

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 Health and Safety Code and Texas Water 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. KM Liquids Terminals, LLC*; Cause No. D-1-GN-19-008039; in the 261st Judicial District Court, Travis County, Texas.

Background: Defendant KM Liquids Terminals, LLC ("KM Liquids") owns and operates a for-hire bulk petroleum and organic liquid storage terminal located at 530 Witter Street, Pasadena, Harris County, Texas (the "Pasadena Terminal"). The Pasadena Terminal houses several petroleum storage tanks, including three atmospheric floating-roof aboveground storage tanks. KM Liquids has authorization from the Texas Commission on Environmental Quality to operate the tanks under a new source review ("NSR") permit. The Pasadena Terminal experienced several unauthorized emissions events between October 2017 and February 2019. Then, in connection with heavy rainfall events caused by Hurricane Harvey, the external floating roofs of three tanks became partially submerged in August 2017, resulting in the release of approximately 165,000 pounds of volatile organic compounds ("VOCs"). On June 19, 2018, the external floating roof of T150-8 became partially submerged due to an installation error, resulting in additional emissions of VOCs. None of the emissions were authorized by KM Liquids' NSR permit, thus violating Tex. Health & Safety Code § 382.085(b) and 30 Texas Administrative Code §116.115(b)(2)(H)(i) and (c).

Proposed Settlement: The parties propose an Agreed Final Judgment that requires KM Liquids to pay \$475,000 in civil penalties and \$40,000 in attorneys' fees, resolving the company's liability for air emissions at its Pasadena Terminal.

For a complete description of the proposed settlement, the Agreed Final Judgment 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 Katie Hobson, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email Katie.Hobson@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202402173

Justin Gordon

General Counsel

Office of the Attorney General

Filed: May 14, 2024

Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil -
April 2024

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period April 2024 is \$48.19 per barrel for the three-month period beginning on January 1, 2024, and ending March 31, 2024. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of April 2024, from a qualified low-producing oil lease, is not eligible for credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period April 2024 is \$1.10 per mcf for the three-month period beginning on January 1, 2024, and ending March 31, 2024. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of April 2024, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of April 2024 is \$85.56 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of April 2024, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of April 2024 is \$1.82 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of April 2024, from a qualified low-producing gas well.

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

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

Issued in Austin, Texas, on May 14, 2024.

TRD-202402159

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Filed: May 14, 2024

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/20/24 - 05/26/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/20/24 - 05/26/24 is 18.00% for commercial² credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 06/01/24 - 06/30/24 is 8.50%.

¹ Credit for personal, family, or household use.

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

TRD-202402167

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: May 14, 2024

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Credit Union Department

Application for a Merger or Consolidation

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 SPCO Credit Union (Houston) seeking approval to merge with First Service Credit Union (Houston), with the latter being the surviving credit union.

An application was received from CASE Federal Credit Union (Tyler) seeking approval to merge with Telco Plus Credit Union (Longview), with the latter 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-202402182

Michael S. Riepen

Commissioner

Credit Union Department

Filed: May 15, 2024

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Applications to Amend Articles of Incorporation

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

An application for a change to its principal place of business was received from PosTel Family Credit Union, Wichita Falls, Texas. The credit union is proposing to change its domicile to 4400 Maplewood Avenue, Wichita Falls, Texas, 76308.

An application for a change to its name was received from Hockley County School Employees Credit Union, Levelland, Texas. The credit union is proposing to change its name to Hockley County 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-202402183

Michael S. Riepen

Commissioner

Credit Union Department

Filed: May 15, 2024

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Notice of Final Action Taken

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final action taken on the following applications:

Field of Membership - Approved

Rally Credit Union (Corpus Christi) - See *Texas Register* dated March 1, 2024.

Energy Capital Credit Union (Houston) - See *Texas Register* dated March 1, 2024.

Texas Dow Employees Credit Union (Lake Jackson) - See *Texas Register* dated March 1, 2024.

TRD-202402181

Michael S. Riepen

Commissioner

Credit Union Department

Filed: May 15, 2024

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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 **June 25, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas

78711-3087 and must be received by 5:00 p.m. on **June 25, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: APACHE CORPORATION; DOCKET NUMBER: 2023-0799-AIR-E; IDENTIFIER: RN109817049; LOCATION: Orla, Reeves County; TYPE OF FACILITY: oil and gas separation and transportation plant; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; and 30 TAC §116.115(c) and §116.615(2), Standard Permit Registration Number 147254, Oil and Gas Handling and Production Facilities, Special Conditions Number (h), and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$6,438; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: Capital Star Oil and Gas, Incorporated; DOCKET NUMBER: 2023-1085-AIR-E; IDENTIFIER: RN100218833; LOCATION: Hallettsville, Lavaca County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §101.201(b) and §122.143(4), Federal Operating Permit (FOP) Number O108, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 2.F., and Texas Health and Safety Code (THSC), §382.085(b), by failing to create the final record for all reportable and non-reportable emissions events no later than two weeks after the end of an emissions event; 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O108, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; 30 TAC §122.143(4) and §122.145(2)(C), FOP Number O108, GTC, and THSC, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of each reporting period; 30 TAC §§122.143(4), 122.146(1), and 122.165(a)(8), FOP Number O108, GTC, and THSC, §382.085(b), by failing to submit a signed certification of accuracy and completeness; and 30 TAC §122.143(4) and §122.146(2), FOP Number O108, GTC and STC Number 11, and THSC, §382.085(b), by failing to submit a permit compliance certificate within 30 days of any certification period; PENALTY: \$41,650; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Cesar Alvarez; DOCKET NUMBER: 2023-1745-OSI-E; IDENTIFIER: RN111605622; LOCATION: Cactus, Sherman County; TYPE OF FACILITY: on-site sewage facility (OSSF); RULES VIOLATED: 30 TAC §30.5(a) and §285.50(b), Texas Health and Safety Code (THSC), §366.071(a), and TWC, §37.003, by failing to obtain a license to construct, install, alter, extend, service, maintain, or repair an OSSF; and 30 TAC §285.61(4) and THSC, §366.004 and §366.051(c), by failing to obtain documentation that the owner, or owner's agent, has authorization to construct prior to constructing, altering, repairing, extending, or operating an OSSF; PENALTY: \$6,005; ENFORCEMENT COORDINATOR: Nancy M Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: City of Dickens; DOCKET NUMBER: 2022-1375-PWS-E; IDENTIFIER: RN101389377; LOCATION: Dickens, Dickens County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(C)(i) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; and 30 TAC §290.46(e) and

THSC, §341.033(a), by failing to use a water works operator who holds an applicable, valid license issued by the Executive Director; PENALTY: \$413; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(5) COMPANY: Countryside Developments LLC; DOCKET NUMBER: 2023-1424-WQ-E; IDENTIFIER: RN111804621; LOCATION: West Tawakoni, Hunt County; TYPE OF FACILITY: residential construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; and TWC, §26.121(a), by failing to prevent an unauthorized discharge of sediment into or adjacent to any water in the state; PENALTY: \$10,125; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(6) COMPANY: DIAMOND SHAMROCK REFINING COMPANY, L.P.; DOCKET NUMBER: 2023-0782-AIR-E; IDENTIFIER: RN100542802; LOCATION: Three Rivers, Live Oak County; TYPE OF FACILITY: industrial petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 111.111(a)(4)(A), 116.115(c), and 122.143(4), New Source Review Permit Numbers 50607, PSDTX331M1, PSDTX804, and PSDTX1017M1, Special Conditions Number 1, Federal Operating Permit Number O3982, General Terms and Conditions and Special Terms and Conditions Numbers 1.A. and 11, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$10,725; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,290; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: GCPRV2, LLC; DOCKET NUMBER: 2023-0613-PWS-E; IDENTIFIER: RN110905890; LOCATION: Boyd, Wise County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's public drinking water well into service; 30 TAC §290.45(c)(1)(B)(i) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide the minimum well capacity of at least 0.6 gallons per minute per unit; 30 TAC §290.45(c)(1)(B)(iv) and THSC, §341.0315(c), by failing to provide a minimum pressure tank capacity of at least ten gallons per unit; and 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; PENALTY: \$1,326; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(8) COMPANY: Hardy T Land, LLC; DOCKET NUMBER: 2023-0835-EAQ-E; IDENTIFIER: RN111601258; LOCATION: Dripping Springs, Hays County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.23(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Contributing Zone; PENALTY: \$1,625; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(9) COMPANY: INEOS US Chemicals Company; DOCKET NUMBER: 2024-0381-AIR-E; IDENTIFIER: RN102536307; LOCATION: Texas City, Galveston County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(1) and (2), Federal Operating Permit Number O1513, Gen-

eral Terms and Conditions and Special Terms and Conditions Number 25, and Texas Health and Safety Code, §382.085(b), by failing to certify compliance with the terms and conditions of the permit for at least each 12-month period following initial permit issuance, and failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$7,450; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,980; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(10) COMPANY: Intercontinental Terminals Company LLC; DOCKET NUMBER: 2022-0766-AIR-E; IDENTIFIER: RN100210806; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 1078, Special Conditions Number 1, Federal Operating Permit Number O1061, General Terms and Conditions and Special Terms and Conditions Number 15, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$18,150; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(11) COMPANY: JOHNSON COUNTY PIPE, INCORPORATED; DOCKET NUMBER: 2023-1460-MWD-E; IDENTIFIER: RN103900858; LOCATION: Alvarado, Johnson County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0015411001, Final Effluent Limitations and Monitoring Requirements Numbers 1 and 2, by failing to comply with the permit effluent limitations; PENALTY: \$6,000; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(12) COMPANY: LAKESHORE UTILITY COMPANY; DOCKET NUMBER: 2023-0135-PWS-E; IDENTIFIER: RN102679701; LOCATION: Mabank, Henderson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(d)(2)(A), (h), and (i), by failing to collect one lead and copper sample from the facility's one entry point no later than 180 days after the end of the January 1, 2022 - June 30, 2022, monitoring period during which the copper action level was exceeded, have the sample analyzed, and report the results to the executive director (ED); 30 TAC §290.117(f)(3)(A), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the July 1, 2021 - December 31, 2021, monitoring period during which the copper action level was exceeded; and 30 TAC §290.117(g)(2)(A), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the July 1, 2021 - December 31, 2021, monitoring period during which the copper action level was exceeded; PENALTY: \$4,375; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(13) COMPANY: MTZ Construction, Incorporated; DOCKET NUMBER: 2024-0302-WQ-E; IDENTIFIER: RN111630133; LOCATION: Laredo, Webb County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with construction activities; PENALTY: \$9,750; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: Navasota Independent School District; DOCKET NUMBER: 2024-0480-MWD-E; IDENTIFIER: RN104791876; LOCATION: Navasota, Grimes County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0014662001, Effluent Limitations and Monitoring Requirements Numbers 1 and 6, by failing to comply with permitted effluent limitations; PENALTY: \$7,125; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: Occidental Chemical Corporation; DOCKET NUMBER: 2023-0684-AIR-E; IDENTIFIER: RN100211176; LOCATION: Gregory, San Patricio County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review (NSR) Permit Numbers 107530 and PSDTX1338, Special Conditions (SC) Numbers 1 and 7.C., Federal Operating Permit (FOP) Number O3806, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 13, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions and failing to comply with the emissions limits; and 30 TAC §§111.111(a)(1)(B), 116.115(c), and 122.143(4), NSR Permit Numbers 19169 and 2339A, SC Number 1, FOP Number O1240, GTC and STC Number 20, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$52,475; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$20,990; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(16) COMPANY: Pioneer Natural Resources USA, Incorporated; DOCKET NUMBER: 2023-0898-AIR-E; IDENTIFIER: RN107361123; LOCATION: Midland, Midland County; TYPE OF FACILITY: natural gas, oil, and water production site; RULES VIOLATED: 30 TAC §116.115(c) and §116.615(2), Standard Permit Registration Number 166574, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$4,688; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$1,875; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(17) COMPANY: Prachanda Enterprises, LLC dba Siwa Food Mart; DOCKET NUMBER: 2023-0450-PST-E; IDENTIFIER: RN101817740; LOCATION: Houston, Harris County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.225 and Texas Health and Safety Code, §382.085(b), by failing to comply with annual Stage I vapor recovery testing requirements; 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to test the corrosion protection system for the UST system for operability and adequacy of protection at a frequency of at least once every three years; and 30 TAC §334.50(b)(1) and (2)(A), and (d)(1)(B) and TWC, §26.3475(a) and (c)(1), by failing to monitor the USTs for releases in a manner which will detect a release at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$8,325; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(18) COMPANY: Proman USA (Pampa) LLC; DOCKET NUMBER: 2023-0614-AIR-E; IDENTIFIER: RN105697866; LOCATION: Pampa, Gray County; TYPE OF FACILITY: methanol production facility; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and Texas

Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; and 30 TAC §116.115(c), New Source Review Permit Number 105050, Special Conditions Number 1, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$11,413; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(19) COMPANY: Red River Authority of Texas; DOCKET NUMBER: 2022-0747-PWS-E; IDENTIFIER: RN101182350; LOCATION: Vernon, Wilbarger County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.44(d) and §290.46(r), by failing to provide a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting; 30 TAC §290.44(d)(6), by failing to provide all dead-end mains with acceptable flush valves and discharge piping; 30 TAC §290.45(b)(1)(C)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.45(b)(1)(C)(iii) and THSC, §341.0315(c), by failing to provide two or more pumps that have a total storage capacity of 2.0 gallons per minute per connection; 30 TAC §290.45(b)(1)(C)(iv) and THSC, §341.0315(c), by failing to provide a pressure tank capacity of 20 gallons per connection; 30 TAC §290.46(f)(2) and (3)(A)(ii)(II), 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(l), by failing to flush all dead-end mains at monthly intervals; and 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$14,997; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$11,998; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(20) COMPANY: Rohm and Haas Texas Incorporated; DOCKET NUMBER: 2023-0967-AIR-E; IDENTIFIER: RN100223205; LOCATION: Deer Park, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), New Source Review Permit Numbers 8838 and N61, Special Conditions Number 1, Federal Operating Permit Number O2236, General Terms and Conditions and Special Terms and Conditions Number 15, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$25,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$12,500; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(21) COMPANY: SCHROEDER, NORMAN C; DOCKET NUMBER: 2024-0754-PWS-E; IDENTIFIER: RN111935656; LOCATION: Holiday Lakes, Brazoria County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Margaux Ordoveza, (512) 239-1128; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(22) COMPANY: Stakeholder Gas Services, LLC; DOCKET NUMBER: 2023-1039-AIR-E; IDENTIFIER: RN110038213; LOCATION: Plains, Yoakum County; TYPE OF FACILITY: natural gas plant; RULES VIOLATED: 30 TAC §§116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration Number 149382, Federal Operating Permit Number O4383/General Operating Permit Num-

ber 514, Site-wide Requirements Numbers (b)(2) and (9)(E), and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(23) COMPANY: TGNR East Texas LLC; DOCKET NUMBER: 2022-1353-AIR-E; IDENTIFIER: RN102585965; LOCATION: Carthage, Panola County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Federal Operating Permit Number O739/General Operating Permit Number 514, Terms and Conditions Number (b)(3), and Texas Health and Safety Code, §382.085(b), by failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$9,400; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(24) COMPANY: Undine Texas, LLC; DOCKET NUMBER: 2023-0506-PWS-E; IDENTIFIER: RN101177236; LOCATION: Rosharon, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.010 milligrams per liter for arsenic based on a running annual average; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: Christiana McCrimmon, (512) 239-2811; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(25) COMPANY: United Site Services of Texas, Incorporated; DOCKET NUMBER: 2021-1644-SLG-E; IDENTIFIER: RN103163069; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: sludge transporter business; RULES VIOLATED: 30 TAC §312.143(a) and TWC, §26.121(a)(1), by failing to prevent an unauthorized discharge of domestic sewage into or adjacent to any water in the state; and 30 TAC §312.145(a), by failing to record all required information on trip tickets; PENALTY: \$3,001; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(26) COMPANY: VITOL PETRO INCORPORATED; DOCKET NUMBER: 2022-0174-WQ-E; IDENTIFIER: RN100219260; LOCATION: Houston, Harris County; TYPE OF FACILITY: gasoline and diesel fuel storage terminal; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System General Permit Number TXG830681, Part IV. Standard Permit Conditions Number 7.f, by failing to timely submit monitoring results at intervals specified in the permit; PENALTY: \$6,525; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202402091

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: May 10, 2024



Enforcement Orders

An agreed order was adopted regarding U.S. National Park Service, Docket No. 2022-0142-PWS-E on May 14, 2024 assessing \$690 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pack Ellis, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Patty M. Steed dba Canyon Dam Mobile Home Park, Docket No. 2023-0443-UTL-E on May 14, 2024 assessing \$625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Misty James, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202402190

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



Enforcement Orders

An agreed order was adopted regarding COLORADO MATERIALS, LTD., FLYING "W" PROPERTIES, LTD., and WEISMAN EQUIPMENT COMPANY, LTD., Docket No. 2023-0329-MLM-E on May 10, 2024 assessing \$7,625 in administrative penalties with \$1,525 deferred. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding J & M Demolition & Excavations, LLC, Docket No. 2023-1118-MLM-E on May 10, 2024 assessing \$10,214 in administrative penalties with \$2,042 deferred. Information concerning any aspect of this order may be obtained by contacting Eresha DeSilva, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Billy Fenton Docket No. 2021-1476-MSW-E on May 10, 2024 assessing \$1,854 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Allison Alt, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Kerrville, Docket No. 2021-0795-MLM-E on May 10, 2024 assessing \$20,175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Williamson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Key Largo Utilities LLC, Docket No. 2022-0715-PWS-E on May 10, 2024 assessing \$6,075 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Gibbons Creek, Docket No. 2022-1181-IWD-E on May 10, 2024 assessing \$16,500 in administrative penalties with \$3,300 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding South Texas Electric Cooperative, Inc., Docket No. 2024-0430-AIR-E on May 10, 2024 assessing \$15,300 in administrative penalties with \$3,060 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Concrete Partners, L.P., Docket No. 2021-1516-AIR-E on May 10, 2024 assessing \$13,875 in administrative penalties with \$2,775 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding The Colony Municipal Utility District No. 1A, Docket No. 2022-0268-MWD-E on May 10, 2024 assessing \$45,312 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Sebastian Municipal Utility District, Docket No. 2021-0887-MWD-E on May 10, 2024 assessing \$15,938 in administrative penalties with \$3,187 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Mary Stewart dba Shiloh RV Park, Docket No. 2022-0540-PWS-E on May 10, 2024 assessing \$5,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Samantha Salas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Addy's Coffee LLC, Docket No. 2022-1271-PWS-E on May 10, 2024 assessing \$5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Nick Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding A & S Water Services, Docket No. 2022-1524-PWS-E on May 10, 2024 assessing \$1,275 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Claudia Bartley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Cooper Home Builders LLC, Docket No. 2023-1022-WQ-E on May 10, 2024 assessing \$7,745 in administrative penalties with \$1,549 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202402191

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater Renewal and Notice of a New Pretreatment Program Proposed Permit No. WQ0010299001

Notice Issued May 09, 2024

APPLICATION AND PRELIMINARY DECISION. City of Taylor, 1201 North Main Street, Taylor, Texas 76574, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0010299001, which authorizes the discharge of treated domestic

wastewater at an annual average flow not to exceed 4,000,000 gallons per day. TCEQ received this application on September 27, 2023.

The applicant has also applied to the TCEQ for approval of its new pretreatment program under the TPDES program. Approval of the request for pretreatment program authority and the new pretreatment program will authorize the applicant to implement the legal authority, technically based local limits, enforcement response plan/enforcement response guide, standard operating procedures (including forms), and all required Streamlining Rule provisions, to regulate the discharge of pollutants by industrial users into its treatment works facilities, to perform inspections, surveillance, and monitoring, to determine compliance with applicable pretreatment standards and requirements, and to enforce against noncompliant industrial users. The request for approval complies with both federal and State requirements. The new pretreatment program will be approved without change if no substantive comments are received within 30 days of notice publication. The following treatment work facilities will be subject to the requirements of the new pretreatment program: TPDES Permit No. WQ0010299001. The facility is located at 100 Larry Street, in the City of Taylor, in Williamson County, Texas 76574. The treated effluent is discharged to Mustang Creek, thence to Brushy Creek in Segment No. 1244 of the Brazos River Basin. The unclassified receiving water use is intermediate aquatic life use for Mustang Creek. The designated uses for Segment No. 1244 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.385617,30.557937&level=18>

The TCEQ Executive Director has completed the technical review of the application, newly developed pretreatment program, and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The Executive Director has also made a preliminary decision that the requested new pretreatment program, if approved, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, new pretreatment program, and draft permit are available for viewing and copying at Taylor City Hall, 400 Porter Street, Taylor, Texas.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-publicnotices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-publicnotices>.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application or on the application for approval of the new pretreatment program. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application or the application for the new pretreatment program. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application, or the application for the new pretreatment program, or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application

is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. There is no opportunity to request a contested case hearing on the application for the new pretreatment program. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose. Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below. All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/goto/comment within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database

at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/goto/comment, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al (800) 687-4040. Further information may also be obtained from City of Taylor at the address stated above or by calling Mr. Jonathan D. Thompson P.E., HDR Engineering, Inc., at (817) 333-2814.

TRD-202402194

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



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 176145

APPLICATION. Ingram Readymix No. 42, LLC, 3580 Farm to Market Road 482, New Braunfels, Texas 78132-5012 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 176145 to authorize the operation of a permanent concrete batch plant with enhanced controls. The facility is proposed to be located at the following driving directions: from the intersection of State Highway 234 and Chapel Hill Road go south on State Highway 234 for 1036 feet to the plant entrance on the right, Brownwood, Brown County, Texas 76801. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/Location-Mapper/?marker=-99.003614,31.688928&level=13>. This application was submitted to the TCEQ on April 22, 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 May 7, 2024.

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:

Thursday, June 20, 2024, at 6:00 p.m.

Adams Street Community Center

511 East Adams Street

Brownwood, Texas 76801

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

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

CENTRAL/REGIONAL OFFICE. The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Abilene Regional Office, located at 1977 Industrial Boulevard, Abilene, Texas 79602-7833, 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 Ingram Readymix No. 42, LLC, 3580 Farm to Market 482, New Braunfels, Texas 78132-5012, or by calling Mr. Gary Johnson, Vice President, Ingram Readymix No. 42, LLC at (830) 625-9156.

Notice Issuance Date: May 9, 2024

TRD-202402189

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



Notice of District Petition

Notice issued May 14, 2024

TCEQ Internal Control No. D-05062024-017 Maxwell Farms Partners, LP, (Petitioner) filed a petition for creation of Misty Lane MUD 1 of Caldwell County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and Municipal Utility District of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the

land to be included in the proposed District; (2) there is a lienholder on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 98.97 acres located within Caldwell County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; to collect, transport, process, dispose of and control domestic, and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$13,507,000 (\$8,699,000 for water, wastewater, and drainage plus, \$4,808,000.00 for roads).

INFORMATION SECTION

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

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202402192

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 15, 2024



Notice of District Petition

Notice issued May 9, 2024

TCEQ Internal Control No. D-03282024-060 LB Simpson LLC, a Texas limited liability company, ("Petitioner") filed a petition for creation of Hays County Municipal Utility District No. 11 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, Section 52 and Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code (TWC); and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner is the owner of a majority of the value of the land to be included in the proposed District; (2) there is one lienholder on the property to be included in the proposed District, Independent Bank, and evidence was provided that they have consented to the creation of the District; (3) the proposed District will contain approximately 290.476 acres of land, located within Hays County, Texas; and (4) the land to be included in the proposed District is not within the corporate limits or the extraterritorial jurisdiction of any city or municipality. The petition further states that the proposed District will design, construct, acquire, improve, extend, finance, and issue bonds for: (1) maintenance, operation, and conveyance of an adequate and efficient water works and sanitary sewer system for domestic purposes; (2) maintenance, operation and conveyance of works, improvements, facilities, plants equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amend local storm waters or other harmful excesses of waters; (3) conveyance of roads and improvements in aid of roads; and (4) maintenance, operation and conveyance of such other additional facilities, systems, plants and enterprises as may be consistent with any or all of the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of purchasing and constructing the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$50,820,000.

INFORMATION SECTION

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

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

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

TRD-202402193

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 25, 2024**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on June 25, 2024**. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Cristobal Torres; DOCKET NUMBER: 2022-0195-LII-E; TCEQ ID NUMBER: RN110073509; LOCATION: 309 Lovern Court, Cedar Hill, Dallas County; TYPE OF FACILITY: landscape irrigation business; RULES VIOLATED: 30 TAC §344.35(d)(2), by failing to obtain a permit required to install an irrigation system; 30 TAC

§344.63(3), by failing to affix to each automatic controller installed by the irrigator or irrigation technician a permanent sticker printed with waterproof ink which contains the irrigator's name, license number, company name, telephone number, and the dates of the warranty period; and 30 TAC §344.72(a), by failing to adhere to the terms of the warranty; PENALTY: \$1,257; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202402158

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: May 14, 2024



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

The Texas Commission on Environmental Quality (TCEQ, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 25, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on June 25, 2024**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Home Depot U.S.A., Inc. dba Home Depot 0561; DOCKET NUMBER: 2022-1430-IHW-E; TCEQ ID NUMBER: RN104963905; LOCATION: 4009 North Midland Drive, Midland, Midland County; TYPE OF FACILITY: home improvement retail store; RULE VIOLATED: 30 TAC §335.9(a)(1), by failing to keep records of all hazardous and industrial solid waste activities regarding the quantities generated, stored, processed, and disposed of on-site or shipped offsite; PENALTY: \$275; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: Midland Regional Office, 9900 West Interstate Highway 20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(2) COMPANY: PREMIUM CUTS LAWN SERVICE AND MAINTENANCE, INC.; DOCKET NUMBER: 2022-0019-MSW-E; TCEQ ID NUMBER: RN104525662; LOCATION: 5411 Gregg Lane,

Manor, Travis County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) recycling business; RULES VIOLATED: 30 TAC §328.5(b), by failing to submit a notice of intent to operate an MSW recycling facility at least 90 days prior to the commencement of recycling activities at the facility; 30 TAC §37.921(a) and §328.5(d), by failing to establish and maintain financial assurance for closure of the facility that stores combustible materials outdoors; 30 TAC §328.5(h), by failing to have a fire prevention and suppression plan and make it available to the local fire prevention authority; 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized disposal of MSW; and 30 TAC §324.15 and 40 Code of Federal Regulations §279.22(d), by failing to clean up and properly manage a release of used oil to the environment; PENALTY: \$30,343; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512) 239-0631; REGIONAL OFFICE: Austin Regional Office, 12100 Park 35 Circle, Building A, Room 179, Austin, Texas 78753, (512) 339-2929.

(3) COMPANY: SUN SHINE STAR CORPORATION dba Sunrise Super Stop; DOCKET NUMBER: 2021-0378-PST-E; TCEQ ID NUMBER: RN102425535; LOCATION: 10602 Fuqua Street, Houston, Harris County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.72, by failing to report a suspected release to TCEQ within 24 hours of discovery; 30 TAC §334.50(d)(9)(A)(v), by failing to report a suspected release to TCEQ within 72 hours of discovery; and 30 TAC §334.74(3), by failing to file a release determination report with the commission within 45 days after a suspected release has occurred; PENALTY: \$4,551; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: William Scott Egert dba Scotts Complete Car Care; DOCKET NUMBER: 2022-0501-PST-E; TCEQ ID NUMBER: RN102264058; LOCATION: 7002 Indiana Avenue, Lubbock, Lubbock County; TYPE OF FACILITY: temporarily out-of-service underground storage tank (UST) system and an automotive repair shop; RULE VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs; PENALTY: \$3,375; STAFF ATTORNEY: Cynthia Sirois, Litigation, MC 175, (512) 239-3392; REGIONAL OFFICE: Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

TRD-202402157
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: May 14, 2024



Notice of Public Hearing on Proposed Revisions to 30 TAC Chapter 230

The Texas Commission on Environmental Quality (TCEQ or commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 230, Groundwater Availability Certifications for Platting, §§230.1 - 230.11, under the requirements of Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would implement the provisions of Senate Bill 2440 which was passed during the 88th Texas Legislature's Regular Session in 2023. The bill mandates that municipalities and

counties must require Groundwater Availability Certification in the plat application and approval process for proposed subdivisions when the groundwater beneath the land serves as the primary source of water supply. The commission specifically seeks comments on whether to include a definition for "credible evidence," as it relates to the waiver requirements defined by Local Government Code §§212.0101(a-1)(1) and 232.0032(a-1)(1), and what that definition would be.

TCEQ will hold a hybrid virtual and in-person public hearing on this proposal in Austin on June 24, 2024, at 2:00 p.m. in building F, room 2210 at TCEQ's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing at 1:30 p.m.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by Thursday, June 20, 2024. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on Friday, June 21, 2024, to those who register for the hearing.

For the public who do not wish to provide oral comments but would like to view the hearing may do so at no cost at:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_Zm-FINDM4MTktMTk0MS00ODIkLWE0MjctYWExYTZiOTBhN-mJl%40thread.v2/0?context=%7B%22id%22%3A%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2C%22oid%22%3A%22e74a-40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2C%22isBroadcastMeeting%22%3Atrue%2C%22role%22%3A%22a%22%27D&btype=a&role=a

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RE-LAY-TX (TDD). Requests should be made as far in advance as possible.

If you need translation services, please contact TCEQ at (800) 687-4040. Si desea información general en español, puede llamar al (800) 687-4040.

Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Rule Project Number 2024-006-230-OW. The comment period closes June 25, 2024. Copies of the proposed rulemaking can be obtained from the commission's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Abiy Berehe, Groundwater Planning and Assessment Team, by phone at (512) 239-5480 or by email at abiy.berehe@tceq.texas.gov.

TRD-202402187
Charmaine Backens
Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: May 15, 2024

◆ ◆ ◆
Notice of Public Hearing on Proposed Revisions to 30 TAC Chapters 281, 328, 330, and 335

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 281, Applications Processing, §§281.1, 281.5, and 281.22, and repealed §§281.30, 281.31, and 281.32; Chapter 328, Waste Minimization and Recycling, §328.7, and new §§328.301, 328.302, 328.303, and 328.304; Chapter 330, Municipal Solid Waste, §§330.1, 330.3, 330.5, 330.7, 330.13, 330.15, 330.23, 330.57, 330.63, 330.65, 330.69, 330.103, 330.125, 330.147, 330.165, 330.171, 330.173, 330.217, 330.421, 330.545, 330.613, 330.615, 330.633, 330.635, 330.951, 330.953, 330.954, 330.959, 330.987, 330.991, 330.993, and 330.995; and Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, §§335.1, 335.206, 335.325, and 335.329 under the requirements of Texas Water Code, §5.103 and §5.1734; Texas Health and Safety Code, §§361.003, 361.011, 361.0151, 361.017, 361.024, 361.041, 361.119, 361.421, 361.4215, and 361.427; and Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would implement House Bill 3060 relating to the conversion of plastics and other recyclable material through advanced recycling technologies, and Senate Bill 1397 relating to the requirement for an electronic copy of a permit application, from the 88th Texas Legislature, 2023, Regular Session. The proposed rulemaking would also repeal three rules determined to be obsolete in the Chapter 281 quadrennial rule review. Furthermore, the proposed rulemaking would make minor programmatic updates and to revise incorrect rule citations or references in Chapters 330 and 335.

The commission will hold a hybrid virtual and in-person public hearing on this proposal in Austin on June 20, 2024, at 10:00 a.m. in Building F, Room 2210, at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing at 9:30 a.m.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by June 14, 2024. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on June 18, 2024, to those who register for the hearing.

For the public who do not wish to provide oral comments but would like to view the hearing may do so at no cost at:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_Zjg1MDI-0YmYtNGYwYi00ZWU4LTg5MWYtMDg3MTBiNTc1ODc4%40t-hread.v2/0?context=%7B%22Tid%22%3A%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2C%22Oid%22%3A%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2C%22IsBroadcastMeeting%22%3Atrue%2C%22role%22%3A%22a%22%7D&btype=a&role=a

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RE-LAY-TX (TDD). Requests should be made as far in advance as possible.

If you need translation services, please contact TCEQ at (800) 687-4040. Si desea información general en español, puede llamar al (800) 687-4040.

Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Rule Project Number 2023-135-330-WS. The comment period closes at 11:59 p.m. on June 25, 2024. Copies of the proposed rulemaking can be obtained from the commission's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Jarita Sepulvado, Waste Permits Division, (512) 239-4413.

TRD-202402120
Charmaine Backens
Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: May 13, 2024

◆ ◆ ◆
Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016225001

APPLICATION. Bellagio 443 LLC, 2101 Cedar Springs Road, Suite 700, Dallas, Texas 75201, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016225001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 700,000 gallons per day. TCEQ received this application on September 21, 2022.

The facility will be located approximately 1.5 miles northwest of the intersection of Markout Central and Farm-to-Market Road 740, in Kaufman County, Texas 75126. The treated effluent will be discharged to a man-made pond, thence to an unnamed tributary of East Fork Trinity River, thence to East Fork Trinity River in Segment No. 0819 of the Trinity River Basin. The unclassified receiving water use is high aquatic life use for the unnamed tributary of East Fork Trinity River. The designated uses for Segment No. 0819 are primary contact recreation and intermediate aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an anti-degradation review of the receiving waters was performed. A Tier 1 anti-degradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the unnamed tributary of East Fork Trinity River, which has been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.511944,32.721666&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements.

PUBLIC COMMENT / PUBLIC MEETING. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Wednesday, June 26, 2024 at 7:00 p.m.

Best Western Plus Christopher Inn & Suites

752 Pinson Road

Forney, Texas 75126

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Riter C. Hulsey Public Library, 301 North Rockwall Avenue, Terrell, Texas. Further information may also be obtained from Bellagio 443 LLC at the address stated above or by calling Mr. Jonathan Nguyen, Quiddity Engineering, at (512) 685-5156.

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

Issuance Date: May 13, 2024

TRD-202402188

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



Notice of Water Quality Application

The following notices was issued on May 9, 2024:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to

the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

INFORMATION SECTION

Grimes Co. Water Reclamation, has applied to the Texas Commission on Environmental Quality (TCEQ) for a minor amendment to the Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015032001 to authorize an on-site sludge processing and composting biosolids. The existing permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 120,000 gallons per day. The facility is located at 7063 Clark Road, in the City of Plantersville, Grimes County, Texas 77363.

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS ISSUED.

INFORMATION SECTION

Consideration of the application by Johan Gerrit Koke and Sonya Ann Koke for a Minor Amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003439000, for a Concentrated Animal Feeding Operation (CAFO), to authorize the applicant to add a free stall barn to the production area, remove earthen settling basin #2, and reconfigure the retention control structure (RCS) #1 drainage area. The design calculations for the RCS were revised, which changed the required capacity from 15.23 to 12.03 acre-feet. The authorized maximum capacity of 4,000 total dairy cattle, of which 3,200 head are milking cows, the total land application area of 319 acres and the list of alternative crops and yield goals will not change. The facility is located at 19520 North Farm-to-Market Road 219, Lingleville in Erath County, Texas 76446.

TRD-202402195

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 15, 2024



Texas Ethics Commission

List of Delinquent 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 11, 2022

#00042976 - C.L. Matthews, 816 Congress Ave., Suite 940, Austin, Texas, 78701

Deadline: Lobby Activities Report due November 10, 2022

#00083106 - John McCord, 1005 Congress Ave., Suite 900, Austin, Texas, 78701

Deadline: Lobby Activities Report due December 12, 2022

#00086354 - John W. Frazee, 4807 Spicewood Springs Rd., Bldg. 3. Ste.100, Austin, Texas, 78759

#00081227 - Danielle M. Lobsinger, 807 Brazos St., Suite 607, Austin, Texas, 78701

#00083287 - Thomas C. Holloway, 504 W. 12th St., Austin, Texas, 78701

Deadline: Semiannual report due January 16, 2024 for Candidates

#00088355 - Ferrel C. Bonner, P.O. Box 1063, Fresno, Texas, 77545

#00087746 - Angel Carroll, P.O. Box 1504, Hutto, Texas, 78634

#00087802 - Brandon W. Hall, P.O. Box 2989, Weatherford, Texas, 76086

#00051519 - Rose A. Cannaday, 104 W. Northgate Dr., Irving, Texas, 75062

#00088344 - Jackie D. Reynolds, 1121 Emerald Leaf Drive, Azle, Texas, 76020

#00086345 - Edward Ireson, P.O. Box 9101, College Station, Texas, 77842

#00062485 - Rolando Gutierrez, P.O. Box 15232, San Antonio, Texas, 78212

#00067987 - Toni N. Rose, P.O. Box 41867, Dallas, Texas, 75241

#00021133 - Harold V. Dutton Jr., 4001 Jewett St., Houston, Texas, 77026

#00088172 - Robert Cantu, P.O. Box 209, Donna, Texas, 78537

#00086309 - Daniel Lee, 1305 Prairie St, Ste. 300, Houston, Texas, 77002

#00087776 - Timothy D. Greeson, P.E., 5555 Mieth Rd., Sealy, Texas, 77474

#00081859 - Christine Weems, 1300 McGowen Street, Houston, Texas, 77004

#00084317 - Brittanye L. Morris, 17503 Teal Forest Ln, Houston, Texas, 77379

#00085244 - Ann-Marie Carruth, 4610 22nd Street, Lubbock, Texas, 79407

#00037262 - Robert W. Kinkaid Jr., 213 Yucca Terrace, Plainview, Texas, 79072

#00062099 - Jesus Contreras, 5400 South Jackson Rd, Edinburg, Texas, 78539

#00080581 - Kelli Johnson, 1717 W 34th Street, Suite 600-258, Houston, Texas, 77018

#00083935 - Kathryn C. Gaido, 4230 Villanova, Houston, Texas, 77005

#00084309 - Tameika J. Carter, 15 Cinque Terre Dr., Missouri City, Texas, 77459

#00085897 - William H. Shaw, 217 Cactus, San Antonio, Texas, 78203

#00083383 - Ashley E. Wysocki, 5323 Spring Valley Rd., Unit 150, Dallas, Texas, 75254

#00067797 - Ryan Sitton, 1 Pinnacle Way, Pasadena, Texas, 77504

#00088091 - Daniel J. Mendez, 619 S. Comitas St., Beeville, Texas, 78102

#00086144 - Aaron M. Schwope, 335 W. Olmos #128, San Antonio, Texas, 78217

#00087727 - Aimee Carrasco, P.O. Box 3464, Big Spring, Texas, 79720

#00086433 - Gary W. Franklin, P.O. Box 127, Lometa, Texas, 76853

#00088122 - Detrick V. DeBurr, 2900 Painted Lake Circle #305, The Colony, Texas, 75056

#00088424 - Teresa Ramirez Gonzalez, 8051 Berkshire Drive, Fort Worth, Texas, 76137

#00086271 - Rachel L. Leal-Hudson, 3830 Echo Mountain Dr., Kingwood, Texas, 77345

#00081984 - Shaun D. Carpenter, P.O. Box 134, Meridian, Texas, 76665

#00084159 - Jeffrey S. Alley, 4035 Little Lane, El Paso, Texas, 79922

#00065745 - James Gregory Glass, 1744 Norfolk St., Houston, Texas, 77098

#00033205 - Mark K. Ellis, 2314 Donegal Ct., Deer Park, Texas, 77536

#00069737 - Russell H. Wilson, 1105 Rail Road St., Floresville, Texas, 78114

#00086400 - Christopher Daniel Anchondo, 2509 Montana Ave., El Paso, Texas, 79903

#00088408 - Ellen Loveless, 7602 Ridgebluff Ln., Sachse, Texas, 75048

#00065569 - George M. Clayton, 526 Tiffany Trl., Richardson, Texas, 75081

#00088346 - Tennyson G. Moreno, P.O. Box 1027, Wimberley, Texas, 78676

#00088406 - Manuel Campos Jr., 1107 Hwy 1431 #270, Marble Falls, Texas, 78645

#00087943 - Brian Brazeal, 2650 FM 407 E, Ste. 145, PMB #454, Bartonville, Texas, 76226

#00087813 - Mack P. Phillippi, 1645 Ebony Lane, Schertz, Texas, 78154

#00086212 - The Estate of Gerry Monroe, 2731 Trinity Glen Lane, Houston, Texas, 77047

#00051804 - Warren V. Norred, 2803 Zinfandel Lane, Arlington, Texas, 76001

#00087952 - Davis W. Ford, 1610 S 31st St., Suite 102-110, Temple, Texas, 76504

#00086328 - Derek Lee Zubeldia, P.O. Box 112, Pecos, Texas, 78772

#00087999 - Terry L. Sloan, 133 H. W. Fair Dr., McGregor, Texas, 76657

#00088345 - Ibifrisolam Max-Alalibo, 630 Colony Lake Estates, Apt. 1024, Stafford, Texas, 77477

#00085988 - Christopher D. Rector, 3451 River Park Dr., Apt. 712, Fort Worth, Texas, 76116

#00082204 - Richard S. Trojacek, 13280 Northwest Fwy., Ste F194, Houston, Texas, 77040

#00088282 - Christopher F. Fuller, 4906 Judson Road, Longview, Texas, 75605

#00088349 - Joyce Marie Chatman, 5606 Lufkin St., Houston, Texas, 77026

#00087121 - Paul A. Robbins, 2442 Hwy 96 S., San Augustine, Texas, 75972

#00086428 - Sohrab Gilani, 3519 Moss Trail Dr., Missouri City, Texas, 77459

#00088241 - Britton T. Brooks, 163 Woodland Hills Drive, Sherman, Texas, 75092

#00088362 - Luther Wayne Martin, III, P.O. Box 20791, Beaumont, Texas, 77720

#00086239 - Katherine Parker, P.O. Box 89, Alpine, Texas, 79831

#00088203 - Simon WB Cardell, 1031 FM 2931 #1313, Aubrey, Texas, 76227

#00088169 - David Stein, 10281 Robinson Drive, Tyler, Texas, 75703

#00088201 - Rusty W. Drake, P.O. Box 393, Mt. Pleasant, Texas, 75456

#00088247 - Benjamin C. Howell, 2029 Alpine Road, Longview, Texas, 75601

#00087803 - Nova Martin, 1818 Mohican, Denton, Texas, 76209

#00082094 - Aicha Davis, P.O. Box 71, DeSoto, Texas, 75123

#00087850 - Scott A. Hommel, 7112 Heather Lane, Park, Texas, 75462

#00088133 - Marty M. Rocha, 10222 Needville Fairchilds Rd., Needville, Texas, 77461

#00088293 - Christopher J. Corner, 3100 Clarence Drive, Orange, Texas, 77630

#00080137 - Carlos Antonio Raymond, 12790 FM 1560 North, P.O. Box 1478, San Antonio, Texas, 78254

#00083454 - Angela A. Brewer, 624 W. University Dr. #307, Denton, Texas, 76201

#00088102 - Bianca Valerio, 706 Cavalier, Pasadena, Texas, 77501

#00088261 - Eric J. Hale, 673 Aspen Valley Lane, Dallas, Texas, 75201

#00082370 - David C. Romero, 1934 Fernspray Ln., Houston, Texas, 77084

#00083749 - Melissa Marie Morris, 1201 Franklin St. 15th Floor, Houston, Texas, 77025

#00087695 - Bradley Kyle Williamson, P.O. Box 2427, Harker Heights, Texas, 76548

#00081675 - Stephen P. Ballantyne, Jr., 316 Devonshire Dr., San Antonio, Texas, 78209

#00086948 - John Brender, 600 8th Ave, Fort Worth, Texas, 76104

#00057873 - Emily G. Tobolowsky, George L. Allen, Sr. Courthouse, 600 Commerce St., Ste. 810, Dallas, Texas, 75202

#00088016 - Mark Briggs, 3609 Montana Ave., El Paso, Texas, 79903

#00037747 - Bonnie Rangel, 171st District Court, 500 E. San Antonio, Ste. 601, El Paso, Texas, 79901

#00088183 - Charlotte Lewis, 1722 Ascension Point Drive #333, Arlington, Texas, 76006

#00069374 - Stacey L. Mathews, P.O. Box 2574, Georgetown, Texas, 78627

#00021052 - Jay W. Burnett, 3818 Elmcrest Dr., Houston, Texas, 77088

#00088191 - Tracy B. Gray, 315 S. Bois D'arc, Forney, Texas, 75126

#00062724 - Jarrod L. Walker, 204 West Davis Street, Conroe, Texas, 77301

#00069809 - Mary Brown, 3300 Marquette, Dallas, Texas, 75225

#00088216 - James T. Graves, 9502 Meadowcroft Drive, Houston, Texas, 77063

#00088420 - Jordan Lee Bowen, 4721 Walker Street, Unit A, Houston, Texas, 77023

#00088411 - Fred G. Taylor, 2002 Greenwest Drive, Missouri City, Texas, 77489

#00088419 - Koretta Brown, 1911 Summer Place Drive, Missouri City, Texas, 77489

#00081956 - Rick D. Barnes, 9121 Belshire Drive, Ste. 100, North Richland Hills, Texas, 76182

#00086498 - Allison Drew, P.O. Box 16552, Sugar Land, Texas, 77496

#00088342 - Dan Sawatzki, 9839 Spruce Ridge Dr., Converse, Texas, 78109

#00082136 - Jeromey D. Sims, 2617 Dancing Flame Dr, Denton, Texas, 76201

#00081738 - Joanna R. Cattanach, 6333 E. Mockingbird Ln., Ste. 147-686, Dallas, Texas, 75214

#00085424 - Paul G. Belew, 141 River Road, Decatur, Texas, 76234

#00085929 - Colin W. Blood, 2203 Rosillos Peak, San Antonio, Texas, 78245

#00050675 - Celia M. Israel, 1015 E Yager Ln, #103, Austin, Texas, 78753

#00082139 - Jack Guerra, 814 Kenilworth Blvd., San Antonio, Texas, 78209

#00086177 - Timothy S. Reid, 6001 Landon Drive, Amarillo, Texas, 79119

#00062799 - Scott Simpson, 1901 Buena Vista, San Antonio, Texas, 78207

#00037486 - Rhonda Hunter, P.O. Box 4444, Dallas, Texas, 75208

#00081798 - Lori L. DeAngelis Griffith, 1119 West Pioneer Pkwy., Ste. 107, Arlington, Texas, 76013

#00085893 - Sherlene M. Cruz, 1326 Sabine St, Houston, Texas, 77007

#00083193 - David C. Junkin, 705 Willow Ridge Dr., San Marcos, Texas, 78666

#00067865 - The Estate of Phyllis Lister Brown, c/o Pamela Harper, P.O. Box 122570, Arlington, Texas, 76012

#00024861 - The Estate of Darlene Ewing, 219 Molina St., Sunnyvale, Texas, 75182

#00051625 - The Estate of Herbert Henry Ritchie, 1744 Norfolk St., Houston, Texas, 77098

#00051335 - Patrick E. Sebesta, 324 S. Velasco, Angleton, Texas, 77515

#00086207 - Todd Frankfort, 917 Franklin, Ste. 510, Houston, Texas, 77002

#00080415 - Georgina C Perez, 1605 George Dieter #582, El Paso, Texas, 79936

#00086087 - Thomas W. Kost, 18808 Wind Valley Way, Pflugerville, Texas, 78660

#00084432 - Timothy J. Duffield, 4334 Polk Street, Apt 1, Houston, Texas, 77023

#00086902 - Sarah C. Lamb, P.O. Box 140875, Dallas, Texas, 75214

#00066129 - Robert M. Rolston, P.O. Box 2224, Mt. Pleasant, Texas, 75456

#00054113 - Stephen H. Russell, 9650 St. Hwy 19 N, Montalba, Texas, 75853

#00068070 - Ben E. Mendoza, 3330 Nashville Ave., El Paso, Texas, 79930

Deadline: Special Session Report due August 14, 2023 for Candidates

#00087357 - Benjamin M. Mostyn, P.O. Box 762305, San Antonio, Texas, 78245

Deadline: 30 day pre-election Report due February 5, 2024 for Candidates

#00088196 - Stephen E. Dodd, P.O. Box 868, Big Lake, Texas, 76932

#00087747 - Alicia N. Davis, 6869 FM 1005, Kirbyville, Texas, 75956

#00088285 - Nathan T. Boynton, 3300 Wells Branch Parkway, Apt. 7304, Austin, Texas, 78728

Deadline: 8 day pre-election Report due February 26, 2024 for Candidates

#00088421 - Makala L. Washington, 301 N Greenville Ave., #93, Allen, Texas, 75002

#00080462 - Peter M. Kelly, 1302 Waugh Drive #596, Houston, Texas, 77019

#00088068 - Katherine Culbert, 1919 Taylor St. #1670 Suite F, Houston, Texas, 77007

#00087731 - Omar Carmona, 701 Magoffin Ave., El Paso, Texas, 79901

#00087921 - Gregory A. Switzer, P.O. Box 652, Seguin, Texas, 78156

Deadline: Semiannual report due January 17, 2023 for Candidates

#00086269 - Ferdinand A. Mongo, 8809 Thompson Dr., Lantana, Texas, 76226

#00084239 - Claudia Ordaz Perez, P.O. Box 71738, El Paso, Texas, 79917

#00085984 - Tracy Y. Scott, P.O. Box 122072, Arlington, Texas, 76012

#00086488 - Jennifer Stoddard Hajdu, 6805 Sedgwick Drive, Dallas, Texas, 75231

Deadline: Semiannual Report due July 17, 2023

#00080145 - Katherine A. Ferguson, P.O. Box 21, Greenville, Texas, 75403

#00086300 - Cynthia Valadez-Mata, 2407 E Cesar Chavez St., Austin, Texas, 78702

#00085980 - Ieshia N. Champs, 6542 Castle Loch Ct., Houston, Texas, 77048

#00082304 - Johnny Arredondo, 7518 Stagecoach, San Antonio, Texas, 78227

Deadline: 8 day pre-election Report due October 31, 2022 for Candidates

#00067551 - Michael D. West, 3818 Fox Meadow Ln., Pasadena, Texas, 77504

Deadline: Semiannual Report due January 18, 2022 for Candidates

#00067765 - Nicole Henning Garza, 100 Dolorosa, 37th District Court, San Antonio, Texas, 78205

#00065781 - Shawn Nicole Thierry, 3139 W Holcombe #A346, Houston, Texas, 77025

Deadline: Semiannual report due January 15, 2021 for Candidates

#00080354 - Osbert G. Rodriguez III, 1020 Dennet Rd., Brownsville, Texas, 78526

Deadline: Personal Financial Statement due February 14, 2022

#00065781 - Shawn Nicole Thierry, 3139 W Holcombe #A346, Houston, Texas, 77025

TRD-202402089

Aidan Shaughnessy

Program Supervisor

Texas Ethics Commission

Filed: May 10, 2024

Texas Department of Housing and Community Affairs

2024 Emergency Solutions Grant (ESG) Program Notice of Funding Available

The Texas Department of Housing and Community Affairs (the Department) announces the availability of approximately \$9,285,691 in funding for the 2024 Emergency Solutions Grants (ESG) Program funded through the U.S. Department of Housing and Community Development (HUD). The funds will be made available to eligible applicants for an offer of a continuing award, or a competitive award, as further described in the NOFA.

Applications for a competitive award may be submitted beginning May 24, 2024, in accordance with the NOFA. From time to time, additional funding may be made available under the NOFA through transfer of prior year balances, deobligated funds, and Program Income. Amendments will be published on the TDHCA website.

Information is available on the Department's web site at <https://www.tdhca.texas.gov/notices-funding-availability-nofas>.

Questions regarding the NOFA may be addressed to Rosy Falcon via email at rosy.falcon@tdhca.texas.gov.

TRD-202402088

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: May 10, 2024

Texas Department of Insurance

Company Licensing

Application for Highmark Casualty Insurance Company, a foreign fire and/or casualty company, to change its name to Bridge City Insurance Company. The home office is in Pittsburgh, Pennsylvania.

Application for Midwest Builders' Casualty Mutual Company, a foreign fire and/or casualty company, to change its name to Waypoint Mutual. The home office is in Kansas City, Missouri.

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

◆ ◆ ◆
Texas Commission on Law Enforcement

State of Texas Model Policy: Misconduct Allegations State of Texas Model Policy: Hiring Procedures; State of Texas Model Policy: Personnel Files; State of Texas Model Policy: Medical and Psychological Examination of a Licensee

Pursuant to Texas Occupations Code §§1701.167, 1701.4522, and 1701.4535 as added by Senate Bill 1445 (88R), the Texas Commission on Law Enforcement (Commission) has adopted model policies regarding Misconduct Allegations, Hiring Procedures, Personnel Files, and the Medical and Psychological Examination of a Licensee. These model policies were developed with input from advisory committees and finally adopted by the Commission at the public meeting of the Commission on April 29, 2024.

The Misconduct Investigation, Hiring Procedures, and Personnel Files Advisory Committee was charged under Texas Occupations Code §§1701.4522 and 1701.4535 with developing model policies establishing procedures applicable to a law enforcement agency investigating alleged misconduct by a license holder employed by the agency, hiring a license holder, and maintaining personnel files with respect to a license holder.

The Examination of a Licensee Advisory Committee was charged under Texas Occupations Code §1701.167 with developing a model policy prescribing standards and procedures for the medical and psychological examination of new licensees, existing licensees, and licensees whose employing agency has reason to believe that a new examination is necessary (fitness-for-duty examination) to ensure the individuals are able to perform the duties for which the license is required.

Each law enforcement agency in Texas will be required to adopt and submit to the Commission these model policies, or a substantively similar policy, by their respective adoption dates. The Medical and Psychological Examination of a Licensee Model Policy is to be adopted by September 1, 2024. The Misconduct Allegations, Hiring Procedures, and Personnel Files Model Policies are to be adopted by June 1, 2025.

These adopted model policies can be accessed through the Commission's website at <https://www.tcole.texas.gov/>, selecting About Us, then selecting The TCOLE Commission and its Members, and navigating down the page to the Adopted Model Policies section, or by using the below links.

<https://www.tcole.texas.gov/document/mp-ma.pdf>

<https://www.tcole.texas.gov/document/mp-hp.pdf>

<https://www.tcole.texas.gov/document/mp-pf.pdf>

<https://www.tcole.texas.gov/document/mp-mpel.pdf>

The following is a summary of the most relevant public comments received and Commission responses.

State of Texas Model Policy: Misconduct Allegations

Comment: Brian Redburn, Chief of the Dallas Fort Worth International Airport Department of Public Safety, suggested changing "signed by the complainant" in Misconduct Allegations Model Policy §1.2 to "signed by the person making the complaint" to incorporate the

language used in Texas Government Code §614.022(2) and litigated in *Colorado Cnty. v. Staff*, 510 S.W.3d 435 (Tex. 2017).

Response: In order to align with the text of the statute, the requested change has been made. It should be noted that the court case determined that "the person making the complaint" does not have to be "the victim of the alleged misconduct."

Comment: Shaun Short, Chief of the Cross Roads Police Department, suggested that complainants be a directly involved witness of an agency supervisor of the officer.

Response: The Misconduct Allegations Model Policy §1.2 requires that the complaint be written and signed by the person making the complaint which conforms with Texas Government Code §614.022.

Comment: Brian Redburn, Chief of the Dallas Fort Worth International Airport Department of Public Safety, suggested adding "Conduct that constitutes a violation" to the beginning of the definition of misconduct in Misconduct Allegations Model Policy §1.3 and to limit the violations that must be investigated to Class B misdemeanors and above, statutory violations that discredit a licensee, and Class C misdemeanors for crimes of moral turpitude, assault, theft, drug violations, public intoxication, disorderly conduct, and repeated violations.

Response: The definition of misconduct in Texas Occupations Code §1701.001(2-a) defines misconduct as more than violations of law, including sustained violations of agency policy for which the agency may suspend, demote, or terminate and untruthfulness. Also, the statutory definition of misconduct does not limit the violations of law as requested.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if Misconduct Allegations Model Policy §§2.1 - 2.2 could violate civil service laws regarding the length of time a complaint can be investigated, specifically regarding Texas Local Government Code §143.117.

Response: Civil service law for certain municipalities prohibits an agency head from suspending a peace officer later than the 180th day after the agency discovers or becomes aware of a civil service rule violation. An agency's ability to suspend an officer does not affect the Misconduct Allegations Model Policy's requirement to investigate alleged misconduct and submit a summary report to TCOLE.

Comment: Brian Redburn, Chief of the Dallas Fort Worth International Airport Department of Public Safety, suggested changing Misconduct Allegations Model Policy §2.1 by adding "unless the agency head determines that a reasonable delay is necessary to preserve the integrity of an ongoing criminal investigation" to the end of the sentence.

Response: The specific investigative strategy and tactics have been left to the discretion of the agency. The model policy cannot capture every possible scenario.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked how do you complete an investigation of alleged misconduct after the licensee separates from the agency.

Response: The agency must gather as much evidence as possible and make a determination based off of that evidence. This is not much different than a criminal investigation in which the suspect refuses to provide information.

Comment: Steve Dye, Chief of the Allen Police Department, suggested that agencies be allowed to send to TCOLE their investigations in the format used by the agency because reformatting the investigation into a TCOLE specific form could be a lot of extra work.

Response: In order to provide consistency across all agencies and ensure that all required information is transmitted to TCOLE, the

summary report required by Misconduct Allegations Model Policy §2.5 will be a template provided by TCOLE. Texas Occupations Code §1701.4522(b)(1)(D) requires that the summary report be in a format prescribed by TCOLE.

Comment: Dr. Jay Hall asked if an agency can retain records of an investigation of alleged misconduct that is not sustained.

Response: Agencies should follow their applicable retention schedules. An agency is required to place investigative documents and misconduct investigation reports for sustained misconduct allegations into the officer's personnel file. For alleged misconduct that is not sustained, the agency is required to place the investigative documents and misconduct investigation report into the department file.

State of Texas Model Policy: Hiring Procedures

Comment: William Hibbits, Baytown Police Department, Danny Brown, Chief of the Tyler ISD Police Department, and Robert Morrell, Lieutenant with the Tyler Police Department, asked if the Hiring Procedures Model Policy §§5.1, 6.1, and 7.1 require a new medical examination (L-2), new psychological examination (L-3), and new fingerprints for every new hire. It was also asked how long an L-2 or L-3 is valid.

Response: The model policy contains the best practices recommendation from the advisory committee that a new L-2, L-3, and fingerprints should be received for each new hire. If the agency adopts the model policy as is, the agency will be required to send a prospective hire to the agency's practitioner for a new L-2 and L-3. The agency will also need new fingerprints for every new hire. However, Texas Occupations Code §1701.303(b) only requires that a new L-2, L-3, and fingerprints be obtained if there is more than a 180-day break in service for officers and jailers. Current policy provides that an L-2 or L-3 is valid for 180 days from the date signed or from the date of graduation from an academy.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if the confidential information contained in a personal history statement and background investigation report can be released to a psychologist or psychiatrist performing a psychological examination (L-3) as indicated in Hiring Procedures Model Policy §6.4.

Response: 37 Texas Administrative Code §217.1(b)(12) already requires the release of this information to the psychologist or psychiatrist for purposes of a psychological examination (L-3).

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if an applicant can submit a record of annual firearms qualifications within the past 12 months from an out-of-state agency.

Response: Hiring Procedures Model Policy §8.1 and TCOLE rules do not limit the record of annual firearms qualifications to Texas agencies.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if TCOLE can force an agency to terminate an officer during the provisional employment period based off of misconduct investigation reports submitted by a previous employing agency.

Response: No, TCOLE will not force an agency to terminate the officer. It is within the employing agency's discretion to terminate within the provisional employment period.

State of Texas Model Policy: Personnel Files

Comment: Steve Dye, Chief of the Allen Police Department, asked if written warnings that are not discipline are considered a notation of negative impact under the Personnel Files Model Policy §2.2 and if these written warnings can be purged.

Response: Agencies should follow their applicable retention schedules. Only documents that are required to be included in an officer's personnel file (as opposed to an agency's department file for an officer) can be considered a notation of negative impact that triggers the required notification in §2.2.

Comment: Chad Allen, Chief of the Athens Police Department, asked if you can serve in person instead of by certified mail if email service is not confirmed for purposes of Personnel Files Model Policy §2.2(c).

Response: Yes, personal service is permitted under §2.2(a). The certified mail requirement in §2.2(c) only applies when other methods fail.

Comment: Martha Smith, Chief Deputy with the Grimes County Sheriff's Office, asked if the 30-day response timeline in Personnel Files Model Policy §2.2(d) keeps an investigation open.

Response: An officer's ability to file a written response within 30 days of a negative document does not impact the completion of a misconduct investigation.

Comment: Brian Redburn, Chief of the Dallas Fort Worth International Airport Department of Public Safety, asked how should the department file be treated for purposes of the Public Information Act.

Response: Designate it as stated in Personnel Files Model Policy §3.2. Regarding Public Information Act requests for information an agency seeks to withhold, including information described in Personnel Files Model Policy §3.2, an agency should request a letter ruling from the Attorney General. Further guidance will be available in a technical assistance bulletin issued by TCOLE.

Comment: Jason Brady, Chief of the Seguin Police Department, asked if the personnel file and department file can be stored electronically and stored in combination.

Response: Yes, personnel files and department files can be stored electronically and on the same database.

Comment: Jennifer Szimanski, Combined Law Enforcement Associations of Texas, suggested changing "unless the release is required by law" in Personnel Files Model Policy §3.3 to "unless the release is required by Texas Occupations Code §1701.451."

Response: The requested change has been made.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if the agency will provide the original or a copy of an officer's personnel file to TCOLE.

Response: The agency will submit an electronic copy of an officer's personnel file to TCOLE within 30 days of separation of the officer. The agency will retain the original personnel file according to applicable retention schedules.

Comment: Chad Allen, Chief of the Athens Police Department, asked which files are submitted to TCOLE.

Response: The personnel file and department file are both submitted to TCOLE within 30 days of separation of the officer.

State of Texas Model Policy: Medical and Psychological Examination of a Licensee

Comment: Scott Gerdes, Chief of the West Lake Hills Police Department, and Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked who pays for the fitness-for-duty examination conducted by the non-sworn personnel's or officer's chosen practitioner.

Response: Regarding the Medical and Psychological Examination of a Licensee Model Policy §7.1 and §8.1, the model policy does not prescribe who pays for the examinations.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked why the officer gets to choose their practitioner for the initial fitness-for-duty examination under §8.1. Steve Dye, Chief of the Allen Police Department, commented that it will be difficult to verify the credentials of the officer's chosen practitioner and the agency might have to send the officer for a second opinion to ensure accurate testing by a qualified practitioner. Brian Redburn, Chief of the Dallas Fort Worth International Airport Department of Public Safety, suggesting allowing employers to have the option of sending the licensee to the employer's practitioner first or give agencies input in a licensee's selection of a practitioner so that employers can reject practitioners who are not familiar with law enforcement duties.

Response: The Advisory Committee decided to follow the established procedure already in place for civil service agencies, which is contained in Texas Local Government Code §143.081 and takes this scenario into account by giving the agency the opportunity to have a second opinion. If the agency disagrees with the licensee's practitioner's report, the agency can send the licensee to the agency's practitioner for a second examination.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked who can perform a fitness-for-duty examination.

Response: A medical fitness-for duty examination must be performed by a physician licensed by the Texas Medical Board and a psychological fitness-for-duty examination must be performed by a psychologist licensed by the Texas Board of Examiners of Psychologists or a psychiatrist licensed by the Texas Medical Board and certified by the American Board of Psychiatry and Neurology. Please see 37 Texas Administrative Code §211.1(a)(29) and §217.1(b)(11) - (12), Hiring Procedures Model Policy §§5-6, and Medical and Psychological Examination of a Licensee Model Policy §10.1.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if a practitioner is required to follow the 2018 Psychological Fitness-for-Duty Examination Guidelines from the International Association of Chiefs of Police.

Response: Medical and Psychological Examination of a Licensee Model Policy §10.2 suggests that the range of methods and data sources used by a practitioner can vary, but such suggestions and further information can be found in these guidelines.

Comment: Kyle Taliaferro, Deputy Chief with the Allen Police Department, asked if the notification to TCOLE that a licensee failed a fitness-for-duty examination would be a release of protected information under the Health Insurance Portability and Accountability Act (HIPAA).

Response: Texas Occupations Code §1701.167(a)(3) requires an agency to notify TCOLE when a licensee fails a fitness-for-duty examination.

TRD-202402197
Gregory Stevens
Executive Director
Texas Commission on Law Enforcement
Filed: May 15, 2024

◆ ◆ ◆
Middle Rio Grande Workforce Development Board

Request for Qualification for Proposal Reading Services for the Management and Operations of One Stop Services

Public Notice

Request for Qualifications (RFQ)

Proposal Reading Services

WFSMRGB will issue a formal solicitation under a Request for Qualifications (RFQ) method for the Management and Operations of One Stop Services.

Under this proposal reading solicitation, WFSMRGB will be selecting individuals for the evaluation of the above-mentioned proposal. Based on the individual's qualifications, respondents will be considered for the task of reading and evaluating proposals. In addition, one of the proposal readers for the assigned team will be selected by WFSMRGB to act as Lead Evaluator.

Interested proposers may access the Request for Qualification at www.wfsmrg.org (click the business opportunities tab) or by contacting Rosie Lozano via email at rosalind.lozano@wfsmrg.org

Bids must be received no later than 12:00 Noon (CST), May 24, 2024, at the address below. Bids submitted after the deadline will not be accepted.

Workforce Solutions Middle Rio Grande Board

Attention: Rosie Lozano, Interim Executive Director

216 W. Main, Suite B

Uvalde, Texas 78801

For more information about this notice, call Rosie Lozano at (830) 486-7507

Workforce Solutions 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 7-1-1 (voice). Historically Underutilized Businesses (HUB's) are encouraged to apply.

TRD-202402079

Rosie Lozano

Interim Executive Director

Middle Rio Grande Workforce Development Board

Filed: May 9, 2024

◆ ◆ ◆
Motor Vehicle Crime Prevention Authority

Fiscal Year 2025 Request for Applications - SB 224 Catalytic Converter Grant

May 13, 2024

Notice of Request for Applications

The Motor Vehicle Crime Prevention Authority (MVCPA) has authorized the issuance of the Fiscal Year 2025 (FY 2025) Request for Applications (RFA). Senate Bill 224 provides that, "The money deposited to the credit of the general revenue fund for coordinated regulatory and law enforcement activities intended to detect and prevent catalytic converter theft in this state may be appropriated to the Authority for the activities required by this section." To implement SB 224, the MVCPA is providing grants to local law enforcement taskforces and agencies to combat Catalytic Converter Theft. Eligible applicants may request funds for program operation by submission of an application consistent with the information, including the requirements and conditions stated in this RFA. This RFA is posted in the *Texas Register* for at least thirty (30) days prior to the due date for Applications.

All applications submitted will be for FY 2025. If awarded an FY 2025 SB 224 Catalytic Converter Grant, the MVCPA may provide a FY 2026

grant subject to availability of funding and grantees' positive program performance. The MVCPA may use the same FY 2025 application and prorated budget values as originally submitted for the additional period. Any ongoing program (scope) changes or budget changes will be submitted by grantees through the grant adjustment process after the creation of the second-year grants.

Due Date

Grant Applications from eligible applicants must be completely submitted on-line at <https://MVCPA.tamu.edu> on or before 5:00 p.m., June 21, 2024. First time applicants must establish an account and perform account setup steps prior to an application being able to be submitted.

The required Resolution and any optional supporting documents must be scanned and submitted as attachments to the application at <https://MVCPA.tamu.edu> on or before 5:00 p.m., June 21, 2024.

Applicable Authority and Rules

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

Texas Transportation Code Chapter 1006 (<https://statutes.capitol.texas.gov/Docs/TN/htm/TN.1006.htm>)

Texas Administrative Code (TAC): Title 43; Part 3; Chapter 57 ([https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=43&pt=3](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=43&pt=3))

Texas Grant Management Standards (TxGMS) as promulgated by the Texas Comptroller of Public Accounts (<https://comptroller.texas.gov/purchasing/grant-management/>)

The current Motor Vehicle Crime Prevention Authority Grant Administrative Manual and any subsequent adopted grantee instruction manuals (https://www.txdmv.gov/sites/default/files/body-files/MVCPA_FY20_Grant_Admin_Manual.pdf)

This Request for Applications issued on May 13, 2024.

Eligible Applicants.

Only Texas law enforcement agencies through their city or county are eligible to apply for the FY 2025 SB 224 Catalytic Converter Grant funding.

Application Category

New Grant - These are potentially annual grants subject to available legislative funding. A 20% Cash Match is required for this application. Applicants meeting the eligibility requirements may submit a new grant application to the priority established by the MVCPA in the FY 2025 RFA. New applicants shall email MVCPA at GrantsMVCPA@txdmv.gov from an official governmental agency email account to request an account and that access be established.

Grant Type

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

Grant Term

The FY 2025 grant cycle is a one (1) year funding cycle to begin on September 1, 2024, and end August 31, 2025. Subject to availability of funding and grantees' positive program performance the MVCPA may provide a FY 2026 grant using the same on-line application systems

and prorated budget values as originally submitted. No obligations or expenses may be incurred or made outside of the grant period(s).

Method of Application

Grant Applications from eligible applicants shall be completely submitted on-line at <https://MVCPA.tamu.edu> on or before 5:00 p.m., June 21, 2024. All forms will be completed on-line. The Resolution and all supporting documents must be submitted as attachments.

Resolution Required

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

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

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

Program Category

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

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

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

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

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

Educational Programs and Marketing - provide financial support for taskforces to work with individuals, businesses, organizations, and communities to assist motor vehicle owners in detecting and

preventing catalytic converter theft. Develop and provide specialized training or education program(s) to the public on detecting and preventing catalytic converter theft, law enforcement on interdiction and prosecution, and government officials on detecting and preventing catalytic converter theft in this state.

Priority Funding

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

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

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

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

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

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

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

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

Supporting Documents

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

Supplanting Prohibited

Grant funds provided by the Authority under this RFA shall not be used to supplant federal, state or local funds that otherwise would be available for the same purposes (43 Texas Administrative Code §57.9). Supplanting means the replacement of other funds with MVCPA grant

funds. This shall include using existing resources already available to a program activity as cash match.

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

In-Kind Match

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

Reporting and Webinar Attendance Requirements

Applicants that are awarded grants will be required to provide:

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

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

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

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

Funding Requirements and Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TCOLE Certifications Required - All law enforcement agencies regulated by Chapter 1701, Occupations Code must certify that they are in compliance with the Texas Commission on Law Enforcement standards or provide a certification from the Texas Commission on Law Enforcement that states that the requesting agency is in the process of achieving compliance with said rules.

Selection Process:

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

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

Application Workshop

Potential applicants are requested to attend the on-line "Motor Vehicle Crime Prevention Authority SB224 Catalytic Converter Grant Application Workshop" which has been scheduled for: Wednesday, May 22, 2024 (10 a.m. to 11:30 a.m.). Join us using the following links:

THIS MEETING WILL BE HELD REMOTELY VIA MICROSOFT TEAMS MEETING

Join on your computer, mobile app or room device.

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YjY0Mj-U0MzQtNDY4My00ODQ5LTkxMjQrYzc0ZDMyZDAyZDdl%40t-head.v2/0?context=%7b%22Tid%22%3a%2272719f70-3533-46b3-9456-ec1235143768%22%2c%22Oid%22%3a%220514ac85-ebb6-4d6b-83c8-d095df91e59b%22%7d

Meeting ID: 250 373 407 534 Passcode: 4ZE5Sq

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

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

Or call in (audio only)

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

Phone Conference ID: 870 654 560#

The informational session will provide details on the grant Application process including grant eligibility requirements, completing the various Application sections, and the grant cycle timeline. At least one representative of the potential grant applicant should be present at this workshop.

Contact Person

William Diggs, MVCPA Director,

Texas Motor Vehicle Crime Prevention Authority

4000 Jackson Avenue

Austin, Texas 78731

(512) 465-1485

GrantsMVCPA@txdmv.gov

Issued in Austin, Texas on April 12, 2024

William Diggs, MVCPA Director

Figure 1

MVCPA Application Checklist

Each Applicant must:

- 1) Complete the on-line Application on or before **5:00 PM, June 21, 2024.**
- 2) Complete the Resolution with the city or county and attach with other supporting documents on or before **5:00 PM, June 21, 2024.**

Appendix A
Updated Sample Motor Vehicle Crime Prevention Authority Resolution

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

2024 **Blank City / County** Resolution or Order or Ordinance
Motor Vehicle Crime Prevention Authority
2024 **Blank City / County** Resolution
SB 224 Catalytic Converter Grant Program

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

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

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

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

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

Adopted this _____ day of _____, 2024.

NAME
TITLE: County Judge /Mayor/ City Manager

TRD-202402156
David Richards
MVCPA General Counsel
Motor Vehicle Crime Prevention Authority
Filed: May 14, 2024

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North Central Texas Council of Governments

Request for Proposals for Mailing Service Provider

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from vendors to provide mailing services for public meeting notices.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, June 21, 2024**, to Carli Baylor, Communications Su-

pervisor, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to TransRFPs@nctcog.org. The Request for Proposals will be available at www.nctcog.org/rfp by the close of business on **Friday, May 24, 2024**.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202402168
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: May 14, 2024

Texas Water Development Board

Notice for Intent to Adopt the 2024 State Flood Plan

The Texas Water Development Board (Board) will conduct a public meeting beginning at 10:00 a.m. on May 30, 2024, in room 170 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas and via GoToWebinar at <https://meet.goto.com/549980837>.

The public meeting is to receive public comments on the *Draft* 2024 State Flood Plan. Relevant comments concerning the *Draft* 2024 State Flood Plan will be accepted in person and through virtual attendance of the public hearing. If you would like to provide a public comment, please fill out the online registration form and send it to StateFloodPlan@twdb.texas.gov by 12:00 p.m. on May 29.

Persons with disabilities who plan to attend this hearing and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Jacque Lustig at (512) 463-8676 or jacque.lustig@twdb.texas.gov at least two (2) work days prior to the meeting so that appropriate arrangements can be made.

Persons may also provide written comments on or before 5:00 p.m. June 17, 2024, via the following link: <https://forms.office.com/r/c47aSBsuLa>. A copy of the *Draft* 2024 State Flood Plan is available on the Board's website at www.twdb.texas.gov/flood/planning/sfp/index.asp.

After consideration of comments submitted during the public comment period, the Board will consider adopting the 2024 State Flood Plan at a regularly noticed and scheduled Texas Water Development Board meeting tentatively scheduled to be held in August 2024.

TRD-202402184

Kendal Kowal
Assistant General Counsel
Texas Water Development Board
Filed: May 15, 2024

Texas Workforce Commission

Request for Comment on Proposed Rates for Medical Services

Pursuant to Texas Labor Code §352.054, Rates for Medical Services, and 40 Texas Administrative Code §856.57, Alternative Purchasing Methods - Rates for Medical Services, the Texas Workforce Commission (TWC) is required to review and recommend adopting Maximum Affordable Payment Schedule (MAPS) rates for medical services based on cost-based and resource-based rates, including those paid under the Medicare and Medicaid programs.

Prior to adopting new rates for medical services, TWC is interested in receiving comments on the proposed rates. Copies of the schedule of proposed rates may be obtained by contacting Stuart McPhail at Stuart.McPhail@twc.texas.gov.

Written comments on the proposed rates may be submitted to Stuart McPhail at Stuart.McPhail@twc.texas.gov by June 24, 2024.

TRD-202402162

Les Trobman
General Counsel
Texas Workforce Commission
Filed: May 14, 2024