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# TEXAS REGISTER

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*January 17, 2025*

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# TEXAS REGISTER

a section of the  
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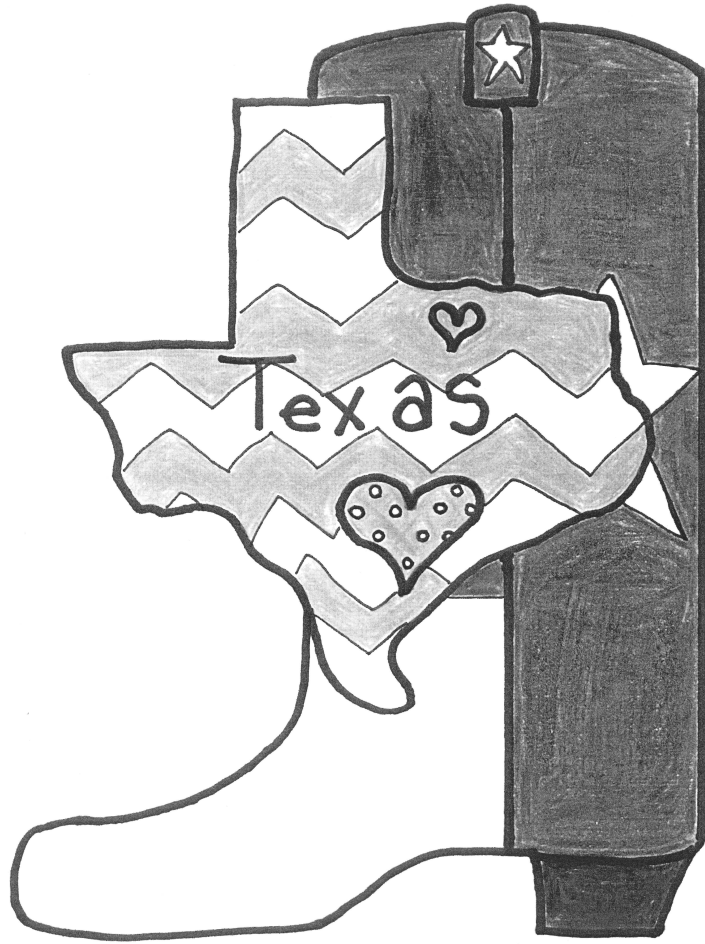
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# THE GOVERNOR

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

## Appointments

### Appointments for December 31, 2024

Appointed as Judge of the 183rd Judicial District, Harris County, effective January 1, 2025, for a term until December 31, 2026, or until his successor shall be duly elected and qualified, Lance G. Long of Houston, Texas (replacing Judge Kristin M. Guiney of Houston, who was elected to the First Court of Appeals).

Appointed as the Panola County Criminal District Attorney, effective January 1, 2025, for a term until December 31, 2026, or until her successor shall be duly elected and qualified, Larry W. Fields of Carthage, Texas (replacing Danny Buck Davidson of Carthage, who resigned).

Appointed to the Veterans' Land Board for a term to expire December 29, 2028, James R. Rothfelder of New Braunfels, Texas (Mr. Rothfelder is being reappointed).

### Appointments for January 2, 2025

Appointed to the Council on Sex Offender Treatment for a term to expire February 1, 2029, Aaron P. Pierce, Ph.D. of Plano, Texas (Dr. Pierce is being reappointed).

### Appointments for January 3, 2025

Appointed to the Texas Board of Occupational Therapy Examiners for a term to expire February 1, 2027, Chelsea L. Howell of McAllen, Texas (replacing Beverly J. Ferguson of League City, who resigned).

Appointed to the Texas Board of Occupational Therapy Examiners for a term to expire February 1, 2029, Karen M. Gardner of Brenham, Texas (Ms. Gardner is being reappointed).

### Appointments for January 6, 2025

Appointed as Justice of the Tenth Court of Appeals, Place 2, for a term until December 31, 2026, or until his successor shall be duly elected and qualified, Artie L. "Lee" Harris of Whitney, Texas (replacing Justice Matt Johnson of Waco, who was elected as Chief Justice of the Tenth Court of Appeals).

Appointed as Chief Justice of the Supreme Court of Texas, Place 1, for a term until December 31, 2026, or until his successor shall be duly elected and qualified, James D. "Jimmy" Blacklock of Austin, Texas (replacing Chief Justice Nathan L. Hecht of Austin, who retired).

Appointed as Justice of the Supreme Court of Texas, Place 2, for a term until December 31, 2026, or until his successor shall be duly elected and qualified, James P. Sullivan of Austin, Texas (replacing Justice James D. "Jimmy" Blacklock of Austin, who was appointed as Chief Justice of the Supreme Court of Texas).

Pursuant to HB 3474, 88th Legislature, Regular Session, appointed as Judge of the 477th Judicial District Court, Denton County, for a term until December 31, 2026, or until his successor shall be duly elected and qualified, Michael G. Dickens of Denton, Texas.

Appointed to the Interstate Commission for Adult Offender Supervision for a term to expire at the pleasure of the Governor, Rene J. Hi-

nojosa of Pflugerville, Texas (replacing David G. Gutierrez of Salado, who resigned).

### Appointments for January 7, 2025

Pursuant to HB 3474, 88th Legislature, Regular Session, appointed as Judge of the 497th Judicial District Court, Harris County, for a term until December 31, 2026, or until his successor shall be duly elected and qualified, Peyton Z. Peebles, III of Houston, Texas.

Appointed to the Texas Commission on Environmental Quality for a term to expire August 31, 2027, Brooke T. Paup of Austin, Texas (replacing Jonathan K. "Jon" Niermann of Austin, who resigned).

Designating Brooke T. Paup of Austin as presiding officer of the Texas Commission on Environmental Quality for a term to expire at the pleasure of the Governor. (Ms. Paul is replacing Jonathan K. "Jon" Niermann of Austin presiding officer.)

Greg Abbott, Governor

TRD-202500030



### Proclamation 41-4160

#### TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, Rachael Orsak Lynch, D.O.B. May 2, 1980, was sentenced in the County Court at Law in Austin County on July 15, 1999, to 3 days in jail and a \$50 fine, and ordered to pay restitution for the offense of Theft by Check, Cause No. 20785; and was sentenced in the County Court at Law in Washington County on March 31, 2004, to 12 months' deferred adjudication and a \$300 fine for the offense of Furnishing Alcohol to a Minor, Cause No. 04-103; and

WHEREAS, the Texas Board of Pardons and Paroles has recommended a Full Pardon and Restoration of Full Civil Rights of Citizenship;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by virtue of the authority vested in me under the Constitution and laws of this State, and acting upon the recommendation of the Texas Board of Pardons and Paroles, do hereby grant unto the said:

#### RACHAEL ORSAK LYNCH

A FULL PARDON AND RESTORATION OF FULL CIVIL RIGHTS OF CITIZENSHIP THAT MAY HAVE HERETOFORE BEEN LOST AS A RESULT OF HER CONVICTION OF THE OFFENSES ABOVE SET OUT IN A COURT IN CAUSE NO. 04-103, IN WASHINGTON COUNTY, TEXAS, AND CAUSE NO. 20785, IN AUSTIN COUNTY, TEXAS.

I HEREBY DIRECT that a copy of this proclamation be filed in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed hereon, this the 23rd day of December, 2024.

Greg Abbott, Governor



Proclamation 41-4161

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

WHEREAS, Timothy John Moldenhauer, D.O.B. March 8, 1969, was sentenced in the County Criminal Court No. 6 in Tarrant County on April 22, 1993, to probation and a \$500 fine for the offense of Driving While Intoxicated and Open Container, Cause No. 0468105; and

WHEREAS, the Texas Board of Pardons and Paroles has recommended a Full Pardon and Restoration of Full Civil Rights of Citizenship;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by virtue of the authority vested in me under the Constitution and laws of this State, and acting upon the recommendation of the Texas Board of Pardons and Paroles, do hereby grant unto the said:

**TIMOTHY JOHN MOLDENHAUER**

A FULL PARDON AND RESTORATION OF FULL CIVIL RIGHTS OF CITIZENSHIP THAT MAY HAVE HERETOFORE BEEN LOST AS A RESULT OF HIS CONVICTION OF THE OFFENSE ABOVE SET OUT IN A COURT IN CAUSE NO. 0468105, IN TARRANT COUNTY, TEXAS.

I HEREBY DIRECT that a copy of this proclamation be filed in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed hereon, this the 23rd day of December, 2024.

Greg Abbott, Governor



Proclamation 41-4162

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

WHEREAS, Debbie Rena Morris, D.O.B. December 7, 1963, was sentenced in the County Court at Law in Ochiltree County on May 29, 1985, to a \$50 fine for the offense of Theft, Cause No. 11,965; and

WHEREAS, the Texas Board of Pardons and Paroles has recommended a Full Pardon and Restoration of Full Civil Rights of Citizenship;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by virtue of the authority vested in me under the Constitution and laws of this State, and acting upon the recommendation of the Texas Board of Pardons and Paroles, do hereby grant unto the said:

**DEBBIE RENA MORRIS**

A FULL PARDON AND RESTORATION OF FULL CIVIL RIGHTS OF CITIZENSHIP THAT MAY HAVE HERETOFORE BEEN LOST AS A RESULT OF HER CONVICTION OF THE OFFENSE ABOVE SET OUT IN A COURT IN CAUSE NO. 11,965, IN OCHILTREE COUNTY, TEXAS.

I HEREBY DIRECT that a copy of this proclamation be filed in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed hereon, this the 23rd day of December, 2024.

Greg Abbott, Governor



Proclamation 41-4163

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

WHEREAS, Jorge Aguilar-Zanatta, D.O.B. May 26, 1977, was sentenced in the County Court at Law No. 2 in Hidalgo County on January 15, 2003, to deferred adjudication probation and a \$200 fine for the offense of Interfering with Emergency Call, Cause No. CR-208299-B; and

WHEREAS, the Texas Board of Pardons and Paroles has recommended a Full Pardon and Restoration of Full Civil Rights of Citizenship;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by virtue of the authority vested in me under the Constitution and laws of this State, and acting upon the recommendation of the Texas Board of Pardons and Paroles, do hereby grant unto the said:

**JORGE AGUILAR-ZANATTA**

A FULL PARDON AND RESTORATION OF FULL CIVIL RIGHTS OF CITIZENSHIP THAT MAY HAVE HERETOFORE BEEN LOST AS A RESULT OF HIS CONVICTION OF THE OFFENSE ABOVE SET OUT IN A COURT IN CAUSE NO. CR-208299-B, IN HIDALGO COUNTY, TEXAS.

I HEREBY DIRECT that a copy of this proclamation be filed in the office of the Secretary of State.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed hereon, this the 23rd day of December, 2024.

Greg Abbott, Governor



# EMERGENCY RULES

Emergency Rules include new rules, amendments to existing rules, and the repeals of existing rules. A state agency may adopt an emergency rule without prior notice or hearing if the agency finds that an imminent peril to the public health, safety, or welfare, or a requirement of state or federal law, requires adoption of a rule on fewer than 30 days' notice. An emergency rule may be effective for not longer than 120 days and may be renewed once for not longer than 60 days (Government Code, §2001.034).

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## TITLE 1. ADMINISTRATION

### PART 2. TEXAS ETHICS COMMISSION

#### CHAPTER 13. REFERRALS TO PROSECUTORS

##### 1 TAC §13.1

The Texas Ethics Commission is renewing the effectiveness of emergency new §13.1 for a 60-day period. The text of the emergency rule was originally published in the October 11, 2024, issue of the *Texas Register* (49 TexReg 8259).

Filed with the Office of the Secretary of State on January 2, 2025.

TRD-202500001

Jim Tinley

General Counsel

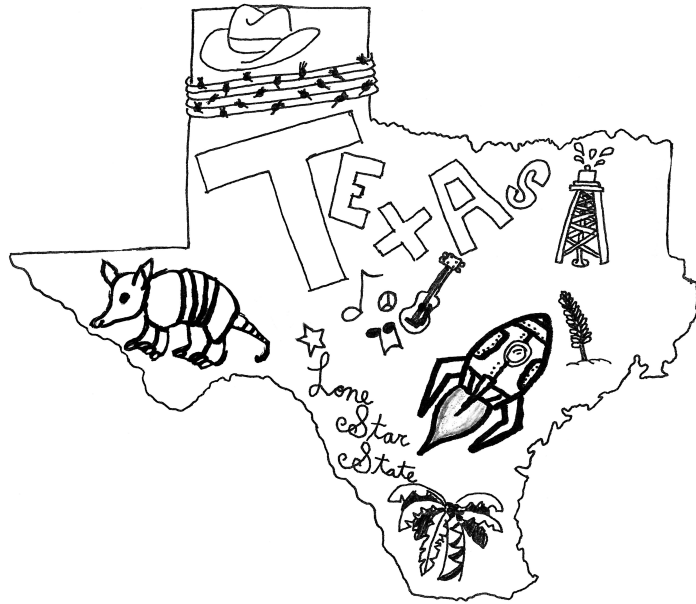
Texas Ethics Commission

Original effective date: September 25, 2024

Expiration date: March 23, 2025

For further information, please call: (512) 463-5800





# PROPOSED RULES

Proposed rules include new rules, amendments to existing rules, and repeals of existing rules. A state agency shall give at least 30 days' notice of its intention to adopt a rule before it adopts the rule. A state agency shall give all interested persons a reasonable opportunity to submit data, views, or arguments, orally or in writing (Government Code, Chapter 2001).

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

## TITLE 22. EXAMINING BOARDS

### PART 9. TEXAS MEDICAL BOARD

#### CHAPTER 161. GENERAL PROVISIONS

##### SUBCHAPTER B. GENERAL LICENSURE REQUIREMENTS

###### 22 TAC §161.8

The Texas Medical Board (Board) proposes new §161.8, concerning Evaluation of Professional or Work History. The proposed new section describes the evaluation of professional or work history for physician licensure applicants. This section was erroneously excluded from the Board's proposed new rules published and adopted in 2024 during its rule review. This proposal remedies that error.

Scott Freshour, General Counsel for the Texas Medical Board, has determined that, for each year of the first five years the proposed repeals and new sections are in effect, the public benefit anticipated as a result of enforcing these proposed sections will be to remove redundant language from rules, simplify the rules, and make the rules easier to understand.

Mr. Freshour has determined that for the first five-year period the proposed new section is in effect, there will be no fiscal impact or effect on government growth as a result of enforcing the proposed section.

Mr. Freshour has also determined that for the first five-year period the proposed new section is in effect there will be no probable economic cost to individuals required to comply with the proposed section.

Pursuant to Texas Government Code §2006.002, the agency provides the following economic impact statement for the proposed new section and determined that for each year of the first five years the new section will be in effect there will be no effect on small businesses, micro businesses, or rural communities. The agency has considered alternative methods of achieving the purpose of the proposed new section and found none.

Pursuant to Texas Government Code §2001.024(a)(4), Mr. Freshour certifies that this proposal has been reviewed and the agency has determined that for each year of the first five years these new section is in effect:

- (1) The proposed new section does not create or eliminate a government program.
- (2) Implementation of the proposed new section does not require the creation of new employee positions or the elimination of existing employee positions.

(3) Implementation of the proposed new section does not require an increase or decrease in future legislative appropriations to the agency.

(4) The proposed section does not require an increase or decrease in fees paid to the agency.

(5) These proposed new section does not create new regulations.

(6) The proposed new section does not repeal existing regulations as described above. These proposed new section does not expand or limit an existing regulation.

(7) The proposed new section does not increase the number of individuals subject to the sections' applicability.

(8) The new sections do not positively or adversely affect this state's economy.

Comments on the proposal may be submitted via email to [rules.development@tmb.state.tx.us](mailto:rules.development@tmb.state.tx.us). Comments will be accepted for 30 days after the date of publication.

The new rule is proposed under the authority of the Texas Occupations Code Annotated, §153.001, which provides authority for the Board to recommend and adopt rules and bylaws as necessary to perform its duties and enforce this subtitle. No other statutes, articles or codes are affected by this proposal.

###### §161.8. Evaluation of Professional or Work History.

(a) All applicants must submit professional or work history evaluations demonstrating or relating to the clinical practice as a physician in the preceding five years from the date of application.

(b) The last three years of the applicant's five year professional or work history will be examined. The Executive Director may offer to an applicant that cannot demonstrate current clinical practice as a physician within the last three years from the date of application such remedial measures necessary to ensure protection of the public and minimal competency of the applicant to safely practice.

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

Filed with the Office of the Secretary of State on January 6, 2025.

TRD-202500010

Scott Freshour

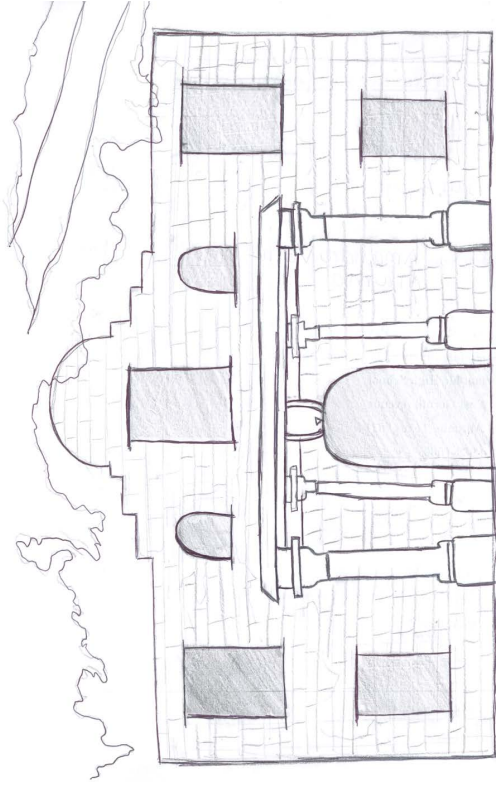
General Counsel

Texas Medical Board

Earliest possible date of adoption: February 16, 2025

For further information, please call: (512) 305-7059





# ADOPTED RULES

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

## TITLE 22. EXAMINING BOARDS

### PART 1. TEXAS BOARD OF ARCHITECTURAL EXAMINERS

#### CHAPTER 1. ARCHITECTS

##### SUBCHAPTER C. EXAMINATION

###### 22 TAC §1.41

The Texas Board of Architectural Examiners (Board) adopts amendments to 22 Texas Administrative Code §1.41. The amendments are adopted without changes to the proposed text published in the October 18, 2024, issue of the *Texas Register* (49 TexReg 8469) and will not be republished.

**Reasoned Justification.** The adopted rule provides an earlier opportunity to begin taking the Architect Registration Examination (ARE). The ARE is a six-division exam used to assess knowledge and skills regarding the practice of architecture. The ARE is prepared and scored by the National Council of Architectural Registration Boards (NCARB) and is required by all U.S. jurisdictions as a step on the path to earning an architectural registration.

Previously, rule §1.41 required completion of "at least six (6) months of full-time experience working under the direct supervision of a licensed architect," in order to be approved to take the ARE. The adopted rule §1.41 removes this requirement. By removing the experience requirement prior to testing, rule §1.41 streamlines the examination process and reduces impediments to registration. Note, this adopted rule change does not impact the requirement under §1.41 that an applicant must demonstrate completion of the Architectural Experience Program (a 3,740 hour experience program administered by NCARB) prior to becoming registered. Rather, the adopted rule allows applicants the flexibility to begin testing prior to collecting working experience.

This rule amendment was spurned by a recent NCARB resolution to amend its Model Law and Regulations. Under that resolution, the model law would allow applicants to begin testing with only a high school degree or equivalent. The Board is unable to fully implement NCARB's new policy because its enabling statute requires applicants to have graduated from a recognized university or college of architecture approved by the Board prior to approval for testing. However, the Board has greater discretion to determine the appropriate level of experience that is required prior to testing and is therefore amending this rule to allow applicants an earlier start in the examination process.

Accordingly, the Board amends the rule to eliminate the experience requirement prior to testing. The adopted amendments to rule §1.41 give architect candidates an earlier opportunity and

greater flexibility to take an exam section when they feel most prepared.

**Summary of Comments and Agency Response.** The Board did not receive any comments on the proposed rule.

**Statutory Authority.** The amendment of §1.41 is adopted under Tex. Occ. Code §1051.202, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of architecture; and Tex. Occ. Code §1051.705, which authorizes the Board to adopt an experience requirement for eligibility to take the registration examination for architects.

**Cross reference to statutes.** The adopted amendment does not affect any other statute.

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

Filed with the Office of the Secretary of State on January 6, 2025.

TRD-202500008

Pim Mayo

General Counsel

Texas Board of Architectural Examiners

Effective date: January 26, 2025

Proposal publication date: October 18, 2024

For further information, please call: (512) 305-9040



#### CHAPTER 3. LANDSCAPE ARCHITECTS

##### SUBCHAPTER C. EXAMINATION

###### 22 TAC §3.41

The Texas Board of Architectural Examiners ("Board") adopts the amendment of 22 Texas Administrative Code §3.41. The amendments are adopted without changes to the proposed text published in the October 18, 2024, issue of the *Texas Register* (49 TexReg 8470) and will not be republished.

**Reasoned Justification.** This the adopted rule provides an earlier opportunity to begin taking the Landscape Architect Registration Examination (LARE). The LARE is a four-part examination designed to determine whether applicants for landscape architectural registration possess sufficient knowledge, skills, and abilities to provide services without endangering the health, safety and welfare of the public. The LARE is prepared and scored by the Council of Landscape Architectural Registration Boards (CLARB).

Previously, rule §3.41 required completion of "at least six (6) months of full-time experience working under the direct supervision of a licensed landscape architect," in order to be approved

to take the LARE. The adopted rule §3.41 removes this requirement. By removing the experience requirement prior to testing, rule §3.41 streamlines the examination process and reduces impediments to registration. Note, this adopted rule change does not impact the requirement under §3.191 that an applicant must complete at least 3,640 hours of acceptable experience prior to becoming registered. Rather, the adopted rule allows applicants the flexibility to begin testing prior to collecting working experience.

This rule amendment aligns Texas with the majority of CLARB jurisdictions. The national trend is to eliminate experience requirements prior to testing, and Texas is one of only seven states that still required experience before beginning testing. The Board has discretion to determine the appropriate level of experience that is required prior to testing.

Accordingly, the Board proposes eliminating the experience requirement prior to testing. The adopted amendments to rule §3.41 give landscape architect candidates an earlier opportunity and greater flexibility to take an exam section when they feel most prepared.

Summary of Comments and Agency Response. The Board did not receive any comments on the proposed rule.

Statutory Authority. The amendment of §3.41 is adopted under Tex. Occ. Code §1051.202, which authorizes the Board to adopt

reasonable rules as necessary to regulate the practice of landscape architecture; and Tex. Occ. Code §1052.154, which authorizes the Board to adopt an experience requirement for eligibility to take the registration examination for landscape architects.

Cross Reference to Statute. The adopted amendment does not affect any other statute.

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

Filed with the Office of the Secretary of State on January 6, 2025.

TRD-202500009

Pim Mayo

General Counsel

Texas Board of Architectural Examiners

Effective date: January 26, 2025

Proposal publication date: October 18, 2024

For further information, please call: (512) 305-9040





# REVIEW OF AGENCY RULES

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

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

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

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## Adopted Rule Reviews

Health and Human Services Commission

### Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 742, Minimum Standards for Listed Family Homes

Notice of the review of this chapter was published in the September 27, 2024, issue of the *Texas Register* (49 TexReg 7935). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 742 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 742. Any amendments, if applicable, to Chapter 742 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 742 as required by Texas Government Code §2001.039.

TRD-202500038

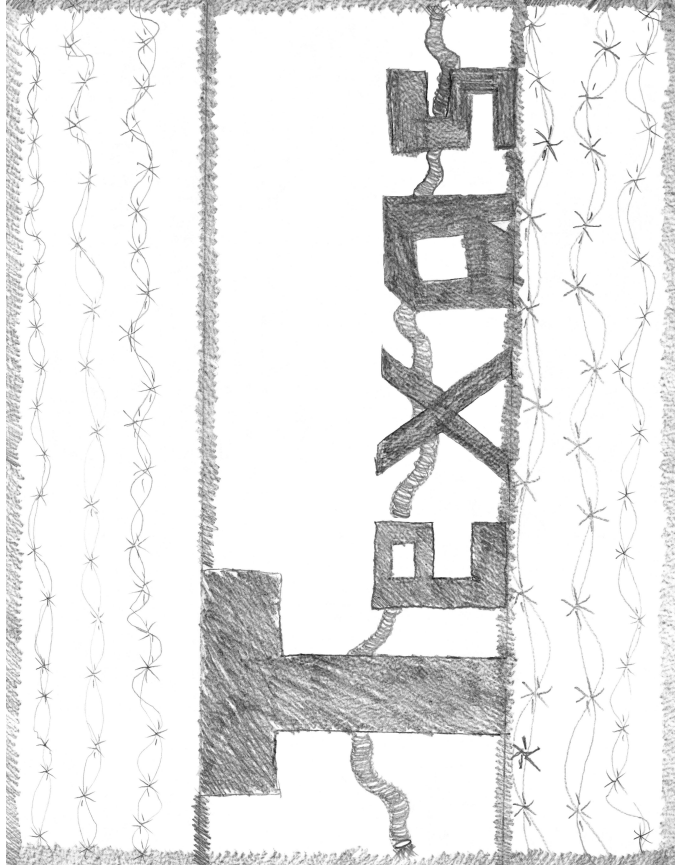
Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: January 8, 2025





# IN ADDITION

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

## Comptroller of Public Accounts

### Certification of the Average Closing Price of Gas and Oil - November 2024

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 November 2024 is \$44.81 per barrel for the three-month period beginning on August 1, 2024, and ending October 31, 2024. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of November 2024, from a qualified low-producing oil lease, is not eligible for 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 November 2024 is \$0.94 per mcf for the three-month period beginning on August 1, 2024, and ending October 31, 2024. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of November 2024, 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 November 2024 is \$69.54 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 November 2024, 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 November 2024 is \$2.99 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 November 2024, from a qualified low-producing gas well.

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

TRD-202500011

Jenny Burleson  
Director, Tax Policy  
Comptroller of Public Accounts  
Filed: January 6, 2025

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/06/25 - 01/12/25 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/06/25 - 01/12/25 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202406369

Leslie L. Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: December 31, 2024

### 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 01/13/25-01/19/25 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/13/25-01/19/25 is 18.00% for commercial<sup>2</sup> credit.

The monthly ceiling as prescribed by §303.005<sup>3</sup> and §303.009 for the period of 01/01/25-01/31/25 is 18.00%.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

<sup>3</sup> Only for variable rate commercial transactions, as provided by §303.004(a).

TRD-202500015

Leslie L. Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: January 7, 2025

## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 19, 2025**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO

if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **February 19, 2025**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Bandera River Ranch Water Supply Corporation; DOCKET NUMBER: 2024-0973-PWS-E; IDENTIFIER: RN101221810; LOCATION: Bandera, Bandera County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; 30 TAC §290.110(c), by failing to monitor the performance of the disinfection facilities at sites designated in the public water system's monitoring plan; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$748; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: Beulah Water Supply Corporation; DOCKET NUMBER: 2024-0933-PWS-E; IDENTIFIER: RN101230076; LOCATION: Lufkin, Angelina County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes based on the locational running annual average; PENALTY: \$1,275; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: City of Hitchcock; DOCKET NUMBER: 2023-0525-MWD-E; IDENTIFIER: RN101920031; LOCATION: Hitchcock, Galveston 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 WQ0010690001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$139,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$139,500; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(4) COMPANY: City of Marietta; DOCKET NUMBER: 2024-0824-PWS-E; IDENTIFIER: RN101416386; LOCATION: Marietta, Cass County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$1,187; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(5) COMPANY: City of Mart; DOCKET NUMBER: 2024-0681-PWS-E; IDENTIFIER: RN101388544; LOCATION: Mart, McLennan County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.010 milligrams per liter for arsenic based on a running annual average; PENALTY: \$1,650; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(6) COMPANY: Del Lago Estates Water Supply Corporation; DOCKET NUMBER: 2024-0693-PWS-E; IDENTIFIER: RN101226074; LOCATION: Montgomery, Montgomery County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(o)(3) and §290.45(h)(1), by failing to adopt and submit to the Executive Director a complete Emergency Preparedness Plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$50; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: Horseshoe Lodges, LLC; DOCKET NUMBER: 2024-0882-PWS-E; IDENTIFIER: RN110305471; LOCATION: Midland, Midland County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(2) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level of ten milligrams per liter for nitrate; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(8) COMPANY: JJ&D CONSTRUCTION LLC; DOCKET NUMBER: 2024-1846-WR-E; IDENTIFIER: RN105779326; LOCATION: no specified city, Hardin County; TYPE OF FACILITY: operator; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to appropriating any state water or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(9) COMPANY: JW Sands, LLC; DOCKET NUMBER: 2024-1060-WQ-E; IDENTIFIER: RN110942349; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; and 30 TAC §342.25(b), by failing to register the site as an APO no later than the tenth business day before the beginning date of regulated activities; PENALTY: \$9,750; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: Kempner Water Supply Corporation; DOCKET NUMBER: 2024-1680-PWS-E; IDENTIFIER: RN101197549; LOCATION: Kempner, Lampasas County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and (B) and 290.110(b)(4) and Texas Health and Safety Code, §341.0215(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$1,275; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: City of Mart; DOCKET NUMBER: 2024-0681-PWS-E; IDENTIFIER: RN101388544; LOCATION: Mart, McLennan County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.010 milligrams per liter for arsenic based on a running annual average; PENALTY: \$1,650; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

by failing to maintain a disinfectant residual of at least 0.5 milligrams per liter (mg/L) of total chlorine or 0.2 mg/L of free chlorine throughout the distribution system at all times; PENALTY: \$615; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(11) COMPANY: Medina RVC, LLC; DOCKET NUMBER: 2024-0900-PWS-E; IDENTIFIER: RN104394457; LOCATION: Medina, Bandera County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j)(1)(A) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the Executive Director and receive approval prior to making a significant change or addition where the change in the existing system results in an increase or decrease in production, treatment, storage or pressure maintenance; 30 TAC §290.41(c)(3)(G), by failing to provide the appropriate treatment after chemical analyses revealed the water from the well failed to meet the water quality criteria as prescribed by the drinking water standards; 30 TAC §290.46(m)(1)(B), by failing to inspect the interior of the facility's pressure tank at least once every five years; and 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; PENALTY: \$1,915; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(12) COMPANY: OXY USA Incorporated; DOCKET NUMBER: 2022-1075-AIR-E; IDENTIFIER: RN100223569; LOCATION: Crane, Crane County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.145(2)(C), Federal Operating Permit (FOP) Number O547, General Terms and Conditions (GTC), and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit a deviation report no later than 30 days after the end of each reporting period; and 30 TAC §122.143(4) and §122.146(2), FOP Number O547, GTC and Special Terms and Conditions Number 10, and THSC, §382.085(b), by failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$6,500; ENFORCEMENT COORDINATOR: Trenton White, (903) 535-5155; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(13) COMPANY: Park Sewer Company; DOCKET NUMBER: 2024-0868-MWD-E; IDENTIFIER: RN110288503; LOCATION: Midland, Midland County; TYPE OF FACILITY: wastewater package plant; RULES VIOLATED: 30 TAC §210.5(a), by failing to obtain Type I Authorization to discharge wastewater associated with re-use of domestic reclaimed water through an irrigation system; 30 TAC §217.328(a), by failing to ensure the facility is completely enclosed by an intruder-resistant fence; and 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0015661001, Interim I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$16,250; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(14) COMPANY: Sportsman's World Municipal Utility District; DOCKET NUMBER: 2024-0656-PWS-E; IDENTIFIER: RN102691128; LOCATION: Strawn, Palo Pinto County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational

running annual average; PENALTY: \$1,375; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: TCW SUPPLY, INCORPORATED; DOCKET NUMBER: 2024-0773-PWS-E; IDENTIFIER: RN101275048; LOCATION: Stinnett, Hutchinson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(o)(3) and §290.45(h)(1), by failing to adopt and submit to the Executive Director a complete Emergency Preparedness Plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$60; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: Teton Petroleum Transport, LLC; DOCKET NUMBER: 2023-0643-PST-E; IDENTIFIER: RN111693560; LOCATION: Bryan, Brazos County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to make available a valid, current TCEQ delivery certificate before depositing a regulated substance into a regulated underground storage tank system; PENALTY: \$2,255; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(17) COMPANY: Texas Water Utilities, L.P.; DOCKET NUMBER: 2022-1674-MWD-E; IDENTIFIER: RN101520641; LOCATION: Livingston, Polk County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013637001, Effluent Limitations and Monitoring Requirements Numbers 1 and 6, by failing to comply with permitted effluent limitations; and 30 TAC §305.125(1) and §319.5(b), and TPDES Permit Number WQ0013637001, Effluent Limitations and Monitoring and Reporting Requirements Number 1, by failing to collect and analyze effluent samples at the intervals specified in the permit; PENALTY: \$18,100; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(18) COMPANY: William R. Halepaska; DOCKET NUMBER: 2022-0545-WOC-E; IDENTIFIER: RN105477368; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §30.5(a) and §30.331(b) and TWC, §26.0301(c) and §37.003, by failing to have a valid and current wastewater operator license prior to performing process control activities at a wastewater treatment facility; PENALTY: \$2,740; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(19) COMPANY: Willis Waukegan Development LLC; DOCKET NUMBER: 2024-1277-WQ-E; IDENTIFIER: RN111601241; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System General Permit Number TXR1512LB, Part IV, Section A.1, by failing to install and maintain Best Management Practices at the site; PENALTY: \$563; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(20) COMPANY: Willow Creek Farms Municipal Utility District; DOCKET NUMBER: 2022-1449-MWD-E; IDENTIFIER: RN104742259; LOCATION: Brookshire, Waller 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 WQ0014646001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$10,350; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(21) COMPANY: Willow Creek Farms Municipal Utility District and Fulshear Municipal Utility District Number 3A; DOCKET NUMBER: 2024-0845-PWS-E; IDENTIFIERS: RN105161236 and RN108785023; LOCATION: Brookshire, Waller County; TYPE OF FACILITY: public water supplies; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(iv) and Texas Health and Safety Code, §341.0315(c), by failing to provide an elevated storage capacity of 100 gallons per connection; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202500022

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: January 7, 2025



#### Correction of Error

The Texas Commission on Environmental Quality (commission) adopted amendments to 30 TAC §331.11 and §331.132 in the January 3, 2025, issue of the *Texas Register* (50 TexReg 178). Due to an error by the commission, the following sentence in the preamble of the rulemaking was published incorrectly:

"The RRC plans to implement SB 786 through adoption of their own rules relating to Class V closed-loop geothermal injection wells."

The sentence should have been published as follows:

"The RRC proposed rules to implement SB 786 for the regulation of closed-loop geothermal injection wells in the October 11, 2024, publication of the *Texas Register* (49 TexReg 8261)."

TRD-202500021

Charmaine Backens

Deputy Director of Environmental Law Division

Texas Commission on Environmental Quality

Filed: January 7, 2025



#### Correction of Error

The Texas Commission on Environmental Quality (commission) proposed new chapter 30 TAC 353 in the January 3, 2025, issue of the *Texas Register* (50 TexReg 23). An associated public hearing notice was published in the In Addition section of the same issue (50 TexReg 213). Due to an error by the commission, the title of the public hearing notice was published incorrectly:

"Notice of Public Hearing on Proposed Revisions to 30 TAC Chapter 353."

The title should have been published as follows:

"Notice of Public Hearing on Proposed New 30 TAC Chapter 353"

TRD-202500023

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: January 7, 2025



#### Correction of Error

The Texas Commission on Environmental Quality (commission) adopted amendments to 30 TAC §290.38 in the January 3, 2025, issue of the *Texas Register* (50 TexReg 159). Due to an error by the commission, the definition of "Sensitivity" was missing from the text of the rule. The definition of "Sensitivity" and the other definitions following it in the rule text should have been published as follows:

(80) Sensitivity--The maximum log removal value (LRV) that can be reliably verified by a direct integrity test in membranes used to treat surface water or groundwater under the direct influence of surface water; also applies to some continuous indirect integrity monitoring methods.

(81) Service line--A pipe connecting the utility service provider's main and the water meter, or for wastewater, connecting the main and the point at which the customer's service line is connected, generally at the customer's property line.

(82) Service pump--Any pump that takes treated water from storage and discharges to the distribution system.

(83) Significant deficiency--Significant deficiencies cause, or have the potential to cause, the introduction of contamination into water delivered to customers. This may include defects in design, operation, or maintenance of the source, treatment, storage, or distribution systems.

(84) Stage--In reference to a reverse osmosis or nanofiltration membrane system, a set of pressure vessels installed in parallel.

(85) System--Public water system as defined in this section unless otherwise modified (i.e., distribution system).

(86) Transfer pump--Any pump which conveys water from one point to another within the treatment process or which conveys water to storage facilities prior to distribution.

(87) Transient, noncommunity water system--A public water system that is not a community water system and serves at least 25 persons at least 60 days out of the year, yet by its characteristics, does not meet the definition of a nontransient, noncommunity water system.

(88) Vessel--In reference to a reverse osmosis or nanofiltration membrane system, a cylindrical housing unit where membrane modules are placed in a series to form one unit.

(89) Wastewater lateral--Any pipe or constructed conveyance carrying wastewater, running laterally down a street, alley, or easement, and receiving flow only from the abutting properties.

(90) Wastewater main--Any pipe or constructed conveyance which receives flow from one or more wastewater laterals.

(91) Water system--Public water system as defined in this section unless otherwise modified (i.e., distribution system).

TRD-202500034

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: January 8, 2025



#### Enforcement Orders

An agreed order was adopted regarding Conroe Bay Water - Sewer Supply Corporation, Docket No. 2022-0994-PWS-E on January 7, 2025 assessing \$500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Georgette Oden, 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 Harris County Municipal Utility District No. 8, Docket No. 2023-0750-PWS-E on January 7, 2025 assessing \$1,599 in administrative penalties with \$319 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, 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 32SII, LLC dba Chipper Point Apartments, Docket No. 2023-0783-PWS-E on January 7, 2025 assessing \$608 in administrative penalties with \$121 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Parks and Wildlife Department, Docket No. 2023-0794-PWS-E on January 7, 2025 assessing \$1,000 in administrative penalties with \$200 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Poth, Docket No. 2024-0099-PWS-E on January 7, 2025 assessing \$1,250 in administrative penalties with \$250 deferred. Information concerning any aspect of this order may be obtained by contacting Hilda Iyasele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding WORTHAM OAKS HOMEOWNERS ASSOCIATION, INC., Docket No. 2024-0314-EAQ-E on January 7, 2025 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Megan Crinklaw, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CYPRESS CREEK Water Supply Corporation, Docket No. 2024-0419-PWS-E on January 7, 2025 assessing \$5,312 in administrative penalties with \$1,062 deferred. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, 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 American Ckritical Energy Systems, Inc., Docket No. 2024-0520-MLM-E on January 7, 2025 assessing \$3,714 in administrative penalties with \$742 deferred. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, 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 McRae Partners I, Ltd., Docket No. 2024-0542-PWS-E on January 7, 2025 assessing \$1,000 in administrative penalties with \$200 deferred. Information concerning any aspect of this order may be obtained by contacting Mason DeMasi, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Rotan, Docket No. 2024-0575-PWS-E on January 7, 2025 assessing \$5,910 in administrative penalties with \$1,182 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Wild Boar Ranch, LP, Docket No. 2024-0612-PWS-E on January 7, 2025 assessing \$1,050 in administrative penalties with \$210 deferred. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, 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 FRIBERG-COOPER WATER SUPPLY CORPORATION, Docket No. 2024-0620-PWS-E on January 7, 2025 assessing \$780 in administrative penalties with \$156 deferred. Information concerning any aspect of this order may be obtained by contacting Daphne Greene, 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 North Collin Special Utility District, Docket No. 2024-0637-PWS-E on January 7, 2025 assessing \$750 in administrative penalties with \$150 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SUPER DIAMOND EAGLE INC dba Eagle C-Store Hwy 69, Docket No. 2024-0686-PST-E on January 7, 2025 assessing \$5,180 in administrative penalties with \$1,036 deferred. Information concerning any aspect of this order may be obtained by contacting Ramyia Wendt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Highway Food Mart, Inc., Docket No. 2024-1045-PST-E on January 7, 2025 assessing \$2,625 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Adriana Fuentes, 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 ZAFAR, INC. dba SW Fondren Shell, Docket No. 2024-1285-PST-E on January 7, 2025 assessing \$6,250 in administrative penalties with \$1,250 deferred. Information concerning any aspect of this order may be obtained by contacting Lauren Little, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding RaceTrac, Inc., Docket No. 2024-1422-PST-E on January 7, 2025 assessing \$5,250 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Adriana Fuentes, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Fortezza LLC, Docket No. 2024-1429-WQ-E on January 7, 2025 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Alejandra Basave, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Moore, William H., Docket No. 2024-1635-WR-E on January 7, 2025 assessing \$350 in administrative

tive penalties. Information concerning any aspect of this citation may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Moore, Robert R., Docket No. 2024-1636-WR-E on January 7, 2025 assessing \$350 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202500042

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 8, 2025



### Notice of Application and Opportunity to Request a Public Meeting for a New Municipal Solid Waste Facility Registration Application No. 40343

**Application.** Mr. James D. Broussard has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Registration No. 40343, received on October 23, 2024, to construct and operate a new Type V municipal solid waste transfer station at the location of the current Type V municipal solid waste transfer station site. The proposed facility, Tyler County Transfer Station, will be located at 1921 CR 1010, Woodville, Texas 75979, in Tyler County. The Applicant is requesting authorization to store and process municipal solid waste that includes municipal household and commercial solid wastes and construction debris. The registration application is available for viewing and copying at Tyler County Courthouse located at 100 West Bluff Street, Woodville, Texas 75979. The application, including any updates and notices, is available electronically at the following webpage: [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps). The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/1uTSin1>. For exact location, refer to application.

**Alternative Language Notice/Aviso de idioma alternativo.** Alternative language notice in Spanish is available at [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps). El aviso de idioma alternativo en español está disponible en [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps).

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

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

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

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

**Agency Contacts and Information.** All public comments and requests must be submitted either electronically at [www14.tceq.texas.gov/epic/eComment/](http://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 the registration process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their webpage, [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). General information regarding the TCEQ can be found on our website at [www.tceq.texas.gov/](http://www.tceq.texas.gov/). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Mr. James D. Broussard at the mailing address P.O. Box 395, Colmesneil, Texas 75938 or by calling Mr. Broussard at (936) 414-5487.

TRD-202500026

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 7, 2025



### 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 178255

**APPLICATION.** Preferred Materials LLC, P.O. Box 2409, McKinney, Texas 75070-8170 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a permanent Concrete Batch Plant with Enhanced Controls Registration Number 178255 to authorize the operation of a concrete batch plant. The facility is proposed to be located at 1911 Bennett Road, Howe, Grayson County, Texas 75459. 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. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.581106,33.547244&level=13>. This application was submitted to the TCEQ on November 13, 2024. 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 January 3, 2025.

**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/](http://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:**

**Wednesday, February 12, 2025, at 6:00 p.m.**

**Sherman Kidd-Key Auditorium**

**400 N. Elm Street**

**Sherman, Texas 75090**

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

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

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

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

Further information may also be obtained from Preferred Materials, LLC, P.O. Box 2409, McKinney, Texas 75070-8170, or by calling Mr. Aaron Hertz, Managing Member at (512) 709-4251.

Notice Issuance Date: January 3, 2025

TRD-202500025

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 7, 2025



Notice of District Petition - TCEQ Internal Control No. D-12062024-017

Notice issued January 2, 2025

TCEQ Internal Control No. D-12062024-017: TCCI Mayfield West LLC, a Texas limited liability company (Petitioner) filed a petition for creation of Mayfield West Municipal Utility District of Johnson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property other than Texas Republic, N.A. to be included in the proposed District (3) the proposed District will contain approximately 238.95 acres located within Johnson County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the purposes of and the general nature of the work proposed to be done by the proposed District shall be: (1) the purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of a waterworks and sanitary sewer system for residential and commercial purposes; (2) the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) to control, abate and amend local storm waters or other harmful excesses of waters; and (4) other purchase, construction, acquisition, improvement, maintenance and operation of such additional facilities, systems, plants and enterprises, and road facilities as shall be consistent with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$62,910,000 (\$45,300,000 for water, wastewater, and drainage plus \$17,610,000 for roads).

#### INFORMATION SECTION

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

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

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

TRD-202500029

Laurie Gharis  
Chief Clerk

Texas Commission on Environmental Quality

Filed: January 7, 2025



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

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

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 19, 2025**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Marion W. Bockwich; DOCKET NUMBER: 2023-0950-MSW-E; TCEQ ID NUMBER: RN111444683; LOCATION: 1442 County Road 4759, Timpson, Shelby County; TYPE OF FACILITY: real property; RULE VIOLATED: 30 TAC §330.15(a) and (c), by causing, suffering, allowing or permitting the unauthorized disposal of municipal solid waste; PENALTY: \$3,750; STAFF ATTORNEY: Kody Banda, Litigation, MC 175, (512) 239-0675; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: S&Z Enterprises, Inc dba Adam Quickway; DOCKET NUMBER: 2022-0323-PST-E; TCEQ ID NUMBER: RN101533677; LOCATION: 104 Farm-to-Market Road 2280, Cleburne, Johnson County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(d) and 30 TAC §334.49(a)(2), by failing to ensure that the UST corrosion protection system is operated and maintained in a manner that will provide continuous corrosion protection to all underground metal components of the UST system; and TWC, §26.3475(d) and 30 TAC §334.49(c)(2)(C), by failing to inspect the impressed current corrosion protection system at least once every 60 days to ensure that the rectifier and other system components are operating properly; PENALTY: \$2,538; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202500024

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: January 7, 2025



#### Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment Proposed Limited Scope Amendment to Permit No. 996C

**Application.** City of Grand Prairie has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit amendment to authorize the acceptance of regulated asbestos-containing materials at the City of Grand Prairie Landfill, located at 1102 MacArthur Boulevard, Grand Prairie 75050 in Dallas County, Texas. The TCEQ received this application on November 15, 2024. The permit application is available for viewing and copying at the Grand Prairie Main Library, 901 Conover Drive, Grand Prairie, Dallas County, Texas 75051. The application, including any updates and notices, is available electronically at [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps). The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/LqiG4>. For exact location, refer to application.

**Alternative Language Notice/Aviso de idioma alternativo.** Alternative language notice in Spanish is available at [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps). El aviso en idioma alternativo en español está disponible en [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps).

**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](http://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/](http://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](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information about the application may be obtained from the City of Grand Prairie at the mailing address P.O. Box 534045, Grand Prairie, Texas 75053-4045 or by calling Ms. Patricia D.B. Redfearn, Ph.D. at (972) 237-8147.

Issued Date: December 20, 2024

TRD-202500028

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 7, 2025



Notice of Receipt of Application and Intent to Obtain  
Municipal Solid Waste Permit Amendment Proposed Permit  
No. 2284A

**Application.** The City of El Paso has applied to the Texas Commission on Environmental Quality (TCEQ) for a Major Permit Amendment to authorize a vertical expansion at the existing Greater El Paso Landfill and to update the facility street address. There is no lateral increase in the disposal footprint of the landfill. The maximum permitted height of the final cover system is proposed to be increased by 73.1 feet from 4055 feet above mean sea level (msl) to an elevation of 4128.1 feet above msl. This would result in a disposal capacity increase of 7,565,825 cubic yards (cy) and an estimated 12 years added to the life of the landfill. The facility is located at 2600 Darrington Road, El Paso, Texas 79928, in El Paso County, Texas. TCEQ received this application on November 1, 2024. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/DLDfv>. For the exact location, refer to the application. The permit application is available for viewing and copying at the City of El Paso Municipal Service Center (MSC) at 7968 San Paulo Drive, El Paso, Texas 79907 in El Paso County. The application, including any updates and notices, is available electronically at the following webpage: [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps).

**Alternative Language Notice / Aviso en idioma alternativo.** Alternative language notice in Spanish is available at [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps). El aviso en idioma alternativo en español está disponible en [www.tceq.texas.gov/goto/wasteapps](http://www.tceq.texas.gov/goto/wasteapps).

**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 holds 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](http://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/](http://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 TCEQ's Public Education Program, toll free, at (800) 687-4040, or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained by writing to the City of El Paso at 7968 San Paulo Drive, El Paso, Texas 79907, or by calling Nicholas Ybarra, P.E., Director of Environmental Services at (915) 212-6000.

Issued Date: December 31, 2024

TRD-202500027

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 7, 2025

## ◆ ◆ ◆ General Land Office

Coastal Protection/Oil Spill Prevention and Response - Request for Applications

Research, Testing, and Development of Oil Discharge Prevention and Response Technology, Training, and Community Outreach

January 17, 2025

### OPPORTUNITY SNAPSHOT

Below is a high-level overview of many of the elements of this opportunity. Full information is provided in the funding announcement that follows.

### PURPOSE

The Oil Spill Prevention and Response Act of 1991 (OSPR), codified as Texas Natural Resources Code Chapter 40, directs the General Land Office (GLO) to enter into interagency contracts with Texas state institutions of higher education for research, testing, and development related to oil spill prevention and response.

The purpose of this Request for Applications (RFA) announcement is to solicit applications for funding of research, testing, and development of oil discharge prevention and response technology, oil discharge response training, wildlife and natural resources rescue and rehabilitation, development of computer models to predict the movements and impacts of unauthorized discharges of oil, and other purposes consistent with and in furtherance of the purposes of OSPRA.

### FUNDS AVAILABLE

The GLO anticipates multiple projects will be funded under this RFA, for a collective \$2.5 million over a biennium cycle, with a maximum of \$1.25 million per year. It is anticipated that most successful applications will be for two-year projects.

## PROCESS

Applicants must respond to this RFA by completing an application located on Survey Monkey Apply and budget by no later than February 28, 2025. The application submission period for this cycle is January 15, 2025 - February 28, 2025. The required documents can be found at the following web address: <https://www.glo.texas.gov/coastal/research-development-funding-opportunity>.

## MATCHING FUNDS

There is no matching funds requirement under this program; however, preferential consideration will be given to applicants offering matching funds, including in-kind match.

## PROJECT PERIODS

A project selected for contract award under this RFA (a "Project") will be funded for up to 24 months - September 1, 2025 through August 31, 2027. The GLO has the discretion to extend any Project for up to two additional years (through August 31, 2029), if agreed upon by both parties.

## ORGANIZATIONAL ELIGIBILITY

Only Texas state institutions of higher education ("Institutions") are eligible to receive a contract award under this RFA. Institutions desiring to submit consortium applications should submit both a consolidated application that provides an overview of the entire project and a specific application from each Institution.

## CONTACT INFORMATION

All requests, questions, or other communications about this RFA should be submitted in writing to the GLO by emailing: [brent.koza@glo.texas.gov](mailto:brent.koza@glo.texas.gov).

TRD-202500033

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: January 8, 2025



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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of, December 7, 2024 to December 23, 2024. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, January 10, 2025. The public comment period for this project will close at 5:00 p.m. on Sunday, February 9, 2025.

Federal Agency Activities:

**Applicant:** United States Fish and Wildlife Service

**Location:** The project site is located in the Gulf Intracoastal Waterway (GIWW), within McFaddin National Wildlife Refuge (NWR), approx-

imately 16 miles north of High Island, in Port Arthur, Jefferson County, Texas.

**Latitude and Longitude:** 29.6891742, -94.1687429

**Project Description:** The applicant proposes to work associated with construction of a siphon system to connect Big Reservoir to Star Lake, restoring freshwater flow to the southern portion of the Salt Bayou watershed. The project includes permanent impacts to 0.1-acre of the GIWW to construct an upstream siphon control structure. The project would also include permanent impacts to 0.007-acre of tidal wetlands and 3.8 acres of non-tidal wetlands to install sheet pile, filter fabric, cement, fill material, and articulated concrete block mats for the construction of siphon structures and a water conveyance ditch discharging into Star Lake to the south. Temporary impacts include 2.9 acres of impacts to non-tidal wetlands for staging and access.

The system would consist of four 36-inch-diameter high density polyethylene pipes totaling 850 linear feet directionally drilled under the GIWW at a minimum depth of 20 feet. The upstream siphon structure would consist of a ditch measuring 87-foot-long and 36-foot-wide lined with articulated concrete block mats with filter fabric feeding into the siphon openings. Sheet pile would stabilize the southern edge of this structure, with gaps around the four siphon openings. Each opening would be reinforced with 6-inch by 6-inch posts and fill material.

A 2,600-foot-long conveyance ditch would be created to connect the siphon outlet to an outfall discharging into Star Lake. The northern edge of the structure would be lined with 65 feet of sheet pile, with gaps around the four siphon openings backfilled and reinforced with 6-inch by 6-inch posts. An existing 72-inch-diameter corrugated metal pipe discharge structure would be removed from the north side of the GIWW and replaced with two 60-inch-diameter pipes with an overflow weir at the upstream intake and flap gates on the discharge area into the GIWW. A 10-foot-wide and 73-foot-long articulated concrete block mat with filter fabric slab would be placed directly downstream of the siphon discharge points to prevent scouring. The water distribution ditch would be tied into this slab. The applicant did not propose mitigation for the project as wetland impacts would be offset by preservation and enhancement of wetlands within the Salt Bayou system.

**Type of Application:** U.S. Army Corps of Engineers permit application #SWG-2024-00766. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

**CMP Project No:** 25-1081-F2

**Applicant:** Texas Department of Transportation

**Location:** The project site is located adjacent to the Corpus Christi Ship Channel, approximately 550 feet southwest of the intersection of North Sam Rankin Street and Brewster Street, in Corpus Christi, Nueces County, Texas.

**Latitude and Longitude:** 27.806481, -97.404947

**Project Description:** The applicant proposes to place fill associated with a 6-foot by 3-foot concrete box culvert that would carry runoff from the new Harbor Bridge to a tidal drainage ditch. The box culvert would consist of a headwall, a concrete apron, and concrete wing-walls resulting in approximately 0.002 acre of fill below the ordinary high water mark (OHWM). Earthen berms would be placed to divert water flow from the work area and would temporarily fill approximately 0.005 acre below the OHWM. The berms are estimated to remain in place for no more than 6 weeks. The earthen berms would be constructed with clean fill. Once construction is complete, the berms would be removed to an upland location away from aquatic resources to dry, then transported to an off-site, upland location for disposal.

The applicant has no proposed mitigation.

The applicant has stated that they have avoided and minimized the environmental impacts by minimizing the outfall structure size and amount of stone riprap scour protection placed at the end of the structure and avoided all special aquatic sites. Additionally, temporary berms will be removed and the temporary impact area will return to pre-construction contours.

The project site conditions are currently within an industrial area of the city that is undergoing active construction for the new Harbor Bridge. The ditch is a maintained tidal ditch that connects to the Corpus Christi Ship Channel.

The proposed project is an amendment to permit SWG-2014-00408, which authorized the permanent discharge of approximately 1.066 acres of fill material into estuarine and palustrine emergent wetlands and tidal drainage ditches associated with the construction of the new US 181 bridge over the Corpus Christi Ship Channel. The permit required the creation of 0.19 acre of estuarine emergent wetland, enhancement of 0.28 acre of estuarine emergent wetland, and the preservation of approximately 11.07 acres of both palustrine and estuarine emergent wetlands.

**Type of Application:** U.S. Army Corps of Engineers permit application #SWG-2014-00408. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

**CMP Project No:** 25-1082-F2

**Applicant:** Texas Department of Transportation-Houston District

**Location:** The project site is located within Chocolate Bayou and adjacent wetlands, on Farm-to-Market (FM) Road 2004 including an existing bridge structure, in Alvin, Brazoria County, Texas.

**Latitude and Longitude:** 29.212956, -95.206839

**Project Description:** The proposed project will replace the existing and extend FM 2004 bridge along FM 2004 at Chocolate Bayou, in the City of Alvin, Brazoria County, Texas. All work will take place within the existing right-of-way (ROW). The proposed project consists of replacing the existing bridge structure with a concrete bridge structure immediately adjacent and west of the existing alignment, as well as reconstructing the associated approaches to the bridge. The existing FM 2004 bridge would be removed due to safety concerns for structural integrity. The overall width would be approximately 105 feet from the southbound side of the existing baseline of the FM 2004 bridge. The roadway would consist of a two-lane roadway with two 12-foot-wide travel lanes in each direction with two 13-foot-wide medians and two 10-foot-wide shoulders.

The applicant's original permit application was submitted to USACE on November 11, 2023 and went on USACE public notice December 12, 2023. GLO posted the project for comments on consistency December 22, 2023. Recent boat ramp design changes were completed September 27, 2024 which added an additional 13' to the previous boat ramp design. This will result in additional impacts of 0.008 acre to Chocolate Bayou and 58.78 linear feet of stream bank. Comments are being solicited for the extension and additional impacts only.

**Type of Application:** Modification of U.S. Army Corps of Engineers permit application #SWG-2023-00667.

**CMP Project No:** 25-1088-F2

**Applicant:** United States Department of the Navy

**Location:** The Atlantic Fleet Training and Testing (AFTT) Study Area begins at the mean high-water mark and extends seaward, including

airspace, sea, and undersea space. The locations of training and testing activities proposed to occur off the coast of Texas include the following: Gulf of Mexico (GOMEX) Range Complex, Civilian ports of Beaumont and Corpus Christi, Texas, and U.S. Coast Guard Station Corpus, Christi, Texas.

**Project Description:** The Proposed Action is to conduct military readiness training activities, and research, development, testing, and evaluation activities in the AFTT Study Area. These military readiness activities include the use of active sonar and explosives within existing range complexes and testing ranges and additional areas located in the Atlantic Ocean along the eastern coast of North America, in portions of the Caribbean Sea, the Gulf of Mexico, at Navy pierside locations and port transit channels, near civilian ports, and in bays, harbors, and inland waterways. The purpose of the Proposed Action is to ensure the Navy, Marine Corps, and Coast Guard, are able to organize, train, and equip service members and personnel to meet their respective national defense missions in accordance with their congressionally mandated requirements.

**Type of Application:** Atlantic Fleet Training and Testing Draft Supplemental Environmental Impact Statement/Overseas Environmental Impact statement.

**CMP Project No:** 25-1090-F2

Federal License and Permit Activities:

**Applicant:** Ascend Performance Materials LLC

**Location:** The project site is located in an existing barge channel, connected to Chocolate Bayou, approximately 1.96 miles north of State Highway 2004, in Alvin, Brazoria County, Texas.

**Latitude and Longitude:** 29.239528, -95.217531

**Project Description:** The applicant proposes to conduct maintenance dredging on an existing 42-acre barge channel, connected to Chocolate Bayou, to a maximum depth of -12 feet below mean lower low water for a period of 10 years. Approximately 10,000 cubic yards will be hydraulically dredged at a maximum frequency of every other year. The applicant proposes to dispose of the dredge material into a privately owned dredge material placement area located approximately 0.75-mile southwest of the facility entrance as depicted in the project plans. The applicant is not proposing mitigation.

**Type of Application:** U.S. Army Corps of Engineers permit application #SWG-1992-02784. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 25-1085-F1

**Applicant:** The Park Board of Trustees of the City of Galveston

**Location:** The project site is located along the shoreline of the Gulf of Mexico beginning at the western terminus of the seawall and extending west approximately 30,620 feet to the eastern boundary of Galveston Island State Park, in Galveston, Galveston County, Texas. The project will avoid the shoreline along Galveston Island State Park and Jamaica Beach and begin again at the western edge of Jamaica Beach and extend westward approximately 57,752 feet to the end of Galveston Island at the San Luis Pass, in Galveston, Galveston County, Texas.

**Latitude and Longitude:**

Begin Beach Fill Template: 29.241950, -94.869017

End Beach Fill Template: 29.083473, -95.118821

**Project Description:** The applicant is proposing beach nourishment activities which will result in the permanent placement of a maximum of 2 million cubic yards of beach quality sand material along 88,372 linear feet of Gulf of Mexico shoreline for the purpose of re-establishing a degraded section of shoreline to provide a more stable and resilient coast and reduce erosion. The scope of work includes (1) the removal of sand either by hydraulic cutterhead dredge or hopper dredge methods from submerged borrow sources or by excavating sand from upland borrow sources, as depicted on the project plans, (2) the transportation of sand by either pumping sand through a temporary offshore pipeline (submerged at the approximate -15 foot depth contour and resting on the sea shore) from submerged borrow sources or by trucks which will be used to haul the sand from the upland borrow sites to the beach nourishment template, and (3) the placement and redistribution of sand within the template using heavy equipment. The temporary pipelines used to transport the dredge sand material could be located either upland, offshore (extending from either from the hydraulic cutterhead dredge or the hopper dredge and submerged and resting on top of the sea floor), or a combination of upland and offshore at the locations depicted on the project plans. The temporary pipeline will extend from either the hydraulic cutterhead dredge or the hopper dredge to the designated beach placement area within designated corridors and will run parallel to the beach from the South Jetty Borrow Area until it is directed towards the beach. Temporary crossings will be placed over groins to allow vehicular traffic to pass unimpeded. These temporary bridges will be constructed of an approximate 3-foot, compacted sand pad covered with timber mats as depicted in the project plans. The applicant is not proposing any mitigation.

**Type of Application:** U.S. Army Corps of Engineers permit application #SWG-2007-01025. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 25-1087-F1

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

TRD-202500016

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: January 7, 2025

## Department of State Health Services

### Withdrawal of Designation of Practice Serving Medically Underserved Populations

On November 30, 2022, the Texas Department of State Health Services (the department) approved the designation of **MD Kids Pediatrics, located at 5726 Spohn Drive, Corpus Christi, Texas 78414**, as a practice serving a disproportionate number of clients eligible for federal, state, or locally funded health care programs. This designation met the definition set forth in Texas Occupations Code §157.051(11)(F)(b).

The department is required, under 25 Texas Administrative Code §13.35, to verify a practice's continued eligibility for designation as

a practice serving a medically underserved population no more than two years after its initial designation and within each two-year period thereafter.

Accordingly, **the department has identified the above-mentioned practice as no longer meeting the criteria for designation, and therefore, the designation has been withdrawn.**

Oral and written comments on the designations may be directed to Clarisse Manuel, Research Specialist, Health Professions Resource Center - Mail Code 1898, Center for Health Statistics, Texas Department of State Health Services, P.O. Box 149347, Austin, Texas 78714-9347; (512) 776-7261 (phone); (512) 776-7344 (fax); or [hprc@dshs.texas.gov](mailto:hprc@dshs.texas.gov). Comments will be accepted for 30 days from the publication date of this notice.

TRD-202500006

Molly Fudell

Deputy General Counsel

Department of State Health Services

Filed: January 3, 2025

### Withdrawal of Designation of Practice Serving Medically Underserved Populations

On November 30, 2022, the Texas Department of State Health Services (the department) approved the designation of **MD Kids Pediatrics, located at 23110 IH-10 West, Suite 210, San Antonio, Texas 78257**, as a practice serving a disproportionate number of clients eligible for federal, state, or locally funded health care programs. This designation met the definition set forth in Texas Occupations Code §157.051(11)(F)(b).

The department is required, under 25 Texas Administrative Code §13.35, to verify a practice's continued eligibility for designation as a practice serving a medically underserved population no more than two years after its initial designation and within each two-year period thereafter.

Accordingly, **the department has identified the above-mentioned practice as no longer meeting the criteria for designation, and therefore, the designation has been withdrawn.**

Oral and written comments on the designations may be directed to Clarisse Manuel, Research Specialist, Health Professions Resource Center - Mail Code 1898, Center for Health Statistics, Texas Department of State Health Services, P.O. Box 149347, Austin, Texas 78714-9347; (512) 776-7261 (phone); (512) 776-7344 (fax); or [hprc@dshs.texas.gov](mailto:hprc@dshs.texas.gov). Comments will be accepted for 30 days from the publication date of this notice.

TRD-202500007

Molly Fudell

Deputy General Counsel

Department of State Health Services

Filed: January 3, 2025

## Texas Higher Education Coordinating Board

### Notice of Opportunity to Comment on Proposed Field of Study Curriculum for Kinesiology

The Texas Higher Education Coordinating Board (THECB or Coordinating Board) staff is providing an opportunity for written public comment on a revision of the Field of Study Curriculum (FOSC) for Kinesiology.

Texas Education Code (TEC) Chapter 61, Subchapter S, establishes policies to facilitate statewide transfer, including the FOSC. Institutions must accept partially or fully completed Field of Study Curricula for academic credit toward the degree program in which the transfer student enrolls (TEC §61.823). The Coordinating Board has promulgated rules related to transfer policy in 19 Texas Administrative Code (TAC) Chapter 1, Subchapter V, and Chapter 4, Subchapter B. Posting requirements may be found in 19 TAC §§4.33(f) and 1.239(b).

The Kinesiology Discipline-Specific Subcommittee met on November 21, 2024, to consider and make recommendations to the Texas Transfer Advisory Committee regarding the FOSC for this discipline. On December 2, 2024, the Texas Transfer Advisory Committee adopted the subcommittee recommendations for the designated Texas Core Curriculum courses and the Discipline Foundation Courses and recommended their submission to the Commissioner of Higher Education for final approval.

The recommended courses are as follows:

Designated Core Courses in the Field of Study:

BIOL 2401/2301+2101 Anatomy & Physiology I

PSYC 2301 General Psychology

Discipline Foundation Courses (12 semester credit hours):

KINE/PHED 1301 Foundations of Kinesiology

KINE/PHED 1304 Personal Community Health

KINE/PHED 1338 Concepts of Physical Fitness

KINE/PHED 2356 Care and Prevention Athletic Injuries

In addition to these courses, each general academic institution will have the opportunity to submit to the Coordinating Board at least six (6) semester credit hours of Directed Electives selected by the institution from the Academic Course Guide Manual. The complete FOSC will consist of the Designated Core Courses and Discipline Foundation Courses listed above, as well as Directed Electives selected by the relevant general academic institutions in compliance with the transfer rules in 19 TAC Chapter 4, Subchapter B, including §§4.23(4), 4.32(b)(3), and 4.33.

General academic institutions will be required to transfer these courses and apply them for academic credit towards degree programs with majors in the following CIP Code:

31.0505.00: Kinesiology and Exercise Science

Written comments about the proposed field of study must be sent to Elizabeth Mayer, Assistant Commissioner for Academic and Health

Affairs, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas, 78711, or via email to Elizabeth.Mayer@highered.texas.gov. Comments must be received by 5:00 p.m., February 15, 2025, to be considered.

TRD-202500020

Nichole Bunker-Henderson

General Counsel

Texas Higher Education Coordinating Board

Filed: January 7, 2025

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## Texas Lottery Commission

### Scratch Ticket Game Number 2634 "\$30,000 CASH"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2634 is "\$30,000 CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2634 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2634.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, STACK OF CASH SYMBOL, \$2.00, \$4.00, \$5.00, \$8.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$1,000 and \$30,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:



Figure 1: GAME NO. 2634 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
STACK OF CASH SYMBOL	DBL
\$2.00	TWO\$

\$4.00	FOR\$
\$5.00	FIV\$
\$8.00	EGT\$
\$10.00	TEN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2634), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2634-000001-001.

H. Pack - A Pack of the "\$30,000 CASH" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a 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 "\$30,000 CASH" Scratch Ticket Game No. 2634.

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 "\$30,000 CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-two (22) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If

the player reveals a "STACK OF CASH" Play Symbol, the player wins DOUBLE the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly twenty-two (22) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly twenty-two (22) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the twenty-two (22) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twenty-two (22) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

## 2.2 Programmed Game Parameters.

A. 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 ten (10) times.

D. On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$30,000 will each appear at least one (1) time, except on Tickets winning ten (10) times and with respect to other parameters, play action or prize structure.

E. There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

F. There will be no non-winning Prize Symbols that match a winning Prize Symbol on a Ticket.

G. Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

H. There will be no matching WINNING NUMBERS Play Symbols on a Ticket.

I. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 02 and \$2, 04 and \$4, 05 and \$5, 08 and \$8, 10 and \$10 and 20 and \$20).

J. On all Tickets, a Prize Symbol will not appear more than two (2) times, except as required by the prize structure to create multiple wins.

K. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

L. The "STACK OF CASH" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

M. The "STACK OF CASH" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

N. The "STACK OF CASH" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

O. The "STACK OF CASH" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "\$30,000 CASH" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$8.00, \$10.00, \$20.00, \$30.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00 or \$100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$30,000 CASH" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$30,000 CASH" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
- D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$30,000 CASH" 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 "\$30,000 CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank

account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 9,120,000 Scratch Tickets in Scratch Ticket Game No. 2634. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2634 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	924,160	9.87
\$4.00	535,040	17.05
\$5.00	182,400	50.00
\$8.00	206,720	44.12
\$10.00	170,240	53.57
\$20.00	72,960	125.00
\$30.00	14,250	640.00
\$50.00	15,010	607.59
\$100	7,030	1,297.30
\$1,000	20	456,000.00
\$30,000	8	1,140,000.00

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

\*\*The overall odds of winning a prize are 1 in 4.29. 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. 2634 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. 2634, 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-202500019

Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: January 7, 2025



Scratch Ticket Game Number 2640 "SIZZLING HOT 7s"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2640 is "SIZZLING HOT 7s". The play style is "row/column".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2640 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2640.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 08, 09, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, CHERRY SYMBOL, SUN SYMBOL, HEART SYMBOL, HAT SYMBOL, RAINBOW SYMBOL, MELON SYMBOL, DICE SYMBOL, BELL SYMBOL, 7 SYMBOL, 77 SYMBOL,

777 SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$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:

Figure 1: GAME NO. 2640 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
28	TWET
29	TWNI
30	TRTY

31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
48	FRET
49	FRNI
50	FFTY
CHERRY SYMBOL	CHERRY
SUN SYMBOL	SUN
HEART SYMBOL	HEART
HAT SYMBOL	HAT
RAINBOW SYMBOL	RNBOW
MELON SYMBOL	MELON
DICE SYMBOL	DICE
BELL SYMBOL	BELL
7 SYMBOL	WIN\$
77 SYMBOL	DBL
777 SYMBOL	TRP



\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$250	TOFF
\$500	FVHN
\$1,000	ONTH
\$100,000	100TH

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2640), 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: 2640-0000001-001.

H. Pack - A Pack of the "SIZZLING HOT 7s" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). 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 "SIZZLING HOT 7s" Scratch Ticket Game No. 2640.

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 "SIZZLING HOT 7s" Scratch

Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-two (62) Play Symbols. BONUS PLAY INSTRUCTIONS: If a player reveals 2 matching Play Symbols in the BONUS play area, the player wins \$100. SIZZLING HOT 7s PLAY INSTRUCTIONS: If a player matches the YOUR NUMBER Play Symbol to the WINNING NUMBER Play Symbol in the same ROW across, the player wins the PRIZE for that ROW. If the player reveals a "7" Play Symbol, the player wins the PRIZE for that ROW instantly. If the player reveals a "77" Play Symbol, the player wins DOUBLE the PRIZE for that ROW. If the player reveals a "777" Play Symbol, the player wins TRIPLE the PRIZE for that ROW. 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-two (62) 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-two (62) 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-two (62) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the sixty-two (62) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

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

## 2.2 Programmed Game Parameters.

- A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
- B. GENERAL: A Ticket can win as indicated by the prize structure.
- C. GENERAL: A Ticket can win up to twenty-one (21) times.
- D. BONUS: A non-winning BONUS play area will have two (2) different Play Symbols.

E. BONUS: Winning Tickets will contain two (2) matching Play Symbols in the BONUS play area and will win \$100.

F. SIZZLING HOT 7s: 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-one (21) times and with respect to other parameters, play action or prize structure.

G. SIZZLING HOT 7s: On all Tickets, a Prize Symbol will not appear more than three (3) times, except as required by the prize structure to create multiple wins.

H. SIZZLING HOT 7s: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

I. SIZZLING HOT 7s: No matching YOUR NUMBER Play Symbols will appear on a Ticket.

J. SIZZLING HOT 7s: No matching WINNING NUMBER Play Symbols will appear on a Ticket.

K. SIZZLING HOT 7s: On all Tickets, a WINNING NUMBER Play Symbol will not match a YOUR NUMBER Play Symbol from a different ROW.

L. SIZZLING HOT 7s: All YOUR NUMBER Play Symbols will never equal the corresponding Prize Symbol (i.e., 05 and \$5, 10 and \$10, 15 and \$15 and 20 and \$20).

M. SIZZLING HOT 7s: The "7" (WINS) Play Symbol will never appear as a WINNING NUMBER Play Symbol.

N. SIZZLING HOT 7s: The "7" (WINS) Play Symbol will never appear on a Non-Winning Ticket.

O. SIZZLING HOT 7s: The "7" (WINS) Play Symbol will win the PRIZE for that ROW.

P. SIZZLING HOT 7s: The "7" (WINS) Play Symbol will never appear more than one (1) time on a Ticket.

Q. SIZZLING HOT 7s: The "77" (DBL) Play Symbol will never appear as a WINNING NUMBER Play Symbol.

R. SIZZLING HOT 7s: The "77" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

S. SIZZLING HOT 7s: The "77" (DBL) Play Symbol will win DOUBLE the PRIZE for that ROW as indicated by the prize structure.

T. SIZZLING HOT 7s: The "77" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

U. SIZZLING HOT 7s: The "777" (TRP) Play Symbol will never appear as a WINNING NUMBER Play Symbol.

V. SIZZLING HOT 7s: The "777" (TRP) Play Symbol will never appear on a Non-Winning Ticket.

W. SIZZLING HOT 7s: The "777" (TRP) Play Symbol will win TRIPLE the PRIZE for that ROW as indicated by the prize structure.

X. SIZZLING HOT 7s: The "777" (TRP) Play Symbol will never appear more than one (1) time on a Ticket.

Y. SIZZLING HOT 7s: The "77" (DBL) and "777" (TRP) Play Symbols can appear on the same winning Ticket as indicated by the prize structure.

Z. SIZZLING HOT 7s: The "7" (WINS) Play Symbol will never appear on the same Ticket as the "77" (DBL) or "777" (TRP) Play Symbols.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "SIZZLING HOT 7s" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$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 may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$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 provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "SIZZLING HOT 7s" Scratch Ticket Game prize of \$1,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "SIZZLING HOT 7s" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "SIZZLING HOT 7s" 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 "SIZZLING HOT 7s" 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. 2640. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2640 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	768,000	9.38
\$10.00	422,400	17.05
\$15.00	230,400	31.25
\$20.00	96,000	75.00
\$30.00	96,000	75.00
\$50.00	44,000	163.64
\$100	25,400	283.46
\$250	5,000	1,440.00
\$500	3,200	2,250.00
\$1,000	75	96,000.00
\$100,000	5	1,440,000.00

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

\*\*The overall odds of winning a prize are 1 in 4.26. 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. 2640 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. 2640, 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-202500041  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: January 8, 2025

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## Texas Parks and Wildlife Department

### Notice of a Public Comment Hearing on an Application for a Sand and Gravel Permit

Union Pacific Railroad has applied to the Texas Parks and Wildlife Department (TPWD) for a General Permit pursuant to Texas Parks and Wildlife Code, Chapter 86, to remove or disturb about 270 cubic yards of sedimentary material within Caney Creek in Montgomery County. The purpose is the replacement of the existing bridge on the Lufkin Subdivision for safe and reliable railroad transportation. The location is at Latitude 30.160151, Longitude -95.209388, about 100 feet downstream of Texas State Loop 494 and about 1.5 stream miles upstream of Farm-to-Market Road 1485. This notice is being published and mailed pursuant to 31 TAC §69.105(d).

TPWD will hold a public comment hearing regarding the application at 11:00am on February 14, 2025, at TPWD headquarters, located at 4200 Smith School Road, Austin, Texas 78744. A remote participation option will be available upon request. Potential attendees should contact Sue Reilly at (512) 389-8622 or at [sue.reilly@tpwd.texas.gov](mailto:sue.reilly@tpwd.texas.gov) for information on how to participate in the hearing remotely. The hearing

is not a contested case hearing under the Texas Administrative Procedure Act. Oral and written public comment will be accepted during the hearing.

Written comments may be submitted directly to TPWD and must be received no later than 30 days after the date of publication of this notice in the *Texas Register*. A written request for a contested case hearing from an applicant or a person with a justiciable interest may also be submitted and must be received by TPWD prior to the close of the public comment period. Timely hearing requests shall be referred to the State Office of Administrative Hearings. Submit written comments, questions, requests to review the application, or requests for a contested case hearing to: TPWD Sand and Gravel Program by mail: Attn: Sue Reilly, Texas Parks and Wildlife Department, Inland Fisheries Division, 4200 Smith School Road, Austin, Texas 78744; or via e-mail: sand.gravel@tpwd.texas.gov.

TRD-202500018  
James Murphy  
General Counsel  
Texas Parks and Wildlife Department  
Filed: January 7, 2025

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## Public Utility Commission of Texas

### Notice of Application According to Section 56.023 of the Public Utility Regulatory Act

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on December 30, 2024, seeking a determination of need for continued support from the Small and Rural Incumbent Local Exchange Company Universal Service Plan.

Docket Title and Number: Petition of Consolidated Communications Under PURA §56.023, Docket Number 57506.

Application: Consolidated Communications filed with the Commission a request for a determination of Consolidated Communications financial need for continuing support from the Small and Rural Incumbent Local Exchange Company Universal Service Plan (SRILEC USP), and the establishment of monthly per-line SRILEC USP support amounts in the exchanges with a financial need for continued support. Under PURA §56.023 recipients from the SRILEC USP may petition the Commission to initiate a contested case proceeding to determine the company's eligibility to receive continued support under the SRILEC USP. Consolidated Communications asserts a financial need for continued support exists in 14 of its 19 currently supported exchanges.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas, 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 57506.

TRD-202500031  
Andrea Gonzalez  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: January 8, 2025

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### Notice of Application for Alternative Method of Allocation for Billing HVAC Consumption

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on December 20, 2024, by Brazos Street Lessee LLC for approval of an alternative method of allocation for billing HVAC consumption.

Docket Title and Number: Application of Brazos Street Lessee LLC for Alternative Method of Allocation for Billing HVAC Consumption, Docket Number 57484.

Brazos Street Lessee LLC seeks approval of an alternative method to bill HVAC electric charges to residential tenants served with high efficiency Variable Refrigerant Volume/Variable Refrigerant Flow (VRV/VRF) HVAC systems using allocation data computed by VRV/VRF Proportionate Distribution software.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 57484.

TRD-202406370  
Andrea Gonzalez  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: December 31, 2024

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## Texas Department of Transportation

### Statewide Transportation Improvement Program January 2025 Out-of-Cycle Revision

#### Public Hearing Notice

The Texas Department of Transportation (department) will hold a public hearing on Tuesday, February 4, 2025, at 10:00 a.m. Central Standard Time (CST) to receive public comments on the January 2025 Out-of-Cycle Revision to Statewide Transportation Improvement Program (STIP) for FY 2025 - 2028. The hearing will be conducted via electronic means. Instructions for accessing the hearing will be published on the department's website at: <https://www.txdot.gov/projects/hearings-meetings.html>

The STIP reflects the federally funded transportation projects in the FY 2025 - 2028 Transportation Improvement Programs (TIPs) for each Metropolitan Planning Organization (MPO) in the state. The STIP includes both state and federally funded projects for the nonattainment areas of Dallas-Fort Worth, El Paso, Houston and San Antonio. The STIP also contains information on federally funded projects in rural areas that are not included in any MPO area, and other statewide programs as listed.

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

A copy of the proposed January 2025 Out-of-Cycle Revision to the FY 2025 - 2028 STIP will be available for review, at the time the notice of hearing is published, on the department's website at: <https://www.txdot.gov/projects/planning/stip/stip-2025-2028.html>

Persons wishing to speak at the hearing may register in advance by notifying Enyu Li, Transportation Planning and Programming Division, at (512) 416-2298 no later than 12:00 p.m. CST on Monday, February 3, 2025. Speakers will be taken in the order registered and will be limited to three minutes. Speakers who do not register in advance will be taken at the end of the hearing. Any interested person may offer comments or testimony; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only one speaker. Speakers are requested to refrain from repeating previously presented testimony.

The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to par-

ticipate in the hearing are encouraged to contact the Transportation Planning and Programming Division, at (512) 484-9813. Requests should be made at least three working days prior to the public hearing. Every reasonable effort will be made to accommodate the needs.

Interested parties who are unable to participate in the hearing may submit comments regarding the proposed January 2025 Out-of-Cycle Revision to the FY 2025 - 2028 STIP to Humberto Gonzalez, P.E., Director of the Transportation Planning and Programming Division, P.O. Box 149217, Austin, Texas 78714-9217. In order to be considered, all written comments must be received at the Transportation Planning and Programming office by 4:00 p.m. CST on Monday, February 17, 2025.

TRD-202500012

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: January 6, 2025



## How to Use the Texas Register

**Information Available:** The sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

**Governor** - Appointments, executive orders, and proclamations.

**Attorney General** - summaries of requests for opinions, opinions, and open records decisions.

**Texas Ethics Commission** - summaries of requests for opinions and opinions.

**Emergency Rules** - sections adopted by state agencies on an emergency basis.

**Proposed Rules** - sections proposed for adoption.

**Withdrawn Rules** - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

**Adopted Rules** - sections adopted following public comment period.

**Texas Department of Insurance Exempt Filings** - notices of actions taken by the Texas Department of Insurance pursuant to Chapter 5, Subchapter L of the Insurance Code.

**Review of Agency Rules** - notices of state agency rules review.

**Tables and Graphics** - graphic material from the proposed, emergency and adopted sections.

**Transferred Rules** - notice that the Legislature has transferred rules within the *Texas Administrative Code* from one state agency to another, or directed the Secretary of State to remove the rules of an abolished agency.

**In Addition** - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

**How to Cite:** Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words “TexReg” and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 50 (2025) is cited as follows: 50 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written “50 TexReg 2 issue date,” while on the opposite page, page 3, in the lower right-hand corner, would be written “issue date 50 TexReg 3.”

**How to Research:** The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code* section numbers, or TRD number.

Both the *Texas Register* and the *Texas Administrative Code* are available online at: <https://www.sos.texas.gov>. The *Texas Register* is available in an .html version as well as a .pdf version through the internet. For website information, call the Texas Register at (512) 463-5561.

## Texas Administrative Code

The *Texas Administrative Code (TAC)* is the compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the *TAC*.

The *TAC* volumes are arranged into Titles and Parts (using Arabic numerals). The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency.

The complete *TAC* is available through the Secretary of State’s website at <http://www.sos.state.tx.us/tac>.

The Titles of the *TAC*, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
30. Environmental Quality
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

**How to Cite:** Under the *TAC* scheme, each section is designated by a *TAC* number. For example in the citation 1 TAC §91.1: 1 indicates the title under which the agency appears in the *Texas Administrative Code*; *TAC* stands for the *Texas Administrative Code*; §91.1 is the section number of the rule (91 indicates that the section is under Chapter 91 of Title 1; 1 represents the individual section within the chapter).

**How to Update:** To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Index of Rules*.

The *Index of Rules* is published cumulatively in the blue-cover quarterly indexes to the *Texas Register*.

If a rule has changed during the time period covered by the table, the rule’s *TAC* number will be printed with the *Texas Register* page number and a notation indicating the type of filing (emergency, proposed, withdrawn, or adopted) as shown in the following example.

### TITLE 1. ADMINISTRATION Part 4. Office of the Secretary of State Chapter 91. Texas Register

1 TAC §91.1.....950 (P)

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