

IN ADDITION

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

Office of the Attorney General

Texas Water Code and Texas Health and Safety Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and the Texas Health and Safety Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Ranger Utility Company*; Cause No. D-1-GN-21-006154, in the 250th Judicial District, Travis County, Texas.

Background: Ranger Utility Company ("Ranger") owns and operates three public water systems at Cypress Brook Estates, Lakeside Estates, and Woodland Estates in Harris, Waller, and Bowie Counties respectively. The State filed suit against Ranger for its violations of state law and regulations governing public drinking water systems in Texas, and noncompliance with multiple administrative orders issued by the Texas Commission on Environmental Quality ("TCEQ") since at least 2013. After suit was filed, Ranger has been working with TCEQ to undertake corrective actions at the three public water systems.

Proposed Settlement: The State and Ranger propose an agreed final judgment that includes a permanent injunction against Ranger, and awards the State civil penalties in the amount of \$25,000.00; past due administrative penalties totaling \$15,013.38; unpaid public health services fees totaling \$3,062.70; and attorney's fees of \$3,000.00.

For a complete description of the proposed settlement, the Agreed Final Judgment and Permanent Injunction should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Brittany Wright, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 475-4239, facsimile (512) 320-0911, email: Brittany.Wright@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202500077
Justin Gordon
General Counsel
Office of the Attorney General
Filed: January 13, 2025

Coastal Bend Workforce Development Board

Request for Proposals for General Contractor Services Mission Plaza Phase III RFP 25-01

Workforce Solutions Coastal Bend (WFSCB) is soliciting proposals from entities or individuals qualified and experienced to serve as the General Contractor for the third phase of an office space buildout of 6,120 square feet located in the Mission Plaza Shopping Center at 4981 Ayers Road, Corpus Christi, Texas 78415.

The RFP will be available on Monday, January 27, 2025 at 2:00 p.m. Central Time and can be accessed on our website at: <https://www.workforcesolutionscb.org/about-us/procurement-opportunities/> or by contacting Nelda Rios Nelda.Rios@workforcesolutionscb.org or (361) 885-3020.

Interested parties are encouraged to attend a **Pre-Proposal meeting** at WFSCB's Administrative Offices located at 400 Mann Street, Suite 800, Corpus Christi, Texas 78401, Main Conference Room on **Monday, February 3, 2025 at 10:00 a.m. Central Time**. The purpose of the meeting is to review the RFP requirements and answer any questions related to the RFP. While this meeting is not mandatory, attendance is strongly recommended. Parties unable to attend in person may participate virtually from a computer, tablet, or smart phone via Zoom:

Join Zoom Meeting

<https://us02web.zoom.us/j/82246075804?pwd=PmFh-hztjyXKz7v9bRKVON33p1vyVBU.1>

US Toll-Free Call In: (888) 475-4499

Meeting ID: 822 4607 5804

Passcode: 631770

Proposals are due by Tuesday, February 18, 2025 at 4:00 p.m. Central Time and may be submitted via email to Nelda.Rios@workforcesolutionscb.org or hand delivered or mailed to: Workforce Solutions Coastal Bend, 400 Mann Street, Suite 800, Corpus Christi, Texas 78401.

Workforce Solutions Coastal Bend is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay Texas: 1 (800) 735-2989 (TDD) and 1 (800) 735-2988 or 711 (Voice). Historically Underutilized Businesses (HUBs) are encouraged to apply.

Este documento contiene información importante sobre los requisitos, los derechos, las determinaciones y las responsabilidades del acceso a los servicios del sistema de la fuerza laboral. Hay disponibles servicios de idioma, incluida la interpretación y la traducción de documentos, sin ningún costo y a solicitud.

TRD-202500110
Alba Silvas
Chief Operating Officer
Coastal Bend Workforce Development Board
Filed: January 15, 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 01/20/25- 01/26/25 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/20/25- 01/26/25 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

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

TRD-202500098

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: January 14, 2025



Credit Union Department

Application for a Merger or Consolidation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration:

An application was received from Space City Credit Union (Houston) seeking approval to merge with Texas Dow Employees Credit Union (Lake Jackson), with Texas Dow Employees Credit Union being the surviving credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202500107

Michael S. Riepen

Commissioner

Credit Union Department

Filed: January 15, 2025



Applications to Expand Field of Membership

Notice is given that the following applications have been filed with the Credit Union Department (Department) and are under consideration.

An application was received from 1st University Credit Union #1, Waco, Texas, to expand its field of membership. The proposal would permit persons who live, worship, work, or attend school and businesses and other legal entities in Bosque County, Texas, to be eligible for membership in the credit union.

An application was received from 1st University Credit Union #2, Waco, Texas, to expand its field of membership. The proposal would permit persons who live, worship, work, or attend school and businesses and other legal entities in Erath County, Texas, to be eligible for membership in the credit union.

An application was received from 1st University Credit Union #3, Waco, Texas, to expand its field of membership. The proposal would permit persons who live, worship, work, or attend school and businesses and other legal entities in McLennan County, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202500106

Michael S. Riepen

Commissioner

Credit Union Department

Filed: January 15, 2025



State Board for Educator Certification

Correction of Error

The State Board for Educator Certification (SBEC) proposed amendments to 19 TAC Chapter 249 in the January 10, 2025, issue of the *Texas Register* (50 TexReg 251).

Due to error as submitted by the Texas Education Agency (TEA), the word "employer" was incorrectly included in 19 TAC §249.17(d)(1)(B). The word "employer" should read as "employment." The text should have read as follows:

(B) relocation to a new city as a result of change in employment [~~employer~~] of the educator's spouse or partner who resides with the educator as supported by documentation;

Additionally, SBEC published proposed new 19 TAC §231.701 in the January 10, 2025, issue of the *Texas Register* (50 TexReg 236). Also due to error as submitted by the TEA, the proposed new Figure: 19 TAC §231.701(d) included incorrect text. The figure should have been published without the language in the heading that reads, "ATTACHMENT II" and "Text of." The corrected figure follows:

Figure: 19 TAC §231.701(d)

TEXAS CONTENT COMPETENCY WORKSHEET FOR SPECIAL EDUCATION TEACHERS OF RECORD
(GRADES EC-12)
FOR USE BEGINNING IN THE 2025-2026 SCHOOL YEAR

Directions: The following sections of the Texas Content Competency Worksheet for Special Education Teachers of Record (Grades EC-12) must be completed only for those educators who do not hold the appropriate grade-banded, content area certification for their current role, per 19 TAC §231.701.

Note: A copy of the Texas Content Competency Worksheet for Special Education Teachers of Record (Grades EC-12) should be filed in the educator's Human Resources file and provided to the educator for their records. A copy of this worksheet completed by a special education teacher's previous administration should be considered valid and re-filed by the receiving district in the event the educator transitions to a new district within the State of Texas.

<u>Table of Contents</u>	<u>Section A: General Information</u>
	<u>Section B: Special Educators Utilizing Previous Subject Matter Competency Provisions</u>
	<u>Section C: Elementary Special Education Teachers of Record Content Competency Requirements</u>
	<u>Section D: Secondary Special Education Teachers of Record Content Competency Requirements</u>
	<u>Section E: For First-Year Special Education Teachers of Record Only</u>
	<u>Section F: Administrator Attestation</u>
	<u>Section G: Appendix (PACT Alignment Chart, Closely Related Fields, Residency Information, and Definitions)</u>

SECTION A: GENERAL INFORMATION

Teacher Name:

TEA ID #:

Date Completed:

- Administrator has verified the teacher holds a valid, SBEC-approved special education certification appropriate for the grade level of assignment and instruction.**

SECTION B: SPECIAL EDUCATORS UTILIZING PREVIOUS SUBJECT MATTER COMPETENCY PROVISIONS

For those educators utilizing previous subject matter competency provisions through state's 2010 and 2011 high objective uniform State standard of evaluation for elementary and secondary special education teachers (HOUSSE) prior to 9/1/2025, campus administration attests to the following:

- **Administrator attests that the special education teacher met previous HOUSSE provisions prior to 9/1/2025 at either the Elementary or Secondary Level**
- **Administrator attests that the special education teacher has demonstrated the required subject matter content knowledge to continue to serve in their assigned placement**

NOTE: ADMINISTRATOR ATTESTATION CAN BE FOUND BELOW IN SECTION F OF THIS DOCUMENT

SECTION C: ELEMENTARY SPECIAL EDUCATION TEACHER OF RECORD CONTENT COMPETENCY REQUIREMENTS (GRADES EC-5)

An elementary special education teacher of record must demonstrate competency in each core content area. Teachers must reach a combined total of at least 24 points across all content areas with no areas having less than 3 points. The following may be combined to reach the required points:

	<u>Math</u>	<u>Science</u>	<u>Social Studies</u>	<u>ELAR</u>
<u>Obtained a passing score on an aligned PACT exam (See Section G of this document)</u>	____ pts	____ pts	____ pts	____ pts
<u>College credit hours in the content area (1 point for each credit hour)</u>	____ pts	____ pts	____ pts	____ pts
<u>Elementary and/or secondary teaching experience in the content area (3 points for each year of experience)</u>	____ pts	____ pts	____ pts	____ pts
<u>Documented relevant professional development aligned to the content area completed within the last three years at the elementary level that meet standard for CPE credit, outside of development required for successful completion of Texas Reading Academies (1 point for 3 hours of qualifying professional development)</u>	____ pts	____ pts	____ pts	____ pts
<u>Completed an approved residency placement* under the supervision of a special education teacher of record in the content area* (3 points)</u>	____ pts	____ pts	____ pts	____ pts

<u>Experience as a paraprofessional under the supervision of a special education teacher of record in the content area (1 point per year)</u>	___ pts	___ pts	___ pts	___ pts
<u>Science of Teaching Reading Exam and Texas Reading Academies:</u> <ul style="list-style-type: none"> <u>Passing score on Science of Teaching Reading Exam and Documented completion of Texas Reading Academies (12 Points)</u> <u>Passing score on Science of Teaching Reading Exam or Documented completion of Texas Reading Academies (9 points)</u> 				___ pts
<u>Totals Per Content Area:</u>				
Total Combined Points:				/24

SECTION D: SECONDARY SPECIAL EDUCATION TEACHERS OF RECORD CONTENT COMPETENCY REQUIREMENTS (GRADES 6-12)

A secondary special education teacher of record must demonstrate competency in each core content area for which they are assigned. The following may be combined to reach the required 18 points in each area:

	<u>Math</u>	<u>Science</u>	<u>Social Studies</u>	<u>ELAR</u>
<u>Holds a minor or major in the content area (18 points)</u>	___ pts	___ pts	___ pts	___ pts
<u>Obtained a passing score on an aligned PACT exam (See Section G of this document)</u>	___ pts	___ pts	___ pts	___ pts
<u>College credit hours in the content area assigned or closely related field (1 point for each credit hour)</u>	___ pts	___ pts	___ pts	___ pts
<u>Secondary teaching experience in the content area or closely related field (3 points for each year of experience)</u>	___ pts	___ pts	___ pts	___ pts
<u>Documented relevant professional development aligned to the content area or closely related field completed within the last three years at the secondary level that meet standard for CPE credit, outside of development required for successful completion of Texas Reading Academies (1 point for 3 hours of qualifying professional development)</u>	___ pts	___ pts	___ pts	___ pts

<u>Completed an approved residency placement under the supervision of a special education teacher of record in the content area or closely related field (3 points)</u>	_____ pts	_____ pts	_____ pts	_____ pts
<u>Experience as a paraprofessional under the supervision of a special education teacher of record in the content area or closely related field (1 point per year)</u>	_____ pts	_____ pts	_____ pts	_____ pts
<u>Science of Teaching Reading Exam and Texas Reading Academies:</u> <ul style="list-style-type: none"> • <u>Passing score on Science of Teaching Reading Exam and Documented completion of Texas Reading Academies (12 Points)</u> • <u>Passing score on Science of Teaching Reading Exam or Documented completion of Texas Reading Academies (9 points)</u> 				_____ pts
Totals:	/18	/18	/18	/18

Section E: FOR FIRST YEAR SPECIAL EDUCATION TEACHERS OF RECORD ONLY

For the purposes of the Texas Core Content Competency Worksheet a first-year teacher:

- holds a standard, intern, or probationary certificate,
- is a teacher for whom the applicable year is the first year of providing instruction, AND
- who does not hold the appropriate grade-banded, content area certification for their current role OR does not meet the content competency requirements detailed above for the grade band of their assignment.

Authorized administrators must provide teachers considered to be a first-year teacher with the following year-long runway to meet the content requirements as outlined in Sections C or D (e.g., professional development, passing score on an aligned PACT exam, seeking content certification, etc.):

Start Date: / / _____

End Date: / / _____

ADMINISTRATOR ATTESTATION CAN BE FOUND BELOW IN SECTION F OF THIS DOCUMENT

Section F: ADMINISTRATOR ASSURANCES

The administrator completing this worksheet assures that the teacher identified above has met the following requirements as specified in the appropriate section(s) above (Mark the assurance that applies):

- The teacher meets subject matter competency provisions via HOUSSE prior to 9/1/25 through the attestation in Section B of this document.**
- The teacher meets the minimum point threshold for content competency in each area in which the teacher is assigned in Section C or Section D of this document.**
- The teacher meets provisions for first year teachers in Section E of this document.**

In addition to the assurances above, the administrator also attests:

- The teacher's campus administration will assist the teacher in seeking out continuing professional education (CPE), as required by 19 TAC §232.11, that addresses both the CPE requirements for the teacher's special education certificate renewal and education related specifically to the content area(s) for which the teacher is assigned to support or teach.**

AUTHORIZED ADMINISTRATOR SIGNATURE:

AUTHORIZED ADMINISTRATOR NAME (PRINTED):

DATE:

Section G: Appendix

I. PACT Alignment

PACT Core Subjects Exams

If a special education teacher of record obtains a passing score on the 701/702/703 TX PACT Essential Academic Skills (Reading, Writing, and Mathematics) and

- serves in an EC-5 placement, the teacher may count 12 points each for both math and ELAR, for a total of 24 points**
- serves in a 6th grade placement, the teacher may count 18 points each for ELAR and Math**
- There is no point value assigned for a passing score on the 701/702/703 TX PACT Essential Academic Skills for teachers serving in grade 7-12 placements.**

If a special education teacher of record obtains a passing score on the 790 TX PACT Core Subjects: 4-8 exam and

- serves in a 4-8 placement, the teacher has satisfied the content requirement in all four core content areas for that assignment.**
- and serves in an EC-3rd grade placement, the teacher may count 9 points each for math, science, social studies, and ELAR.**
- There is no point value assigned for a passing score on the 790 Core Subjects:4-8 exam for those special education teachers of record serving in grade 9-12 assignments.**

	<u>Math</u>	<u>Science</u>	<u>Social Studies</u>	<u>English Language Arts and Reading</u>
Elementary PACT Alignment (EC-5)	<u>715 TX PACT Mathematics: Grades 4-8</u>	<u>716 TX PACT Science: Grades 4-8</u>	<u>718 TX PACT Social Studies: Grades 4-8</u>	<u>717 TX PACT English Language Arts and Reading: Grades 4-8</u>
	EC-5 Placement: 9 pts 6th-8th Placement: 18 pts	EC-5 Placement: 9 pts 6th-8th Placement: 18 pts	EC-5 Placement: 9 pts 6th-8th Placement: 18 pts	EC-5 Placement: 9 pts 6th-8th Placement: 18 pts
Secondary PACT Alignment (6-12)	<u>715 TX PACT Mathematics: Grades 4-8</u>	<u>736 TX PACT Science: Grades 7-12</u>	<u>732 TX PACT Social Studies: Grades 7-12</u>	<u>731 TX PACT English Language Arts and Reading: Grades 7-12</u>
	(6th-8th Placement: 18 pts)	<u>738 TX PACT Life Science: Grades 7-12</u>	<u>733 TX PACT History: Grades 7-12</u>	
	<u>735 TX PACT Mathematics: Grades 7-12</u>	<u>737 TX PACT Physical Science: Grades 6-12</u>		
	(6th-12th Placement: 18 pts)	<u>739 TX PACT: Physics Grades 7-12</u>		
		<u>740 TX PACT Chemistry: Grades 7-12</u>		
	6-12 Placement: 18 pts	6-12 Placement: 18 pts	6-12 Placement: 18 pts	

II. Closely Related Fields

The following list is not exhaustive, and school districts may consider additional fields but must maintain documentation to support the determination.

Note: One foreign language is not closely related to another foreign language.

<u>Math</u>	<u>ELAR</u>	<u>Science</u>	<u>Social Studies and Social Sciences</u>
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<u>Engineering</u>	<u>English</u>	<u>Life or Physical Science</u>	<u>History</u>
<u>Statistics</u>	<u>Communication</u>	<u>Biology</u>	<u>Economics</u>
<u>Accounting</u>	<u>Speech</u>	<u>Chemistry</u>	<u>Geography</u>
<u>Finance</u>	<u>Journalism</u>	<u>Physics</u>	<u>Political Science, Civics,</u>
<u>Economics</u>	<u>Reading</u>		<u>or Government</u>
			<u>Philosophy</u>
			<u>Sociology</u>
			<u>Psychology</u>

III. Residency Information*

If a teacher at either the elementary or secondary level completes an approved residency program under the supervision of a special education teacher of record in a self-contained setting where the supervising teacher of record is responsible for one or more content areas, each content area will be worth 3 points in the residency row.

IV. Definitions

<u>Teacher of Record</u>	<u>Per 19 TAC §230.1 (24) a teacher serving as teacher of record is “An educator who is employed by a school or district and who teaches in an academic instructional setting or a career and technical instructional setting not less than an average of four hours each day and is responsible for evaluating student achievement and assigning grades.”</u>
<u>CPE</u>	<u>More information regarding the types of acceptable continuing professional education (CPE) activities can be found in 19 TAC §232.15.</u>
<u>Approved Residency Program</u>	<u>A residency completed by the candidate at an EPP approved to offer a teacher residency preparation route per 19 TAC §228.15.</u>

TRD-202500105
 Cristina De La Fuente-Valadez
 Director, Rulemaking
 State Board for Educator Certification
 Filed: January 15, 2025

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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 25, 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 jurisdic-

tion 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 25, 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: Angelina Forest Products, LLC; DOCKET NUMBER: 2022-0941-AIR-E; IDENTIFIER: RN110406907; LOCATION: Lufkin, Angelina County; TYPE OF FACILITY: lumber mill; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), New Source Review Permit Numbers 152131 and PSDTX538, Special Conditions Number 1, Federal Operating Permit Number O4132, General Terms and Conditions and Special

Terms and Conditions Number 6, and Texas Health and Safety Code, §382.085(b), by failing to comply with the maximum allowable emissions rates; PENALTY: \$284,950; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: Aqua Texas, Incorporated; DOCKET NUMBER: 2024-0816-PWS-E; IDENTIFIER: RN102683042; LOCATION: Granbury, Hood County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(iii) and Texas Health and Safety Code, §341.0315(c), by failing to provide two or more pumps that have a total capacity of 2.0 gallons per minute (gpm) per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, at each pump station or pressure plane; and 30 TAC §290.46(f)(2) and (3)(A)(iv), and (B)(v), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; PENALTY: \$445; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Avalon Point Water Services, LLC dba Medina Highlands; DOCKET NUMBER: 2023-1407-PWS-E; IDENTIFIER: RN104011432; LOCATION: Lake Hills, 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; PENALTY: \$243; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(4) COMPANY: City of Mart; DOCKET NUMBER: 2023-0668-MWD-E; IDENTIFIER: RN102079274; LOCATION: Mart, McLennan County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §30.350(d) and §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010645001, Other Requirements Number 1, by failing to employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid Class C license or higher; 30 TAC §305.125(1) and TPDES Permit Number WQ0010645001, Monitoring and Reporting Requirements Number 3.b, by failing to maintain calibration records at the facility and make them readily available for review by a TCEQ representative for a period of three years; 30 TAC §305.125(1), TWC, §26.121(a)(1), and TPDES Permit Number WQ0010645001, Effluent Limitations and Monitoring Requirements Number 2, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0010645001, Operational Requirements Number 1, by failing to ensure the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; 30 TAC §305.125(1) and (9)(A) and TPDES Permit Number WQ0010645001, Monitoring and Reporting Requirements Number 7.c., by failing to report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of the noncompliance; 30 TAC §305.125(1) and (11)(C)(ii) and TPDES Permit Number WQ0010645001, Monitoring and Reporting Requirements Number 3.c.ii, by failing to properly maintain records of monitoring activities; 30 TAC §305.125(1) and §319.6 and TPDES Permit Number WQ0010645001, Monitoring and Reporting Requirements Number 2, by failing to assure the quality of all measurements through the use of blanks, standards, duplicates, and spikes; 30 TAC §317.4(a)(8), by failing to test the reduced-pressure backflow assemble annually; and 30 TAC §317.4(b)(4), by failing to dispose of all screenings and

grit in an approved manner; PENALTY: \$75,970; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$60,776; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(5) COMPANY: City of Melvin; DOCKET NUMBER: 2024-0822-PWS-E; IDENTIFIER: RN101217636; LOCATION: Melvin, McCulloch County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(f)(2) and (3)(A)(ii)(III), (iii), and (B)(v), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; PENALTY: \$61; ENFORCEMENT COORDINATOR: Ilia Perez-Ramirez, (713) 767-3743; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(6) COMPANY: Crouch Sand and Gravel, LLC; DOCKET NUMBER: 2024-0505-WQ-E; IDENTIFIER: RN111799607; LOCATION: Cleburne, Johnson County; TYPE OF FACILITY: aggregate production operation (APO) and sand mining facility; 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: \$12,314; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,926; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(7) COMPANY: CSWR-Texas Utility Operating Company, LLC; DOCKET NUMBER: 2024-0161-MLM-E; IDENTIFIER: RN105639009; LOCATION: Sealy, Austin County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(A)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 1.5 gallons per minute per connection; 30 TAC §290.46(k), by failing to obtain approval from the Executive Director for the use of interconnections; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; and 30 TAC §291.93(3)(A) and TWC, §13.139(d), by failing to provide a written planning report for a utility possessing a Certificate of Convenience and Necessity that has reached or exceeded 85% of all or part of its capacity; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Rachel Frey, (512) 239-4330; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(8) COMPANY: EAGLE MOUNTAIN RV PARK, LLC; DOCKET NUMBER: 2023-0558-PWS-E; IDENTIFIER: RN101522183; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(l)(5), by failing to meet the conditions for an issued exception; 30 TAC §290.43(c)(4), by failing to provide all ground storage tanks with a liquid level indicator; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code (THSC), §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; 30 TAC §290.46(e)(4)(A) and THSC, §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds an applicable, valid Class D or higher license issued by the executive director (ED); 30 TAC §290.46(f)(2) and (3)(A)(i)(III), by failing to maintain water works operation and maintenance records and make them readily available for review by the ED upon request; 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each

treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 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 public water system will use to comply with the monitoring requirements; PENALTY: \$1,614; ENFORCEMENT COORDINATOR: Rachel Frey, (512) 239-4330; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: HAPPY OAKS LLC; DOCKET NUMBER: 2024-0709-PWS-E; IDENTIFIER: RN102680584; LOCATION: Alleyton, Colorado 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: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: HCA PROPERTIES LLC; DOCKET NUMBER: 2024-0657-PWS-E; IDENTIFIER: RN111081485; LOCATION: Dripping Springs, Hays County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.106(e), by failing to provide the results of nitrate sampling to the Executive Director for the January 1, 2023 - March 31, 2023 and April 1, 2023 - June 30, 2023, monitoring periods; PENALTY: \$900; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (512) 239-2510; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: HELOTES READY MIX, LLC; DOCKET NUMBER: 2024-0202-MLM-E; IDENTIFIER: RN111284204; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §101.24 and TWC, §5.702, and Texas Health and Safety Code, §382.062, by failing to pay associated air inspection and late fees for TCEQ Financial Administration Account Numbers 21515086 and 21515101 for Fiscal Year 2024; 30 TAC §116.115(b)(2)(E)(iii) and (c) and Air New Source Permit Registration Number 168142, General Condition Number (2)(D)(J) and Administrative Requirements Number (3)(J), by failing to make records immediately available for review upon request by the TCEQ personnel; and 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; PENALTY: \$10,000; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(12) COMPANY: Longhorn Excavators, Incorporated; DOCKET NUMBER: 2024-0293-AIR-E; IDENTIFIER: RN111511622; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: excavation business; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance dust conditions; PENALTY: \$18,750; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(13) COMPANY: Moore Station Water Supply Corporation; DOCKET NUMBER: 2024-0844-PWS-E; IDENTIFIER: RN101231256; LOCATION: Larue, Henderson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(e) and Texas Health and Safety Code, §341.033(a), by failing to use a water works operator who holds an applicable, valid license issued by the Executive Director; PENALTY: \$250; ENFORCEMENT COORDINATOR:

Ronica Rodriguez Scott, (512) 239-2510; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: MULTI-COUNTY WATER SUPPLY CORPORATION; DOCKET NUMBER: 2023-0784-PWS-E; IDENTIFIER: RN101428746; LOCATION: Gatesville, Coryell 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 any significant change or addition where the change in existing distribution system results in an increase or decrease in production, treatment, storage, or pressure maintenance; and 30 TAC §290.45(b)(1)(D)(iii) and THSC, §341.0315(c), by failing to provide two service pumps with a minimum combined capacity of 0.6 gallons per minute per connection at each pump station or pressure plane; PENALTY: \$9,400; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: NAMINATH INVESTMENT INCORPORATED; DOCKET NUMBER: 2023-0639-PST-E; IDENTIFIER: RN101764439; LOCATION: Galveston, Galveston County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the underground storage tank system; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(16) COMPANY: North Collin Special Utility District; DOCKET NUMBER: 2024-0692-PWS-E; IDENTIFIER: RN101458552; LOCATION: Melissa, Collin County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(o)(3) and §290.45(h)(1), by failing to submit to the Executive Director a complete Emergency Preparedness Plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$50; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(17) COMPANY: PALO ALTO SILICA SAND, INCORPORATED; DOCKET NUMBER: 2023-0342-WQ-E; IDENTIFIER: RN107251324; LOCATION: Poteet, Atascosa County; TYPE OF FACILITY: aggregate production operation (APO) and construction sand and gravel mining; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; and 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$43,000; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(18) COMPANY: Rayburn Country Municipal Utility District; DOCKET NUMBER: 2022-1029-PWS-E; IDENTIFIER: RN101213890; LOCATION: Brookeland, Sabine 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 levels of 0.060 milligrams per liter (mg/L) for haloacetic acids and 0.080 mg/L for total trihalomethanes, based on the locational running annual average; PENALTY: \$9,375; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(19) COMPANY: S.L.C. Water Supply Corporation; DOCKET NUMBER: 2023-0481-PWS-E; IDENTIFIER: RN101265908; LO-

CATION: Groesbeck, Limestone County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(C), by failing to seal the space between the casing and drill hole by using enough cement under pressure to completely fill and seal the annular space between the well casing and the drill hole; 30 TAC §290.43(c)(6), by failing to ensure that clearwells and potable water storage tanks, including associated appurtenances such as valves, pipes, and fittings, are thoroughly tight against leakage; 30 TAC §290.43(c)(8), by failing to ensure that the facility's clearwells, ground storage tanks, standpipes, and elevated tanks are painted, disinfected, and maintained in strict accordance with current American Water Works Association standards; 30 TAC §290.45(b)(2)(A) and Texas Health and Safety Code, §341.0315(c), by failing to provide a raw water pump capacity of 0.6 gallons per minute per connection with the largest pump out of service; 30 TAC §290.46(f)(2) and (3)(E)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 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 public water system will use to comply with the monitoring requirements; PENALTY: \$1,908; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(20) COMPANY: Saint-Gobain Abrasives, Incorporated; DOCKET NUMBER: 2022-1518-AIR-E; IDENTIFIER: RN100213859; LOCATION: Bryan, Brazos County; TYPE OF FACILITY: ceramics plant; RULES VIOLATED: 30 TAC §§122.121, 122.133(2), and 122.241(b) and Texas Health and Safety Code, §382.054 and §382.085(b), by failing to submit a permit renewal application at least six months prior to the expiration of a federal operating permit; PENALTY: \$76,000; ENFORCEMENT COORDINATOR: Christina Ferrara, (512) 239-5081; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: Samuel Sanchez dba Presidio Stockyards; DOCKET NUMBER: 2024-0358-AGR-E; IDENTIFIER: RN106583404; LOCATION: Presidio, Presidio County; TYPE OF FACILITY: concentrated animal feeding operation; RULES VIOLATED: 30 TAC §§205.4, 305.125(2), and 321.34(b)(1), TWC, §26.121(a)(1), and Agreed Order Docket Number 2020-1587-AGR-E, Ordering Provision Numbers 2.a.i and 2.a.ii, by failing to maintain authorization to discharge manure, sludge, and wastewater associated with operation of a Concentrated Animal Feeding Operation into or adjacent to any water in the state; PENALTY: \$29,250; ENFORCEMENT COORDINATOR: Nancy M. Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(22) COMPANY: SF2 Cedar Creek Management, LLC dba Shiloh on the Lake; DOCKET NUMBER: 2022-1547-PWS-E; IDENTIFIER: RN101190981; LOCATION: Caney City, Henderson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.43(c)(5), by failing to ensure the ground storage tank's inlet and outlet connections are properly located so as to prevent short-circuiting or the stagnation of water; and 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; PENALTY: \$500; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(23) COMPANY: SISA Group LLC dba Billy's Beer and Wine; DOCKET NUMBER: 2023-0130-PST-E; IDENTIFIER: RN102785490; LOCATION: West Tawakoni, Hunt County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$2,556; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(24) COMPANY: SLOTT CONSTRUCTION COMPANY, INCORPORATED; DOCKET NUMBER: 2024-0857-WQ-E; IDENTIFIER: RN111735296; LOCATION: Huntsville, Walker County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR1565MS Part III, Section D.2., by failing to post a TCEQ site notice; 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR1565MS Part III, Section F.4(a), by failing to minimize the off-site vehicle tracking of sediment from the site; 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR1565MS Part III, Section F.6(a), by failing to maintain protective measures identified in the stormwater pollution prevention plan in effective operating condition at the site; and 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR1565MS Part IV, Section A, by failing to design and install effective erosion and sediment controls to minimize the discharge of pollutants at the site; PENALTY: \$7,001; ENFORCEMENT COORDINATOR: Nancy M. Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(25) COMPANY: Zehraben Momin; DOCKET NUMBER: 2023-0709-MWD-E; IDENTIFIER: RN104707534; LOCATION: Beach City, Chambers County; TYPE OF FACILITY: recreational vehicle park and campsites; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System Permit Number WQ0015398001, Monitoring and Reporting Requirements Number 1, by failing to submit monitoring results at intervals specified in the permit; PENALTY: \$12,500; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

TRD-202500095
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: January 14, 2025



Notice of an Application to Amend a Certificate of Adjudication Application No. 13823

Notices Issued January 14, 2025

Independence Water, L.P. and HW 2421 Land L.P. (Applicants/Permittees) seek authorization to maintain a dam and 21.9-acre-foot reservoir on an unnamed tributary of Marshall Branch, Trinity River Basin for recreational purposes. Applicants also seek to use the bed and banks of the reservoir to convey up to 57.1 acre-feet of groundwater per year from the Paluxy aquifer to maintain the reservoir and for subsequent diversion for agricultural purposes to irrigate 15 acres out of 951.788 acres of land in Tarrant and Denton counties. More information on the application and how to participate in the permitting process is given below.

The application was received on December 6, 2021, and fees were received on January 31, 2022. Additional information was received on January 24, February 16, and December 12, 2022, and April 13, April 17, and May 9, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on March 17, 2022.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, use of an alternate source of water and maintaining an accounting plan. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ webpage at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this 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) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. 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.

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

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13823 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at <http://www.tceq.texas.gov/>. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202500109

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: January 15, 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 178112

APPLICATION. Finley Redimix LLC, 2530 Eldorado Parkway Suite 205E-F, McKinney, Texas 75070-4398 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 178112 to authorize the operation of two concrete batch plants. The facility is proposed to be located using the following directions: From the intersection of FM 1417 and FM 691 (Grayson Drive), go East for 0.5 miles on FM 691 (Grayson Drive). Then turn South on to La Cima Road and continue for 0.1 miles. The site will be on the West side of road near Sherman, Grayson County, Texas 75092. 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=-96.64241,33.705352&level=13>. This application was submitted to the TCEQ on November 1, 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 8, 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/. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

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

The Public Hearing is to be held:

Monday, February 24, 2025, at 6:00 p.m.

Sherman Municipal Ballroom

405 North Rusk Street

Sherman, Texas 75090

RESPONSE TO COMMENTS. A written response to all formal comments will be prepared by the executive director after the comment pe-

riod 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 Finley Redimix, LLC, 2530 Eldorado Parkway Suite 205E-F, McKinney, Texas 75070-4398, or by calling Mrs. Melissa Fitts, Senior Vice President, Westward Environmental, Inc. at (830) 249-8284.

Notice Issuance Date: January 8, 2025

TRD-202500108

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 15, 2025



Request for Nominations Municipal Solid Waste Management and Resource Recovery Advisory Council

The Texas Commission on Environmental Quality (TCEQ) requests nominations for nine individuals to serve on the Municipal Solid Waste Management and Resource Recovery Advisory Council (Advisory Council) to fill the following positions:

Appointments set to expire on August 31, 2027

An elected official from a county with a population less than 150,000;

A registered waste tire processor;

Appointment set to expire on August 31, 2029

An elected official from a municipality with a population of 750,000 or more;

Appointment set to expire on August 31, 2031

A representative of the general public;

A representative from a solid waste management organization composed primarily of commercial operators;

A person who is experienced in the management and operation of a composting or recycling facility or an educator with knowledge of the design and management of solid waste facilities;

A representative of the financial community;

An elected official from a municipality with a population of 100,000 or more but less than 750,000; and

An elected official from a municipality with a population of 25,000 or more but less than 100,000.

Advisory Council Duties

The Advisory Council duties are to review and evaluate the effect of state policies and programs on municipal solid waste (MSW) management; make recommendations to TCEQ on matters relating to MSW management; recommend legislation to encourage the efficient management of MSW; recommend policies for the use, allocation, or distribution of funds for the Regional Solid Waste Grants Program; and recommend special studies and projects to further the effectiveness of MSW management and recovery for Texas. The Advisory Council was created by the 68th Texas Legislature in 1983 and is composed of 18 members who serve staggered six-year terms. The composition of the Advisory Council is prescribed in the Texas Health and Safety Code, §363.041. Members are expected to attend scheduled hybrid meetings and may be requested to participate in subcommittees. The Advisory Council is required by law to meet at least once every three months. The meetings are held in Austin and may span several hours. The meetings are also broadcast live, allowing members to attend either in person or online via MS Teams webinar. Elected officials may designate an authorized representative as proxy for attending the quarterly meetings.

Application or Nomination Process

Individuals may apply or be nominated by another person for vacant positions. To apply or nominate an individual for an Advisory Council position, please complete and submit the Advisory Council Application and related materials. The application form, list of vacancies, and additional information are available at <https://www.tceq.texas.gov/goto/mswrrac>.

Applicants and nominees will be evaluated based upon the application, materials submitted, letters of reference, and solid waste management experience. Appointments will be made by the TCEQ commissioners at an Agenda Meeting once nominations are reviewed and approved and appointed candidates will be contacted with information about upcoming meetings.

Individuals should apply or nominate another by February 25, 2025 for appointments to start September 2025. After this date, applications for vacant positions can still be submitted to TCEQ but will have a later appointment start date. The website will be updated as appointments are made and positions become available.

The Advisory Council Application, Conflict of Interest Questionnaire, and related materials may be submitted by email to MSWRRAC@tceq.texas.gov, regular mail, or overnight mail.

If submitting by regular mail, please address to:

Waste Permits Division, MC - 126

Attn: MSWRRAC

Texas Commission on Environmental Quality

P.O. Box 13087

Austin, Texas 78711-3087

If sending by express mail or hand-delivery, please deliver to the physical address:

Waste Permits Division, MC- 126

Attn: MSWRRAC

Building F

Texas Commission on Environmental Quality

12100 Park 35 Circle

Austin, Texas 78753

Questions regarding the Advisory Council may be directed to Ms. Anju Chalise at 512-239-1529 or emailed to MSWRRAC@tceq.texas.gov.

TRD-202500074

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: January 13, 2025

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Texas Ethics Commission

List of Late Filers

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

Deadline: Lobby Activities Report due October 10, 2024

#00070863- Pamela McPeters, 1417 Westmoor Drive, Austin, Texas 78723

#00087374- Jared R. Scruggs, 18710 Winding Atwood Lane, Tomball, Texas 77377

#00069053- Austin Dudley McCarty, 2801 Via Fortuna Suite 650, Austin, Texas 78746

#00056925- Adam Goldman, 316 W 12th St., Suite 200, Austin, Texas 78701

#00050755- Tyler J. Rudd, 4020 Enclave Mesa Circle, Austin, Texas 78731

Deadline: Lobby Activities Report due November 12, 2024

#00065389- Laurie Vanhooose, 2317 Amur Drive, Austin, Texas 78745

#00065427- Jerry Philips, P.O. Box 13506, Capitol Station, Austin, Texas 78711

#00070672- Lorena I. Campos, 1005 Congress Avenue, Suite 152, Austin, Texas 78701

#00065389- Laurie Vanhooose, 2317 Amur Drive, Austin, Texas 78745

#00088451- George C. Manders Jr., 3121 Wyandot Street #304, Denver, Colorado 80211

#00086723- Jeff R. Miller, 1115 San Jacinto Blvd., Suite 110, Austin, Texas 78701

#00087232- Charles E. Semple, P.O. Box 276, Driftwood, Texas 78619

#00051011- Richard Lawson, 900 E. Pecan Street., Suite 300 - Box 217, Pflugerville, Texas 78660

#00056241- Allen E. Blakemore, 1 E Greenway Plz, Suite 225, Houston, Texas 77046

#00087645- Moises Murillo, 700 Milam Street, Suite 1900, Houston, Texas 77002

#00081264- Michael Daniel Geary, P.O. Box 282, Austin, Texas 78767

#00088994- Brandon Mattie, 545 Middlefield Road, Suite 260, Menlo Park, Texas 94025

Deadline: Lobby Activities Report due December 10, 2024

#00082969- Robert Benjamin Stratmann, 502 W. 13th Street, Austin, Texas 78701

#00060695- William Robert Peeler Jr., 502 W. 13th Street, Austin, Texas 78701

#00070108- Elizabeth Nezda, 816 Congress Avenue, 11th Floor, Austin, Texas 78701

#00085126- Robert D. Ries, 919 Congress Avenue #540, Austin, Texas 78701

#00059686- David Doran Parker, 502 W. 13th Street, Austin, Texas 78701

#00086723- Jeff R. Miller, 1115 San Jacinto Blvd., Suite 110, Austin, Texas 78701

#00084637- Ashley L. Myers, 2799 Katy Freeway, Unit 250, Houston, Texas 77007

#00080328- Geoffrey Tahuahua, P.O. Box 1891, Austin, Texas 78767

#00061565- Kristen Hogan, 919 Congress Avenue, Suite 1500, Austin, Texas 78701

#00040174- Camm C. Lary III, 919 Congress Avenue, Suite 1500, Austin, Texas 78701

#00053553- Stacy Schmitt Almgren, 200 W. 6th Street, Suite 1750, Austin, Texas 78701

#00051216- Stephen M. Robinson, 919 Congress Avenue, Suite 1500, Austin, Texas 78701

#00080639- John B. Scott, 316 W. 12th Street, Austin, Texas 78701

#00070475- Colin Parrish, 1122 Colorado Street, Suite 320, Austin, Texas 78701

#00087487- Jennifer Johnson, 16185 Los Gatos Blvd., Suite 205, Los Gatos, CA 95032

#00070672- Lorena I. Campos, 1005 Congress Avenue, Suite 152, Austin, Texas 78701

TRD-202500070

J.R. Johnson

Executive Director

Texas Ethics Commission

Filed: January 10, 2025

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General Land Office

Notice of Intention to Conduct Assessment and Restoration Planning for the Pelican Island Release by Martin Operating Partnership L.P., Martin Operating General Partnership LLC, and Martin Midstream Partners L.P. into Galveston Bay on May 15, 2024

Summary:

Under the Oil Pollution Act (OPA), 33 U.S.C. §§ 2701 *et seq.*, federal and state trustees (Trustees) for natural resources are authorized to assess natural resource injuries resulting from the discharge of oil or the substantial threat of discharge, as well as injuries that result from the response to the release. The Trustees are also authorized to develop and implement a plan for the restoration required to compensate for the injuries. This notice of intent (Notice) announces that the Trustees (at this time represented by the National Oceanic and Atmospheric Administration (NOAA), Texas General Land Office (GLO), Texas Parks and Wildlife Department (TPWD), and Texas Commission on Environmental Quality (TCEQ)) will proceed with assessment and planning to restore, replace or acquire the equivalent of natural resources that were

lost or injured as a result of the discharge of oil from the *MMLP 321* barge allision on May 15, 2024. The barge was owned and operated by Martin Operating Partnership L.P.

Contact Information:

Allison Fischer

1700 N. Congress Ave.

P.O. Box 12873

Austin, Texas 78711-2873

Supplementary Information

On May 15, 2024, the barge *MMLP 321* struck the Pelican Island Bridge in Galveston, Texas, resulting in a release of approximately 20,000 gallons of vacuum gas oil into Galveston Bay (the Incident). The Responsible Party (RP) for this Incident has been identified as Martin Operating Partnership L.P.

The Federal Trustees are designated pursuant to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 C.F.R. § 300.600). The Texas Trustees are designated by the Governor of Texas pursuant to the NCP (40 C.F.R. § 300.605) and OPA 33 U.S.C. § 2706(b)(3). The following agencies are designated natural resource Trustees and are acting as Trustees for this Incident: Department of the Interior represented by the United States Fish and Wildlife Service (USFWS), the National Oceanic and Atmospheric Administration (NOAA), Texas General Land Office (GLO), Texas Parks and Wildlife Department (TPWD), and Texas Commission on Environmental Quality (TCEQ).

The Trustees initiated the Preassessment Phase of the NRDA, in accordance with 15 C.F.R. §990.40, to determine if they have jurisdiction to pursue restoration under OPA and, if so, whether it is appropriate to do so. During the Preassessment Phase, the Trustees collect and analyze the following: (1) data reasonably expected to be necessary to determine jurisdiction and extent of natural resource to conduct restoration planning, (2) ephemeral data collection, and (3) information needed for assessment activities as part of the Restoration Planning Phase.

Under 15 C.F.R. Part 990 (NRDA regulations), the Trustees must prepare and issue a Notice that demonstrates that the conditions have been met for the Trustees to have jurisdiction over this matter and that restoration of natural resources is feasible and appropriate. Pursuant to 15 C.F.R. § 990.44, this Notice announces that the Trustees, specifically the National Oceanic and Atmospheric Administration (NOAA), Texas General Land Office (GLO), Texas Parks and Wildlife Department (TPWD), and Texas Commission on Environmental Quality (TCEQ), have determined to proceed with restoration planning to fully evaluate, assess, quantify, and develop plans for restoring, replacing, or acquiring the equivalent of injured natural resources and services lost resulting from the Incident. The restoration planning process will include collection of information for evaluating and quantifying injuries and the use of that information to determine the need for and type and scale of restoration actions required to make the public whole.

Determination of Jurisdiction

The Trustees have made the following findings pursuant to 15 C.F.R. § 990.41:

(1) The Incident resulted in discharges of oil into and upon navigable waters of the United States, including the Galveston Bay and adjoining shorelines, all of which constitute an "incident" within the meaning of 15 C.F.R. § 990.30.

(2) The Incident was not permitted pursuant to federal, state, or local law; was not from a public vessel; and was not from an onshore facility

subject to the Trans-Alaska Pipeline Authority Act, (43 U.S.C. §§ 1651 *et seq.*).

(3) Natural resources under the trusteeship of the Trustees have been and continue to be injured or threatened as a result of the Incident and associated response and removal efforts. Discharged oil and the associated response activities have resulted in adverse effects on natural resources in and around the coastal waters of Texas and along its adjoining shorelines. The full extent of potential injuries is currently unknown; however, current natural resources and resource services that may have been impacted include, but are not limited to, the following:

- a. Shoreline; hard structures, such as breakwaters; marsh; and other habitat areas;
- b. Water column habitat;
- c. A variety of wildlife;
- d. Various other biota, including benthic communities and fish; and
- e. Lost human-use opportunities associated with various natural resources in the Gulf region, including fishing, swimming, beach-going, and viewing of birds and wildlife.

Accordingly, the Trustees have determined that they have jurisdiction under OPA to pursue assessment and restoration planning.

Determination to Conduct Restoration Planning

1. The Trustees have made the following findings pursuant to 15 C.F.R. § 990.42: Observations and data collected pursuant to 15 C.F.R. § 990.43 demonstrate that injuries to natural resources and the services they provide have resulted, or are likely to result, from the Incident; however, the nature and extent of such injuries have not been fully determined at this time. The Trustees have identified several categories of impacted and potentially impacted resources, including, birds, fish, and other fauna, as well as their habitats. Impacted and potentially impacted habitats include but are not limited to estuarine wetlands, mixed sediment/material shorelines, and open water column. The Trustees have also determined that there are impacts or potential impacts to human use of these affected resources. The Trustees have been conducting, and continue to conduct, activities to evaluate injuries and potential injuries to these resources. More information on these resources, including assessment work plans developed jointly by the Trustees and the RP (if any), and information gathered during the preassessment phase, will be made available in the Administrative Record (AR), as discussed below. The full nature and extent of injuries will be determined during the injury assessment conducted as part of the Restoration Planning Phase.

2. Response actions employed for the Incident included containment, collection of oil, onshore removal, and other removal operations. These response actions have not addressed and are not expected to address all injuries resulting from the discharges of oil. Although response actions were initiated soon after identification of the spill, they were unable to prevent injuries to many natural resources. In addition, some of these response actions have caused or are likely to cause injuries to natural resources and the services they provide, including the impairment of sensitive marsh, birds, and impacts to human uses of the resources. While injured natural resources may eventually recover naturally to the conditions, they would have been in had the discharges not occurred, interim losses did occur and will persist until baseline conditions are achieved. In addition, there have been losses and diminution of human uses of the resources resulting from the impacts to the natural resources and from the response actions themselves.

3. Feasible restoration actions exist to address the natural resource injuries and service losses caused by the Incident, including but not lim-

ited to injured habitat and lost human uses. Assessment procedures are available to scale the appropriate amount of restoration required to offset these ecological and human use service losses. During the restoration planning phase, the Trustees will evaluate potential projects, determine the scale of restoration actions needed to make the environment and the public whole, and release a draft restoration plan for public review and comment. Based upon these determinations, the Trustees intend to proceed with restoration planning for the Incident.

Administrative Record

The Trustees will open an Administrative Record (AR) in compliance with 15 C.F.R. § 990.45 and other authorities. The AR will be publicly available and will include documents considered by the Trustees during the NRDA and restoration planning performed in connection with the Incident. The AR will be augmented with additional information over the course of the NRDA process.

Opportunity to Comment

In accordance with 15 C.F.R. § 990.14(d), the Trustees will provide opportunities for public involvement in the restoration planning for the Incident. The opportunities for public involvement will be addressed in future notices and announcements.

Authority

The authority of this action is the Oil Pollution Act of 1990 (33 U.S.C. §§ 2701 *et seq.*) and the implementing Natural Resource Damage Assessment regulations found at 15 C.F.R. part 990.

TRD-202500097

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: January 14, 2025



Public Notice and Request for Comments on the Texas Coastal Management Program's Submission of Proposed Program Changes

NOTICE: Pursuant to 15 CFR §923.84, notice is given that the Texas General Land Office (GLO), on behalf of the State of Texas, has submitted a request to the National Oceanic and Atmospheric Administration's Office for Coastal Management (NOAA/OCM) for approval of changes to the federally approved Texas Coastal Management Program (CMP).

Purpose of Notice: The CMP was established by the Coastal Coordination Act, Texas Natural Resources Code, Chapter 33, Subchapter F, as amended. In 1996, NOAA found that the Texas CMP met the criteria for federal approval pursuant to the federal Coastal Zone Management Act (CZMA). Once approved by NOAA, the program became eligible to receive federal funds, and the state was granted authority to review proposed federal actions that may have reasonably foreseeable effect on uses or resources of the Texas Coastal Zone for consistency with the enforceable policies of the Texas CMP. OCM must review and approve changes to a state's CMP before those changes can be incorporated into the CMP and/or used to review proposed federal actions for consistency with the enforceable policies of the Texas CMP.

Description of Proposed Changes: The program change submission covers program changes from December 1, 2022 through July 10, 2023. Additional information and related documents are available on the GLO's website at: <https://www.glo.texas.gov/coastal/protecting-coast/federal-consistency>.

The program change submission consists of four parts; (1) the main body describing the program changes; (2) an attachment consisting of the rule proposal package for 31 TAC Chapters 26-30, which was published in the *Texas Register* on January 27, 2023; (3) an attachment consisting of the changes to Texas's Listed Activities Subject to CZMA Review in redline format; and (4) an attachment consisting of the new rules adopted in 31 TAC Chapter 30, "Procedures for Federal Consistency with Coastal Management Program Goals and Policies."

The submitted program changes involve minor administrative and editorial amendments to the CMP rules in Chapters 26- 29. These non-substantive amendments implement the 2013 program change submission approved by NOAA. This includes the administrative transfer of the CMP rules to 31 TAC Chapters 26-30, as well as necessary updates to internal cross references within the rules due to the transfer. The program changes also include the replacement of the federal consistency procedures in 31 TAC Chapter 30. New Chapter 30 reorganizes, streamlines, and clarifies the rules to adhere to the federal regulations in 15 C.F.R. Part 930 and implements the amendments to the Coastal Coordination Act, as amended by SB 656.

The GLO has evaluated these changes pursuant to 15 C.F.R. Part 923, Subpart H, and concluded that these changes do not make substantial changes to the enforceable policies or authorities of the Texas CMP related to uses subject to management, special management areas, boundaries, authorities, and organization, and coordination, public involvement, and the national interest. No new enforceable policies are proposed to be added to the CMP with the submitted program changes.

Notice is being provided to the general public and affected parties, including local governments, state agencies, and regional offices of relevant federal agencies as required by 15 C.F.R. §923.81(e)(1). A list of persons and organizations notified is available for inspection or can be provided upon request from the contact information below.

COMMENTS

Pursuant to 15 CFR §923.81(e)(3), comments may be submitted through the Program Change Portal website which can be found at: <https://coast.noaa.gov/czmprogramchange> or written comments may be sent to Joelle Gore, NOAA/OCM, 1305 East-West Highway, Silver Spring, MD, 20910 within 21 days of the date of issuance of this notice.

ADDITIONAL INFORMATION:

Additional information and documents related to this Program Change, are available on the NOAA's Program Change Portal at: <https://coast.noaa.gov/czmprogramchange>

More information about the Texas CMP's federal consistency review authority can be found at: <https://www.glo.texas.gov/coastal/protecting-coast/federal-consistency>

If you have questions regarding this notice, please contact Texas GLO Federal Consistency Coordinator, Leslie Koza at: Federal.Consistency@glo.texas.gov.

TRD-202500096

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: January 14, 2025



Texas Health and Human Services Commission

Criminal History Requirements for Child Care Operations - Proposed

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material that is "cumbersome, expensive, or otherwise inexpedient," the charts are not included in the print version of the Texas Register. The charts are available in the online version of the January 24, 2025, issue of the Texas Register.)

26 Texas Administrative Code §745.661 (relating to What types of criminal convictions may affect a subject's ability to be present at an operation?) states that HHSC will review the three charts listed in subsection (a) of the section annually and publish any changes for public comment in the *Texas Register* as an "In Addition" document. Questions or comments about the content of the proposed changes may be directed to Child Care Regulation at (512) 438-3269.

Written comments may be submitted by email to ryan.malsbary@hhs.texas.gov or mailed to:

Ryan Malsbary, Rules Writer

Child Care Regulation, Health and Human Services Commission

P.O. Box 149030

Mail Code E550

Austin, Texas 78751

Any comments must be received within 30 days of publication in the *Texas Register*.

The three charts are titled: (1) Licensed or Certified Child Care Operations: Criminal History Requirements; (2) Foster or Adoptive Placements: Criminal History Requirements; and (3) Registered Child Care Homes and Listed Family Homes: Criminal History Requirements.

Each chart has three parts: (1) an introduction that identifies the types of operations each chart covers, defines certain terms used in the chart, and clarifies certain assumptions; (2) a Table of Contents; and (3) the applicable chart.

Changes made to the charts include:

(1) Adding two new columns and two new footnotes to the Licensed or Certified Child Care Operations chart that address the offenses for those persons identified in the "Licensed Administrator Role;"

(2) Changing the introduction sections of the Licensed or Certified Child Care Operations chart and the and the Foster or Adoptive Homes chart to indicate that frequent/regular visitors in a foster or adoptive home will be subject to the Foster or Adoptive Homes chart;

(3) Clarifying the assumptions in all three charts to provide more information on how similarity between a Texas offense and an offense of another jurisdiction is determined;

(4) Deleting the assumption addressing 42 United States Code §671(a)(20)(A) in the Foster or Adoptive Homes chart and clarifying the information regarding that former assumption in a new footnote;

(5) Clarifying the term "Risk Evaluation if conviction was in the last 10 (or 5) years" in all three charts;

(6) Changing the response for the felony offense to Texas Penal Code §21.07, Public Lewdness, for "Relative Foster or Adoptive Homes or Foster or Adoptive Homes with a Longstanding Relationship with the Child," in the Foster or Adoptive Homes chart;

(7) Changing the response for the felony offense to Texas Penal Code §21.08, Indecent Exposure, for "Relative Foster or Adoptive Homes or Foster or Adoptive Homes with a Longstanding Relationship with the Child," in the Foster or Adoptive Homes chart;

(8) Adding a footnote for the felony offense to Texas Penal Code §22.01, Assault, for "Unrelated Foster or Adoptive Homes," in the Foster or Adoptive Homes chart;

(9) Changing the response for the felony offense to Texas Penal Code §22.012, Indecent Assault, for "Relative Foster or Adoptive Homes or Foster or Adoptive Homes with a Longstanding Relationship with the Child," in the Foster or Adoptive Homes chart;

(10) Adding a footnote for the felony offense to Texas Penal Code §22.02, Aggravated Assault, for "Unrelated Foster or Adoptive Homes," in the Foster or Adoptive Homes chart;

(11) Deleting footnotes for the misdemeanor offense to Texas Penal Code §25.05, Criminal Non-support, in the Foster or Adoptive Homes chart;

(12) Changing the response in all three charts regarding whether presence is allowed pending the outcome of a risk evaluation for offenses related to Texas Penal Code §30.02 and §30.04, Burglary;

(13) Changing the response in the Licensed or Certified Child Care Operations chart for the misdemeanor offense to Texas Penal Code §32.31, Credit Card or Debit Card Abuse, and adding footnotes for the same misdemeanor offense in the Foster or Adoptive Homes chart;

(14) Changing the response for the misdemeanor offense to Texas Penal Code §32.315, Fraudulent Use or Possession of Credit Card or Debit Card Information, in the Licensed or Certified Child Care Operations chart;

(15) Changing the response for the misdemeanor offense to Texas Penal Code §32.51, Fraudulent Use or Possession of Identifying Information, in all three charts;

(16) Adding Texas Penal Code §32.52, Fraudulent, Substandard, or Fictitious Degree, in the Licensed or Certified Child Care Operations chart;

(17) Changing the response for the misdemeanor offense to Texas Penal Code §34.02, Money Laundering, in all three charts;

(18) Changing the response for the misdemeanor offense to Texas Penal Code §38.112, Tampering with Electronic Monitoring Device, in all three charts;

(19) Changing the footnote for the misdemeanor offense to Texas Penal Code §43.02, Prostitution, in the in the Licensed or Certified Child Care Operation chart and the Foster or Adoptive Homes chart;

(20) Changing the response for the misdemeanor offense to Texas Penal Code §43.021, Solicitation of Prostitution, in all three charts;

(21) Changing the response for the misdemeanor offense to Texas Penal Code §43.262, Possession or Promotion of Lewd Visual Material Depicting Child, in all three charts;

(22) Changing the response for the misdemeanor offense to Texas Code of Criminal Procedure §62.102, Failure to Comply with Registration Requirements, in all three charts; and

(23) Making nonsubstantive changes that do not affect the outcome of background checks or the assumptions that apply to the charts.

TRD-202500043

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: January 8, 2025



Public Notice: Texas State Plan for Medical Assistance - Home and Community-Based Services Adult Mental Health (HCBS-AMH) §1915(i) State Plan Benefit Renewal

The Texas Health and Human Services Commission (HHSC) announces its intent to submit transmittal number (TN) 25-0008 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The Centers for Medicare and Medicaid Services approved the Home and Community-Based Services Adult Mental Health (HCBS-AMH) §1915(i) State Plan benefit through August 31, 2025. The purpose of this amendment is to request a renewal of the §1915(i) Home and Community-Based Services-Adult Mental Health (HCBS-AMH) program serving adults with a diagnosis of serious mental illness (SMI). The requested effective date for this proposed renewal is September 1, 2025.

The proposed renewal is estimated to result in an annual aggregate expenditure of \$25,762,514 for federal fiscal year (FFY) 2025, consisting of \$14,984,318 in federal funds and \$10,778,196 in state general revenue. For FFY 2026, the estimated annual aggregate expenditure is \$26,981,494, consisting of \$15,555,965 in federal funds and \$11,425,529 in state general revenue. For FFY 2027, the estimated annual aggregate expenditure is \$28,516,813, consisting of \$16,467,484 in federal funds and \$12,049,329 in state general revenue.

The HCBS-AMH program is a State Plan Medicaid program that provides home and community-based services to adults with serious mental illness. The services available in the HCBS AMH program are: Transition Assistance Services (TAS); HCBS Psychosocial Rehabilitation Services; Adaptive Aids; Employment Services; Transportation; Community Psychiatric Supports and Treatment (CPST); Peer Support; Host Home/Companion Care; Supervised Living Services; Assisted Living Services; Supported Home Living; Respite Care; Home Delivered Meals; Minor Home Modifications; Nursing; Substance Use Disorder (SUD) Services; Home and Community-Based Services Adult Mental Health (HCBS-AMH) Recovery Management.

The renewal request proposes to make the following changes in the below sections of the 1915(i) HCBS-AMH template.

1915(i) State Plan HCBS Administration and Operation:

HHSC removed duplicative language from the "Conflict of Interest Standards" section that was already stated. Language HHSC removed: "but may not be HCBS-AMH providers, unless they are the only willing and qualified entity in a geographic area who can be responsible for assessments and person-centered service plan development."

HHSC updated the website used for locating rural county designations with the current website being used.

Number Served:

HHSC updated the projected number of unduplicated participants by increasing the totals projected for all five State Plan benefit years.

Evaluation/Reevaluation of Eligibility:

HHSC updated the "Process for Performing Evaluation/Reevaluation" to align with current policy, by clarifying eligibility assessments are conducted by Local Mental Health Authorities and State Hospitals, while eligibility determinations are made by HHSC staff.

In the "Needs-based HCBS Eligibility Criteria" state assurance, HHSC removed the following duplicative language, "or previously met the needs-based criteria above and who is assessed and found that, but for the provision of HCBS for stabilization and maintenance purposes, would decline to prior levels of need, i.e., subsequent medically necessary services and coordination of care for stabilization and maintenance is needed to prevent decline to previous needs-based functioning."

HHSC added "arrests" to the risk categories in both the Needs-based HCBS Eligibility Criteria state assurance and the Needs-based Institutional and Waiver Criteria state assurance to align with current policy.

HHSC updated Texas Administrative Code (TAC) references from Title 40 to Title 26 as well as the Chapter citation in the needs-based institutional and waiver criteria chart to align with the correct TAC reference citation.

HHSC clarified that the medical necessity and level of care for the STAR+PLUS HCBS (nursing facility criteria) uses the Medical Necessity/Level of Care (MN/LOC) document as the assessment tool.

Home and Community-Based Settings:

HHSC clarified that the settings included in the SPA continue to meet the HCBS settings requirements and removed the Statewide Transition Plan (STP) language from the settings section as the 1915(i) HCBS-AMH State Plan benefit since CMS approved the STP. The Centers for Medicare and Medicaid Services (CMS) provided approval of the state's description of the settings, and the process for assuring that HCBS requirements would be met.

HHSC added the Home and Community-Based Settings (HCBS) requirements language consistent with federal requirements at 42 C.F.R. §441.710 and removed the HCBS requirements language from the following services: Host Home/Companion Care, Supervised Living, Assisted Living, and Supported Home Living. This move is to reduce duplication of settings language.

Person-Centered Planning & Service Delivery:

HHSC revised information in "Supporting the Participant in Development of Person-Centered Service Plan" to clarify existing processes, added "provider agency" to the person-centered planning team, and replaced who conducts the independent needs-based assessments from "HHSC staff or contractors" to "Local Mental Health Authorities and State Hospitals."

HHSC updated "Informed Choice of Providers" to include eligibility evaluation process, and the individual's right to provider choice.

HHSC revised information in "Process for Making Person-Centered Service Plan Subject to the Approval of the Medicaid Agency" to align with current policy and removed repetitive language including providing information about the individuals rights.

HHSC clarified the process around the use of restrictive interventions, and clarified that restraints are only allowed in a behavioral emergency and seclusion is prohibited and must be documented as a critical incident and reported as abuse, neglect, and exploitation (ANE). HHSC also removed additional details about restraints, restrictive interventions, and seclusion in this section since this section is about the process for making person-centered service plan subject to approval of the Medicaid agency.

Maintenance of Person-Centered Service Plan Forms:

HHSC added other "Provider Agency" as an agency that maintains person-centered service plan forms in addition to HHSC as the Medicaid agency and the case manager.

Services:

HHSC revised the "Frequency of Verification" section for all services by explaining the verification process, and its frequency, for provider qualifications. "Frequency of Verification" will now read "Before entering into a provider agreement with the provider agency, HHSC verifies the providers compliance with these qualifications through a credentialing process. Contracted providers are obligated to verify on an ongoing basis that these qualifications are achieved, maintained, and

documented. HHSC will conduct biennial review to verify these requirements continue to be met after the provider and HHSC enter into an agreement."

HHSC revised all services verification of provider qualifications provider types to provide clarity on all HCBS-AMH providers enrolled and contracted with HHSC that provide HCBS- AMH services. Provider type to read "HCBS-AMH provider enrolled and contracted with HHSC to provide HCBS- AMH services, which employs or contracts with a provider."

HHSC clarified the limit language in Transition Assistance Services (TAS) to provide clarity that the limits are lifetime limits and there is a onetime benefit limit for when individual's use TAS in provider owned/operated homes. This clarification aligns with current policy.

HHSC removed the research-based example "Seeking Safety" from the HCBS Psychosocial rehabilitation service description since its related to cognitive behavioral therapy and clarified the HCBS Psychosocial rehabilitation services privacy policies.

HHSC updated the HCBS Psychosocial Rehabilitation Services service description to remove the information about the HCBS American Rescue Plan (ARP) spending plan funding to purchase technology equipment since that language was specific to a prior amendment.

HHSC updated the Adaptive aids service additional needs-based criteria by clarifying "Any item costing over \$500.00 must also include comparable bids from three vendors" to align with current policy.

HHSC added language to the Transportation service description clarifying that the service does not duplicate transportation provided as part of other services or under the State Plan non-emergency medical transportation benefit and services are coordinated by the individual's recovery manager and through their managed care organization, if applicable.

HHSC deleted duplicated language from the Community Psychiatric Support and Treatment (CPST) service description about Cognitive Behavioral Therapy and Dialectical Behavior Therapy. Also, revised provider qualifications to clarify "license" requirements for individual CPST providers.

HHSC added language to Host Home/Companion Care and Supported Home Living service definition to clarify where the service can be delivered. HHSC also removed the following duplicative, "Periodic training is delivered by the HCBS-AMH provider agency, as needed, to ensure service providers are qualified to provide HCBS-AMH services in accordance with state and federal laws and regulations; and to ensure the individual' s safety and security."

HHSC deleted "transition assistance" from the categorically needy limits section to align with current policy in the following services: Host Home/Companion Care, and Supervised Living. Separate payments for TAS are allowable when receiving these services.

HHSC added the individual's provider agency as an entity the recovery manger coordinates with to ensure individuals goals are supported in the HCBS-AMH Recovery Management service description. Deleted duplicated language in the Recovery Management services limits that exist in "Conflicts of Interest Standards" section. HHSC also added that the recovery manger assists the individual in obtaining and maintaining an acceptable form of Medicaid to maintain program eligibility to align with current policy.

Also, for the Recovery Management service, HHSC deleted MMIS language that is described in the "Person-Centered Planning & Service Delivery" section to reduce duplication of language.

Quality Improvement Strategy:

HHSC rearranged the Service Plan Requirement section to align with numbering listed in the Quality Measures section of the Quality Improvement Strategy and to align with other CMS reports (i.e., Request for Evidentiary Information (REI) and Interim Procedural Guidelines (IPG) Final Report).

HHSC revised the requirement description to align with Quality Measures listed in the Quality Improvement Strategy and also to align with other CMS reports (i.e., REI and IPG Final Report).

HHSC added the numerator and the denominator for each performance measure for clarity purposes.

HHSC added the sub-requirements to the Service Plans and Eligibility Requirements to align with CMS reports (i.e., REI).

HHSC renumbered performance measures in Service Plan and Eligibility Requirements sections to align with sub-requirements and to align with other CMS reports (i.e., REI and IPG Final Report).

HHSC moved one performance measure in the Service Plans Requirement (1.4) from one sub-requirement to another which resulted in renumbering performance measures in the Service Plans Requirement (1.4 became 1.a.2, 1.2 became 1.b, and 1.3 became 1.c) based on CMS recommendation in IPG Final Report.

HHSC removed criteria for the Qualified Providers Requirement as criteria is it is duplicative of what is already stated in the state plan.

HHSC revised Service Plans performance measure 1.c. by adding "and providers." The revised measure reads- Number and percent of participants with IRPs which document the individual's choice among and between HCBS-AMH services and providers.

HHSC revised all Qualified Providers performance measures. The revised 3.1 measure reads- Number and percent of HCBS service providers who require licensure and certification requirements prior to furnishing HCBS services.

The revised 3.2 measure reads- Number and percent of HCBS service providers that require (or meet) licensure and certification requirements while furnishing services.

In measure 3.3, HHSC removed the duplicate reference to HHSC in the measure. The revised 3.3 measure reads- Number and percent of HCBS-AMH provider agencies with an active agreement with HHSC.

The revised 3.4 measure reads- Number and percent of required trainings completed by service providers.

HHSC revised HCBS settings requirement 4 description to clearly state the intent of meeting federal requirement by including 42 CFR 441.710(a)(1) and (2).

HHSC revised HCBS settings performance measure 4.1 by removing "appropriate licensure or certification." The revised measure reads- Number and percent of HCBS settings meeting federal requirements.

For requirement 4, HHSC removed additional sampling language in the monitoring responsibilities section and just included, "HHSC collects, aggregates, and analyzes the data."

HHSC revised administrative authority performance measure 5.1 by removing the word "assurances" and adding "requirements." The revised measure reads- Number and percent of aggregated performance measure reports generated and reviewed by the State Medicaid Agency that contain discovery, remediation, and system improvements for ongoing compliance of the requirements.

HHSC removed performance measure 5.3 Administrative Authority- Number and percent of SPA concepts and policies requiring MMIS

programming approved by HHSC prior to implementation by HHSC. MMIS programming not being used to report measure.

HHSC revised performance measure 6.2 Financial Accountability. The revised measure reads- Number and percent of rates which remain consistent with the approved rate methodology throughout the five-year SPA cycle.

HHSC removed performance measure 7.1 for Incidents of Abuse, Neglect, and Exploitation- Number and/or percent of reports related to the abuse, neglect, exploitation, and unexplained deaths of participants where an investigation was completed within the timeframes established by State Law.

HHSC replaced 7.1 measure by adding new performance measures: Incidents of Abuse, Neglect, and Exploitation- 7.1(a) and 7.1(b). New performance measure 7.1(a) reads- Number and percent of abuse, neglect, exploitation (ANE) and unexplained death reports where a provider investigation was initiated and completed by HHSC Provider Investigations (PI) according to required timeframes.

New performance measure 7.1(b) reads- Number and percent of abuse, neglect, exploitation (ANE) and unexplained death reports where a non-provider investigation was initiated and completed according to Department of Family and Protective Services (DFPS) policies and procedures.

HHSC revised performance measure 7.4. (Number and percent of grievances filed by participants that were resolved within 14 calendar days according to approved SPA guidelines) to align with current federal timeframe requirements. The measure now reads as, "Number and percent of grievances filed by participants that were resolved according to federal requirements.

HHSC updated the System Improvement section to align with current policy and procedures by adding provider monthly meetings, and the Quality Management (QM) reviews to the "Methods for Analyzing Data and Prioritizing Need for System Improvement" list.

HHSC clarified, in the "Roles and Responsibilities" section, the role of the Quality Management reviews, and the providers role to implement the corrective action plan requirements.

HHSC updated the System Improvements "Frequency" list to replace quality management meetings with "providers monthly meetings", and onsite and/or desk reviews with biennially "quality management reviews". HHSC also updated the frequency of corrective action plans (CAP) by deleting the language "Areas for improvement will be monitored as per CAP and presented quarterly during Quality management meetings" and adding "Biennially QM Reviews".

HHSC removed duplicated Quality Improvement Strategy pages that were erroneously included during the 2020 renewal.

Methods and Standards for Establishing Payment Rates:

HHSC added cap limit language to clarify the current and ongoing rate methodology for TAS. There were no changes made to the current TAS rates or methods and standards.

HHSC also deleted the last 4.19-B page that included duplicative language that was erroneously added and is on the previous page of the same section of the SPA.

Miscellaneous:

HHSC changed the term "The State" and references to "Texas" to "HHSC" throughout the 1915(i) HCBS-AMH State Plan benefit template, as applicable.

HHSC made non substantive formatting edits throughout the 1915 (i) HCBS-AMH State Plan benefit template that changes the page numeration.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Nicole Hotchkiss, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-5035; or by e-mail at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Once submitted to the Centers for Medicare and Medicaid Services for approval, copies of the proposed amendment will be available for review at the HHSC Access and Eligibility Services for local benefit offices.

U.S. Mail

Texas Health and Human Services Commission

Attention: Nicole Hotchkiss, SPA Coordinator, Federal Coordination, Rules and Committees

Health and Human Services Commission

P.O. Box 13247

Mail Code H-310

Austin, Texas 78711

Overnight Mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Nicole Hotchkiss, SPA Coordinator, Federal Coordination, Rules and Committees

John H. Winters Building

Mail Code H-310

701 W. 51st St.

Austin, Texas 78751

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(512) 438-5035

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Attention: Nicole Hotchkiss at (512) 323-1905

Email

Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us

TRD-202500104

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: January 15, 2025

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Texas Department of Insurance

Company Licensing

Application for Agents National Title Insurance Company, a foreign title company, to change its name to Essent Title Insurance, Inc. The home office is in Columbia, Missouri.

Application for American Mercury Lloyds Insurance Company, a domestic fire and/or casualty company, to change its name to Mercury Insurance Company of Texas. The home office is in Austin, Texas.

Application for Central Mutual Insurance Company, a foreign fire and/or casualty company, to change its name to Central Insurance Company. The home office is in Van Wert, Ohio.

Application to do business in the state of Texas for Sidecar Health Insurance Company, a foreign life, accident and/or health company. The home office is in Columbus, Ohio.

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

TRD-202500044

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: January 8, 2025

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Panhandle Regional Planning Commission

Legal Notice

Under the Workforce Innovation and Opportunity Act (WIOA) §108 (20 Code of Federal Regulations §679.500-580), the Panhandle Workforce Development Board is required to modify its comprehensive four-year Board plan that identifies and describes policies and procedures as well as local activities, and submit it to the State. The Panhandle Regional Planning Commission (PRPC), and the Panhandle Workforce Development Board (PWDB) will submit, to the Texas Workforce Commission (TWC), the Panhandle Workforce Development Board Plan for Program Years 2025-2028, on March 21, 2025.

Interested parties may examine the proposed modification of the Board Plan on the PRPC website at: <http://theprpc.org/programs/workforcedevelopment/default.html>. Copies may also be requested by email using the contact information listed below.

PRPC will accept written public comments on the Board Plan submitted by February 24, 2025. Written comments may be sent to Leslie Hardin, Workforce Development Program Manager, by email: lhardin@theprpc.org, or by mail: Panhandle Regional Planning Commission, P.O. Box 9257, Amarillo, Texas 79105-9257.

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities

Relay Texas: 711

TRD-202500092

Leslie Hardin

Workforce Development Program Manager

Panhandle Regional Planning Commission

Filed: January 13, 2025

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Texas Department of Transportation

Public Hearing Notice - Correction Statewide Transportation Improvement Program January 2025 Out-of-Cycle Revision

The Texas Department of Transportation has determined that the proposed January 2025 Out-of-Cycle Revision is unnecessary. The public hearing scheduled for Tuesday, February 4, 2025, at 10:00 a.m. has been cancelled.

TRD-202500045

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: January 9, 2025