

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.

Department of Aging and Disability Services

Correction of Error

The Texas Health and Human Services Commission (HHSC) published the administrative transfer for the former Department of Aging and Disability Services rules in Texas Administrative Code, Title 40, Part 1, Chapter 47 in the June 14, 2024, issue of the *Texas Register* (49 TexReg 4436). The administrative transfer was published with the incorrect chapter title, "Contracting to Provide Primary Home Care." The correct title of the chapter is "Primary Home Care, Community Attendant Services, and Family Care Programs" which will be transferred to Texas Administrative Code, Title 26, Part 1, Chapter 277, Primary Home Care, Community Attendant Services, and Family Care Programs, effective July 1, 2024.

TRD-202402681

Coastal Bend Workforce Development Board

Correction of Error

The Coastal Bend Workforce Development Board published "Request for Applications for Professional Development Trainers to Provide Training to Child Care Providers (RFA 24-01)" in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4611). Due to an error by the Texas Register, this submission was published with the incorrect Texas Register Docket Number (TRD).

The correct TRD number for this submission is TRD-202402553.

TRD-202402657

Request for Statement of Qualifications for Legal Services (RFQ 24-02)

Workforce Solutions Coastal Bend is soliciting proposals from qualified entities or individuals to provide professional legal services. Proposers must: be legally authorized to provide legal services in the State of Texas, have a minimum of five (5) years of experience in working with non-profit, governmental, and quasi-governmental organizations, have a working knowledge and understanding of state and federal rules and regulations as they apply to government funded programs, and have the necessary technical competence, skills and professional judgement to accomplish the work solicited in the RFQ.

The initial contract will be awarded for a period of one year beginning on October 1, 2024, and ending on September 30, 2025. The contract may be renewed for three (3) additional one-year periods beyond the original acceptance award for a total not to exceed four (4) years.

The RFQ will be available on Monday, June 24, 2024 at 2:00 p.m. Central Time and can be accessed on our website at: <https://www.workforcesolutionscb.org/about-us/procurement-opportunities/> or by contacting Esther Velazquez at (361) 885-3013 or esther.velazquez@workforcesolutionscb.org.

Proposals are due by Monday, July 22, 2024 at 4:00 p.m. Central Time and may be submitted via email to esther.velazquez@work-

[forcesolutionscb.org](https://www.workforcesolutionscb.org) or hand delivered or mailed to: Workforce Solutions Coastal Bend, 400 Mann Street, Suite 800, Corpus Christi, Texas 78401.

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

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

TRD-202402666

Alba Silvas

Chief Operating Officer

Coastal Bend Workforce Development Board

Filed: June 18, 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 06/24/24 - 06/30/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/24/24 - 06/30/24 is 18.00% for commercial² credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 07/01/24 - 07/31/24 is 8.50%.

¹ Credit for personal, family, or household use.

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

TRD-202402688

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: June 19, 2024

Credit Union Department

Application for a Merger or Consolidation

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

An application was received from RelyOn Credit Union (Kaufman) seeking approval to merge with Neighborhood Credit Union (Dallas), 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 the 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-202402697
Michael S. Riepen
Commissioner
Credit Union Department
Filed: June 19, 2024



Application to Expand Field of Membership

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

An application was received from Cabot Community Credit Union, Pampa, Texas, to expand its field of membership. The proposal would permit persons who live, work, worship, or attend school in, businesses and other legal entities located in Carson County, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all the 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-202402696
Michael S. Riepen
Commissioner
Credit Union Department
Filed: June 19, 2024



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

Community Service Credit Union (Huntsville) - See *Texas Register* dated March 1, 2024.

Telco Plus Credit Union #1 (Longview) - See *Texas Register* dated April 26, 2024.

Telco Plus Credit Union #2 (Longview) - See *Texas Register* dated April 26, 2024.

Telco Plus Credit Union #3 (Longview) - See *Texas Register* dated April 26, 2024.

Articles of Incorporation - Approved

An application was received from PosTel Family Credit Union (Wichita Falls) to amend its Articles of Incorporation relating to Place of Business. - See *Texas Register* dated May 24, 2024.

An application was received from Hockley County School Employees Credit Union (Levelland) to amend its Articles of Incorporation relating to name change. See *Texas Register* dated May 24, 2024.

TRD-202402687
Michael S. Riepen
Commissioner
Credit Union Department
Filed: June 19, 2024



Deep East Texas Council of Governments

Request for Proposals Broadband Network Operator

The Deep East Texas Council of Governments (DETCOG) has recently received a CDBG Disaster Mitigation Grant from the Texas General Land Office for installation of a wireless and fiber broadband network serving Northern Newton County. Accordingly, DETCOG is seeking to contract with a qualified broadband network operator to operate and maintain the network infrastructure and provide all retail internet and related services to subscribers on the network.

The complete Request for Proposals can be viewed online at www.detcog.gov/rfps-rfq. Copies can also be obtained by contacting DETCOG by email at respond@detcog.gov. Proposals must be received no later than July 10, 2024 at 4:00 p.m. CST. Proposals must be submitted to:

RFP 2024-02 - Broadband Network Operator

Deep East Texas Council of Governments

1405 Kurth Drive

Lufkin, Texas 75904

DETCOG reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. DETCOG is an Affirmative Action/Equal Opportunity Employer.

TRD-202402675
Lacy Sargent
Executive Assistant/HR Coordinator
Deep East Texas Council of Governments
Filed: June 18, 2024



Request for Proposals Economic Development Grants Specialist

The Deep East Texas Council of Governments (DETCOG) is seeking a qualified and experienced individual or entity to perform contract services as Regional Economic Development Grants Specialist ("Grants Specialist"). The Grants Specialist will provide grant services for DETCOG in the Texas Counties of Angelina, Houston, Nacogdoches, Newton, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, and Tyler. A more detailed description of the desired deliverables is provided in Request for Proposals (RFP) No. 2024-01.

The complete Request for Proposals can be viewed online at www.detcog.gov/rfps-rfq. Copies can also be obtained by contacting DETCOG by email at respond@detcog.gov. Proposals must be

received no later than July 9, 2024 at 1:00 p.m. CDT. Proposals must be submitted to:

RFP 2024-02 - Grants Specialist

Deep East Texas Council of Governments

1405 Kurth Drive

Lufkin, Texas 75904

DETCOG reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. DETCOG is an Affirmative Action/Equal Opportunity Employer.

TRD-202402674

Lacy Sargent

Executive Assistant/HR Coordinator

Deep East Texas Council of Governments

Filed: June 18, 2024



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 **July 30, 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 **July 30, 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: Aqua Utilities, Incorporated; DOCKET NUMBER: 2023-1606-PWS-E; IDENTIFIER: RN103871331; LOCATION: Woodcreek, Hays County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.44(h)(4), by failing to have all backflow prevention assemblies tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications; PENALTY: \$4,623;

ENFORCEMENT COORDINATOR: Rachel Vulk, (512) 239-6730; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: ARANSAS MART LLC dba Stanley's Ice Station 9; DOCKET NUMBER: 2023-0022-PST-E; IDENTIFIER: RN102268802; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (d)(9)(iii) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 day; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: Attoyac Rock, LLC; DOCKET NUMBER: 2022-0789-WQ-E; IDENTIFIER: RN105726723; LOCATION: San Augustine, San Augustine County; TYPE OF FACILITY: aggregate production operation; RULES VIOLATED: 30 TAC §281.25(a)(4), TWC, §26.121(a)(1), and Texas Pollutant Elimination System Multi-Sector General Permit Number TXR05EX94, Part III, Section A.4(f), by failing to implement spill prevention and response measures to prevent spills and to provide adequate spill response; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(4) COMPANY: Benrus Grocery LLC dba Star Quik Stop; DOCKET NUMBER: 2023-1104-PST-E; IDENTIFIER: RN110949591; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; and 30 TAC §334.50(b)(1) and (2)(B) and (A)(i) and (iii)(III), and TWC, §26.3475(a) and (c)(1), by failing to monitor the UST and associated pressurized piping installed on or after January 1, 2009, in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring, and failing to test the line leak detector for performance and operational reliability at least once per year; PENALTY: \$7,052; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(5) COMPANY: Black Branch Terminals LLC; DOCKET NUMBER: 2023-1123-PST-E; IDENTIFIER: RN101628485; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: out-of-service facility; RULES VIOLATED: 30 TAC §334.49(a)(1) and (c)(2)(C), and (4)(C) and §334.54(b)(3) and TWC, §26.3475(d), by failing to provide adequate corrosion protection for the temporarily-out-of-service underground storage tank system, also, failing to inspect the impressed current corrosion protection system at least once every 60 days to ensure the rectifier and other system components are operating properly, and additionally, failing to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; PENALTY: \$3,979; ENFORCEMENT COORDINATOR: Eresha DeSilva, (512) 239-5084; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(6) COMPANY: Blue Cube Operations LLC; DOCKET NUMBER: 2024-0416-AIR-E; IDENTIFIER: RN108772245; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 93978, Special Conditions Number 1, Federal Operating Permit Number O2204, 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: \$50,000;

ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: Chrisco Asphalt, LLC; DOCKET NUMBER: 2022-1127-MLM-E; IDENTIFIER: RN110370285; LOCATION: Center Point, Kerr County; TYPE OF FACILITY: asphalt plant; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; and 30 TAC §334.123(a)(1) and §334.127(a)(1) and TWC, §26.346(a), by failing to register all aboveground storage tanks in existence on or after September 1, 1989, with the TCEQ; PENALTY: \$8,125; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(8) COMPANY: City of Boyd; DOCKET NUMBER: 2023-1610-PWS-E; IDENTIFIER: RN101387496; LOCATION: Boyd, Wise County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(f)(2) and (3)(A)(iii), 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 §290.118(a) and (b), by failing to meet the maximum secondary constituent levels for total dissolved solids of 1,000 milligrams per liter (mg/L) and chloride of 300 mg/L; PENALTY: \$575; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: City of Eden; DOCKET NUMBER: 2022-0599-PWS-E; IDENTIFIER: RN101405439; LOCATION: Eden, Concho County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.46(j), by failing to complete a Customer Service Inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvements, corrections, or additions to the private water distribution facilities; 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; 30 TAC §290.46(u), by failing to plug an abandoned public water supply well with cement in accordance with 16 TAC Chapter 76 or submit test results proving the wells are in a non-deteriorated condition; and 30 TAC §290.110(c)(4)(B), by failing to monitor the disinfectant residual at representative locations in the distribution system at least once per day; PENALTY: \$6,875; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$5,500; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: City of Idalou; DOCKET NUMBER: 2023-1416-PWS-E; IDENTIFIER: RN101406825; LOCATION: Idalou, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(u), by failing to plug an abandoned public water supply well with cement in accordance with 16 TAC Chapter 76 or submit test results proving that the well is in a non-deteriorated condition; PENALTY: \$1,725; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: CM FUELING, LLC dba Carpenter Fueling CM Key Lock Station; DOCKET NUMBER: 2023-0123-PST-E; IDENTIFIER: RN102018843; LOCATION: Stephenville, Erath County;

TYPE OF FACILITY: retail gas station; RULES VIOLATED: 30 TAC §334.50(b)(2)(B) and TWC, 26.3475(b), by failing to provide release detection for the suction piping associated with the underground storage tank system; PENALTY: \$2,556; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(12) COMPANY: CSWR-Texas Utility Operating Company, LLC; DOCKET NUMBER: 2023-1048-MWD-E; IDENTIFIER: RN103145603; LOCATION: San Antonio, Bexar 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 WQ0014376001, Interim I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$14,025; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: EQUICSTAR CHEMICALS, LP; DOCKET NUMBER: 2021-0088-AIR-E; IDENTIFIER: RN100210319; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 111.111(a)(1)(B), 116.115(c), 116.615(2), and 122.143(4), New Source Review (NSR) Permit Numbers 4477, 18978, PSDTX752M5, and N162, Special Conditions (SC) Number 1, Standard Permit Registration Number 159535, Federal Operating Permit (FOP) Numbers O1606 and O2223, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 15 and 18, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §101.201(a)(1)(B) and §122.143(4), FOP Number O1606, GTC and STC Number 2.F., and 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; 30 TAC §101.201(b)(1)(J) and §122.143(4), FOP Number O1606, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to identify all required information on the final record for a reportable emissions event; 30 TAC §101.201(c) and §122.143(4), FOP Number O2223, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event; 30 TAC §§115.722(c)(1), 116.115(c), 116.615(2), and 122.143(4), NSR Permit Number 4477, SC Number 1, Standard Permit Registration Number 159535, FOP Number O1606, GTC and STC Numbers 1.A. and 15, and THSC, §382.085(b), by failing to prevent unauthorized emissions and failing to limit highly reactive volatile organic compounds emissions to 1,200 lbs or less per one-hour block period; and 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), NSR Permit Numbers 114809 and N190, SC Number 1 (effective March 26, 2019), NSR Permit Numbers 114809 and N190M1, SC Number 1 (effective November 6, 2020), FOP Number O1606 GTC and STC Number 15 (voided August 4, 2020), FOP Number O2223, GTC and STC Number 20 (issued August 5, 2020), and THSC, §382.085(b), by failing to comply with the maximum allowable emissions rates; PENALTY: \$541,954; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$269,488; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(14) COMPANY: ETEX Fiber Supply LLC; DOCKET NUMBER: 2022-0242-AIR-E; IDENTIFIER: RN106891682; LOCATION: Jasper, Jasper County; TYPE OF FACILITY: wood drying plant; RULES VIOLATED: 30 TAC §101.20(1) and §116.115(c), 40 Code of Federal Regulations §60.8(a), New Source Review (NSR) Permit Number 129432, Special Conditions (SC) Number 15, and Texas Health and Safety Code (THSC), §382.085(b), by failing to conduct a

performance test no later than 180 days after initial startup; 30 TAC §116.110(a) and THSC, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; and 30 TAC §116.115(b)(2)(E), NSR Permit Number 129432, General Conditions Number 7 and SC Number 27, and THSC, §382.085(b), by failing to maintain a copy of the permit along with records containing the information and data sufficient to demonstrate compliance; PENALTY: \$4,830; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: HOLIGAN COMMUNITIES, INCORPORATED; DOCKET NUMBER: 2023-1530-WQ-E; IDENTIFIER: RN11346870; LOCATION: Rockport, Aransas County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit Number TXR1553GT, Part III, Section F.2(a)(ii), by failing to properly select, install, and maintain control measures according to the manufacturer's or designer's specifications; and 30 TAC §281.25(a)(4) and TPDES Construction General Permit Number TXR1553GT, Part III, Sections F.8(a), D.1, and B.2(c) and (e), by failing to provide a copy of the Stormwater Pollution Prevention Plan to the Executive Director upon request; PENALTY: \$975; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: James Grady Lebow; DOCKET NUMBER: 2023-0336-WOC-E; IDENTIFIER: RN111623195; LOCATION: San Saba, San Saba County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §30.5(a) and §30.381(b), TWC, §37.003, and Texas Health and Safety Code, §341.034(b), by failing to have a current, valid water system operator's license prior to performing process control duties in production or distribution of public drinking water; PENALTY: \$2,445; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(17) COMPANY: JAMES LAKE MIDSTREAM LLC; DOCKET NUMBER: 2023-1038-AIR-E; IDENTIFIER: RN107088759; LOCATION: Goldsmith, Ector County; TYPE OF FACILITY: oil and gas processing plant; RULES VIOLATED: 30 TAC §§116.115(c), 116.615(2), and 122.143(4), Standard Permit Registration Number 116553, Federal Operating Permit Number O3771/General Operating Permit Number 514, Site-wide Requirements Numbers (b)(2) and (9)(E)(ii), and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$40,000; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(18) COMPANY: Krishna ABRR Incorporated dba A-1 Mart; DOCKET NUMBER: 2023-0394-PST-E; IDENTIFIER: RN102010097; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued underground storage tank (UST) delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; and 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; PENALTY: \$6,628; ENFORCEMENT COORDINATOR:

Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(19) COMPANY: Lower Colorado River Authority; DOCKET NUMBER: 2024-0285-AIR-E; IDENTIFIER: RN105377352; LOCATION: Winchester, Fayette County; TYPE OF FACILITY: turbines as peaking units and auxiliary systems; RULES VIOLATED: 30 TAC §116.615(2) and §122.143(4), Standard Permit Registration Number 83475, Federal Operating Permit Number O3026, General Terms and Conditions and Special Terms and Conditions Number 7, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$9,375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$7,500; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(20) COMPANY: LyondellBasell Acetyls, LLC; DOCKET NUMBER: 2021-1478-AIR-E; IDENTIFIER: RN100224450; 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 4751, Special Conditions Number 6, Federal Operating Permit Number O1375, General Terms and Conditions and Special Terms and Conditions Number 19, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$41,700; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$16,680; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: MARINA QUEST, INCORPORATED dba Texoma Marina and Resort; DOCKET NUMBER: 2023-0242-PWS-E; IDENTIFIER: RN102071990; LOCATION: Whitesboro, Grayson County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(f)(2) and (3)(A)(i)(III), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; PENALTY: \$65; ENFORCEMENT COORDINATOR: Ashley Lemke, (512) 239-1118; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(22) COMPANY: Pecan Park Bulverde LLC; DOCKET NUMBER: 2023-1501-EAQ-E; IDENTIFIER: RN111661146; LOCATION: Bulverde, Comal County; TYPE OF FACILITY: business office complex; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Program plan prior to commencing regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$1,625; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(23) COMPANY: Prihoda Gravel Company, LLC; DOCKET NUMBER: 2022-0316-WQ-E; IDENTIFIER: RN108757519; LOCATION: Altair, Colorado County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; and 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$14,875; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(24) COMPANY: Rickey Repka dba Repkas Grocery and Barbara Repka dba Repkas Grocery; DOCKET NUMBER: 2022-1709-PWS-E; IDENTIFIER: RN101211670; LOCATION: Pattinson, Waller County; TYPE OF FACILITY: public water supply; RULES

VIOLATED: 30 TAC §290.39(j)(1)(A) and Texas Health and Safety Code, §341.0351, by failing to notify the Executive Director prior to making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; and 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; PENALTY: \$811; ENFORCEMENT COORDINATOR: Ilia Perez-Ramirez, (713) 767-3743; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(25) COMPANY: Rusty Jason Miller dba In Loving Memory Pet Creations; DOCKET NUMBER: 2022-0313-MLM-E; IDENTIFIER: RN111270369; LOCATION: Tuscola, Taylor County; TYPE OF FACILITY: pet crematory; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; and 30 TAC §330.7(a), by failing to obtain a permit or other authorization prior to conducting storage, processing, or disposal of municipal solid waste; PENALTY: \$6,250; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(26) COMPANY: SI Group, Incorporated; DOCKET NUMBER: 2022-0018-AIR-E; IDENTIFIER: RN100218999; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and §122.143(4), Federal Operating Permit (FOP) Number O1431, 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 submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §116.115(c) and §122.143(4), New Source Review (NSR) Permit Number 2341, Special Conditions (SC) Number 1, FOP Number O1431, GTC and STC Number 10, and THSC, §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 2341, SC Number 16, FOP Number O1431, GTC and STC Number 10, and THSC, §382.085(b), by failing to sample, analyze, and record the total organic compounds and concentrations in parts per million by weight of phenol, methanol, toluene, cresol, dimethylphenol, and trimethylphenol of the waste water in the Wastewater Surge Tank F-1001 daily; 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 2341, SC Number 19, FOP Number O1431, GTC and STC Number 10, and THSC, §382.085(b), by failing to conduct weekly visible emissions observations; and 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O1431, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; PENALTY: \$45,680; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(27) COMPANY: T&L Fort Worth, LLC dba Servpro Lake Arlington; DOCKET NUMBER: 2023-1697-IHW-E; IDENTIFIER: RN111831780; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: commercial and residential warehouse and unauthorized industrial and hazardous waste (IHW) storage site; RULES VIOLATED: 30 TAC §335.2(a) and (b) and §335.4, by failing to have or obtain authorization to dispose of IHW at an authorized facility; and 30 TAC §335.504 and 40 Code of Federal Regulations §262.11, by failing to conduct hazardous waste determinations and waste classifications; PENALTY: \$11,813; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(28) COMPANY: Texas Department of Transportation; DOCKET NUMBER: 2023-0949-PWS-E; IDENTIFIER: RN101197176; LOCATION: Water Valley, Coke County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(2) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level of 10 milligrams per liter for nitrate; PENALTY: \$11,200; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$11,200; ENFORCEMENT COORDINATOR: Margaux Ordoveza, (512) 239-1128; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(29) COMPANY: Texas Department of Transportation; DOCKET NUMBER: 2024-0326-PST-E; IDENTIFIER: RN106439227; LOCATION: Kermit, Winkler County; TYPE OF FACILITY: fleet fueling facility; RULES VIOLATED: 30 TAC §334.48(d), (h)(1)(A)(i) and (ii), and §334.51(a)(6) and TWC, §26.3475(c)(1) and (2), by failing to ensure that all installed spill and overflow prevention devices are maintained in good operating condition and inspected and serviced in accordance with the manufacturer's specifications, and failing to conduct a walkthrough inspection of the spill prevention and release detection equipment at least once every 30 days; and 30 TAC §334.48(c) and §334.50(b)(1)(A) and (d)(1)(B) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases in a manner which will detect a release at a frequency of at least once every 30 days, and failing to conduct effective manual or automatic inventory control procedures for the UST system; PENALTY: \$5,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,000; ENFORCEMENT COORDINATOR: Eunice Adegele, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(30) COMPANY: Westlake Longview Corporation; DOCKET NUMBER: 2023-0550-AIR-E; IDENTIFIER: RN105138721; LOCATION: Longview, Harrison County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 19959, Special Conditions Number 1, Federal Operating Permit Number O1967, General Terms and Conditions and Special Terms and Conditions Number 11, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$9,375; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202402643

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 17, 2024



Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for an Air Quality Permit Proposed Permit Number 174951

APPLICATION AND PRELIMINARY DECISION. Nueces Green Ammonia LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit Number 174951, which would authorize construction of the Nueces Green Ammonia Plant located near southwest corner of Farm-to-Market Road 1889 and Farm-to-Market Road 46, north of Robstown, Nueces County, Texas 78380. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/air-permits-pendingpermit-apps>. This application was submitted to the

TCEQ on December 26, 2023. The proposed facility will emit the following contaminants: anhydrous ammonia, carbon monoxide, hazardous air pollutants, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less and sulfur dioxide.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision to issue the permit because it meets all rules and regulations. The permit application, executive director's preliminary decision, and draft permit will be available for viewing and copying at the TCEQ central office, the TCEQ Corpus Christi regional office, and at the Keach Family Library, 1000 Terry Shamsie Boulevard, Robstown, Nueces County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Corpus Christi Regional Office, 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will hold a public meeting on this application because it was requested by local legislators. The TCEQ will consider all public comments in developing a final decision on the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application, and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. At the conclusion of the comment period, all formal comments will be considered before a decision is reached on the permit application. A written response to all formal comments will be prepared by the executive director and will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Monday, July 29, 2024 at 7:00 p.m.

Richard M. Borchard Regional Fairgrounds

Conference Center - Grand Ballroom A

1213 Terry Shamsie Boulevard

Robstown, Texas 78380

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.

You may submit additional written public comments within 30 days of the date of newspaper publication of this notice in the manner set forth in the AGENCY CONTACTS AND INFORMATION paragraph below, or by the date of the public meeting, whichever is later. After the deadline for public comment, the executive director will consider the comments and prepare a response to all public comment. The response

to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application.

OPPORTUNITY FOR A CONTESTED CASE HEARING. A contested case hearing is a legal proceeding similar to a civil trial in a state district court. A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. A contested case hearing request must include the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number; (2) applicant's name and permit number; (3) the statement "I/we request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; (6) a description of how you use the property which may be impacted by the facility; and (7) a list of all disputed issues of fact that you submit during the comment period. If the request is made by a group or association, one or more members who have standing to request a hearing must be identified by name and physical address. The interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 30 days following this notice to the Office of the Chief Clerk, at the address provided in the information section below.

A contested case hearing will only be granted based on disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decisions on the application. 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. Issues that are not submitted in public comments may not be considered during a hearing.

EXECUTIVE DIRECTOR ACTION. A timely hearing request has been received by the TCEQ. However, if all timely contested case hearing requests have been withdrawn and no additional comments are received, the executive director may issue final approval of the application. The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application, and will be posted electronically to the Commissioners' Integrated Database (CID). If all timely hearing requests are not withdrawn, the executive director will not issue final approval of the permit and will forward the application and requests to the Commissioners for their consideration at a scheduled commission meeting.

INFORMATION AVAILABLE ONLINE. When they become available, the executive director's response to comments and the final decision on this application will be accessible through the Commission's website at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application which is provided at the top of this notice. 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=-97.668628,27.829485&level=13>.

MAILING LIST. You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/, or in writing to the Texas

Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the 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 Nueces Green Ammonia LLC, 8 The Green, Suite A, Dover, Delaware 19901-3618 or by calling Ms. Elizabeth Stanko, Director of ESG Advisory Services at (713) 244-1039.

Notice Issuance Date: June 14, 2024

TRD-202402679

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 18, 2024



Enforcement Orders

An agreed order was adopted regarding City of Tom Bean, Docket No. 2021-1546-MWD-E on June 18, 2024 assessing \$4,200 in administrative penalties with \$840 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, 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 Jerry Lee Vincent, Docket No. 2021-1572-MSW-E on June 18, 2024 assessing \$6,250 in administrative penalties with \$5,050 deferred. Information concerning any aspect of this order may be obtained by contacting Lauren Little, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding William Euceda dba BNA Quick Stop, Docket No. 2021-1593-PST-E on June 18, 2024 assessing \$3,874 in administrative penalties with \$774 deferred. Information concerning any aspect of this order may be obtained by contacting Amy Lane, 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 RJIN CORPORATION, Docket No. 2022-0184-AIR-E on June 18, 2024 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, 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 Craig Schneider, Docket No. 2022-0214-LII-E on June 18, 2024 assessing \$943 in administrative penalties with \$188 deferred. Information concerning any aspect of this order may be obtained by contacting Arti Patel, 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 Shamsuddin N. Khoja dba Chavez Food Mart, Docket No. 2022-0255-PST-E on June 18, 2024 assessing \$5,969 in administrative penalties with \$1,193 deferred. Information concerning any aspect of this order may be obtained by contacting Amy Lane, 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 Voyles, LLC, Docket No. 2022-0627-PWS-E on June 18, 2024 assessing \$3,100 in administrative penalties with \$620 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, 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 Aaron Davis Construction, LLC, Docket No. 2022-0922-WQ-E on June 18, 2024 assessing \$5,000 in administrative penalties with \$1,000 deferred. Information concerning any aspect of this order may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Verdun Oil & Gas LLC, Solaris Oilfield Site Services Operating, LLC, and Universal Pressure Pumping, Inc., Docket No. 2022-0972-IHW-E on June 18, 2024 assessing \$5,206 in administrative penalties with \$1,041 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.

An agreed order was adopted regarding SJK PETROLEUM INC dba Joe's Fast Lane, Docket No. 2022-1020-PST-E on June 18, 2024 assessing \$3,118 in administrative penalties with \$623 deferred. Information concerning any aspect of this order may be obtained by contacting Eunice Adegelu, 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 Fermin Venegas, Docket No. 2022-1145-PST-E on June 18, 2024 assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, 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 Solu Enterprises Inc. dba Texaco A & K Mart, Docket No. 2022-1147-PST-E on June 18, 2024 assessing \$4,375 in administrative penalties with \$875 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.

An agreed order was adopted regarding EAST HOUSTON UTILITIES, INC., Docket No. 2022-1197-PWS-E on June 18, 2024 assessing \$50 in administrative penalties with \$10 deferred. Information concerning any aspect of this order may be obtained by contacting Christiana McCrimmon, 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 Kali Investments LLC dba Valley Ridge Beverage, Docket No. 2022-1251-PST-E on June 18, 2024 assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Fishbeck, 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 Town of Holiday Lakes, Docket No. 2022-1291-PWS-E on June 18, 2024 assessing \$275 in administrative penalties with \$55 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, 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 Pilot Thomas Logistics LLC, Docket No. 2022-1304-PST-E on June 18, 2024 assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, 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 Runnin Red LLC dba Runnin Red Food Store, Docket No. 2022-1305-PST-E on June 18, 2024 assessing \$7,033 in administrative penalties with \$1,406 deferred. Information concerning any aspect of this order may be obtained by contacting Celia Garza, 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 Topsey Water Supply Corporation, Docket No. 2022-1548-PWS-E on June 18, 2024 assessing \$1,500 in administrative penalties with \$300 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Wehner, 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 JACKSON ELECTRIC COOPERATIVE, INC, Docket No. 2022-1574-PWS-E on June 18, 2024 assessing \$550 in administrative penalties with \$110 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Palo Duro Service Company, Inc., Docket No. 2022-1620-PWS-E on June 18, 2024 assessing \$312 in administrative penalties with \$62 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Wehner, 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 Ville d'Alsace Water Supply, LLC, Docket No. 2022-1662-PWS-E on June 18, 2024 assessing \$695 in administrative penalties with \$139 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Undine Texas, LLC, Docket No. 2022-1667-PWS-E on June 18, 2024 assessing \$2,250 in administrative penalties with \$2,250 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kaura Energy Inc dba On the Road 154, Docket No. 2023-0018-PST-E on June 18, 2024 assessing \$5,650 in administrative penalties with \$1,130 deferred. Information concerning any aspect of this order may be obtained by contacting Eunice Adegelu, 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 2AMA INC dba Lucky Corner Store, Docket No. 2023-0023-PST-E on June 18, 2024 assessing \$4,288 in administrative penalties with \$857 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, 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 Southwest Milam Water Supply Corporation, Docket No. 2023-0092-PWS-E on June 18, 2024 assessing \$1,350 in administrative penalties with \$270 deferred. 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 Aqua Utilities, Inc., Docket No. 2023-0158-PWS-E on June 18, 2024 assessing \$1,125 in administrative penalties with \$225 deferred. Information concerning any aspect of this order may be obtained by contacting Nicholas 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 SANVI ENTERPRISES, INC. dba Chilly Mart Drive-In, Docket No. 2023-0204-PST-E on June 18, 2024 assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, 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 BONITA-TWO CORPORATION dba Corner Stop, Docket No. 2023-0235-PST-E on June 18, 2024 assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Celia Garza, 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 Astoria Homes, LLC, Docket No. 2023-0282-WQ-E on June 18, 2024 assessing \$5,000 in administrative penalties with \$1,000 deferred. Information concerning any aspect of this order may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jones's River Bend Property Owners Association, Live Oak County, Inc, Docket No. 2023-0356-PWS-E on June 18, 2024 assessing \$2,250 in administrative penalties with \$450 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas

An agreed order was adopted regarding Texas Department of Transportation, Docket No. 2023-0383-PST-E on June 18, 2024 assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Eunice Adegelu, 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 Oklaunion Industrial Park, LLC, Docket No. 2023-0595-AIR-E on June 18, 2024 assessing \$3,250 in administrative penalties with \$650 deferred. Information concerning any aspect of this order may be obtained by contacting Desmond Martin, 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 Willie J. Moore, Docket No. 2023-0778-WQ-E on June 18, 2024 assessing \$4,200 in administrative penalties with \$840 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.

An agreed order was adopted regarding G. E. HUEBNER CONCRETE INC., Docket No. 2023-1193-WQ-E on June 18, 2024 assessing \$2,125 in administrative penalties with \$425 deferred. Information concerning any aspect of this order may be obtained by contacting Madison Stringer, 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 Georgetown Independent School District, Docket No. 2023-1549-EAQ-E on June 18, 2024 assessing \$4,875 in administrative penalties with \$975 deferred. Information concerning any aspect of this order may be obtained by contacting Megan Crinklaw, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding HASS ENTERPRISES, INC. dba Pay N Save, Docket No. 2023-1699-PST-E on June 18, 2024 assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Lauren Little, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Two Guns Aggregate, LLC, Docket No. 2023-1711-WQ-E on June 18, 2024 assessing \$1,875 in administrative penalties with \$375 deferred. Information concerning any aspect of this order may be obtained by contacting Megan Crinklaw, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Equinix LLC, Docket No. 2024-0043-AIR-E on June 18, 2024 assessing \$3,250 in administrative penalties with \$650 deferred. Information concerning any aspect of this order may be obtained by contacting Krystina Sepulveda, 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 West Cedar Creek Municipal Utility District, Docket No. 2024-0329-MWD-E on June 18, 2024 assessing \$7,125 in administrative penalties with \$1,425 deferred. 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.

A field citation was adopted regarding Cranford, Blake Aaron, Docket No. 2024-0339-WOC-E on June 18, 2024 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Sifuentes, Edilberto, Docket No. 2024-0588-OSI-E on June 18, 2024 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Shawn Patrick Mckenzie, Docket No. 2024-0664-WOC-E on June 18, 2024 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Epi Villarreal, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202402695

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 19, 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 176204

APPLICATION. Chisholm Trail Redi-Mix LLC, 3340 Peden Road, Fort Worth, Texas 76179-5565 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 176204 to authorize the operation of a concrete batch plant. The facility is proposed to be located at 3340 Peden Road, Fort Worth, Tarrant County, Texas 76179. 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=-97.434378,32.938994&level=13>. This application was submitted to the TCEQ on April 26, 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 23, 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:

Wednesday, July 17, 2024, at 6:00 p.m.

Residence Inn Fort Worth Alliance

13400 North Freeway

Fort Worth, Texas 76177

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

riod closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and the response to comments will be posted in the permit file for viewing.

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

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

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

Further information may also be obtained from Chisholm Trail Redi-Mix, LLC, 3340 Peden Rd, Fort Worth, Texas 76179-5565, or by calling Mr. Aaron Hertz at (512) 709-4251.

Notice Issuance Date: June 11, 2024

TRD-202402690

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 19, 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 **July 30, 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 July 30, 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: City of Groesbeck; DOCKET NUMBER: 2021-0973-MWD-E; TCEQ ID NUMBER: RN101918944; LOCATION: approximately one mile northeast of the intersection of State Highway 14 and State Highway 164 on the north side of Farm-to-Market Road 1245, Limestone County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010182001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$28,687; STAFF ATTORNEY: Taylor Pack Ellis, Litigation, MC 175, (512) 239-6860; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(2) COMPANY: Laura Smith; DOCKET NUMBER: 2021-0764-MLM-E; TCEQ ID NUMBER: RN110730223; LOCATION: 926 Stevens Ranch Road, Bandera, Bandera County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) and industrial hazardous waste (IHW) site; RULES VIOLATED: 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized disposal of MSW; and 30 TAC §335.4, by causing, suffering, allowing, or permitting the unauthorized disposal of IHW; PENALTY: \$41,250; Financial Inability to Pay reduction of \$40,050; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-202402663

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 18, 2024



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

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). 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 **July 30, 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 each 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 July 30, 2024**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Bruce Reyes; DOCKET NUMBER: 2022-0958-PST-E; TCEQ ID NUMBER: RN101767846; LOCATION: 5121 Farm-to-Market Road 226, Woden, Nacogdoches County; TYPE OF FACILITY: temporarily out-of-service underground storage tank (UST) system and a convenience store; RULES VIOLATED: 30 TAC §37.815(a) and (b) and §334.54(e)(5), by failing to provide financial assurance or conduct a site check and perform any necessary corrective actions for a temporarily out-of-service UST system in order to meet financial assurance exemption requirements; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A) and §334.54(c)(1), by failing to monitor a temporarily out-of-service UST system for releases; TWC, §26.3475(d) and 30 TAC §334.49(e), by failing to provide adequate corrosion protection for the UST system; 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for each class of operator - Class A, B, and C - for the facility; and 30 TAC §334.7(d)(1)(A) and (B) and (3), by failing to notify the agency of any change or additional information regarding the USTs within 30 days of occurrence of the change or addition; PENALTY: \$7,500; STAFF ATTORNEY: Taylor Pack Ellis, Litigation, MC 175, (512) 239-6860; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: EMROOZ, Inc. dba Snappy Foods 23; DOCKET NUMBER: 2020-0395-PST-E; TCEQ ID NUMBER: RN102225679; LOCATION: 5626 Leopard Street, Corpus Christi, Nueces County; TYPE OF FACILITY: underground storage tank (UST) and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(a) and (c)(1) and 30 TAC §334.50(b)(1)(B) and (2)(A)(iii), by failing to monitor the UST and piping, which were installed after January 1, 2009, for releases at a frequency of at least once every 30 days using interstitial monitoring; and TWC, §26.3475(a) and 30 TAC §334.50(b)(2)(A)(i)(III), by failing to test the line leak detector at least once per year for performance and operational reliability; PENALTY: \$2,918; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Corpus Christi Regional Office, 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(3) COMPANY: Zuri Business LLC dba A-Z Food Mart; DOCKET NUMBER: 2021-1155-PST-E; TCEQ ID NUMBER: RN102348562; LOCATION: 11369 United States Highway 69 North, Tyler, Smith County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(B), by failing to monitor the UST installed on or after January 1, 2009, in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring; TWC, §26.3475(a) and 30 TAC §334.50(b)(2)(A)(i)(III), by failing to test the line leak detector at least once per year for performance and operational reliability; TWC, §26.3475(a) and 30 TAC §334.50(b)(2)(A)(iii), by failing to monitor each pressurized pipe installed on or after January 1, 2009, for releases at a frequency of at least once every 30 days by using interstitial monitoring; 30 TAC §334.605(d), by failing to retain the certified Class A and B Operator by January 1, 2020, regardless of the three-year re-training requirement, with a course submitted and approved by TCEQ; and 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; PENALTY: \$6,613; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512)

239-0631; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202402664

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 18, 2024



Notice of Opportunity to Request a Public Meeting for a Development Permit Application for Construction Over a Closed Municipal Solid Waste Landfill Proposed Permit No. 62054

Application. StoneHawk Capital Partners, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a development permit for construction over a closed municipal solid waste landfill (Proposed Permit No. 62054). The proposed development concerns a tract of land of approximately 7.30 acres located at 11450 Trinity Boulevard, Euless, Texas in Tarrant County. The proposed development includes four multi-family residential buildings with a total footprint of 203,526 square feet and associated driveways, parking areas, and support utilities. The development permit application is available for viewing and copying at the Euless Public Library at 201 North Ector Drive, Euless in Tarrant County. The application, including updates, is available electronically at the following webpage: www.tceq.texas.gov/goto/wasteapps. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/0y4H11>. For exact location, refer to application.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application to the Office of Chief Clerk at the address included in the information section below. TCEQ will hold a public meeting if the executive director determines that there is a significant degree of public interest in the application or if requested by a local legislator. The purpose of the public meeting is for the public to provide input for consideration by the commission, and for the applicant and the commission staff to provide information to the public. A public meeting is not a contested case hearing. The comment period shall begin on the date this notice is published and end 30 calendar days after this notice is published. The comment period shall be extended to the close of any public meeting. The executive director is not required to file a response to comments.

If a public meeting is to be held, a public notice shall be published in a newspaper that is generally circulated in the county in which the proposed development is located. All the individuals on the adjacent landowners list shall also be notified at least 15 calendar days prior to the meeting.

Executive Director Action. The executive director shall, after review of the application, issue his decision to either approve or deny the development permit application. Notice of decision will be mailed to the owner and to each person that requested notification of the executive director's decision.

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

Agency Contacts and Information. All public comments, requests, and petitions must be submitted either electronically at <http://www14.tceq.texas.gov/epic/eComment/> or in writing to the

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

Further information may also be obtained from Mr. Brandon Hopkins at the mailing address 4550 Travis Street, Suite 565, Dallas, Texas 75205 or by calling Mr. Sam Enis, P.G. at (512) 574-1199.

Issued Date: June 14, 2024

TRD-202402689

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 19, 2024



Notice of Public Hearing on NRC Compatibility and Error Correction, 30 TAC Chapter 336

The Texas Commission on Environmental Quality (TCEQ) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 336, under the requirements of Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would modify the rules to correct errors, remove obsolete text, add clarity, add a definition of "closure" to Subchapter B of 30 TAC Chapter 336, Radioactive Substance Fees, and modify the training requirements for the Radiation Safety Officer in 30 TAC §336.208(a) and 30 TAC §336.1215(a)(5) to provide the commission flexibility in determining adequate training for the Radiation Safety Officer at different licensed facilities.

TCEQ will hold a hybrid virtual and in-person public hearing on this proposal in Austin on July 29, 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 July 25, 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 July 26, 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/j/1/meetup-join/19%3ameeting_YTU-0NzNjMzMtMG15YS00NGFmLWI4ODktZmlyZDRmODQyM-mIw%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a-40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

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 (800) RELAY-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 2024-010-336-WS. The comment period closes July 30, 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 Hans Weger, Radioactive Materials Division, (512) 239-6465

TRD-202402636

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 14, 2024



Notice of Public Hearing on Proposed Revisions to 30 Texas Administrative Code Chapter 114 and to the State Implementation Plan for the Texas Vehicle Inspection and Maintenance Program

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed air quality rules and a state implementation plan (SIP) revision resulting from the passage of two bills by the 88th Texas Legislature that impact the Texas vehicle inspection and maintenance (I/M) program: House Bill (HB) 3297, which eliminates the mandatory annual vehicle safety inspection program for noncommercial vehicles and Senate Bill (SB) 2102, which extends the initial registration and inspection period for rental vehicles from two years to three years. The hearing is required by Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the U.S. Environmental Protection Agency (EPA) concerning SIPs.

The proposed rulemaking concerns amendments to 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles, to implement provisions of HB 3297 and SB 2102 and clean-up amendments to remove outdated program-related definitions, references, and requirements (**Project No. 2024-013-114-AI**). The proposed SIP revision would incorporate I/M program amendments from the associated proposed rulemaking (**Project No. 2024-014-SIP-NR**).

The commission will offer a virtual public hearing on these proposals on July 24, 2024, at 7:00 p.m. CDT. The virtual hearing is structured for the receipt of oral comments only. 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 proposals 30 minutes prior to the hearing. The hearing will be conducted remotely using an internet meeting service. Individuals who plan to attend the hearing must register by July 17, 2024. To register for the hearing, please email

SIPRules@tceq.texas.gov and provide the following information: your name, your affiliation, your e-mail address, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on July 22, 2024, to those who registered for the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who do not have internet access or who have special communication or other accommodation needs who plan to attend the hearing should contact Sandy Wong, General Law Division at (512) 239-1802 or (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Stephanie Frederick, MC 206, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via the TCEQ Public Comment system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CDT on July 29, 2024. Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/propose_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/san/san-latest-ozone>. For further information, contact the project manager for the proposed project. For **Project No. 2024-013-114-AI** contact David Serrins at (512) 239-1954. For **Project No. 2024-014-SIP-NR**, contact Stephanie Frederick at (512) 239-1001.

TRD-202402582

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 13, 2024



Notice of Request for Public Comment and Notice of a Public Meeting on Proposed Non-Rule Air Quality Standard Permit for Natural Gas Electric Generating Units

The Texas Commission on Environmental Quality (commission) is providing an opportunity for public comment and will conduct a public meeting to receive testimony regarding the proposed issuance of a new non-rule air quality standard permit for natural gas fired electric generating units (EGUs) under the Texas Clean Air Act, Texas Health and Safety Code, §382.05195, Standard Permit; 30 Texas Administrative Code Chapter 116, Subchapter F, Standard Permits; and Texas Government Code, Chapter 2001, Subchapter B.

The proposed standard permit would provide a preconstruction authorization that may be used by any natural gas fired EGU complying with the standard permit requirements provided the natural gas EGU is not prohibited by other local, state, or federal permitting statutes or regulations. The proposed standard permit would provide applicants with more flexibility when seeking authorization of natural gas EGUs at a site and serves as an alternative option to the existing Non-Rule Air Quality Standard Permit for EGUs. The standard permit would only be applicable to spark-ignited internal combustion engines that fire natural gas and excludes boilers and turbines. It would include operating specifications and emission limitations for typical natural gas engines during routine operation and planned maintenance, startup, and shutdown.

The commission will hold a hybrid virtual and in-person public meeting on this proposal in Austin on Tuesday, July 30, 2024, at 10:00 a.m. in Building F, room 2210, at the commission's central office located at 12100 Park 35 Circle. The meeting 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 meeting; however, commission staff members will be available to discuss the proposal 30 minutes prior to the meeting.

Individuals who plan to attend the meeting virtually and want to provide oral comments and/or want their attendance on record must register by Friday, July 26, 2024. To register for the meeting, 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 meeting. Instructions for participating in the meeting will be sent on July 29, 2024, to those who register for the meeting.

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

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmUwYzJmZTgtNjhiNi00ODA3LWJhZDItYjcwZDY1Yzg0ZTU0%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

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

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 Ms. Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, Post Office 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 2024-005-OTH-NR. The comment period closes midnight on July 30, 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 Ms. Suzanne Alexander, Operational Support Section, Air Permits Division, (512) 239-2134.

TRD-202402692

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: June 19, 2024



Notice of Water Quality Application

The following notice was issued on June 13, 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 PUBLISHED IN THE *TEXAS REGISTER*.

INFORMATION SECTION

NRG Texas Power LLC, which operates T.H. Wharton Electric Generating Station, a steam electric generating facility, has applied for a minor amendment to Texas Pollutant Discharge Elimination System Permit No. WQ0001039000 to authorize the locations of the monitoring points in internal Outfall 301 to a single location after the tricerator. The draft permit authorizes the discharge of cooling tower blowdown, stormwater, flush water, and previously monitored effluents (low volume wastewater on an intermittent and flow-variable basis via Outfall 101, metal cleaning waste on an intermittent and flow-variable basis via Outfall 201, low volume wastewater, stormwater, and spill prevention and control countermeasures sources on an intermittent and flow-variable basis via Outfall 301, and treated domestic wastewater on a flow-variable basis via Outfall 401) at a daily average dry-weather flow not to exceed 3.95 MGD and a daily maximum dry-weather flow not to exceed 6.87 MGD via Outfall 001. The facility is located at 16301 Tomball Parkway, in the City of Houston, Harris County, Texas 77064.

TRD-202402676
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: June 18, 2024

◆ ◆ ◆
General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of June 3, 2024, to June 7, 2024. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, June 14, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday July 14, 2024.

Federal License and Permit Activities:

Applicant: City of Port Lavaca

Location: The project site is located in Lavaca Bay, at East U.S. Highway 87 and South Commerce Street at Bayfront Peninsula Park, in Port Lavaca, Calhoun County, Texas.

Latitude and Longitude: 28.6173, -96.618754

Project Description: The applicant proposes to construct living shoreline protection consisting of a rock breakwater, a reef breakwater and two marsh creation islands with a total of 7.7 acres of permanent fill related impacts below the high tide line (HTL). The rock breakwater is proposed to be 2,120-foot-long by 70-foot-wide to 91-foot-wide at the ends resulting in the discharge of 33,500 cubic yards (CY) into 3.51 acres, which will be comprised of stone material and will be located along the southern portion of the project area. The reef breakwater is proposed to be 950-foot-long by 30-foot-wide, resulting in 4,000 CY

into 0.63 acre, which will be comprised of concrete oyster reef breakwater units and located along the northern portion of the project area. The reef is being proposed as compensatory mitigation to offset potential oyster bed loss, as well as to offer protection for the proposed marsh islands.

The proposed marsh islands would be approximately 1.55 acres and 2.01 acres and situated along the western shoreline of Bayfront Peninsula Park. The marsh creation islands would be created utilizing approximately 10,000 CY of beneficial use dredge material (BUDM), sourced from nearby upland borrow areas owned by the applicant. The marsh creation islands will be contoured, graded, and planted with native vegetation species to provide additional habitat benefits to the project and aid in stabilization of newly placed material and shoreline. The BUDM will be transported via truck using street access routes and proposed temporary vehicle access routes.

Temporary impacts include dredging approximately 6,300 CY within a temporary access channel (1.84 acres). The dredge material will be temporarily placed into a 1.17-acre area below HTL within the temporary placement area boundaries, in association with the creation of a temporary dredge material placement area. This material will be returned to its original source location once the project features have been constructed. Additional temporary impacts are proposed to 0.19 acre of estuarine emergent wetlands from temporary vehicle access roads.

The applicant is also proposing to relocate 0.47 acre of oyster reef to the southern edge of the impacted reef and will be coordinated with TPWD through an aquatic resource relocation plan (ARRP).

The applicant proposed to mitigate for the proposed impacts by relocating an existing 0.47-acre oyster reef as well as the creation of a 0.63-acre oyster reef breakwater. The applicant is not proposing any further mitigation.

Type of Application: U.S. Army Corps of Engineers permit application # SWG- 2024-00114. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 24-1265-F1

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

TRD-202402576
Mark Havens
Chief Clerk
General Land Office
Filed: June 12, 2024

◆ ◆ ◆
Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation-Lamar Bridge Area, Aransas County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated July 21, 2023, delineating the mean higher high-water line of the east shoreline of Aransas Bay, State Tract 84, adjacent to the William Lewis Survey, Abstract 96, in Aransas County, Texas in connection with TGLO CMP No.23-020-013-D607. Centroid coordinates N 28.135224°, W -97.007935° (N 28° 08' 07", W 96° 00' 29"), WGS84. A copy of the survey has been filed in Volume 8, Pages 83 & 84, File No. 403388 of the Aransas County Map Records, Aransas County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/5/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Aransas County, Sketch No. 22.

TRD-202402587

Mark Havens

Chief Clerk

General Land Office

Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation- Magnolia Beach Area, Calhoun County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated July 25, 2023, delineating the mean higher high-water line of the south shoreline of Lavaca Bay, State Tract 33, adjacent to the Jose Maria Mancha Survey, Abstract 236, in Calhoun County, Texas in connection with TGLO CMP No. 23-020-013-D607. Centroid coordinates 28.561184°, -96.539677° WGS84. A copy of the survey has been filed in Instrument: 2024-00433, Slide 717A & 717B, Official Records of Calhoun County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/5/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Calhoun County, Sketch No. 14.

TRD-202402588

Mark Havens

Chief Clerk

General Land Office

Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation-Raspberry Island Area, Calhoun County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated August 4, 2023, delineating the mean higher high-water line of the north shoreline of Espiritu Santo Bay, State Tract 242, adjacent to the Santiago Gonzales Survey, Abstract 19, in Calhoun County, Texas in connection with TGLO CMP No.23-020-013-D607. Centroid coordinates N 28.433480°, W 96.409907° WGS84. A copy of the survey has been filed in Instrument: 2024-00434, Slide 718A & 718B, Official Records of Calhoun County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/5/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Calhoun County, Sketch No. 13.

TRD-202402589

Mark Havens

Chief Clerk

General Land Office

Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation-Keller Bay Area, Calhoun County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated July 24, 2023, delineating the mean higher high-water line of the north shoreline of Keller Bay, State Tract 77, adjacent to the William Arnold Survey, Abstract 2, in Calhoun County, Texas in connection with TGLO CMP No.23-020-013-D607. Centroid coordinates N 28.6374510°, W 96.453671° WGS84. A copy of the survey has been filed in Instrument: 2024-00435, Slide 719A & 719B, Official Records of Calhoun County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/5/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Calhoun County, Sketch No. 12.

TRD-202402590

Mark Havens

Chief Clerk

General Land Office

Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Anchor QEA - Aransas National Wildlife Refuge-GIWW

Project No: CEPRA 1727

Project Manager: Kevin Frenzel, P.G. CEPRA Program Manager

Surveyor: Jim Naismith, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated May 2 - 25, 2023, delineating the littoral boundary of portions of The Gulf Intracoastal Waterway and The Aransas National Wildlife Refuge, and being situated in Submerged Land Tracts 2, 9A, 10, 12, 11, 21, & 23 and the A.B. Pedigo Survey, Abstract 336, the Aransas CSL Survey, Abstract 230, the Leopold Cahn Survey, Abstract 325, the John Kelly Heirs Survey, Abstract 95, and the Aransas CSL Survey, Abstract 9 in Aransas and Calhoun Counties, in connection with CEPRA No. 1727. Centroid coordinates 28.180171°, -96.864877°, WGS84. A copy of the survey has been filed in Instrument: 403985, Volume 8, Page 88 & 89, Aransas County Plat Records.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/6/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Aransas County, Sketch No. 21.

TRD-202402591

Mark Havens

Chief Clerk

General Land Office

Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation- Palacios Harbor Area, Matagorda County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated July 19, 2023, delineating the mean higher high-water line of the north shoreline of Tres Palacios Bay, State Tracts 40 & 50, adjacent to the D. Collinsworth Survey, Abstract 129, in Matagorda County, Texas in connection with TGLO CMP No. 23-020-013-D607. Centroid coordinates 28.695408°, -96.233500° WGS84. A copy of the survey has been filed in Instrument: 2024-6, Slide 673B, Matagorda County Map Records, Matagorda County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/6/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Matagorda County, Sketch No. 17.

TRD-202402592
Mark Havens
Chief Clerk
General Land Office
Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation- Hog Island Area, Matagorda County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated August 23, 2023, delineating the mean higher high-water line of the west shoreline of East Matagorda Bay, State Tract 130, adjacent to the Samuel Love Survey, Abstract 59, in Matagorda County, Texas in connection with TGLO CMP No. 23-020-013-D607. Centroid coordinates 28.651472°, -95.876764° WGS84. A copy of the survey has been filed in Instrument: 2024-8, Slide 674B, Matagorda County Map Records, Matagorda County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/6/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/12/24

Filed as: Tex. Nat. Res. Code §33.136 - Matagorda County, Sketch No. 19.

TRD-202402593
Mark Havens
Chief Clerk
General Land Office
Filed: June 13, 2024



Surveying Services Coastal Boundary Survey

Project: Matagorda Bay Foundation - Oyster Lake Area, Matagorda County.

Project No: TGLO CMP No.23-020-013-D607

Project Manager: Jessica Chappell, TGLO Coastal Management Program

Surveyor: Kim Thomas Doyle, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated July 19, 2023, delineating the mean higher high-water line of the south shoreline of Matagorda Bay, State Tract 315, adjacent to the Isaac E. Robertson Survey, Abstract 85, in Matagorda County, Texas in connection with TGLO CMP No. 23-020-013-D607. Centroid coordinates 28.611660°, -96.214876° WGS84. A copy of the survey has been filed in Instrument: 2024-7, Slide 674A, Matagorda County Map Records, Matagorda County, Texas.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: David Klotz, Staff Surveyor

Surveying Services Date: 6/6/24

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Mark Havens, Chief Clerk

Date: 6/13/24

Filed as: Tex. Nat. Res. Code §33.136 - Matagorda County, Sketch No. 18.

TRD-202402648
Mark Havens
Chief Clerk
General Land Office
Filed: June 17, 2024



Texas Health and Human Services Commission

Correction of Error

The Texas Health and Human Services Commission (HHSC) published the administrative transfer for the former Department of Aging and Disability Services rules in Texas Administrative Code, Title 40, Part 1, Chapter 47 in the June 14, 2024, issue of the *Texas Register* (49 TexReg 4436). The administrative transfer was published with the incorrect chapter title, "Contracting to Provide Primary Home Care." The correct title of the chapter is "Primary Home Care, Community Attendant Services, and Family Care Programs" which will be transferred to Texas Administrative Code, Title 26, Part 1, Chapter 277, Primary Home Care, Community Attendant Services, and Family Care Programs, effective July 1, 2024.

TRD-202402682



Notice of Public Hearing on Proposed Updates to Breast and Cervical Cancer Services (BCCS) Payment Rates

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 15, 2024, at 9:00 a.m., to receive public comments on proposed updates to BCCS payment rates.

This hearing will be conducted as an online event. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link:

Registration URL:

<https://attendee.gotowebinar.com/register/1955212489642655066>

After registering, you will receive a confirmation email containing information about joining the webinar. Instructions for dialing-in by phone will be provided after you register.

Members of the public may access a live stream of the meeting at <https://www.hhs.texas.gov/about/live-archived-meetings>. For the live stream, select the "North Austin Complex Live" tab. A recording of the hearing will be archived and accessible on demand at the same website under the "Archived" tab. The hearing will be held in compliance with Texas Human Resources Code section 32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Any updates to the hearing details will be posted on the HHSC website at <https://www.hhs.texas.gov/about/meetings-events>.

Proposal. The effective date of the proposed payment rates for the BCCS program is September 1, 2024.

Methodology and Justification. The BCCS program follows the guidance of Texas Administrative Code (TAC), Title 26, Part 1, Chapter 371, Breast and Cervical Cancer Services, which specifies requirements and policies for the access and delivery of the BCCS program as well as payment guidelines.

The specific administrative rules that guide the establishment of the fees in this proposal include in the following TAC rules:

Section 355.8061, Outpatient Hospital Reimbursement;

Section 355.8085, Reimbursement Methodology for Physicians and Other Practitioners; and

Section 355.8641 - Reimbursement Methodology for the Women's Health Program.

Rate Hearing Packet. A briefing packet describing the proposed payment rates will be made available at <https://pfd.hhs.texas.gov/rate-packets> on or after July 1, 2024. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (737) 867-7817; by fax at (512) 730-7475; or by e-mail at PFDAcuteCare@hhs.texas.gov.

Written Comments. Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5:00 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by e-mail to PFDAcuteCare@hhs.texas.gov. In addition, written comments may be sent by overnight mail to Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 Guadalupe St., Austin, Texas 78751.

Preferred Communication. For quickest response please use e-mail or phone if possible for communication with HHSC related to this rate hearing.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (737) 867-7817 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202402665

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 18, 2024

◆ ◆ ◆
Public Notice: Amendments to the Texas State Plan for Medical Assistance

The Texas Health and Human Services Commission (HHSC) announces its intent to submit Transmittal Number 24-0006 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act.

The purpose of this proposed amendment is to implement state statutory requirements in House Bill (H.B.) 1575, 88th Texas Legislature, Regular Session, 2023 related to expanding the types of providers who can provide Case Management for Children and Pregnant Women (CPW) services. The two new provider types are doulas and community health workers.

Additionally, the 88th Legislature modified the eligible postpartum period in H.B. 12 to require continued medical assistance to eligible pregnant women for 12 months. This amendment includes conforming changes made by TN 23-0028 implementing H.B. 12. Other non-substantive updates have been done to formatting and language.

The proposed amendment is effective September 1, 2024.

The proposed amendment is estimated to have no fiscal impact. The addition of new provider types, doulas and community health workers, as eligible Medicaid providers case management services is not expected to increase Medicaid utilization or cost because HHSC already reimburses the existing CPW providers at the same rate for the same services provided by licensed nurses and social workers. Eligible pregnant recipients must continue to qualify by having a high-risk condition.

To obtain copies of the proposed amendment, interested parties may contact Nicole Hotchkiss, State Plan Coordinator, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-5035; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. The Access and Eligibility Services for local benefit offices will post and have copies of the amendment available for review.

TRD-202402698

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 19, 2024

◆ ◆ ◆
Public Notice - DBMD Amendment 1

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Deaf Blind with Multiple Disabilities (DBMD) program. HHSC administers the DBMD Program under the authority of Section 1915(c) of the Social Security Act. CMS has approved the DBMD waiver application through February 29, 2028. The proposed effective date for this amendment is January 1, 2025.

The amendment request proposes to make changes to Appendix C, G, I, and J based on House Bill (H.B.) 4169 and H.B. 4696 of the 88th Legislature, Regular Session, 2023.

H.B. 4169 establishes a service similar to prevocational service named employment readiness. H.B. 4696 requires that allegations of abuse, neglect, and exploitation that formerly had to be reported to the Texas Department of Family and Protective Services (DFPS) must now instead be reported to HHSC.

Appendix C

HHSC updated Appendix C to add employment readiness as a new service to be provided in the DBMD program, including provider qualifications.

HHSC clarified the qualifications of a service provider in the individualized skills and socialization "Provider Qualifications" section to align with existing policy that the individual's legally authorized representative can be the service provider if they are not the parent of an individual who is a minor, the spouse of a minor's parent, or the spouse of the individual.

HHSC removed the provider certification "first aid" requirement from case management, residential habilitation, respite, supported employment, assisted living, employment assistance, and intervener to align with current policy.

HHSC clarified the contract monitoring review process to align with existing policy by adding language indicating when a provider is required to submit a corrective action plan.

HHSC removed references to the term "Sanction Action Review Committee" and replaced it with "Adverse Action Review Committee."

Appendix G

Appendix G is being updated to reflect the change in reporting from DFPS to HHSC.

Appendix I

HHSC included information about the rate methodology for the new employment readiness service. Due to character limits in Appendix I, this change is located in Main-B. Optional.

HHSC updated contract monitoring activities to align with current policy by replacing the phrase "request an immediate protection plan" with "request a corrective action plan."

Appendix J

HHSC added employment readiness to the waiver service coverage charts and updated the projected utilization for the new employment readiness service for waiver years two through five.

HHSC incorporated final fiscal year 2024 rates into the amendment.

Miscellaneous

HHSC updated certain Texas Administrative Code (TAC) references from Title 40 to Title 26 for accuracy throughout appendices C and G to align with current policy.

HHSC does not expect a fiscal impact in annual aggregate expenditures for the employment readiness service. House Bill 4169 requires the new employment readiness to not exceed the previously established reimbursement rate for individualized skills and socialization services and if the service is combined with individualized skills and socialization services, the service may not exceed the total allowable hours or the total costs for individualized skills and socialization services provided under a service plan.

The DBMD waiver provides community-based services and supports to individuals with legal blindness, deafness, or a condition that leads to deafblindness, and at least one additional disability that limits functional abilities and who live in their own homes or in the home of another person, such as a family member or in a small group home setting. Services and supports are intended to enhance quality of life, functional independence, health and welfare, and to supplement, rather than replace, existing informal or formal supports and resources.

Current services in the DBMD waiver are case management, residential habilitation, respite (in-home and out of home), supported employment, prescribed medications, financial management services, support consultation, adaptive aids and medical supplies, assisted living, audiology services, behavioral support, chore services, dental treatment, dietary services, employment assistance, intervener, minor home modifications, nursing, occupational therapy services, orientation and mobility, physical therapy services, speech, hearing and language therapy, transition assistance services and individualized skills and socialization.

To obtain a free copy of the proposed waiver amendment, ask questions, obtain additional information, or submit comments about the amendment, please contact Jayasree Sankaran by U.S. mail, telephone, fax, or email at the addresses and numbers below. A copy of the proposed waiver amendment may also be obtained online on the HHSC website at:

<https://www.hhs.texas.gov/laws-regulations/policies-rules/waivers>

Comments about the proposed waiver amendment must be submitted to HHSC by July 29, 2024.

The HHSC Access and Eligibility Services for local benefit offices will post this notice for 30 days and will have copies of the amendment available for review.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Jayasree Sankaran, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4331

Fax

Attention: Jayasree Sankaran, Waiver Coordinator at (512) 323-1905

Email

TX_Medicaid_Waivers@hhs.texas.gov

TRD-202402684

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 19, 2024



Public Notice - HCS Amendment

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the Home and Community-based Services (HCS) waiver program authorized under §1915(c) of the Social Security Act. CMS has approved the HCS waiver application through August 31, 2028. The proposed effective date for the amendment is January 1, 2025.

The amendment proposes to make the following changes to Appendix C, I and J, based on House Bill (H.B.) 4169, 88th Legislature, Regular Session, 2023 which establishes a service similar to prevocational service named employment readiness in the HCS program.

Appendix C and J

HHSC added employment readiness as a new service to be provided in the HCS Program, including service provider qualifications. HHSC added projections for the new service under Appendix J for waiver years 2 through 5.

HHSC incorporated final fiscal year 2024 rates into the amendment.

Appendix I

Added language to reflect the rate methodology for the new service, employment readiness. Due to character limits in Appendix I, this change is located in Main-B. Optional.

HHSC does not expect a fiscal impact in annual aggregate expenditures for the employment readiness service. House Bill 4169 requires the new employment readiness to not exceed the previously established reimbursement rate for individualized skills and socialization services and if the service is combined with individualized skills and socialization services, the service may not exceed the total allowable hours or the total costs for individualized skills and socialization services provided under a service plan.

The HCS waiver provides services and supports to individuals with intellectual disabilities who live in their own homes, in the home of a family member, or another community setting such as a three-person or four-person residence operated by an HCS program provider. Services and supports are intended to enhance quality of life, functional independence, and health and well-being in continued community-based living and to supplement, rather than replace, existing informal or formal supports and resources. Current services in the HCS waiver include individualized skills and socialization, respite, supported employment, adaptive aids, audiology, occupational therapy, physical therapy, prescribed drugs, speech and language pathology, financial management services, support consultation, behavioral support, cognitive rehabilitation therapy, dental treatment, dietary services, employment assistance, minor home modifications, nursing, residential assistance, social work, supporting home living, and transition assistance services.

To obtain a free copy of the proposed waiver amendment, ask questions, obtain additional information, or submit comments about the amendment, please contact Julyya Alvarez by U.S. mail, telephone, fax, or email at the addresses and numbers below. A copy of the proposed waiver amendment request may also be obtained online on the HHSC website at:

<https://www.hhs.texas.gov/laws-regulations/policies-rules/waivers>

Comments about the proposed waiver amendment must be submitted to HHSC by July 29, 2024.

The Access and Eligibility Services for local benefit offices will post this notice for 30 days and will have copies of the amendment available for review.

Addresses:

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Attention: Julyya Alvarez, Waiver Coordinator, Federal Coordination, Rules and Committees

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Austin, Texas 78751

Telephone

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Email

TX_Medicaid_Waivers@hhs.texas.gov

TRD-202402685

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 19, 2024



Public Notice - TxHML Amendment

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Texas Home Living (TxHmL) program. HHSC administers the TxHmL program under the authority of Section 1915(c) of the Social Security Act. CMS has approved the TxHmL waiver application through February 28, 2027. The proposed effective date for this amendment is January 1, 2025.

The amendment proposes to make the following changes to Appendix C, E, I and J, based on House Bill (H.B.) 4169, 88th Legislature, Regular Session, 2023 which establishes a service similar to prevocational service named employment readiness in the TxHmL program.

Appendix C, E and J

HHSC added employment readiness as a new service to be provided in the TxHmL program, as well as the service provider qualifications and an explanation that an individual may receive the new service through the consumer-directed services option. HHSC also added employment readiness to the participant-directed services and waiver service coverage charts and added projections for the new service under Appendix J for waiver years 3 through 5.

Final fiscal year 2024 rates were incorporated into the amendment.

Appendix I

Added language to reflect the rate methodology for the new service, employment readiness. Due to character limits in Appendix I, this change is located in Main-B. Optional.

HHSC does not expect a fiscal impact in annual aggregate expenditures for the employment readiness service. House Bill 4169 requires the new employment readiness to not exceed the previously established reimbursement rate for individualized skills and socialization services and if the service is combined with individualized skills and socialization services, the service may not exceed the total allowable hours or the total costs for individualized skills and socialization services provided under a service plan.

The TxHmL waiver provides services and supports to individuals with intellectual disabilities who live in their own homes or in the home of another person, such as a family member. Services and supports are intended to enhance quality of life, functional independence, and health and well-being in continued community-based living and to supplement, rather than replace, existing informal or formal supports and resources.

Current services in the TxHmL waiver are respite, supported employment, prescription medications, financial management services, support consultation, adaptive aids, minor home modifications, audiology services, behavioral support, community support, dental treatment, dietary services, employment assistance, occupational therapy services, physical therapy services, nursing, speech-language pathology services, and individualized skills and socialization.

To obtain a free copy of the proposed waiver amendment, ask questions, obtain additional information, or submit comments about the amendment, please contact Julyya Alvarez by U.S. mail, telephone, fax, or email at the addresses and numbers below. A copy of the proposed waiver amendment may also be obtained online on the HHSC website at:

<https://www.hhs.texas.gov/laws-regulations/policies-rules/waivers>

Comments about the proposed waiver amendment must be submitted to HHSC by July 29, 2024.

The Access and Eligibility Services for local benefit offices will post this notice for 30 days and will have copies of the amendment available for review.

Addresses:

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Texas Health and Human Services Commission

Attention: Julyya Alvarez, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4321

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Attention: Julyya Alvarez, Waiver Coordinator at (512) 323-1905

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TX_Medicaid_Waivers@hhs.texas.gov

TRD-202402686

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 19, 2024

Department of State Health Services

Correction of Error

The Texas Health and Human Services Commission (HHSC) proposed amendments to 25 TAC Chapter 289 in the June 14, 2024, issue of the *Texas Register* (49 TexReg 4200). Due to an error by the Texas Register, the proposed amendments included incorrect text.

The text for §289.201(b) should have read as follows:

(26) [(27)] Committed effective dose equivalent ($H_{e,50}$) [($H_{e,50}$)--The sum of the products of the weighting factors applicable to each of the body organs or tissues that are irradiated and the committed dose equivalent to each of these organs or tissues ($H_{e,50} = \sum W_T H_{T,50}$) [($H_{e,50} = \sum W_T H_{T,50}$)].

(30) [(31)] Curie (Ci)--A unit of measurement of radioactivity. One curie (Ci) is the [that] quantity of radioactive material that decays at the rate of 3.7×10^{10} disintegrations per second (dps). Commonly used submultiples of the curie are the millicurie (mCi) and the microcurie (μ Ci). One mCi = 1×10^{-3} Ci = 3.7×10^7 dps. One Ci = 1×10^6 Ci = 3.7×10^4 dps. One nanocurie (nCi) = 1×10^{-9} Ci = 3.7×10^1 dps. One picocurie (pCi) = 1×10^{-12} Ci = 3.7×10^{-2} dps.

(42) Effective dose equivalent (H_e) [(H_e)--The sum of the products of the dose equivalent to each organ or tissue (H_T) [(H_T)] and the weighting

factor (W_T) [(W_T)] applicable to each of the body organs or tissues that are irradiated ($H_e = \sum W_T H_T$) [($H_e = \sum W_T H_T$)].

The text for §289.202(ff)(2)(H) should have read as follows:

(H) The dose rate at 3.28 feet (1 m) from the surface of any package containing stabilized waste does [shall] not exceed 20 microrem (μ rem) [~~rem~~] per hour or 0.20 microsieverts (μ Sv) [~~μSv~~] per hour, above background.

The text for §289.202(ggg)(2)(B) should have read as follows:

(ii) The ALIs in subparagraph (F) of this paragraph are the annual intakes of given radionuclide by Reference Man ["Reference Man"] that would result in either a committed effective dose equivalent of 5 rem [rems] (0.05 Sv), stochastic ALI, or a committed dose equivalent of 50 rem [rems] (0.5 Sv) to an organ or tissue, non-stochastic ALI. The stochastic ALIs were derived to result in a risk, due to irradiation of organs and tissues, comparable to the risk associated with deep dose equivalent to the whole body of 5 rem [rems] (0.05 Sv). The derivation includes multiplying the committed dose equivalent to an organ or tissue by a weighting factor, w_T [~~w_T~~]. This weighting factor is the proportion of the risk of stochastic effects resulting from irradiation of the organ or tissue, T, to the total risk of stochastic effects when the whole body is irradiated uniformly. The values of w_T are listed under the definition of "weighting factor" in subsection (c) of this section. The non-stochastic ALIs were derived to avoid non-stochastic effects, such as prompt damage to tissue or reduction in organ function.

(vi) The use of the ALIs listed first, the more limiting of the stochastic and non-stochastic ALIs, will ensure non-stochastic effects are avoided and risk of stochastic effects is limited to an acceptably low value. If, in a particular situation involving a radionuclide for which the non-stochastic ALI is limiting, use of that non-stochastic ALI is considered unduly conservative, the licensee may use the stochastic ALI to determine the committed effective dose equivalent. The licensee must also ensure the 50 rem (0.5 Sv) dose equivalent limit for any organ or tissue is not exceeded by the sum of the external deep dose equivalent plus the internal committed dose equivalent to that organ, not the effective dose. For the case where there is no external dose contribution, this is demonstrated if the sum of the fractions of the non-stochastic ALIs (ALI_{ns}) contributing to the committed dose equivalent to the organ receiving the highest dose does not exceed unity, that is, Σ (intake in μ Ci of each radionuclide/ ALI_{ns}) < 1.0. If there is an external deep dose equivalent contribution (H_d), then this sum must be less than $1 - (H_d/50)$, instead of < 1.0.

[Figure: 25 TAC §289.202(ggg)(2)(B)(vi)]

The text for §289.253(i)(1) should have read as follows:

(i) Radiation survey instruments.

(1) The licensee or registrant must [shall] maintain a sufficient number of calibrated and operable radiation survey instruments capable of detecting beta and gamma radiation at each location where sources of radiation are stored or used to make physical radiation surveys, as required by this section and by §289.202(p) or §289.231(s)[i] of this chapter [title], as applicable. Instrumentation must [shall] be capable of measuring 0.1 milliroentgen per hour (mR/hr) (1 microsievert per hour (μ Sv/hr)) through at least 50 mR/hr (500 μ Sv/hr). (Instrumentation capable of measuring 0.1 mR/hr (1 μ Sv/hr) through 50 mR/hr (500 μ Sv/hr) may not be sufficient to determine compliance with DOT requirements.)

The text for §289.253(v)(5) should have read as follows:

(5) Before releasing resins for unrestricted use, the resins must [they shall] be monitored in an area with a background level less than 0.05 mrem (0.5 microsieverts (μ Sv)) [(0.5 μ Sv)] per hour. The resins may

be released only if the survey does not detect radiation levels above background radiation levels. The survey meter used must [shall] be capable of detecting radiation levels of 0.05 mrem (0.5 µSv) per hour.

The text for §289.253(bb)(6) should have read as follows:

(6) Records required as specified in [accordance with] paragraphs (1) - (5) of this subsection must [shall also] include the dates, the identification of personnel [individual(s)] making the survey, the unique identification of survey instruments [instrument(s)] used, radiation measurements in milliroentgen per hour (mR/hr), calculations in millirem per hour (mrem/hr) or microsievert per hour (µSv/hr) [(microsievert per hour (µSv/hr))], and an exact description of the location of the survey. Each licensee or registrant must [shall] make and maintain records of these surveys as specified in [accordance with] subsection (ee)(5) of this section.

The text for §289.257(u)(6)(B)(v) and (v) should have read as follows:

(v) organizational revisions ensuring [that ensure that] persons and organizations performing QA [quality assurance] functions continue to have the requisite authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations.

(C) Each QA [quality assurance] program approval holder must [shall] maintain records of QA [quality assurance] program changes.

(v) Quality control program. Each shipper must [shall] adopt a quality control program ensuring [to include verification of the following to ensure that] shipping containers are suitable for shipments to a licensed disposal facility by verifying:

- (1) identification of appropriate containers [container(s)];
- (2) container testing documentation is adequate;
- (3) appropriate container used;
- (4) container packaged appropriately;
- (5) container labeled appropriately;
- (6) manifest filled out appropriately; and
- (7) documentation maintained of each step.

TRD-202402680

Texas Department of Insurance

Company Licensing

Application for Assured Guaranty Corp., a foreign fire and/or casualty company, to change its name to Assured Guaranty Inc. The home office is in New York, New York.

Application to do business in the state of Texas for Auros Reciprocal Insurance Exchange, a foreign reciprocal exchange. The home office is in Madison, Mississippi.

Application to do business in the state of Texas for First Founders Assurance Company, a foreign fire and/or casualty company. The home office is in Chester, New Jersey.

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.

TRD-202402577

Justin Beam
Chief Clerk
Texas Department of Insurance
Filed: June 12, 2024

Company Licensing

Application to do business in the state of Texas for West Virginia National Auto Insurance Company, a foreign fire and/or casualty company. The home office is in Morgantown, West Virginia.

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.

TRD-202402691

Justin Beam
Chief Clerk
Texas Department of Insurance
Filed: June 19, 2024

Texas Lottery Commission

Scratch Ticket Game Number 2623 "LIMITED EDITION MEGA LOTERIA"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2623 is "LIMITED EDITION MEGA LOTERIA". The play style is "row/column/diagonal".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2623 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2623.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: ARMADILLO SYMBOL, BAT SYMBOL, BICYCLE SYMBOL, BLUEBONNET SYMBOL, BOAR SYMBOL, BUTTERFLY SYMBOL, CACTUS SYMBOL, CARDINAL SYMBOL, CHERRIES SYMBOL, CHILE PEPPER SYMBOL, CORN SYMBOL, COVERED WAGON SYMBOL, COW SYMBOL, COWBOY HAT SYMBOL, COWBOY SYMBOL, DESERT SYMBOL, FIRE SYMBOL, FOOTBALL SYMBOL, GEM SYMBOL, GUITAR SYMBOL, HEN SYMBOL, HORSE SYMBOL, HORSESHOE SYMBOL, JACKRABBIT SYMBOL, LIZARD SYMBOL, LONE STAR SYMBOL, MARACAS SYMBOL, MOCKINGBIRD SYMBOL, MOONRISE SYMBOL, MORTAR PESTLE SYMBOL, NEWSPAPER SYMBOL, OIL RIG SYMBOL, PECAN TREE SYMBOL, PIÑATA SYMBOL, RACE CAR SYMBOL, RATTLESNAKE SYMBOL, ROADRUNNER SYMBOL, SADDLE SYMBOL, SHIP SYMBOL, SHOES SYMBOL, SOCCER BALL SYMBOL, SPEAR SYMBOL, SPUR SYMBOL, STRAWBERRY SYMBOL, SUNSET SYMBOL, WHEEL SYMBOL, WINDMILL SYMBOL, \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000 and \$5,000.

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

Figure 1: GAME NO. 2623 - 1.2D

PLAY SYMBOL	CAPTION
ARMADILLO SYMBOL	ARMADILLO
BAT SYMBOL	BAT
BICYCLE SYMBOL	BICYCLE
BLUEBONNET SYMBOL	BLUEBONNET
BOAR SYMBOL	BOAR
BUTTERFLY SYMBOL	BUTTERFLY
CACTUS SYMBOL	CACTUS
CARDINAL SYMBOL	CARDINAL
CHERRIES SYMBOL	CHERRIES
CHILE PEPPER SYMBOL	CHILE PEPPER
CORN SYMBOL	CORN
COVERED WAGON SYMBOL	COVERED WAGON
COW SYMBOL	COW
COWBOY HAT SYMBOL	COWBOY HAT
COWBOY SYMBOL	COWBOY
DESERT SYMBOL	DESERT
FIRE SYMBOL	FIRE
FOOTBALL SYMBOL	FOOTBALL
GEM SYMBOL	GEM
GUITAR SYMBOL	GUITAR
HEN SYMBOL	HEN
HORSE SYMBOL	HORSE
HORSESHOE SYMBOL	HORSESHOE
JACKRABBIT SYMBOL	JACKRABBIT
LIZARD SYMBOL	LIZARD
LONE STAR SYMBOL	LONE STAR
MARACAS SYMBOL	MARACAS
MOCKINGBIRD SYMBOL	MOCKINGBIRD

MOONRISE SYMBOL	MOONRISE
MORTAR PESTLE SYMBOL	MORTAR PESTLE
NEWSPAPER SYMBOL	NEWSPAPER
OIL RIG SYMBOL	OIL RIG
PECAN TREE SYMBOL	PECAN TREE
PIÑATA SYMBOL	PIÑATA
RACE CAR SYMBOL	RACE CAR
RATTLESNAKE SYMBOL	RATTLESNAKE
ROADRUNNER SYMBOL	ROADRUNNER
SADDLE SYMBOL	SADDLE
SHIP SYMBOL	SHIP
SHOES SYMBOL	SHOES
SOCCER BALL SYMBOL	SOCCER BALL
SPEAR SYMBOL	SPEAR
SPUR SYMBOL	SPUR
STRAWBERRY SYMBOL	STRAWBERRY
SUNSET SYMBOL	SUNSET
WHEEL SYMBOL	WHEEL
WINDMILL SYMBOL	WINDMILL
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$5,000	FVTH

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2623), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2623-0000001-001.

H. Pack - A Pack of the "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket back 001 and 050 will both be exposed.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game No. 2623.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose seventy-two (72) Play Symbols. PLAYBOARDS 1 & 2: 1) The player completely scratches the CALLER'S CARD area to reveal 28 symbols. 2) The player scratches ONLY the symbols on both PLAYBOARDS that exactly match the symbols revealed on the CALLER'S CARD. 3) If the player reveals a complete row, column or diagonal line on either PLAYBOARD, the player wins the prize for that line. BONUS GAMES: The player scratches ONLY the symbols on the BONUS GAMES that exactly match the symbols revealed on the CALLER'S CARD. If the player reveals 2 symbols in the same GAME, the player wins the PRIZE for that GAME. TABLAS DE JUEGO 1 Y 2: 1) El jugador raspa completamente la CARTA DEL GRITÓN para revelar 28 símbolos. 2) El jugador SOLAMENTE raspa los símbolos en las dos TABLAS DE JUEGO que son exactamente iguales a los símbolos revelados en la CARTA DEL GRITÓN. 3) Si el jugador revela una línea completa, horizontal, vertical o diagonal en cualquiera TABLA DE JUEGO, el jugador gana el premio para esa línea. JUEGOS DE BONO: El jugador SOLAMENTE raspa los símbolos en los JUEGOS DE BONO que son exactamente iguales a los símbolos revelados en la CARTA DEL GRITÓN. Si el jugador revela 2 símbolos en el mismo JUEGO, el jugador gana el PREMIO para ese JUEGO. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly seventy-two (72) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;

2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;

3. Each of the Play Symbols must be present in its entirety and be fully legible;

4. Each of the Play Symbols must be printed in black ink except for dual image games;

5. The Scratch Ticket shall be intact;

6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly seventy-two (72) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the seventy-two (72) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the seventy-two (72) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a de-

fective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: A Ticket can win up to eight (8) times in accordance with the prize structure.

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

C. PLAYBOARDS/TABLAS DE JUEGO: There will be no identical Play Symbols in the CALLER'S CARD/CARTA DEL GRITÓN play area.

D. PLAYBOARDS/TABLAS DE JUEGO: At least fourteen (14) but no more than twenty-six (26) CALLER'S CARD/CARTA DEL GRITÓN Play Symbols will match a Play Symbol on either PLAYBOARD/TABLA DE JUEGO play area.

E. PLAYBOARDS/TABLAS DE JUEGO: No identical Play Symbols are allowed on the same PLAYBOARD/TABLA DE JUEGO play area.

F. BONUS GAMES/JUEGOS DE BONO: Every BONUS GAME/JUEGO DE BONO Grid will match at least one (1) Play Symbol to the CALLER'S CARD/CARTA DEL GRITÓN play area.

2.3 Procedure for Claiming Prizes.

A. To claim a "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game prize of \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game prize of \$1,000, \$5,000 or \$250,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax

Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "LIMITED EDITION MEGA LOTERIA" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

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

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

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

3.0 Scratch Ticket Ownership.

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

Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Prizes. There will be approximately 25,200,000 Scratch Tickets in Scratch Ticket Game No. 2623. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2623 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10.00	2,772,000	9.09
\$15.00	1,008,000	25.00
\$20.00	1,008,000	25.00
\$30.00	1,512,000	16.67
\$50.00	504,000	50.00
\$100	254,100	99.17
\$200	55,440	454.55
\$500	4,200	6,000.00
\$1,000	1,260	20,000.00
\$5,000	140	180,000.00
\$250,000	10	2,520,000.00

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

**The overall odds of winning a prize are 1 in 3.54. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2623 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2623, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202402661

Bob Biard
General Counsel
Texas Lottery Commission
Filed: June 18, 2024

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Texas Public Finance Authority

Request for Qualifications for Management Consulting Services

Texas Register Posting/ESBD/Notice Language to Distribution List

The Texas Public Finance Authority ("TPFA") issues a Request for Qualifications ("RFQ") inviting interested vendors to submit their Statement of Qualifications for Management Consulting Services to evaluate the efficiency and effectiveness of key agency functions that are dependent upon specialized data input, retention, and retrieval, and then to plan and implement desired enhancements to key operational functions. Respondents shall provide information, evidence and demonstrated qualifications that will permit awarding a contract in a manner that provides the best value to the TPFA. The TPFA requires the assistance of a management consultant in assisting with the review of management policies, the review of operational procedures and resources, and to identify and implement feasible, real-time operational improvements. Respondents wishing to act as a consultant to the Agency, and able to meet the terms of the RFQ, are invited to submit demonstrated relevant experience and qualifications in support of evaluating the efficiency and effectiveness of key agency functions that are dependent upon specialized data input, retention, and retrieval, and then to plan and implement desired enhancements to key operational functions.

A copy of the RFQ is available on the TPFA's website at <http://www.tpfa.texas.gov/rfp.aspx> and the Electronic State Business Daily ("ESBD") at <http://www.txsmartbuy.com/esbd>.

Responses are due no later than 3:00 p.m. (CST) on July 15, 2024, pursuant to the instructions in the RFQ.

TRD-202402639
Devyn F. Wills
Assistant General Counsel
Texas Public Finance Authority
Filed: June 14, 2024

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Public Utility Commission of Texas

Notice of Application Petition for Amendment to Certificate of Convenience and Necessity and Name Change

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on March 15, 2023, to amend certificates of convenience to add approximately 72 acres in Fort Bend County and for a name change to add the assumed name of Blue Topaz Utilities.

Docket Title and Number: Application of T & W Water Service Company dba Blue Topaz Utilities to Amend Its Certificates of Convenience and Necessity in Fort Bend County, Docket Number 54758.

T & W Water Service Company filed an application to amend two certificates of convenience and necessity number 12892 and 21127 to add approximately 72 acres in Fort Bend County and for a name change to add the assumed name of Blue Topaz Utilities.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin,

Texas, 78711-3326, or by phone at (512) 936-7120 or toll free at 1 (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 54758.

TRD-202402645
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: June 17, 2024

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Texas Windstorm Insurance Association

Request for Quotes Posted

TWIA invites all qualified Respondents to submit quotes in accordance with the requirements outlined in the below-listed Request for Quote (RFQ) issued by TWIA.

The purpose of the RFQ is to obtain quotes from qualified Respondents for specified required and requested services related to a phone system for daily call processing as well as scaled operations during a catastrophic weather event.

A copy of the RFQ is available at <https://www.twia.org/vendor-requests/>.

For more information on the requirements for quotes to be submitted by interested Respondents, please contact the Vendor and Contract Manager at vendormanagement@twia.org.

Important deadlines pertaining to the RFQ are as follows:

RFQ Title: New Phone System
RFQ Issuance Date: June 10, 2024
Quote Due Date: July 12, 2024
Anticipated Provisional RFQ Award Date: July 26, 2024

TRD-202402583
Brooke Adam
Risk Manager
Texas Windstorm Insurance Association
Filed: June 13, 2024

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TWIA HR Request for Proposals

TWIA invites all qualified Respondents to submit proposals in accordance with the requirements outlined in the below-listed Request for Proposals (RFP) issued by TWIA.

The purpose of this RFP is to obtain proposals from qualified Respondents to provide professional services related to our fully insured employee benefit package offering. This includes, but is not limited to, management and administrative services relating to health (including prescription plans and wellness), dental, vision, group life/AD&D, long term disability, HSA, FSA, COBRA, EAP programs, ancillary/voluntary benefits, and other benefits. Services to the Association should include compliance, cost analysis and savings, strategic planning and any other services that may be suggested to benefit the Association and the current benefit package offerings. The Association seeks a broker experienced in the benefits market and advising all levels of staff and management.

A copy of the RFP was posted to <https://www.twia.org/vendor-requests/> on June 13, 2024.

For more information on the requirements for proposals to be submitted by interested Respondents, please contact the Vendor and Contract Manager at vendormanagement@twia.org.

Important deadlines pertaining to the RFP are as follows:

RFP Title	RFP Issuance Date	Proposal Due Date	Anticipated Provisional RFP Award Date
Employee Benefits Brokerage Services	June 13, 2024	July 12, 2024	July 26, 2024

TRD-202402584

Brooke Adam

Risk Manager

Texas Windstorm Insurance Association

Filed: June 13, 2024

