmental Quality (TCEQ or commission) will conduct three virtual stakeholder meetings across the state in July 2022, to solicit informal comments on rulemaking for the new 30 Texas Administrative Code (TAC) Chapter 388, Aboveground Storage Vessel Safety Program.

The rulemaking (Rule Project Number 2022-015-388-CE) would propose a new Chapter 388 to implement Senate Bill (SB) 900, 87th Texas Legislature, which requires the establishment of the Performance Standards for Safety at Storage Vessels (PSSSV) Program to provide for the protection of groundwater and surface water resources in the event of an accident or natural disaster in the state. SB 900 amended the Texas Water Code (TWC) to establish the PSSSV Program within the commission and identifies the safety elements that the commission must include in these standards and the entities regulated under this new program. The bill requires the commission to establish this program by September 1, 2023. The proposed PSSSV Program, now called the Aboveground Storage Vessel Safety (ASVS) Program, will meet the requirements of SB 900 and will include all critical safety elements applicable to aboveground storage vessels that the commission determines to be critical for the protection of groundwater and surface water resources.

Virtual Stakeholder Meetings

Stakeholder meetings are an opportunity for the public to provide informal comments to staff prior to the start of formal rulemaking. While staff will review all comments received, the TCEQ will not formally respond to any informal comments.

All stakeholder meetings will be virtual, at the dates and times below. For members of the public who do not wish to provide informal comments but would like to view the meeting(s), they may do so at the links provided below for each meeting, at no cost:

Tuesday, July 12 at 2:00 p.m.

Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZD-VjNTc1MTYtMDNiMC00NDg5LTlkZTctYzU5ODQ0OTE2NGY1%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Thursday, July 14, 2022, at 10:00 a.m.

Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZThiYTU3OTU0ODRhNi00MzBiLTlmZjQ0YjRkZWVjZjQ0YTYxZTZh-MDE4%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Thursday July 14, 2022, at 6:00 p.m.

Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDEzYzg3NTMtNGRkZS00ZjU5LTgwOTctYjQ0YTYxZTZh-MDE4%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Registration

The meetings will be conducted remotely using an internet meeting service. Individuals who plan to attend the scheduled meetings and want to provide informal oral comments must register by July 6, 2022. To register for a meeting and provide informal comments during the meeting, please email Rules@tceq.texas.gov and provide the following information: date of meeting you plan to attend, your name, your affiliation, your email address, and your phone number. Instructions for participating in the meeting will be sent two business days prior to the meeting to those who have registered to provide informal oral comments.

Persons who have special communication or other accommodation needs who are planning to register to provide informal comments should contact Sandy Wong, Office of Legal Services, at (512) 239-1802 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible in order to allow adequate time to arrange accommodations.

Written Stakeholder Comments

Written stakeholder comments may be submitted to Ms. Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://www6.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. All comments should reference Rule Project Number 2022-015-388-CE. The comment period closes July 29, 2022. Please choose one form of submittal when submitting *written* stakeholder comments.

Information on SB 900 language, a bill summary, and proposed rulemaking timeline can be found on the Chapter 388 Aboveground Storage Vessel Safety Program web page on the TCEQ's website at <https://www.tceq.texas.gov/permitting/asvs>.

For additional information please contact Mr. Keith Sheedy, P.E., Program Support and Environmental Assistance Division (PSEAD) at (512) 239-1556 or the PSEAD's Main Line at (512) 239-0400.

TRD-202202319

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 22, 2022



Texas Health and Human Services Commission

Public Notice: Insulin Drug Copay Changes to CHIP State Plan

The Texas Health and Human Services Commission (HHSC) announces its intent to submit Amendment 22-0001 to the Texas State Plan for the Children's Health Insurance Program (CHIP), under Title XXI of the Social Security Act.

The proposed amendment impacts CHIP members needing brand name insulin drugs who are above 151% up to and including 201% of the federal poverty level by reducing their copay from \$35 to \$25. The proposed amendment implements the requirements of Senate Bill 827 of the 87th Legislative Session, 2021.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Shae James, State Plan Coordinator, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-2264 or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendment will be made available for review at HHSC local offices.

TRD-202202276

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 15, 2022



Public Notice: TANF State Plan Renewal for 2022-2025

Texas Register Announcement: Plan Posted for Public Comment

Public Notice - Temporary Assistance for Needy Families

The Texas Health and Human Services Commission (HHSC) will post the draft Temporary Assistance for Needy Families (TANF) State Plan on the HHSC Internet website at <https://www.hhs.texas.gov/news> for public review by July 1, 2022.

Written Comments. Written comments on the draft TANF State Plan may be submitted to AES Program Policy, MC-2115, 909 W. 45th Street, Austin, Texas 78751 or by email to AES_Policy_Coordination@hhs.texas.gov within 45 days after publication of this proposal in the *Texas Register*. For additional information or a copy of the TANF State Plan, contact AES Program Policy at AES_Policy_Coordination@hhs.texas.gov.

TRD-202202306

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 21, 2022

Department of State Health Services

Preamble for the February 2022 Texas Asbestos Health Protection Rules Penalty Matrix

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure cited in this miscellaneous document is not included in the print version of the Texas Register. The figure is available in the on-line version of the July 1, 2022, issue of the Texas Register.)

The Texas Asbestos Health Protection Act (TAHPA), Chapter 1954 of the Texas Occupations Code (Code), authorizes the Executive Commissioner of Health and Human Services to adopt rules as needed for the Department of State Health Services (DSHS) to regulate demolition and renovation activities to protect the public from asbestos emissions and to license persons engaged in activities including the removal, encapsulation, or enclosure of asbestos in public buildings. The Executive Commissioner, on behalf of DSHS, repealed the previous rules located in Title 25 of the Texas Administrative Code (TAC) Chapter 295, Subchapter C and replaced it with new Title 25 TAC Chapter 296, Texas Asbestos Health Protection Rules (TAHPR). The new rules were posted for adoption in the June 25, 2021, issue of the *Texas Register*.

Under §296.2(a)(1) and (2) of TAHPR, DSHS adopted by reference the National Emission Standards of Hazardous Air Pollutants specific to Asbestos (NESHAP) found in 40 CFR Part 61, Subpart M, and the Asbestos-Containing Materials in Schools found in 40 CFR Part 763, Subpart E, and Appendices A, C, D, and E. Additionally, DSHS has authority under §1954.351 of TAHPA to impose administrative penalties on persons who violate TAHPA and TAHPR.

DSHS publishes the asbestos penalty matrix (matrix) to inform the public and the regulated asbestos industry about DSHS's enforcement policies. The penalties set forth in the matrix are created to promote compliance with TAHPA and TAHPR, promote public confidence in the asbestos industry, and deter conduct detrimental to the health and safety of the public by ensuring consistent, uniform, and fair assessment of penalties by DSHS for violations of the TAHPR. The matrix promotes transparency in DSHS's regulatory efforts to protect the public from asbestos emissions and provides notice of these regulatory standards to the public and the regulated asbestos industry. The matrix provides a corresponding citation to the appropriate section of the asbestos rules or NESHAP, if applicable, for each violation.

The penalty assessed in each enforcement case remains within the discretion of DSHS. As described in TAHPR §296.318(c), DSHS considers the following when determining the amount of a penalty: (1) the person's history of previous violations, (2) the seriousness of the violation, (3) any hazard to the health and safety of the public, (4) demonstrated good faith efforts to correct the violation and maintain compliance, and (5) any other matter that justice may require for the violation.

The matrix includes the following three violation severity levels as described in TAHPR §296.318(d): severity level I - critical, severity level II - serious, and severity level III - significant. Level I - critical violations have a direct negative impact on public health and safety. Level II - serious violations could threaten public health and safety. Level III - significant violations could lead to more serious consequences for public health and safety if left uncorrected.

Within each severity level, a violation may be determined to be minor, moderate, or major depending on the threat to public health. In determining whether a violation is minor, moderate, or major, DSHS considers factors that increase the risk to the public from exposure to asbestos fibers such as: damage or disturbance to asbestos-containing building materials, condition and quantity of asbestos, method of abatement, occupancy of the building, and likelihood of a repeat violation.

DSHS may offer to settle a disputed claim, if appropriate, through various means, including informal conference, reduced penalty amount, license sanction, or other appropriate lawful means, on a case-by-case basis. In addition to administrative penalties, DSHS may propose license suspension or revocation for egregious or multiple instances of severity level I, critical violations, and severity level II serious violations. A decision made by DSHS related to a violation of TAHPR is based on the circumstances of the case, including current information and laws.

The matrix may be reviewed and revised from time to time. This matrix is effective immediately upon publication in the *Texas Register* and supersedes the matrix published in the April 17, 2020, edition of the *Texas Register*.

TRD-202202323

Cynthia Hernandez

General Counsel

Department of State Health Services

Filed: June 22, 2022

Texas Department of Insurance

Company Licensing

Application for Great West Life & Annuity Insurance Company, a foreign life, accident and/or health company, to change its name to Empower Annuity Insurance Company of America. The home office is in Greenwood Village, Colorado.

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, 333 Guadalupe Street, MC FRD-CL, Austin, Texas 78701.

TRD-202202322

James Person

General Counsel

Texas Department of Insurance

Filed: June 22, 2022

Texas Department of Transportation

Public Hearing Notice - Statewide Transportation Improvement Program

The Texas Department of Transportation (department) will hold a public hearing on Thursday, July 21, 2022, at 10:00 a.m. Central Standard Time (CST) to receive public comments on the May 2022 Quarterly Revisions to the Statewide Transportation Improvement Program (STIP) for FY 2021-2024. The hearing will be conducted via electronic means. Instructions for accessing the hearing will be published on the department's website at: <https://www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings.html>

The STIP reflects the federally funded transportation projects in the FY 2021-2024 Transportation Improvement Programs (TIPs) for each Metropolitan Planning Organization (MPO) in the state. The STIP includes both state and federally funded projects for the nonattainment areas of Dallas-Fort Worth, El Paso, Houston and San Antonio. The STIP also contains information on federally funded projects in rural areas that are not included in any MPO area, and other statewide programs as listed.

Title 23, United States Code, §134 and §135 require each designated MPO and the state, respectively, to develop a TIP and STIP as a condition to securing federal funds for transportation projects under Title 23 or the Federal Transit Act (49 USC §5301, et seq.). Section 134 requires an MPO to develop its TIP in cooperation with the state and affected public transit operators and to provide an opportunity for interested parties to participate in the development of the program. Section 135 requires the state to develop a STIP for all areas of the state in cooperation with the designated MPOs and, with respect to non-metropolitan areas, in consultation with affected local officials, and further requires an opportunity for participation by interested parties as well as approval by the Governor or the Governor's designee.

A copy of the proposed May 2022 Quarterly Revisions to the FY 2021-2024 STIP will be available for review, at the time the notice of hearing is published, on the department's website at: <https://www.txdot.gov/inside-txdot/division/transportation-planning/stips.html>

Persons wishing to speak at the hearing may register in advance by notifying Lori Morel, Transportation Planning and Programming Division, at (512) 810-6663 no later than 12:00 p.m. CST on Monday, July 18, 2022. Speakers will be taken in the order registered and will be limited to three minutes. Speakers who do not register in advance will be taken at the end of the hearing. Any interested person may offer comments or testimony; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only one speaker. Speakers are requested to refrain from repeating previously presented testimony.

The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to participate in the hearing are encouraged to contact the Transportation Planning and Programming Division, at (512) 810-6663. Requests should be made at least three working days prior to the public hearing. Every reasonable effort will be made to accommodate the needs.

Interested parties who are unable to participate in the hearing may submit comments regarding the proposed May 2022 Quarterly Revisions to the FY 2021-2024 STIP to Jessica Butler, P.E., Director of the Transportation Planning and Programming Division, P.O. Box 149217, Austin, Texas 78714-9217. In order to be considered, all written comments must be received at the Transportation Planning and Programming office by 4:00 p.m. CST on Monday, August 1, 2022.

TRD-202202283

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: June 16, 2022

