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.

**Comptroller of Public Accounts**

Certification of the Average Closing Price of Gas and Oil - August 2019

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period August 2019 is $42.89 per barrel for the three-month period beginning on May 1, 2019, and ending July 31, 2019. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of August 2019, from a qualified low-producing oil lease, is not eligible for a credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period August 2019 is $1.44 per mcf for the three-month period beginning on May 1, 2019, and ending July 31, 2019. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of August 2019, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of August 2019 is $54.84 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of August 2019, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of August 2019 is $2.17 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of August 2019, from a qualified low-producing gas well.

Inquiries should be submitted to Teresa G. Bostick, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

This agency hereby certifies that legal counsel has reviewed this notice and found it to be within the agency’s authority to publish.

TRD-201903526
William Hamner
Special Counsel for Tax Administration
Comptroller of Public Accounts
Filed: September 30, 2019

**Correction of Error**

The Comptroller of Public Accounts proposed amendments to 34 TAC §3.586 in the September 27, 2019, issue of the Texas Register (44 TexReg 5605). Due to an error by the Texas Register, the text of subsection (i) was published incorrectly. The correct text for the subsection is as follows:

(i) [ ] Public Law 86-272, Public Law 86-272 (15 United States Code §§381 - 384) does not apply to the Texas franchise tax.

TRD-201903504

**Office of Consumer Credit Commissioner**

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/07/19 - 10/13/19 is 18% for Consumer/Agricultural/Commercial1 credit through $250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/07/19 - 10/13/19 is 18% for Commercial over $250,000.

The monthly ceiling as prescribed by §303.005 and §303.009 for the period of 10/01/19 - 10/31/19 is 18% or Consumer/Agricultural/Commercial credit through $250,000.

The monthly ceiling as prescribed by §303.005 and §303.009 for the period of 10/01/19 - 10/31/19 is 18% or Commercial over $250,000.

1 Credit for personal, family, or household use.

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

3 For variable rate commercial transactions only.

TRD-201903532
Leslie Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: October 1, 2019

**Texas Education Agency**

Correction of Error Relating to Proposed Amendment to 19 TAC Chapter 101, Assessment, Subchapter CC, Commissioner’s Rules Concerning Implementation of the Academic Content Areas Testing Program, Division 2, Participation and Assessment Requirements for Graduation, §101.3022, Assessment Requirements for Graduation

The Texas Education Agency (TEA) filed proposed amendment to 19 TAC §101.3022 on July 12, 2019, for publication in the July 26, 2019 issue of the Texas Register (44 TexReg 3755).

Due to error by the TEA, the Statutory Authority and Cross Reference to Statute sections of the proposal reflected incorrect statutory citations. The correct statutory citations are as follows.

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §28.0258, as amended by Senate Bill (SB) 213,
86th Texas Legislature, 2019, which extends the expiration date for an individual graduation committee to determine if a student who has failed to comply with the end-of-course (EOC) assessment instrument performance requirements in the TEC, §39.025, is qualified to graduate. The expiration date changed from September 1, 2019, to September 1, 2023. Subsection (k) requires the commissioner to adopt rules to implement the section; TEC, §39.023(c), which requires the agency to adopt EOC assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history; and TEC, §39.025(a-2), as amended by SB 213, 86th Texas Legislature, 2019, which extends the expiration date to allow a student who has failed to perform satisfactorily on EOC assessment instruments to receive a high school diploma if the student qualifies for graduation under the TEC, §28.0258. The expiration date changed from September 1, 2019, to September 1, 2023. SB 213 also redesignates subsection (a-2) as subsection (a-5).

CROSS REFERENCE TO STATUTE. Texas Education Code, §§28.0258, as amended by Senate Bill (SB) 213, 86th Texas Legislature, 2019; §39.023(c); and §39.025(a-2), as amended by SB 213, 86th Texas Legislature, 2019.

TRD-201903477
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: September 25, 2019

Request for Applications Concerning the 2020-2022 Pathways in Technology Early College High Schools (P-TECH) and Industry Cluster Innovative Academies (ICIA) Planning and Implementation Grant

Filing Authority. The availability of grant funds under Request for Applications (RFA) #701-20-106 is authorized by General Appropriations Act, Article III, Rider 66, 86th Texas Legislature, 2019.

Eligible Applicants. Texas Education Agency (TEA) is requesting applications under RFA #701-20-106 from eligible applicants, which include local educational agencies (LEAs) that serve students in Grades 9-12 or will begin serving students in Grade 9 or students in Grades 9 and 10 in the first year of implementation (2021-2022) and will progressively scale up by adding at least one grade level per year. Recipients of the 2018-2019 or 2019-2020 P-TECH and ICIA Planning Grant or the 2018-2020 or 2019-2021 P-TECH and ICIA Success Grant are not eligible for the 2020-2022 P-TECH and ICIA Planning and Implementation Grant.

Description. The 2020-2022 P-TECH and ICIA Planning and Implementation Grant will provide selected applicants funds to engage in 29 months (March 1, 2020 to July 8, 2022) of planning and implementation, with support from the TEA-selected technical assistance provider, to establish the foundational components of the P-TECH and ICIA, as outlined in TEC, §§29.551-29.556 (P-TECH), and TEC, §29.908 (ICIA). Grantees that receive the 2020-2022 P-TECH and ICIA Planning and Implementation Grant will use the first 18 months (March 2020 to August 2021) for planning to implement the design elements and requirements aligned to the P-TECH and ICIA Blueprint. P-TECH and ICIA models allow students the opportunity to earn a high school diploma while simultaneously earning industry certifications, level 1 or level 2 certificates, and/or an associate degree on or before the sixth anniversary of a student's first day of high school at no cost to the student. P-TECH and ICIA campuses establish strong partnership agreements with local business and industry as well as institutions of higher education (IHEs). The partners serve on the leadership and advisory team to provide support and guidance to the P-TECH and ICIA in resource acquisition, curriculum development, work-based learning, and student/community outreach to ensure a successful academic and career pipeline. In partnership with an IHE as well as community employers, a P-TECH or ICIA campus provides rigorous academic and work-based learning programs that provide students with clear pathways to regional employment opportunities in response to local workforce needs. P-TECH and ICIA schools are public schools established under TEC, §29.553 (P-TECH), and TEC, §29.908 (ICIA), that enable students in Grade 9, 10, 11, or 12 who are at risk of dropping out, as defined by TEC, §29.081, or who wish to accelerate completion of high school to combine high school courses and college-level courses. Grantees are required to begin serving students in the P-TECH and ICIA school beginning in the 2021-2022 school year and to meet design elements and outcome-based measures detailed in the P-TECH and ICIA Blueprint. Grantees are also required to apply for P-TECH and ICIA designation in the 2020-2021 school year when the designation application window opens to begin serving students in the 2021-2022 school year, as required by this grant.

Dates of Project. The 2020-2022 P-TECH and ICIA Planning and Implementation Grant will be implemented during the 2019-2020 school year through the 2021-2022 school year. Applicants should plan for a starting date of no earlier than March 1, 2020, and an ending date of no later than July 8, 2022.

Project Amount. Approximately $2.35 million is available for funding the 2020-2022 P-TECH and ICIA Planning and Implementation Grant. It is anticipated that approximately 11 grants will be awarded ranging in amounts up to $200,000. This project is funded 85% with state funds and 15% with federal funds.

Selection Criteria. Applications will be selected based on the ability of each applicant to carry out all requirements contained in the RFA. Reviewers will evaluate applications based on the overall quality and validity of the proposed grant programs and the extent to which the applications address the primary objectives and intent of the project. Applications must address each requirement as specified in the RFA to be considered for funding. TEA reserves the right to select from the highest-ranking applications those that address all requirements in the RFA.

TEA is not obligated to approve an application, provide funds, or endorse any application submitted in response to this RFA. This RFA does not commit TEA to pay any costs before an application is approved. The issuance of this RFA does not obligate TEA to award a grant or pay any costs incurred in preparing a response.

Requesting the Application. The complete RFA will be posted on the TEA Grant Opportunities web page at http://tea4voswald.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx for viewing and downloading. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view and download all documents that pertain to this RFA.

Further Information. In order to make sure that no prospective applicant obtains a competitive advantage because of acquisition of information unknown to other prospective applicants, any and all questions must be submitted in writing to PTECH@tea.texas.gov, the TEA email address identified in the Program Guidelines of the RFA, no later than Friday, November 1, 2019. All questions and the written answers thereto will be posted on the TEA Grant Opportunities web page in the format of Frequently Asked Questions (FAQs) by Friday, November 8, 2019. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view all documents that pertain to this RFA.
Deadline for Receipt of Applications. Applications must be received in the TEA Document Control Center by 5:00 p.m. (Central Time), Tuesday, December 10, 2019, to be eligible to be considered for funding. TEA will not accept applications by email. Applications may be delivered to the TEA visitors’ reception area on the second floor of the William B. Travis Building, 1701 North Congress Avenue (at 17th Street and North Congress, two blocks north of the Capitol), Austin, Texas 78701 or mailed to Document Control Center, Grants Administration Division, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494.

Issued in Austin, Texas, on October 2, 2019.

TRD-201903574
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: October 2, 2019

Request for Training Programs on Seizure Recognition and Related First Aid Training in Public Schools

Description. Texas Education Agency (TEA) is publishing notification that training programs on seizure recognition and related first aid may be submitted for review. The purpose of the review process is to assist school districts in meeting requirements of Texas Education Code (TEC), §38.033, as added by House Bill (HB) 684, 86th Texas Legislature, 2019. New TEC, §38.033, permits TEA to approve an online course of instruction for seizure recognition and related first aid provided by a nonprofit national foundation that supports the welfare of individuals with epilepsy and seizure disorders. School nurses employed by a school district and school district employees whose duties at school include regular contact with students are required to complete the online course of instruction.

Program Requirements. Any entity that elects to have a training program for seizure recognition and related first aid reviewed is invited to send the complete program to TEA for consideration. Eligible programs must be provided by a nonprofit national foundation that supports the welfare of individuals with epilepsy and seizure disorders, be offered online, and be free of charge.

Selection Criteria. Selection of qualified training programs on seizure recognition and related first aid training will be based on the following criteria.

1. The training course must offer instruction for school nurses regarding the management of students with seizure disorders.
2. The training course must offer instruction for school personnel regarding awareness of students with seizure disorders.
3. The training course must include information and instruction regarding seizure recognition and related first aid.
4. The training program must be provided by a nonprofit national foundation that supports the welfare of individuals with epilepsy and seizure disorders.
5. The training program must be offered online.
6. The training program provided by the nonprofit entity must be free of charge.

Further Information. For clarifying information, contact Barney Fudge, Health and Physical Education Coordinator, Curriculum Standards and Student Support Division, Texas Education Agency, by phone at (512) 463-9581 or by email at HealthAndSafety@tea.texas.gov.

Deadline for Receipt of Materials. Materials must be received either in hard copy or electronic format by 5:00 p.m. (Central Time), Monday, November 4, 2019, to be considered for the list of Approved Training Programs on Seizure Recognition and Related First Aid Training. Materials may be submitted by mail to Texas Education Agency, Curriculum Standards and Student Support Division, 1701 North Congress Avenue, Austin, Texas 78701 or electronically to HealthandSafety@tea.texas.gov. Materials will be reviewed as they are submitted, and TEA will post approved programs to the list of Approved Training Programs on Seizure Recognition and Related First Aid Training. No materials will be returned to submitting entities. Materials will be kept as a reference for staff at TEA.

Issued in Austin, Texas, on October 2, 2019.

TRD-201903572
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: October 2, 2019

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the Texas Register no later than the 30th day before the date on which the public comment period closes, which in this case is November 12, 2019, TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission’s jurisdiction or the commission’s orders and permits issued in accordance with the commission’s regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission’s central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission’s central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on November 12, 2019. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission’s enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

1. COMPANY: Alex Mendez dba Mendez Tire Shop 3; DOCKET NUMBER: 2017-1582-MSW-E; IDENTIFIER: RN105107197; LOCATION: Weslaco, Hidalgo County; TYPE OF FACILITY: tire shop; RULES VIOLATED: 30 TAC §330.15(a) and (c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of municipal solid waste; PENALTY: $19,500; ENFORCEMENT COORDINA-

(2) COMPANY: ANDERSON COLUMBIA CO, INCORPORATED; DOCKET NUMBER: 2019-1060-EAO-E; IDENTIFIER: RN108909615; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: commercial project site; RULE VIOLATED: 30 TAC §213.4(j)(6), by failing to obtain approval of a modification of an approved Edwards Aquifer Protection Plan prior to initiating a regulated activity over the Edwards Aquifer Transition Zone; PENALTY: $1,125; ENFORCEMENT COORDINATOR: Katelyn Tubbs, (512) 239-2512; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(3) COMPANY: City of Georgetown; DOCKET NUMBER: 2019-0501-MWD-E; IDENTIFIER: RN101608701; LOCATION: Georgetown, Williamson 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 WQ0010489005, Interim I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: $4,762; ENFORCEMENT COORDINATOR: Katelyn Tubbs, (512) 239-2512; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78771-3087, (512) 339-2929.

(4) COMPANY: City of Groesbeck; DOCKET NUMBER: 2019-0980-MWD-E; IDENTIFIER: RN101918944; LOCATION: Groesbeck, Limestone 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 WQ0010182001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: $3,938; ENFORCEMENT COORDINATOR: Aaron Vincent, (512) 239-0855; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(5) COMPANY: City of Port Arthur; DOCKET NUMBER: 2019-0375-MSW-E; IDENTIFIER: RN100225390; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: Type I landfill; RULES VIOLATED: 30 TAC §330.121(a) and §330.133(a) and Municipal Solid Waste (MSW) Permit Number 1815A, Site Operating Plan (SOP), Section 4.2 Unloading Wastes, by failing to unload solid waste into as small an area as practical as specified in the SOP; 30 TAC §330.129 and MSW Permit Number 1815A, SOP, Section 6.1 Fire Prevention Procedures, by failing to maintain a source of earthen material in such a manner that it is available at all times to extinguish any fires; 30 TAC §330.139(1) and (2) and MSW Permit Number 1815A, SOP, Section 4.5 Control of Windblown Wastes and Litter, by failing to control windblown waste and litter at the active working face; 30 TAC §330.143 and MSW Permit Number 1815A, SOP, Section 4.7 Landfill Markers and Benchmark, by failing to install and maintain required landfill markers and a permanent benchmark; 30 TAC §330.153 and MSW Permit Number 1815A, SOP, Section 4.11 Maintenance of Site Access Roads, by failing to maintain all-weather access roads and other access roadways in a clean and safe condition; 30 TAC §330.165(a), (c), and (d) and MSW Permit Number 1815A, SOP, Sections 4.17.2 Daily Cover and 4.17.3 Intermediate Cover, by failing to provide adequate landfill cover; 30 TAC §330.165(g) and MSW Permit Number 1815A, SOP, Section 4.17.5 Erosion of Cover, by failing to repair erosion of intermediate cover within five days of detection; and 30 TAC §330.167 and MSW Permit Number 1815A, SOP, Section 4.18 Ponded Water, by failing to prevent the ponding of water at the facility; PENALTY: $56,962; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $45,570; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(6) COMPANY: City of Winona; DOCKET NUMBER: 2019-0485-PWS-E; IDENTIFIER: RN101387983; LOCATION: Winona, Smith County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(c)(2)(A), (h), and (l)(1), by failing to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed, and report the results to the executive director (ED) for the January 1, 2018 - June 30, 2018, monitoring period; 30 TAC §290.117(ii)(6) and (j), by failing to provide a consumer notification of lead tap monitoring results to persons served at the sites (taps) 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 was distributed in a manner consistent with TCEQ requirements for the July 1, 2016 - December 31, 2016, and July 1, 2017 - December 31, 2017, monitoring periods; 30 TAC §290.122(c)(2)(A) and (f), by failing to timely provide public notification and submit a copy of the public notification to the ED, accompanied with a signed Certificate of Delivery, regarding the failure to collect lead and copper tap samples for the January 1, 2016 - June 30, 2016, and January 1, 2017 - June 30, 2017, monitoring periods, failing to submit a Disinfectant Level Quarterly Operating Report for the fourth quarter of 2015 and fourth quarter of 2016, failing to submit the results of nitrate, nitrite, and volatile organic chemical contaminants sampling for the January 1, 2014 - December 31, 2014, monitoring period, and failing to collect metals, minerals, cyanide, synthetic organic chemical contaminants (Methods 504, 515, and 531, and Group 5), and radionuclides samples for the January 1, 2014 - December 31, 2014, monitoring period; PENALTY: $905; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-0477; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(7) COMPANY: Edward A. Hetzel dba Desean Store; DOCKET NUMBER: 2019-0640-PWS-E; IDENTIFIER: RN102256669; LOCATION: Vidor, Orange County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance for the system's facilities and equipment; and 30 TAC §290.46(n)(1), by failing to maintain 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; PENALTY: $660; ENFORCEMENT COORDINATOR: Marla Waters, (512) 239-4712; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(8) COMPANY: HEART OF TEXAS COUNCIL OF THE BOY SCOUTS OF AMERICA dba Longhorn Council, Boy Scouts of America; DOCKET NUMBER: 2019-0517-PWS-E; IDENTIFIER: RN101229219; LOCATION: Hurst, Palo Pinto County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39((1)(A) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the executive director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; 30 TAC §290.41(c)(1)(F) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.e.ii, by failing to obtain sanitary control easements that cover the land within 150 feet of the facility's two wells; 30 TAC §290.41(c)(3)(J), by failing to provide Well Number 1 with a concrete sealing block that extends a minimum of three feet from the exterior well casing in all directions with a minimum thickness of six inches and sloped to drain away at not less than 0.25 inches per foot; 30 TAC §290.41(c)(3)(K), by failing
to seal the wellhead by a gasket or sealing compound and provide a well casing vent for Well Number 2 that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.42(e)(3), by failing to install disinfection equipment so that continuous and effective disinfection can be secured under all conditions; 30 TAC §290.42(e)(3)(G), by failing to obtain an exception, in accordance with 30 TAC §290.39(I), prior to using blended water containing free chlorine and water containing chloramines; 30 TAC §290.42(j), by failing to use an approved chemical or media for the disinfection of potable water that conforms to the American National Standards Institute/National Sanitation Foundation Standard 60; 30 TAC §290.43(c)(2), by failing to ensure that the facility's ground storage tank float gauge hatch remains locked except during inspections and maintenance; 30 TAC §290.45(d)(2)(B)(iv) and THSC, §341.303(c) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.j.i, by failing to provide at least two service pumps with a total capacity of three times the maximum daily demand; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and THSC, §341.031(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; 30 TAC §290.46(D)(2) and (3)(A)(I)(II), (ii)(III), and (iv) and (B)(i) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.a.i, by failing to maintain water works operation and maintenance records and make them readily available for review by commission personnel upon request; 30 TAC §290.46(m) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.a.iii, by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the facility and its equipment; 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; 30 TAC §290.46(n)(3) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.e.iii, 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 §290.46(s)(2)(C)(i) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.a.v, by failing to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.46(u) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.h, by failing to plug and seal abandoned public water supply wells in accordance with 16 TAC Chapter 76 or submit the test results proving that the wells are in a non-deteriorated condition; 30 TAC §290.46(v), by failing to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code; 30 TAC §290.46(z), by failing to develop a nitrification action plan for a system distributing chloraminated water; 30 TAC §290.110(c)(5), by failing to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and nitrification is controlled; and 30 TAC §290.121(a) and (b) and TCEQ Agreed Order Docket Number 2015-0297-PWS-E, Ordering Provision Number 2.c.iv, by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements; PENALTY: $23,610; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(9) COMPANY: HERITAGE MARKET LLC dba Route 69 Country Store; DOCKET NUMBER: 2019-0721-PST-E; IDENTIFIER: RN102437779; LOCATION: Warren, Tyler County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued underground storage tank (UST) delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; and 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; PENALTY: $1,876; ENFORCEMENT COORDINATOR: Alain Ellege, (512) 239-6924; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77630-1830, (409) 898-3838.

(10) COMPANY: KMBR Management, Inc dba Stop-N-Shop; DOCKET NUMBER: 2019-0734-PST-E; IDENTIFIER: RN102457561; LOCATION: Bishop, Nueces County; TYPE OF FACILITY: retail convenience facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tank (UST) for releases at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: $4,623; ENFORCEMENT COORDINATOR: Samantha Duncan, (512) 239-2511; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(11) COMPANY: Liberty Tire Recycling, LLC; DOCKET NUMBER: 2018-1461-IHW-E; IDENTIFIER: RN105851703; LOCATION: Houston, Harris County; TYPE OF FACILITY: land reclamation project using tires; RULE VIOLATED: 30 TAC §335.2(b), by failing to not cause, suffer, allow, or permit the disposal of industrial solid waste at an authorized facility; PENALTY: $36,307; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: Millersview-Doole Water Supply Corporation; DOCKET NUMBER: 2019-0707-PWS-E; IDENTIFIER: RN101457786; LOCATION: Millersview, Concho County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j)(1)(A), by failing to obtain approval of the executive director prior to instituting significant changes in existing systems or supplies; 30 TAC §290.42(f)(1)(E)(ii)(II), by failing to provide adequate containment facilities for all liquid chemical storage tanks; and 30 TAC §290.46(f)(6)(B) and Texas Health and Safety Code, §341.033(a), by failing to use at least two operators for surface water systems that serve more than 1,000 connections; one holding a Class B or higher surface water license and the other holding a Class C or higher surface water license, who each work at least 32 hours per month at the public water system's production, treatment, or distribution facilities; PENALTY: $555; ENFORCEMENT COORDINATOR: Julianne Dewar, (817) 588-5861; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(13) COMPANY: RSN INVESTMENTS INC dba Town & Country RV Food Mart; DOCKET NUMBER: 2019-0281-PST-E; IDENTIFIER: RN102384930; LOCATION: College Station, Brazos County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.7(d)(1)(A) and (3), by failing to provide an amended registration for any change or additional information regarding the underground storage tank (UST) system within 30 days of the occurrence of the change or addition; 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; 30 TAC §334.8(c)(5)(C), by failing to ensure that a legible tag, label, or marking with the UST identification number is permanently applied upon or affixed to either the top of the fill tube or to a nonremovable point in the immediate area of the
fill tube according to the UST registration and self-certification form; 30 TAC §334.42(i) and TWCC, §26.3475(c)(2), by failing to inspect all tanks including dispenser sumps, manways, overspill containers or catchment basins associated with the USTs at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid-tight and free of any liquid or debris; 30 TAC §334.48(c) and §334.50(d)(1)(B)(ii) and (ii)(I) and TWCC, §26.3475(c)(1), by failing to conduct effective manual or automatic inventory control procedures for all USTs involved in the retail sale of petroleum substances used as motor fuel, failing to conduct reconciliation of detailed inventory control records at least once each month, sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow-through for the month plus 130 gallons, and failing to record inventory volume measurement for regulated substance inputs, withdrawals, and the amount still remaining in the tanks each failing operating day; and 30 TAC §334.49(c)(2)(C) and TWCC, §26.3475(d), by failing to inspect the impressed current cathodic protection system at least once every 60 days to ensure that the rectifier and system components are operating properly; PENALTY: $12,703; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(14) COMPANY: RYAN BUSINESS, INCORPORATED dba Dessau Mini Mart; DOCKET NUMBER: 2019-0947-PST-E; IDENTIFIER: RN101434280; LOCATION: Austin, Travis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWCC, §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; PENALTY: $3,000; ENFORCEMENT COORDINATOR: Aaron Vincent, (512) 239-0855; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(15) COMPANY: S. A. Thompson Marketing, Incorporated dba Corner Store; DOCKET NUMBER: 2019-1041-PST-E; IDENTIFIER: RN106648430; LOCATION: Jacksonville, Cherokee County; TYPE OF FACILITY: retail convenience facility; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWCC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: $2,620; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(16) COMPANY: Sumiden Wire Products Corporation; DOCKET NUMBER: 2019-0710-WQ-E; IDENTIFIER: RN109186320; LOCATION: Dayton, Liberty County; TYPE OF FACILITY: industrial steel product manufacturing facility; RULES VIOLATED: 30 TAC §315.1 and 40 Code of Federal Regulations (CFR) §403.5(a)(i), by failing to prevent the introduction into a publicly owned treatment works (POTW) any pollutants which cause pass through or interference; and 30 TAC §315.1 and 40 CFR §403.6(a)(1), by failing to request written certification of categorical determination prior to commencing the discharge of treated process wastewater to a POTW; PENALTY: $5,626; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: Swift Mart, LLC dba Tommys 29; DOCKET NUMBER: 2019-0787-PST-E; IDENTIFIER: RN102241320; LOCATION: North Richland Hills, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWCC, §26.3475(c)(1), by failing to monitor 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: Carlos Molina, (512) 239-2557; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(18) COMPANY: Targa Midstream Services LLC; DOCKET NUMBER: 2019-0358-AIR-E; IDENTIFIER: RN100238716; LOCATION: Chico, Wise County; TYPE OF FACILITY: oil and natural gas processing plant; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (C) and §122.143(4), New Source Review Permit Number 84108, General Conditions Number 8 and Special Conditions Number 1, Federal Operating Permit Number O3181, General Terms and Conditions and Special Terms and Conditions Number 13, and Texas Health and Safety Code, §382.085(b), by failing to comply with the maximum allowable emissions rate; PENALTY: $6,563; ENFORCEMENT COORDINATOR: Richard Garza, (512) 239-2697; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(19) COMPANY: United Electronic Recycling, LLC; DOCKET NUMBER: 2019-1046-MSW-E; IDENTIFIER: RN110756327; LOCATION: Coppell, Dallas County; TYPE OF FACILITY: electronic recycling facility; RULE VIOLATED: 30 TAC §328.5(b), by failing to submit a Notice of Intent prior to the commencement of recycling activities; PENALTY: $1,875; ENFORCEMENT COORDINATOR: Hailey Johnson, (512) 239-1756; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: WTG Jameson, LP; DOCKET NUMBER: 2019-0871-AIR-E; IDENTIFIER: RN101246478; LOCATION: Silver, Coke County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §106.512(2)(C)(ii) and §122.143(4), Permit by Rule Registration Numbers 52490 and 52491, Federal Operating Permit Number O865, General Terms and Conditions and Special Terms and Conditions Number 10, and Texas Health and Safety Code, §382.085(b), by failing to test an engine for emissions of nitrogen oxides and carbon monoxide within seven days following engine maintenance which may reasonably be expected to increase emissions; PENALTY: $5,145; ENFORCEMENT COORDINATOR: Richard Garza, (512) 239-2697; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

TRD-201903529
Charmaine Backens
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: October 1, 2019

Enforcement Orders

A default order was adopted regarding MAUKA WATER, LTD., Docket No. 2017-1658-PWS-E on September 27, 2019, assessing $17,544 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ryan Rutledge, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default and shutdown order was adopted regarding Bombay Trading, LLC dba Texan Stop 1, Docket No. 2018-0208-PST-E on September 27, 2019, assessing $4,624 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Rene Perez dba Factory Garage Collision and Repair, Docket No. 2018-0296-AIR-E on September 27, 2019, assessing $3,937 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton
Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding F & L Auto Body, LLC, Docket No. 2018-0324-AIR-E on September 27, 2019, assessing $1,312 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Benjamin Warns, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding K & Z Enterprises, LLC dba Quickway Food Store 1, Docket No. 2018-0388-AIR-E on September 27, 2019, assessing $35,001 in administrative penalties with $7,100 deferred. Information concerning any aspect of this order may be obtained by contacting Carol McGrath, 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 KMTEX, LLC, Docket No. 2018-0660-PST-E on September 27, 2019, assessing $11,681 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Karen Harwell dba Hallelujah Hill MHP, Docket No. 2018-0734-PWS-E on September 27, 2019, assessing $1,181 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Audrey Litter, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ONEOK Hydrocarbon, L.P., Docket No. 2018-0849-AIR-E on September 27, 2019, assessing $32,625 in administrative penalties with $6,525 deferred. Information concerning any aspect of this order may be obtained by contacting Soraya Bun, 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 HAIDER & SONS ENTERPRISES INC. dba Swift-T, Docket No. 2018-0895-PST-E on September 27, 2019, assessing $15,000 in administrative penalties with $8,925 deferred. Information concerning any aspect of this order may be obtained by contacting Jess Robinson, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding TPC Group LLC, Docket No. 2018-0957-AIR-E on September 27, 2019, assessing $19,575 in administrative penalties with $3,915 deferred. Information concerning any aspect of this order may be obtained by contacting Amanda Diaz, 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 KASHISH CORPORATION dba Dairy Mart 7, Docket No. 2018-0990-PST-E on September 27, 2019, assessing $13,526 in administrative penalties with $2,705 deferred. Information concerning any aspect of this order may be obtained by contacting Hailey Johnson, 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 the City of Rockdale, Docket No. 2018-1013-MWD-E on September 27, 2019, assessing $39,250 in administrative penalties. 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 JEREMY & WILL, INC., Docket No. 2018-1015-WQ-E on September 27, 2019, assessing $23,658 in administrative penalties with $4,731 deferred. Information concerning any aspect of this order may be obtained by contacting Aaron Vincent, 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 PERMANN, INC. dba Tanglewood Service Center, Docket No. 2018-1054-PST-E on September 27, 2019, assessing $23,650 in administrative penalties with $4,730 deferred. Information concerning any aspect of this order may be obtained by contacting Marla Waters, 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 INEOS Styrolution America LLC, Docket No. 2018-1138-AIR-E on September 27, 2019, assessing $9,000 in administrative penalties with $1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Raime Hayes-Falero, 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 Strip Property Land and Water, LLC, Docket No. 2018-1154-PWS-E on September 27, 2019, assessing $694 in administrative penalties with $504 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Quik-Way Operating, LLC dba Day & Night 82, Docket No. 2018-1333-PST-E on September 27, 2019, assessing $33,750 in administrative penalties with $6,750 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, 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 TA Operating LLC dba Denton Travel Center, Docket No. 2018-1407-PST-E on September 27, 2019, assessing $10,313 in administrative penalties with $2,062 deferred. Information concerning any aspect of this order may be obtained by contacting Tyler Richardson, 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 C.V.W.S., Inc., Docket No. 2018-1492-PWS-E on September 27, 2019, assessing $296 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting James Knittel, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Lee Exceptional Investments, LLC dba Exceptional Landscapes, Docket No. 2018-1521-AIR-E on September 27, 2019, assessing $1,696 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Logan Harrell, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201903480
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 27, 2019

IN ADDITION  October 11, 2019  44 TexReg 5935
Enforcement Orders

An agreed order was adopted regarding Eagle Mountain Real Estate Investments, Inc., Docket No. 2017-0431-PWS-E on October 1, 2019, assessing $550 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ryan Rutledge, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CANYON RIDGE INVESTMENT COMPANY, Docket No. 2017-1105-PWS-E on October 1, 2019, assessing $838 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ryan Rutledge, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding DAKOTA RESOURCES, INC., Docket No. 2018-1186-WR-E on October 1, 2019, assessing $2,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Audrey Liter, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ECS Big Town, LLC, Docket No. 2018-1486-MLM-E on October 1, 2019, assessing $5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Audrey Liter, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201903571
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Notice and Comment Hearing: Draft Permit No. O1493

This is a notice for a notice and comment hearing on Federal Operating Permit Number O1493. During the notice and comment hearing, informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Thursday, November 14, 2019 at 7:00 p.m.

Carl A. Parker Multipurpose Center
At Lamar State College-Port Arthur
1800 Lakeshore Drive
Port Arthur, Texas 77640

Application and Draft Permit. Oxbow Calcining LLC, P.O. Box C, Port Arthur, TX 77641-0178, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Federal Operating Permit (herein referred to as Permit) No. O1493, Application No. 27376, to authorize operation of the Port Arthur Plant, a Calcined Petroleum Coke facility. The area addressed by the application is located at 3901 Coke Dock Road in Port Arthur, Jefferson County, Texas 77640. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to the application. You can find an electronic map of the facility at: https://tceq.maps.ar-


The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code §122.10 (30 TAC §122.10). The draft permit, if approved, will codify the conditions under which the area must operate. The permit will not authorize new construction. The executive director has completed the technical review of the application and has made a preliminary decision to prepare a draft permit for public comment and review. The executive director recommends issuance of this draft permit. The permit application, statement of basis, and draft permit will be available for viewing and copying at the TCEQ Central Office, 12100 Park 35 Circle, Building E, First Floor, Austin, Texas 78753; the TCEQ Beaumont Regional Office, 3870 Eastex Fwy., Beaumont, Texas 77703-1830; and the Port Arthur Public Library, 4615 9th Ave, Port Arthur, Texas 77642-5818, beginning the first day of publication of this notice. The draft permit and statement of basis are available at the TCEQ Website:

www.tceq.texas.gov/goto/tvnotice

At the TCEQ central and regional offices, relevant supporting materials for the draft permit, as well as the New Source Review permits which have been incorporated by reference, may be reviewed and copied. Any person with difficulties obtaining these materials due to travel constraints may contact the TCEQ central office file room at (512) 239-2900.

Notice and Comment Hearing. A public hearing will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public hearing 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. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this hearing and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act §382.0561, as codified in the Texas Health and Safety Code, and 30 TAC §122.340.

Persons 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 one week prior to the meeting.

Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at http://www14.tceq.texas.gov/epic/eComment/. Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.
A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted public comments, a hearing request, or requested to be on the mailing list for this application. This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with the applicable requirements or the requirements of 30 TAC Chapter 122.

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

**Information.** For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at (800) 687-4040. Si desea información en Español, puede llamar al (800) 687-4040.

Further information may also be obtained for Oxbow Calcining LLC by calling Mr. Kyle Bryant at (409) 983-8467.

Notice Issuance Date: September 27, 2019

TRD-201903561
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls: Proposed Air Quality Registration Number 157931

**APPLICATION.** Five Star Concrete, Inc., 2 Grist Mill Road, Uhland, Texas 78640-9363 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 157931 to authorize the operation of a permanent concrete batch plant. The facility is proposed to be located at 2492 County Road 130, Hutto, Williamson County, Texas 78634. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.598264&lng=-97.555709&zoom=13&type=r. This application was submitted to the TCEQ on August 6, 2019. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on September 6, 2019.

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

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

The Public Hearing is to be held:
Monday, October 28, 2019, at 6:00 p.m.
Hampton Inn & Suites Hutto
327 Ed Schmidt Boulevard
Hutto, Texas 78634

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

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

**CENTRAL/REGIONAL OFFICE.** The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Austin Regional Office, located at 12100 Park 35 Circle, Building A, Room 179, Austin, Texas 78753-1808, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

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

Further information may also be obtained from Five Star Concrete, Inc., 2 Grist Mill Road, Uhland, Texas 78640-9363, or by calling Mr. Stephen Hampton, Compliance Manager at (512) 398-7797.

Notice Issuance Date: September 24, 2019

TRD-201903558
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Notice of District Petition
Notice issued September 26, 2019

TCEQ Internal Control No. D-06102019-017; Cressman Enterprises GP, LLC, a Texas limited liability company, General Partner of Cress-
man Enterprises, LP, a Texas limited partnership, Kathryn A. Cressman, and the Estate of Marvin R. Cressman AKA Marvin Richard Cressman, Deceased (Petitioners) filed a petition for creation of Round Rock Municipal Utility District No. 2 (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 in the proposed District; (2) there are no lienholders on the land in the proposed District; (3) the proposed District will contain approximately 174.21 acres located within Williamson County, Texas; and (4) the proposed District is entirely within the corporate limits of the City of Round Rock, Texas and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By Resolution No. R-2019-0210, passed on September 12, 2019, the City of Round Rock gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the general nature of the work proposed to be done by the District, as contemplated at the present time, is the design, construction, acquisition, improvement, extension, financing, and issuance of bonds: (i) for maintenance, operation, and conveyance of an adequate and efficient waterworks and sanitary sewer system for domestic purposes; (ii) for maintenance, operation, and conveyance of works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide the adequate drainage for the District, and to control, abate, and amend local storm waters or other harmful excesses of waters; (iii) for maintenance, operation, and conveyance of park and recreational facilities; (iv) for conveyance of roads and improvements in aid of roads; and (v) for maintenance, operation, and conveyance of such other additional facilities, systems, plants, and enterprises as may be consistent with any or all of the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately $19,089,823, of which approximately $14,100,000 (including $6,620,000 for water, wastewater, and drainage) plus $1,220,000 for recreation plus $6,260,000 for roads) is anticipated to be financed by the issuance of bonds.

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.state.tx.us.

TRD-201903556
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019


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

10:00 a.m. - October 31, 2019
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed June 21, 2019 concerning assessing administrative penalties against and requiring certain actions of Anthony "Tony" Aguilar and Benita Castillo Villasenor, for violations in El Paso County, Texas, of: 30 Texas Administrative Code §335.4 and TCEQ Agreed Order Docket No. 2011-1833-IHW-E, Ordering Provisions Nos. 2.a. through 2.d.

The hearing will allow Anthony "Tony" Aguilar and Benita Castillo Villasenor, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Anthony "Tony" Aguilar and Benita Castillo Villasenor, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. Upon failure of Anthony "Tony" Aguilar and Benita Castillo Villasenor to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes. Anthony "Tony" Aguilar and Benita Castillo Villasenor, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: October 1, 2019
TRD-201903562
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019


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

10:00 a.m. - October 31, 2019
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's First Amended Report and Petition mailed June 18, 2019 concerning assessing administrative penalties against and requiring certain actions of Lewis Eugene Roland, for violations in Travis County, Texas, of: 30 Texas Administrative Code §330.15(a) and (c).

The hearing will allow Lewis Eugene Roland, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Lewis Eugene Roland, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. Upon failure of Lewis Eugene Roland to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's First Amended Report and Petition, attached hereto and incorporated herein for all purposes.

Lewis Eugene Roland, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.


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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: October 1, 2019
TRD-201903563
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

IN ADDITION October 11, 2019 44 TexReg 5939
Notice of Public Meeting for an Air Quality Permit: Permit Number 18897

APPLICATION, Western Refining Company, L.P., 212 North Clark Drive, El Paso, Texas 79905-3106, has applied to the Texas Commission on Environmental Quality (TCEQ) for two separate amendments to Air Quality Permit Number 18897, which would authorize modification to the Marathon El Paso Refinery North located at 6501 Trowbridge Drive, El Paso, El Paso County, Texas 79905. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to either application. https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44abfc468bb-3d60f8168250f&marker=-106.395277%2C31.7675&level=12.

The first application was submitted to the TCEQ on May 2, 2018. The existing facility will emit the following contaminants: carbon monoxide, hydrogen cyanide, hydrogen sulfide, 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.

The second application was submitted to the TCEQ on May 1, 2019. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. The amendment will authorize an increase in emissions of the following air contaminants: carbon monoxide, hazardous air pollutants, and organic compounds. 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 on either application to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing final decisions on the applications. 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 applications. 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 applications. A written response to all formal comments for both applications 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.

The Public Meeting is to be held:
Tuesday, October 22, 2019 at 7:00 p.m.
Riverside High School Cafeteria
301 Midway Drive
El Paso, Texas 79915

Please note that Western Refining Company, L.P. has applied to the TCEQ for two separate amendments to Air Quality Permit Number 18897 and this public meeting will address both pending applications.

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

Both permit applications, executive director's preliminary decisions, and the draft permit will be available for viewing and copying at the TCEQ central office, the TCEQ El Paso regional office, and at the Clardy Fox Library, 5515 Robert Alva Avenue, El Paso, El Paso County, Texas. The facility's compliance file, if any exists, is available for public review at the TCEQ El Paso Regional Office, 401 East Franklin Avenue Suite 560, El Paso, Texas. Further information may also be obtained from Western Refining Company, L.P. at the address stated above or by calling Mr. Kevin Adams, Environmental Supervisor, at (915) 775-7864.

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 one week prior to the meeting.

Notice Issuance Date: September 26, 2019
TRD-201903559
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit: Proposed Permit No. 2405

Application. JSI Houston Transfer Station, P.O. Box 1149, Splendora, Montgomery County, Texas 77372, a municipal solid waste transfer station, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit to authorize an increase in the allowed waste acceptance rate. The R&J Transfer Station is located at 11028 Cordoba Dr., Houston, Texas 77088 in Harris County, Texas. The TCEQ received this application on August 19, 2019. The permit application is available for viewing and copying at the Shepard-Acres Homes Neighborhood Library, 8501 W. Montgomery, Houston, Texas 77088, and may be viewed online at http://downloads.cecinc.com/R&J Transfer Station/. 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://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44abfc468bb-3d60f816 8250f&marker=-95.448055%2C29.894166&level=12. For exact location, refer to application.

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the...
mailing list for this application. That notice will contain the deadline for submitting public comments.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

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

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period, and the statement 'I/we request a contested case hearing.' If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

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

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

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

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

Further information may also be obtained from JSI Houston Transfer Station at the address stated above or by calling Mr. Adam W. Mehevec, P.E., Principal, Civil & Environmental Consultants, at (855) 365-2324.

TRD-201903557
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Notice of Water Rights Application

Notices issued October 1, 2019

APPLICATION NO. 13617: Lower Colorado River Authority's (LCRA), P.O. Box 220, Austin, Texas 78767, Applicant, Certificate of Adjudication No. 14-5476 authorizes the impoundment of water behind Lane City Dam on the Colorado River, Colorado River Basin, Wharton County. Paragraph 5.B. of the certificate requires the gate to be in the down or open position for all periods other than March 15 to October 15 of each year. LCRA is performing rehabilitation work on Lane City Dam as a result of damage to the dam and surrounding areas that occurred in high flow events. LCRA seeks a temporary water use permit, for a period of up to three years, to maintain the existing gate structure in the up or closed position year-round while LCRA is performing the rehabilitation work at the Lane City Dam. The application and fees were received on July 2, 2019. Additional information and fees were received on August 20 and August 22, 2019. The application was declared administratively complete and filed with the Office of the Chief Clerk on August 26, 2019. The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, maintaining the water level of the pool of Lane City Dam at or above the top of the gate or dam spillway. The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, by October 15, 2019.

APPLICATION NO. 39368B: Marecek Land & Cattle, LLC, 2966 Hacienda Wesley Waco, Texas 76706, Applicant, has applied for an amendment to a water use permit to add two diversion reaches along an unnamed tributary of Castleman Creek, and Castleman Creek, Brazos River Basin in McLennan County. The application and partial fees were received on May 28, 2015. Additional information and fees were received on June 29, September 28, 2015, April 8, April
28, 2016, and March 1, 2017. The application was declared administratively complete and filed with the Office of the Chief Clerk on March 31, 2017. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, environmental flow restrictions. The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by October 14, 2019.

To view the complete issued notice, view the notice on our web site at 222.teq.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. A public meeting is intended for the taking of public comment, and is not a contested case hearing.

The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "I/we request a contested case hearing"; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the conditions to the requested application which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the requested permit and may forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

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

TRD-201903560
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Proposal for Decision

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the TCEQ on September 25, 2019, in the matter of the Executive Director of the Texas Commission on Environmental Quality v. Doug Calhoun dba Bubba's Scrap and Junk Removal; SOAH Docket No. 582-19-1845; TCEQ Docket No. 2017-0926-MLM-E. The Commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Doug Calhoun dba Bubba's Scrap and Junk Removal on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Mehgan Taack, Office of the Chief Clerk, (512) 239-3300.

TRD-201903569
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Proposal for Decision

The State Office of Administrative Hearings issued a Proposal for Decision and Order to the TCEQ on October 1, 2019, in the matter of the Executive Director of the Texas Commission on Environmental Quality v. R & K LLC dba Discount Self Serve 2; SOAH Docket No. 582-19-3136; TCEQ Docket No. 2018-0796-PST-E. The Commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against R & K LLC dba Discount Self Serve 2 on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Mehgan Taack, Office of the Chief Clerk, (512) 239-3300.

TRD-201903570
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 2, 2019

Texas Health and Human Services Commission

Amendment to the Home and Community-based Services Program
Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting to the Centers for Medicare & Medicaid Services (CMS) a request to amend the Home and Community-based Services (HCS) waiver administered under section 1915(c) of the Social Security Act. CMS has approved this waiver through August 31, 2023. The proposed effective date for the amendment is February 14, 2020, or the date CMS approves the amendment, whichever is earlier.

The request proposes to make the following changes based on the 2020-2021 General Appropriations Act (GAA), House Bill (H.B.) 1, 86th Legislature, Regular Session, 2019 (Article II, HHSC, Rider 44(a)(1)) which provided appropriations to increase rates in the HCS program:

Appendix I

--Change the rate methodology to temporarily increase the direct care portion of the supervised living and residential support services rates.
The HCS waiver program provides services and supports to individuals with intellectual disabilities who live in their own homes, a family member's home, or community settings, such as small three and four-person homes. To be eligible for the waiver, an individual must meet financial eligibility criteria and meet the level of care required for admission into an intermediate care facility for individuals with an intellectual disability or related condition.

You may obtain a free copy of the proposed waiver amendment, including the HCS settings transition plan, or ask questions, obtain additional information, or submit comments regarding this amendment or the HCS settings transition plan, by contacting Camille Weizenbaum by U.S. mail, telephone, fax, or email. The addresses are as follows:

U.S. Mail
Texas Health and Human Services Commission
Attention: Camille Weizenbaum, Waiver Coordinator, Policy Development Support
P.O. Box 13247
Mail Code H-600
Austin, Texas 78771-3247

Telephone
(512) 487-3446

Fax
Attention: Camille Weizenbaum, Waiver Coordinator, at (512) 487-3403

Email
TX_Medicaid_Waivers@hhsc.state.tx.us.

The HHSC local offices will post this notice for 30 days. The proposed waiver amendment can be found online on the Health and Human Services website at http://www.dads.state.tx.us/providers/HCS/.

TRD-201903573
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: October 2, 2019

♦ ♦ ♦ ♦ ♦

Notice of Public Hearing on Long-Range Planning for State Supported Living Centers

The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on Tuesday, November 26, 2019, at 9:00 a.m. at the Robert D. Moreton Building, Room M-100, 1100 West 49th St., Austin, TX 78756. The purpose of the hearing is to receive public comment on the long-range planning for State Supported Living Centers, including resident quality of care, community-based services, services to transition back to the community, and availability of services.

Entry is through security at the main entrance of the building.

Parking is available in the visitor's lot located in front of the building. Additional parking is available in the parking garage located directly east of the building in any spot not marked reserved.

Written Comments. Written comments, requests to review comments, or both 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
State Supported Living Centers
Attention: Kristy Almager, Mail Code W511 Winters Building 701 West 51st St. Austin, TX 78751

Overnight mail, special delivery mail, or hand delivery
Texas Health and Human Services Commission
State Supported Living Centers
Attention: Kristy Almager, Mail Code W511 Winters Building 701 West 51st St. Austin, TX 78751

Phone number for package delivery: (512) 438-3807

Fax
Attention: Kristy Almager, Senior Specialist for Strategic Planning and Communications, at (512) 438-4582

Email
SSLCP Planning@hhsc.state.tx.us

TRD-201903554
Karen Ray
General Counsel
Texas Health and Human Services Commission
Filed: October 1, 2019

♦ ♦ ♦ ♦ ♦

State Independent Living Council

Request for Proposal

Texas State Independent Living Council (SILC) is a nonprofit organization that assists Texans with a disability to live as independently as they chose. Texas SILC is federally authorized by the Rehabilitation Act of 1973 and Workforce Innovation Act of 2014 and develops the State Plan for Independent Living (SPIL) that serves as a strategic plan to employ Independent Living Services.

Texas SILC has partnered with the Administration for Community Living (ACL) to provide quality of life grants over the next three years to community-based disability organizations serving people living with paralysis. For the purposes of this grant, the definition of paralysis refers to a range of disabling conditions due to stroke, spinal cord injury, multiple sclerosis, cerebral palsy or any central nervous system disorders that results in difficulty or the inability to move the upper or lower extremities. The goal of this pilot is to increase supports and services for Texans living with paralysis in rural and underserved areas of the State that will improve the opportunity to become more independent and integrated in the community of their choice.

Texas SILC is not a direct service provider and relies on community partners to provide direct services and supports for Texans with disabilities and fulfill the goals and objectives of the SPIL. Texas SILC has procured a telehealth-type platform (e.g. Zoom platform) and is searching for community-based organizations to provide virtual Independent Living Services to Texans living with paralysis in unserved or underserved areas of the State. More information about the project may be viewed on the Texas SILC’s Virtual Independent Living Services project webpage at https://www.txsilc.org/projects/vils.html

The Virtual Independent Living Services project will provide Texas community-based organizations with vested interest in serving people living with paralysis the virtual platform to provide independent living services and supports. The virtual platform will provide Texans living...
with paralysis access to a secure, HIPPA compliant platform, to receive services and supports.

Individuals will be able to access this platform through a smart-phone application, tablet, computer, or by telephone. The goal of the virtual services platform is to bring services to hundreds of individuals living with paralysis that would have not otherwise been able to access Independent Living Services due to lack of transportation, accessible housing, and personal care attendant support. This platform should also provide social interaction and support for people with paralysis who might be living with depression or other mental health issues. The virtual platform should offer greater access to independent living services to individuals and strengthen their network of peers and mentors.

Specific examples of services that may be provided through virtual platform to Texans living with paralysis in unserved or underserved areas includes but are not limited to: peer support; employment and career development training; personal care attendant management; money management and personal finance; healthy eating and adaptive fitness exercises; civic engagement in and out of institutions, state-facilities, and nursing homes; assistive technology and the use of applications to assist in daily living activities and at work; travel support and training; leadership and development; self and systems advocacy methods; accessible housing and transportation options and rights; resources for parents with disabilities; support groups and discussion topics for caregivers and family members; service animal options and rights; and a host of other topics impacting Texans living with paralysis.

Awarded organizations selected through this request for proposal (RFP) will be required to use and gain competence in the telehealth-type platform to be provided. The specifics of training and proficiency expectations will be discussed and agreed to prior to award.

As part of the grant partnership, Texas SILC is committed to providing technical assistance and training on the tele-health platform. Texas SILC will provide each awarded organization a toolkit that explains in detail what both awarded organizations and participating Texas SILC will need to know to effectively use and leverage the technology. The toolkit will include outreach materials, instructional videos, and troubleshooting support.

The Texas SILC is accepting proposals from community-based organizations that serve people living with paralysis to employ a virtual Independent Living Services to Texans with paralysis. Proposals can be submitted until 5:00 p.m. Central Standard Time, Monday, December 2, 2019, via email to VILS@txsilk.org.

Up to five community-based disability organizations will received up to $40,000 each to provide virtual Independent Living Services to Texans living with paralysis. All funds must be used in accordance to applicable federal laws and regulations.

An independent review panel will review all applications and make a recommendation for awards to the Texas SILC. Texas SILC will announce awards by 5:00 p.m. Central Standard Time, December 20, 2019.


Texas SILC requests community partners willing to participate in the Virtual Independent Living Services project to complete a proposal that ensures the following project objectives and outcomes are achieved.

Project outcomes include:

Texans with paralysis who live in unserved or underserved areas or represent an underserved population will have greater access to Independent Living Services in the environment they choose;

Texans with paralysis will experience decreased isolation and will better connect with peers.

The project will increase coalitions between community-based organizations that provide supports and services to Texans with paralysis;

Texans with disabilities will have enhanced employment opportunities and have more strategies to thrive in the community of their choice.

Applicants interested in participating as a direct service provider in the project must submit a proposal that is no more than five single-spaced pages in Verdana 12-point font in Microsoft Word and respond to the following items:

Organization Background: please provide the name of your organization, organization address, Tax ID Number, name of contact person and contact information.

Narrative Description of the Project: please provide a narrative description of the type of virtual independent living services your organization plans to provide; milestones; how it will achieve project goals, objectives, and outcomes; and the data your organization will collect and report on that measures the impact and effectiveness of the award (e.g. Number of Texans living with paralysis who received an Independent Living Service). In this section, please include the purpose and scope of the project; location of work; describe the need for the project and solutions; deliverables that will be scheduled; and a timeline. Additional preference will be made for those community-based organizations that describe how the services are targeted to those populations listed in Section 3.2 of the SPIL. The SPIL may be viewed at the Texas SILC's website: www.txsislc.org.

Capacity: please provide an overview of your organization, leadership and staff expertise, organizational ability to provide financial management and performance reporting. Please also provide a budget and budget justification for the project, type of payment schedule preferred (e.g. monthly; quarterly); and if and how the awarded funds will be used for travel.

Respondents are encouraged to provide as much detail in their proposals as possible regarding their community-based services in order to allow the independent review panel and the Texas SILC to accurately assess the best possible candidates. This is particularly valuable given the range of possible services responsive to this RFP.

Awarded organizations who receive an award up to $40,000 grant under this RFP will not be considered for subsequent awards under this grant.

This grant was supported in part by grant number 90Prrc0002 from The United States Administration on Community Living, Department of Health and Human Services, Washington, D.C. 20201. Grantees undertaking projects under government sponsorship are encouraged to express freely their feeling and conclusions. Points of view or opinions do not, however, represent official Administration for Community Living policy.

Questions about this request for proposal must be submitted in writing via email to VILS@txsilk.org by 5:00 p.m. Central Standard Time, Friday, November 25, 2019. All answers will be subsequently published on Texas SILC’s Virtual Independent Living Services project webpage: https://www.txsislc.org/projects/vils.html

Texas SILC looks forward to developing new partnerships to increase supports and services for Texans living with paralysis living in underserved or unserved areas of the State. Additional Virtual Independent
Living Services project funding opportunities may be available in the Summer of 2020.

TRD-201903539
Colton Read
Council Chair
State Independent Living Council
Filed: October 1, 2019

Texas Department of Insurance

Company Licensing

Application for Service Insurance Company, a foreign life, accident and/or health company, to change its name to Safeport Insurance Company. The home office is in Bradenton, Florida.

Application for Zale Indemnity Company, a foreign fire and/or casualty company, to change its name to Apex Indemnity Company. The home office is in Spokane, Washington.

Application to do business in the state of Texas for Hornbeam Insurance Company, a foreign fire and/or casualty company. The home office is in Louisville, Kentucky.

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 Robert Rudnai, 333 Guadalupe Street, MC 103-CL, Austin, Texas 78701.

TRD-201903566
James Person
General Counsel
Texas Department of Insurance
Filed: October 2, 2019

Texas Department of Licensing and Regulation

Notice of Vacancies on Motorcycle Safety Advisory Board

The Texas Department of Licensing and Regulation (Department) announces vacancies on the Motorcycle Safety Advisory Board (Board) established by the Transportation Code, Chapter 662.001. The purpose of the Motorcycle Safety Advisory Board is to advise the Texas Commission on Licensing and Regulation and the Department on rules and educational and technical matters relevant to the administration of this chapter.

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

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

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

The advisory board shall meet at the call of the executive director or the presiding officer of the commission. An advisory board member may not receive compensation for service on the advisory board but is entitled to reimbursement for actual and necessary expenses incurred in performing the functions as a member of the advisory board, subject to the General Appropriations Act.

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

Issued in Austin, Texas on October 11, 2019.

TRD-201903575
Brian E. Francis
Executive Director
Texas Department of Licensing and Regulation
Filed: October 2, 2019

Texas Lottery Commission

Correction of Error

The Texas Lottery Commission published the game procedure for Scratch Ticket Game Number 2182 "FROSTY FUN" in the September 27, 2019, issue of the Texas Register (44 TexReg 5674). Due to an error by the Texas Register, the name of the Scratch Ticket Game contained a misspelling in the title section of this game procedure only. The word "Number" was misspelled. The title section of this game procedure is corrected as follows:

Texas Lottery Commission

Scratch Ticket Game Number 2182 "FROSTY FUN"

TRD-201903490

Scratch Ticket Game Number 2088 "MERRY MONEY"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2088 is "MERRY MONEY". The play style is "multiple games".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2088 shall be $5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2088.

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: BONUS...
QUICK WIN: GOLD BAR SYMBOL, PIGGY BANK SYMBOL, DICE SYMBOL, CROWN SYMBOL, PINEAPPLE SYMBOL, SUN SYMBOL, ANCHOR SYMBOL, STACK OF BILLS SYMBOL, LEMON SYMBOL, HORSESHOE SYMBOL, UMBRELLA SYMBOL, BAG OF MONEY SYMBOL, ELEPHANT SYMBOL, COIN SYMBOL, DIAMOND SYMBOL, WATERMELON SYMBOL, BOLT SYMBOL, STRAWBERRY SYMBOL and CLOVER SYMBOL. MAIN: WREATH SYMBOL, TREE SYMBOL, SNOWMAN SYMBOL, SNOWFLAKE SYMBOL, SKATE SYMBOL, HOLLY SYMBOL, SNOW GLOBE SYMBOL, GIFT SYMBOL, REINDEER SYMBOL, CANDY CANE SYMBOL, GIFT SYMBOL, REINDEER SYMBOL, STAR SYMBOL, BOOT SYMBOL, IGLOO SYMBOL, SWEATER SYMBOL, HAT Symbol, DRUM SYMBOL, CANDLE SYMBOL, TURKEY SYMBOL, STOCKING SYMBOL, SLED SYMBOL, PARKA SYMBOL, GINGERBREAD SYMBOL, HORN SYMBOL, PENGUIN SYMBOL, MITT SYMBOL, BOW SYMBOL, LIST SYMBOL, TRAIN SYMBOL, SCARF SYMBOL, 2X SYMBOL, 5X SYMBOL, $5.00, $10.00, $20.00, $50.00, $100, $250, $500, $1,000 and $100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:
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<th>PLAY SYMBOL</th>
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E. Serial Number - A unique 13 (thirteen) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

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

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2088), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2088-0000001-001.

H. Pack - A Pack of the "MERRY MONEY" Scratch Ticket Game contains 075 Tickets. 75 fanfolded, perforated Tickets per pack in one (1) Ticket per strip. Ticket 001 will be shown on the front of the pack; the back of Ticket 075 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 075 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 "MERRY MONEY" Scratch Ticket Game No. 2088.

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 "MERRY MONEY" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-one (61) Play Symbols. BONUS QUICK WIN: If the player reveals 2 matching symbols in the same BONUS QUICK WIN, the player wins $100! MAIN PLAY AREA: In each GAME, if a player matches any of YOUR SYMBOLS to the WINNING SYMBOL, the player wins the prize for that symbol. If a player reveals a "2X" symbol, the player wins DOUBLE the prize for that symbol. If a player reveals a "5X" symbol, the player wins 5 TIMES the prize for that symbol. Each GAME is 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 sixty-one (61) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly sixty-one (61) 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 sixty-one (61) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the sixty-one (61) 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 that a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

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

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

C. A Ticket can win up to twenty-eight (28) times.

D. On winning and Non-Winning Tickets, the top cash prizes of $1,000 and $100,000 will each appear at least once, except on Tickets winning twenty-five (25) times or more.

E. BONUS QUICK WIN Play Areas: A Ticket can win up to three (3) times in this play area: once in each of the three (3) BONUS QUICK WIN play areas.

F. BONUS QUICK WIN Play Areas: Winning Tickets will contain two (2) matching Play Symbols in a BONUS QUICK WIN play area.

G. BONUS QUICK WIN Play Areas: Winning combinations across all three (3) BONUS QUICK WIN play areas will be different.

H. BONUS QUICK WIN Play Areas: A BONUS QUICK WIN Play Symbol will not appear more than one (1) time per ticket across all three (3) BONUS QUICK WIN play areas, unless used in a winning combination.

I. BONUS QUICK WIN Play Areas: There will be no more than two (2) matching BONUS QUICK WIN Play Symbols on a Ticket.

J. BONUS QUICK WIN Play Areas: Consecutive Non-Winning Tickets within a Pack will not have matching BONUS QUICK WIN play areas. For example, if the first Ticket contains a PIGGY BANK Play Symbol and a PINEAPPLE Play Symbol in any BONUS QUICK WIN play area, then the next Ticket may not contain a PIGGY BANK Play Symbol and a PINEAPPLE Play Symbol in any BONUS QUICK WIN play area in any order.

K. MAIN Play Area: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

L. MAIN Play Area: A Ticket can win up to twenty-five (25) times in the main play area.

M. MAIN Play Area: No matching non-winning YOUR SYMBOLS Play Symbols will appear on a Ticket.

N. MAIN Play Area: On both winning and Non-Winning Tickets, there will be no matching WINNING SYMBOL Play Symbols.

O. MAIN Play Area: On both winning and Non-Winning Tickets, there will be no matching WINNING SYMBOL Play Symbols.

IN ADDITION October 11, 2019 44 TexReg 5949
P. MAIN Play Area: On both winning and Non-Winning Tickets, a WINNING SYMBOL Play Symbol in a GAME will never match a YOUR SYMBOL Play Symbol from a different GAME.

Q. MAIN Play Area: Non-winning Prize Symbols will be different within a GAME. A non-winning Prize Symbol will not appear more than four (4) times on a Ticket.

R. MAIN Play Area: Non-winning Prize Symbols will be different within a GAME. A non-winning Prize Symbol will not appear more than three (3) times on a Ticket.

S. MAIN Play Area: Consecutive Non-Winning Tickets within a Pack will not have matching GAME. For instance, if the first Ticket contains a SNOWFLAKE Play Symbol, GIFT Play Symbol, HORSE Play Symbol, PENGUIN Play Symbol and a WREATH Play Symbol in any GAME, then the next Ticket may not contain a SNOWFLAKE Play Symbol, GIFT Play Symbol, HORSE Play Symbol, PENGUIN Play Symbol and a WREATH Play Symbol in any order.

T. MAIN Play Area: The "2X" (WINX2) Play Symbol will never appear as a WINNING SYMBOL Play Symbol.

U. MAIN Play Area: The "2X" (WINX2) Play Symbol will never appear more than two (2) times on a Ticket and will never appear more than once in the same GAME.

V. MAIN Play Area: The "2X" (WINX2) Play Symbol will never appear on a Non-Winning Ticket.

W. MAIN Play Area: The "2X" (WINX2) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

X. MAIN Play Area: The "5X" (WINX5) Play Symbol will never appear as a WINNING SYMBOL Play Symbol.

Y. MAIN Play Area: The "5X" (WINX5) Play Symbol will never appear more than once on a Ticket.

Z. MAIN Play Area: The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

AA. MAIN Play Area: The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "MERRY MONEY" Scratch Ticket Game prize of $5.00, $10.00, $20.00, $50.00, $100, $250 or $500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a $50.00, $100, $250 or $500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall pay 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 "MERRY MONEY" Scratch Ticket Game prize of $1,000 or $100,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of $600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "MERRY MONEY" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax of 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 "MERRY MONEY" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of $600 or more from the "MERRY MONEY" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.
2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto.

Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 2088. The approximate number and value of prizes in the game are as follows:

<table>
<thead>
<tr>
<th>Prize Amount</th>
<th>Approximate Number of Winners*</th>
<th>Approximate Odds are 1 in **</th>
</tr>
</thead>
<tbody>
<tr>
<td>$5</td>
<td>864,000</td>
<td>8.33</td>
</tr>
<tr>
<td>$10</td>
<td>592,000</td>
<td>12.16</td>
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<tr>
<td>$20</td>
<td>208,000</td>
<td>34.62</td>
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<tr>
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<td>125,000</td>
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<tr>
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<td>373.06</td>
</tr>
<tr>
<td>$250</td>
<td>2,600</td>
<td>2,769.23</td>
</tr>
<tr>
<td>$500</td>
<td>1,400</td>
<td>5,142.86</td>
</tr>
<tr>
<td>$1,000</td>
<td>50</td>
<td>144,000.00</td>
</tr>
<tr>
<td>$100,000</td>
<td>5</td>
<td>1,440,000.00</td>
</tr>
</tbody>
</table>

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

**The overall odds of winning a prize are 1 in 3.97. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2088 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. 2088, 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-201903530

Bob Biard
General Counsel
Texas Lottery Commission
Filed: October 1, 2019

South East Texas Regional Planning Commission

Notice of Request for Proposals - Hike and Bike Plan 2037 Update

The South East Texas Regional Planning Commission (SETRPC) of Jefferson, Hardin and Orange Counties, Texas, the Transportation and Environmental Resources Division is requesting proposals for review, refinement and updating of the South East Texas Hike and Bike Plan 2037.

The Request for Proposals (RFP) can be downloaded from the SETRPC Website at www.setrpc.org. Interested firms may also contact Bob Dickinson, Director of the Transportation and Environmental Resources Division, via fax, (409) 729-651 or e-mail, bdickinson@setrpc.org, to obtain an RFP package.
Proposals must be properly sealed, marked and received no later than 2:00 p.m. CENTRAL TIME on November 15, 2019. Proposals received after this time will not be considered but will be maintained in the bid file and shall not be considered for this offering. All other proposals will be publicly opened and announced at 2:30 p.m. CENTRAL TIME on November 15, 2019, in the SETRPC-Transportation Conference Room at 2210 Eastex Freeway, Beaumont, Texas, 77703.

TRD-201903453
Bob Dickinson
Director
South East Texas Regional Planning Commission
Filed: September 24, 2019

Texas Department of Transportation
Aviation Division - Request for Qualifications (RFQ) for Professional Engineering Services

The City of McKinney, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a qualified firm for professional services pursuant to Chapter 2254, Subchapter A, of the Government Code. TxDOT Aviation Division will solicit and receive qualification statements for the current aviation project as described below.

Current Project: The City of McKinney; TxDOT CSJ No.: 2018MCKNY.

The TxDOT Project Manager is Ryan Hindman, P.E.
Scope: Provide engineering and design services, including construction administration, to:
1. extend Runway 18-36;
2. extend parallel Taxiway B;
3. relocation of NAVAIDS;
4. relocation of lighting; and
5. relocation of roads.

In accordance with Texas Government Code §2161.252, qualifications that do not contain an up-to-date "HUB Subcontracting Plan (HSP)" are non-responsive and will be rejected without further evaluation. In addition, if TxDOT determines that the HSP was not developed in good faith, it will reject the qualifications for failing to comply with material specifications based on the RFQ.

A voluntary pre-submittal meeting is scheduled from 11:00 a.m. - 1:00 p.m. on October 29, 2019, at the McKinney National Airport, 1500 E. Industrial Blvd., Suite 201, McKinney, Texas 75069. There will be an opportunity for interested firms to ask questions followed by an airport site visit.

Utilizing multiple engineering and design and construction grants over the course of the next five years, future scope of work items at the McKinney National Airport may include: airfield drainage improvements; reconstruct and extend hangar access taxi lane B5; and, rehabilitate and realign taxiway/taxi lane A between taxiways B2 and B4 to include relocation of a portion of taxiway B3.

The City of McKinney reserves the right to determine which of the services listed above may or may not be awarded to the successful firm and to initiate additional procurement action for any of the services listed above.

To assist in your qualification statement preparation, the criteria, 5010 drawing, project diagram, and most recent Airport Layout Plan are available online at http://www.txdot.gov/inside-txdot/division/aviation/projects.htm by selecting "McKinney National Airport." The qualification statement should address a technical approach for the current scope only. Firms shall use page 4, Recent Airport Experience, to list relevant past projects for both current and future scope.

AVN-550 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-550, titled "Qualifications for Aviation Architectural/Engineering Services". The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number, (800)-68-PILOT (74568). The form may be emailed by request or downloaded from the TxDOT website at http:// www.txdot.gov/inside-txdot/division/aviation/projects.html. The form may not be altered in any way. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-550 template. The AVN-550 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-550. If a prime provider submits more than one AVN-550, or submits a cover page with the AVN-550, that provider will be disqualified. Responses to this solicitation WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-550, firms are encouraged to download Form AVN-550 from the TxDOT website as addressed above. Utilization of Form AVN-550 from a previous download may not be the exact same format. Form AVN-550 is a PDF Template.

The completed Form AVN-550 must be received in the TxDOT Aviation eGrants system no later than November 13, 2019, 11:59 p.m. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

Firms that wish to submit a response to this solicitation must be a user in the TxDOT Aviation eGrants system no later than one business day before the solicitation due date. To request access to eGrants, please complete the Contact Us web form located at http://txdot.gov/government/funding/egrants-2016/aviation.html.

An instructional video on how to respond to a solicitation in eGrants is available at http://txdot.gov/government/funding/egrants-2016/aviation.html.

Step by step instructions on how to respond to a solicitation in eGrants will also be posted in the RFQ packet at http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.htm.

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-550s. The committee will review all AVN-550s and rate and rank each. The Evaluation Criteria for Engineering Qualifications can be found at http:// www.txdot.gov/inside-txdot/division/aviation/projects.html under Information for Consultants. All firms will be notified and the top-rated firm will be contacted to begin fee negotiations for the design and bidding phases. The selection committee does, however, reserve the right to conduct interviews for the top-rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

Please contact TxDOT Aviation for any technical or procedural questions at (800) 68-PILOT (74568). For procedural questions, please contact Sheri Quinlan, Grant Manager. For technical questions, please contact Ryan Hindman, P.E., Project Manager.

For questions regarding responding to this solicitation in eGrants, please contact the TxDOT Aviation help desk at (800) 687-4568 or avn-egrantshelp@txdot.gov.