

# IN ADDITION

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

## Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

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

Case Title and Court: *Harris County, Texas and The State of Texas Acting by and through the Texas Commission on Environmental Quality, a Necessary and Indispensable Party v. Ricardo F. Romero, Laura Romero, and R&L Building Group, Inc.*; Cause No. 2021-11375 in the 333rd Judicial District Court of Harris County, Texas.

Background: Mr. and Mrs. Romero own and operate R&L Building Group, Inc., which provides demolition and restoration services to residential and commercial properties that have suffered fire and flood damage. R&L Building Group, Inc. was founded in 2017, and operates at 3527, 3535, and 3537 Mansfield Street, Houston, Texas 77091 ("Mansfield Properties"). Mr. and Mrs. Romero are the sole directors and officers of the company and are the recorded property owners for the Mansfield Properties.

On March 23, 2020, a Harris County Flood Control District ("HCFCD") employee observed a dump truck deposit debris on a corner of the property at 3537 Mansfield, which encroached onto adjacent property owned by HCFCD. On November 24, 2020, a Harris County Pollution Control Services Department ("HCPCSD") investigator inspected the property at 3537 Mansfield and observed approximately 1,200 cubic yards of municipal solid waste ("MSW") illegally dumped and encroaching on the adjacent HCFCD property. On January 21, 2021, the HCFCD employee observed Mr. Romero operating excavation equipment digging a hole on the HCFCD property neighboring the Mansfield Properties. Mr. Romero told the employee that he was burying water-based paint at the site. Additional investigations conducted by HCPCSD staff demonstrated continued storage of MSW at the Mansfield Properties and the adjacent HCFCD property through at least May 20, 2021.

Harris County filed suit on February 26, 2021, asserting trespass claims on behalf of HCFCD and violation of Texas Commission on Environmental Quality ("TCEQ") regulations governing MSW on behalf of HCPCSD, against Mr. and Mrs. Romero and R&L Building Group, Inc. (the "Romeros"). Harris County, on behalf of HCFCD, proceeded to hire environmental engineers to assess the extent of waste stored and buried on HCFCD property. Due to delays in the testing and required determinations, Harris County amended its pleading on April 30, 2024, to remove the trespass claims from litigation. As a result, only the civil enforcement claims brought on behalf of HCPCSD remain. The Parties

have reached an agreement to resolve the pending enforcement claims only.

Proposed Agreed Judgment: The parties propose an Agreed Final Judgment which provides for a total monetary award of \$32,500.00 in civil penalties and attorney's fees from the Romeros. An award of \$27,500.00 in civil penalties is to be divided evenly between Harris County and the State. The award of \$5,000.00 in attorney's fees and costs will be given to the State. No injunctive relief was deemed necessary. A post-judgment interest, at the legal rate of 8.50%, will be assessed on any payment amount that is not timely.

For a complete description of the proposed settlement, the complete proposed Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed settlement, and written comments on the same, should be directed to Wesley Williams, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911; email: Wesley.Williams@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202402902

Justin Gordon

General Counsel

Office of the Attorney General

Filed: July 1, 2024

## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, 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 **August 12, 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 **August 12, 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: ACE Aggregates, LLC; DOCKET NUMBER: 2023-1032-EAQ-E; IDENTIFIER: RN109436402; LOCATION: Mico, Medina County; TYPE OF FACILITY: aggregate material production; RULE VIOLATED: 30 TAC §213.4(k) and Edwards Aquifer Protection Plan ID Number 13000254, Standard Conditions Number 8, by failing to provide, implement, and maintain a buffer around Edwards Aquifer Sensitive Feature S-2; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: Air Products LLC; DOCKET NUMBER: 2021-1087-AIR-E; IDENTIFIER: RN108401332; LOCATION: Baytown, Chambers County; TYPE OF FACILITY: natural gas plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Numbers 133027 and N220, Special Conditions Number 1, Federal Operating Permit Number O3991, General Terms and Conditions and Special Terms and Conditions Number 5, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$37,500; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: ALTAF FOOD STORE, INCORPORATED dba Pennysaver Foodstore; DOCKET NUMBER: 2023-1613-PST-E; IDENTIFIER: RN101447209; LOCATION: Addison, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) 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 days; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(4) COMPANY: Ascension Seton dba Ascension Seton Medical Center Austin; DOCKET NUMBER: 2023-0624-PST-E; IDENTIFIER: RN102338217; LOCATION: Austin, Travis County; TYPE OF FACILITY: hospital emergency generator; RULES VIOLATED: 30 TAC §334.48(h)(1)(A)(i) and (ii) and TWC, §26.3475(c)(1) and (2), by failing to conduct the walkthrough inspections of the underground storage tank (UST) system's spill prevention equipment and release detection equipment at least once every 30 days; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$4,876; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: Bernardo Espinoza and JB STONE, LLC; DOCKET NUMBER: 2023-1505-EAQ-E; IDENTIFIER: RN106170103; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: stone quarry; RULE VIOLATED: 30 TAC §213.4(k) and Edwards Aquifer Protection Plan ID Number 11002725, Special Condition IV, by failing to comply with an approved Water Pollution Abatement Plan; PENALTY: \$750; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(6) COMPANY: Brookeland Independent School District; DOCKET NUMBER: 2022-0178-MWD-E; IDENTIFIER: RN101517308; LOCATION: Brookeland, Sabine 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 WQ0013092001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$12,375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$9,900; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: BURRIS and SONS, INCORPORATED; DOCKET NUMBER: 2023-0448-PST-E; IDENTIFIER: RN101843670; LOCATION: Fritch, Hutchinson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULE VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks; PENALTY: \$4,109; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: City of Abbott; DOCKET NUMBER: 2022-0818-MWD-E; IDENTIFIER: RN101720753; LOCATION: Abbott, Hill 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 WQ0011544001, Effluent Limitations and Monitoring Requirements Numbers 1 and 3, by failing to comply with permitted effluent limitations; PENALTY: \$22,050; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$17,640; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: City of Bardwell; DOCKET NUMBER: 2023-0584-MWD-E; IDENTIFIER: RN101721199; LOCATION: Bardwell, Ellis 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 WQ0013675001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$16,312; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$13,050; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(10) COMPANY: City of Whitewright; DOCKET NUMBER: 2023-1674-MWD-E; IDENTIFIER: RN104957840; LOCATION: Whitewright, Grayson County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010644001, Effluent Limitations and Monitoring Requirement Number 1, by failing to comply with the permitted effluent limitations; PENALTY: \$21,125; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: ClearX, LLC; DOCKET NUMBER: 2023-0915-WQ-E; IDENTIFIER: RN111536389; LOCATION: Hockley, Waller County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR1549JV, Part III,

Section D.1, by failing to make the Stormwater Pollution Prevention Plan readily available; 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR1549JV, Part III, Section F.2(a)(ii), by failing to install Best Management Practices (BMPs); 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR1549JV, Part III, Section F.6(a), (b), and (c), by failing to maintain BMPs in effective operating condition; and 30 TAC §281.25(a)(4), TWC, §26.121, and TPDES General Permit Number TXR1549JV, Part III, Section F.6(d), by failing to remove accumulations of sediment at a frequency that minimizes off-site impacts; PENALTY: \$9,713; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(12) COMPANY: CONATSER CONSTRUCTION TX, L.P.; DOCKET NUMBER: 2024-0229-WQ-E; IDENTIFIER: RN111033726; LOCATION: Granbury, Hood County; TYPE OF FACILITY: residential construction site; RULES VIOLATED: TWC, §26.121(a)(2), by failing to prevent an unauthorized discharge of sediment into or adjacent to any water in the state; and 30 TAC §281.25(a)(4), 40 Code of Federal Regulations §122.26(c), and Texas Pollutant Discharge Elimination System General Permit Number TXR150000 Part II, Section F and Part IV, Section B, by failing to maintain authorization to discharge stormwater associated with construction activities; PENALTY: \$32,055; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: Deer Trail Water District, LLC; DOCKET NUMBER: 2023-1616-MWD-E; IDENTIFIER: RN110831773; LOCATION: Conroe, Montgomery 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 WQ0015815001, Interm I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with the permitted effluent limitations; PENALTY: \$7,125; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: Diamondback E&P LLC; DOCKET NUMBER: 2023-0766-AIR-E; IDENTIFIER: RN110971595; LOCATION: Tarzan, Andrews County; TYPE OF FACILITY: oil and gas production facility; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §101.201(c) 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; and 30 TAC §106.6(b), Permit by Rule Registration Number 160176, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$36,567; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$14,627; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: Dunadan Properties, LLC; DOCKET NUMBER: 2022-1100-PWS-E; IDENTIFIER: RN105596902; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement that covers the land within 150 feet of the facility's Well Numbers 1, 2, and 3; 30 TAC §290.42(b)(1) and (e)(3), by failing to provide continuous and effective disinfection that can be secured under all conditions; 30 TAC §290.42(i), by failing to compile and maintain a thorough and up-to-date plant operations man-

ual for operator review and reference; 30 TAC §290.45(b)(1)(E)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a pressure tank capacity of 50 gallons per connection with a maximum of 2,500 gallons required; 30 TAC §290.46(e)(4)(A) and THSC, §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds a minimum of a Class D or higher groundwater license; 30 TAC §290.46(i), by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; 30 TAC §290.46(n)(1), by failing to develop and maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(m)(1)(B), by failing to inspect the facility's ten pressure tanks annually; 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; 30 TAC §290.46(s)(1), by failing to calibrate the facility's three well meters at least once every three years; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements; PENALTY: \$16,203; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: Elida Rodriguez; DOCKET NUMBER: 2022-0556-PST-E; IDENTIFIER: RN102047313; LOCATION: Crosbyton, Crosby County; TYPE OF FACILITY: temporarily out-of-service; RULES VIOLATED: 30 TAC §334.7(d)(1)(A) and (3), by failing to provide an amended registration for any change or additional information to the agency regarding the underground storage tanks (USTs) within 30 days from the date of the occurrence of the change or addition; 30 TAC §334.49(a)(2) and (c)(2)(C) and (4)(C), and §334.54(b)(3) and TWC, §26.3475(d), by failing to ensure the UST system corrosion protection system is operated and maintained in a manner that will provide continuous corrosion protection, and 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, additionally, failing to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; and 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for each class of operator, Class A, Class B, and Class C, for the facility; PENALTY: \$7,402; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: FARMERS CO-OP; DOCKET NUMBER: 2022-0379-AIR-E; IDENTIFIER: RN101957694; LOCATION: East Bernard, Wharton County; TYPE OF FACILITY: cotton gin; RULES VIOLATED: 30 TAC §116.115(b)(2)(G) and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain all air pollution emission capture and abatement equipment in good working order and operating properly during normal facility operations; and 30 TAC §116.115(c), New Source Review Permit Number 32559, Special Conditions Number 6, and THSC, §382.085(b), by failing to clean up any accumulations of lint, cotton trash, and/or cotton burrs on the gin property and remove the lint, cotton trash, and/or cotton burrs from the

gin property on a daily basis; PENALTY: \$11,250; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(18) COMPANY: Freeport LNG Development, L.P.; DOCKET NUMBER: 2023-1670-AIR-E; IDENTIFIER: RN103196689; LOCATION: Quintana, Brazoria County; TYPE OF FACILITY: liquified natural gas regasification terminal; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Numbers 55464 and 100114, Special Conditions Number 1, Federal Operating Permit Number O2878, General Terms and Conditions and Special Terms and Conditions Number 13, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$330,750; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(19) COMPANY: GREENVILLE AUTOMATIC GAS COMPANY dba Commerce Automatic Gas; DOCKET NUMBER: 2023-1414-PST-E; IDENTIFIER: RN101752715; LOCATION: Commerce, Hunt County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) 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 days; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TAC §334.72 within 30 days; PENALTY: \$12,026; ENFORCEMENT COORDINATOR: Celicia Garza, (210) 657-8422; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(20) COMPANY: HAWKINS FAMILY PARTNERS, L.P. and Hawkins and Mayo, LLC; DOCKET NUMBER: 2024-0644-MLM-E; IDENTIFIER: RN111877379; LOCATION: Uvalde, Uvalde County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Recharge Zone; and 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$57,500; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(21) COMPANY: Isaac T. Arellano; DOCKET NUMBER: 2022-1609-PST-E; IDENTIFIER: RN102647229; LOCATION: Slaton, Lubbock County; TYPE OF FACILITY: temporarily out-of-service; RULES VIOLATED: 30 TAC §37.815(a) and (b) and §334.54(b)(1), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks, and failing to assure that the vent lines are kept open and functioning; PENALTY: \$3,659; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(22) COMPANY: K&L Enterprises, Incorporated; DOCKET NUMBER: 2023-0366-PST-E; IDENTIFIER: RN102342151; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: out-of-service convenience store with retail sales of gasoline; RULE VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks; PENALTY: \$2,936; ENFORCEMENT COORDINATOR: Adri-

ana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(23) COMPANY: Kinder Morgan Tejas Pipeline LLC; DOCKET NUMBER: 2022-0632-AIR-E; IDENTIFIER: RN104198379; LOCATION: Galveston, Galveston County; TYPE OF FACILITY: natural gas pipeline; RULES VIOLATED: Texas Health and Safety Code (THSC), §382.085(a) and (b), by failing to prevent unauthorized emissions; and 30 TAC §101.201(a)(1)(B) 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; PENALTY: \$47,063; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(24) COMPANY: Langham Creek Utility District; DOCKET NUMBER: 2024-0081-MWD-E; IDENTIFIER: RN103015178; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.121(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0011682001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$13,050; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(25) COMPANY: Lyondell Chemical Company; DOCKET NUMBER: 2021-0188-AIR-E; IDENTIFIER: RN100633650; LOCATION: Channelview, Harris County; TYPE OF FACILITY: petrochemical plant; RULES VIOLATED: 30 TAC §§101.20(3), 111.111(a)(1)(B), 116.115(c) and 122.143(4), New Source Review (NSR) Permit Numbers 2993, 19613, N234, and PSDTX1480, Special Conditions (SC) Number 1, Federal Operating Permit (FOP) Numbers 4121, N282 and O1387, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 25 and 28, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §101.201(b)(1)(D), (G), and (H) and §122.143(4), FOP Number O1387, 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(b)(1)(H) and §122.143(4), FOP Number O1387, 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(f) and §122.143(4), FOP Number O1387, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to provide additional or more detailed information regarding the emissions event when requested by the Executive Director within the time established in the request; and 30 TAC §§111.111(a)(1)(B), 115.722(c)(1), 116.115(c), and 122.143(4), NSR Permit Number 19613, SC Number 1, FOP Number O1387, GTC and STC Number 28, 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; PENALTY: \$74,366; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$33,751; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(26) COMPANY: Maple Energy Holdings, LLC; DOCKET NUMBER: 2022-1573-AIR-E; IDENTIFIER: RN110682085; LOCATION: Pecos, Reeves County; TYPE OF FACILITY: sour natural gas and condensate/crude oil production facility; RULES VIOLATED: 30 TAC §106.4(c), Permit by Rule Registration Number 161829, and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain all emissions control equipment in good condition and

operated properly during operation of the facility; and 30 TAC §116.110(a) and THSC, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to the construction or modification of a source of air contaminants; PENALTY: \$7,752; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(27) COMPANY: Miramar Brands Incorporated dba 7 Eleven 35401; DOCKET NUMBER: 2023-1773-PST-E; IDENTIFIER: RN102658937; LOCATION: Keller, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases in a manner which will detect a release at a frequency of at least once every 30 days; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74(1), by failing to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TAC §334.72 by conducting a system test within 30 days; PENALTY: \$10,051; ENFORCEMENT COORDINATOR: Celicia Garza, (210) 657-8422; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(28) COMPANY: MOSCOW WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-1295-PWS-E; IDENTIFIER: RN101652576; LOCATION: Moscow, Polk County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement that covers the land within 150 feet of the facility's Well Numbers 1 and 2; 30 TAC §290.44(h)(1)(A), by failing to ensure additional protection was provided at all residences or establishments where an actual or potential contamination hazard exists in the form of an air gap or a backflow prevention assembly, as identified in 30 TAC §290.47(f); and 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; PENALTY: \$1,824; ENFORCEMENT COORDINATOR: Rachel Vulk, (512) 239-6730; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(29) COMPANY: Nerro Supply Investors, LLC; DOCKET NUMBER: 2022-1016-PWS-E; IDENTIFIER: RN101246353; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(C)(i) and Texas Health and Safety Code (THSC) §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; 30 TAC §290.46(f)(3)(A)(i) and (ii)(II), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; and 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; PENALTY: \$2,550; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6990; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(30) COMPANY: North Texas Natural Select Materials, LLC; DOCKET NUMBER: 2022-0198-AIR-E; IDENTIFIER: RN111283131; LOCATION: Pilot Point, Denton County; TYPE OF FACILITY: dirt and sand mining and processing site; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code (THSC), §382.085(a) and (b), by failing to prevent nuisance conditions; and 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; PENALTY: \$6,238; ENFORCEMENT

COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(31) COMPANY: Republic Plastics, LTD.; DOCKET NUMBER: 2023-1082-AIR-E; IDENTIFIER: RN100851211; LOCATION: McQueeney, Guadalupe County; TYPE OF FACILITY: polystyrene foam manufacturing plant; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), New Source Review Permit Number 40212, Special Conditions Number 1, Federal Operating Permit Number O2680, General Terms and Conditions and Special Terms and Conditions Number 4, and Texas Health and Safety Code, §382.085(b), by failing to comply with the maximum allowable emissions rate; PENALTY: \$31,500; ENFORCEMENT COORDINATOR: Matthew Perez, (325) 659-6707; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(32) COMPANY: Scout Energy Management LLC; DOCKET NUMBER: 2022-1636-AIR-E; IDENTIFIER: RN107100182; LOCATION: Goldsmith, Ector County; TYPE OF FACILITY: sour oil and gas tank battery; RULES VIOLATED: 30 TAC §106.352(e)(1), Permit by Rule Registration Number 116922, and Texas Health and Safety Code, §382.085(b), by failing to maintain all facilities which have the potential to emit air contaminants in good working order and operated properly during facility operations; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(33) COMPANY: Texas Concrete Sand and Gravel, Incorporated; DOCKET NUMBER: 2023-0360-WQ-E; IDENTIFIER: RN108298225; LOCATION: Cleveland, Liberty County; TYPE OF FACILITY: sand and gravel mining operation; RULES VIOLATED: TWC, §26.121(a)(2), by failing to prevent the unauthorized discharge of process water into or adjacent to any water in the state; and 30 TAC §311.103(h)(1), by failing to develop a written Mine Plan; PENALTY: \$11,738; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(34) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2023-1542-MWD-E; IDENTIFIER: RN102315199; LOCATION: Huntsville, Walker 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 WQ0011180001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$12,375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$9,900; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(35) COMPANY: Tokai Carbon CB Ltd.; DOCKET NUMBER: 2022-1476-AIR-E; IDENTIFIER: RN100222413; LOCATION: Borger, Hutchinson County; TYPE OF FACILITY: carbon black manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 111.111(a)(1)(C) and (8)(A), 116.115(c), 116.615(2), and 122.143(4), New Source Review (NSR) Permit Numbers 1867A and PSDTX1032M1, Special Conditions (SC) Number 2, Standard Permit Registration Number 157178, Federal Operating Permit (FOP) Number O1414, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 6, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent an excess opacity event; 30 TAC §§101.20(3), 111.111(a)(1)(C), 116.115(c), and 122.143(4), NSR Permit Numbers 1867A and PSDTX1032M1, SC Number 2, FOP Number O1414, GTC and STC Number 6, and THSC, §382.085(b),

by failing to comply with the opacity limit; 30 TAC §§101.20(3), 116.110(a), 116.115(c), 116.116(a)(1), and 122.143(4), NSR Permit Numbers 1867A and PSDTX1032M1, SC Number 1, FOP Number O1414, GTC and STC Number 6, and THSC, §382.0518(a) and §382.085(b), by failing to comply with the representations with regards to construction plans and operation procedures in a permit application and failing to obtain authorization before constructing a new facility or modifying an existing facility which may emit air contaminants into the air; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 1867A and PSDTX1032M1, SC Numbers 1.A. and 2, FOP Number O1414, GTC and STC Number 6, and THSC, §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 1867A and PSDTX1032M1, SC Number 17.H., FOP Number O1414, GTC and STC Number 6, and THSC, §382.085(b), by failing to maintain records of visible emissions observations; 30 TAC §101.201(a)(1)(B) and §122.143(4), FOP Number O1414, 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)(D), (F) - (H) and §122.143(4), FOP Number O1414, 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; and 30 TAC §101.201(e) and §122.143(4), FOP Number O1414, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to submit an initial notification no later than 24 hours after the discovery of an excess opacity event; PENALTY: \$275,028; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$110,011; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(36) COMPANY: Trang Huynh; DOCKET NUMBER: 2023-1025-PST-E; IDENTIFIER: RN102719689; LOCATION: Amarillo, Moore County; TYPE OF FACILITY: temporarily-out-of-service; RULE VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks; PENALTY: \$4,468; ENFORCEMENT COORDINATOR: Celia Garza, (210) 657-8422; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(37) COMPANY: Tri-Speed Investment Incorporated; DOCKET NUMBER: 2022-0953-PST-E; IDENTIFIER: RN101671733; LOCATION: Elm Mott, McLennan County; TYPE OF FACILITY: out-of-service gas station; RULES VIOLATED: 30 TAC §334.7(d)(1)(B) and (3), by failing to provide an amended registration for any change or additional information to the agency regarding the underground storage tank (UST) system within 30 days from the date of the occurrence of the change or addition; 30 TAC §§37.815(a) and (b) and 334.49(c)(4)(C) and (2)(C) and 334.54(b)(3), and TWC, §26.3475(d), by failing to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; and 30 TAC §334.606, by failing to maintain required operator training certification on-site and make it available for inspection upon request by agency personnel; PENALTY: \$10,458; ENFORCEMENT COORDINATOR: Eunice Adegele, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(38) COMPANY: Verdun Oil and Gas LLC; DOCKET NUMBER: 2023-0096-IHW-E; IDENTIFIER: RN111325437; LOCATION: Falls City, Karnes County; TYPE OF FACILITY: drilling lease; RULES

VIOLATED: 30 TAC §325.3(a)(3), 40 Code of Federal Regulations §370.33(a), and Texas Health and Safety Code, §506.006(d), by failing to submit an initial report and pay the appropriate filing fee within 90 days; PENALTY: \$1,000; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(39) COMPANY: VK and DENCY 2 CORPORATION dba Cracker Barrel 6; DOCKET NUMBER: 2023-0281-PST-E; IDENTIFIER: RN102227501; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.7(d)(1)(A) and (3) and §334.8(c)(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 to the agency, and failing to provide an amended registration for any change or additional information to the agency regarding the USTs within 30 days from the date of the occurrence of the change or addition; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(40) COMPANY: Wes Campbell; DOCKET NUMBER: 2023-0233-PST-E; IDENTIFIER: RN102789062; LOCATION: Dougherty, Floyd County; TYPE OF FACILITY: gas station; RULES VIOLATED: 30 TAC §§37.815(a) and (b) and 334.50(b)(1)(A) and 334.54(c)(1), and TWC, §26.3475(c)(1), by failing to monitor a temporarily out-of-service underground storage tank (UST) system in a manner which will detect a release at a frequency of at least once every 30 days, and failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of the petroleum USTs; PENALTY: \$4,712; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202402901

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: July 1, 2024



### Notice of a Public Meeting Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 174578

**APPLICATION.** Gonzalez Brothers Batch Plant, LP, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 174578, which would authorize construction of a permanent concrete batch plant located using the following driving directions, from the intersection of Hodgins Road and Central Expressway Service Road, travel South for approximately 0.2 miles to find the site entrance on the right, in Van Alstyne, Grayson County, Texas 75495. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.604487,33.447852&level=13>. The proposed facility will emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on November 9, 2023. The executive director has completed the administrative and technical reviews of the application and determined that the application meets all of the requirements of a standard permit authorized by 30 TAC §116.611, which would establish the conditions under which the plant must operate. The executive director has made a preliminary decision to issue the registration because it meets all applicable rules.

**PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below.**

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:**

**Tuesday, August 6, 2024 at 7:00 p.m.**

**Kidd-Key Auditorium**

**400 Elm Street**

**Sherman, Texas 75090**

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

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database (CID) at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Once you have access to the CID using the link, enter the permit number at the top of this form.

The application, executive director's preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Dallas/Fort Worth regional office, and at Van Alstyne Public Library, 151 West Cooper Street, Van Alstyne, Grayson County, Texas 75495. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) to review the standard permit. Further information may also be obtained from Gonzalez Brothers Batch

Plant, LP, P.O. Box 29955, Dallas, Texas 75229-0955 or by calling Ms. Deissy De La Rosa, Administrative Assistant at (214) 991-2130.

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.

Notice Issuance Date: July 01, 2024

TRD-202402915

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 1, 2024



**Notice of District Petition**

Notice issued June 27, 2024

TCEQ Internal Control No. D-04092024-029: M&RBFF, LLC, a Texas limited liability company (Petitioner) filed a petition for the creation of Williamson County Municipal Utility District No. 41 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is no lienholder on the property (3) the proposed District will contain approximately 198.733 acres of land, more or less, located entirely within Williamson County, Texas; (4) no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city, town or village in Texas. According to the petition, Hillwood Enterprises, L.P., a Texas limited partnership, has entered into an earnest money contract to purchase all of the land to be included in the district. The petition states that Hillwood Enterprises desires to be considered as a Petitioner for the consent to creation of the District. The petition further states that the proposed District will (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) to collect, transport, process, dispose of and control domestic, and commercial wastes; (3) to gather, conduct, divert, abate, amend and control local stormwater or other local harmful excesses of water in the District; and (4) to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants and enterprises, road facilities, and park and recreational facilities, as shall be consonant with the purposes for which the District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$62,455,000 (\$41,675,000 for water, wastewater, and drainage facilities, \$1,940,000 for recreational and \$18,840,000 for road facilities).

**INFORMATION SECTION**

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

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

TRD-202402913

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 1, 2024



### Notice of District Petition

Notice issued June 28, 2024

TCEQ Internal Control No. D-04262024-079 Sigman Grafted, LLC (Petitioner) filed a petition for the creation of Martindale Municipal Utility District No. 1 of Caldwell County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is no lienholder on the property; (3) the proposed District will contain approximately 600 acres of land, more or less, located wholly within Caldwell County, Texas; (4) a portion of the land to be included in the District is within the extraterritorial jurisdiction (ETJ) of the City of Martindale (City); and (5) a petition was submitted to the City for removal of a portion of the land from the ETJ of the City in accordance with §42.102 of the Texas Local Government Code. The petition further states: the general nature of the work proposed to be done by the District at the present time is to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial, or commercial purposes or provide adequate drainage for the District; to collect, transport, process, dispose of and control domestic, industrial, or commercial wastes; to

gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the District; and to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description. Additional work and services which may be performed by the District include the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a roadway system for the District. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$120,081,360 (\$74,726,436 for water, wastewater, and drainage facilities and \$45,354,924 for roads).

### INFORMATION SECTION

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

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

TRD-202402914

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 1, 2024



Notice of Public Meeting for an Air Quality Standard Permit for Permanent Rock and Concrete Crushers Proposed Air Quality Registration Number 175198



**APPLICATION.** North Texas Natural Select Materials LLC, 6500 Meyer Way, Suite 110, McKinney, Texas 75070-1997 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration Number 175198, which would authorize construction of a permanent rock and concrete crusher. The facility is proposed to be located at the following directions: from the intersection of Cleve Cole Road and Fannin Avenue, travel 0.42 mi north along Fannin Avenue, and the site entrance will be to the west, Denison, Grayson County, Texas 75021. 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=-96.549847,33.699269&level=13>. This application was submitted to the TCEQ on January 29, 2024. The executive director has determined the application was technically complete on March 22, 2024.

**PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below.** 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.

**The Public Meeting is to be held:**

**Thursday, August 1, 2024 at 7:00 p.m.**

**Kidd-Key Auditorium**

**400 N. Elm Street**

**Sherman, Texas 75090**

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

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database (CID) at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Once you have access to the CID using the link, enter the permit number at the top of this form.

The executive director shall approve or deny the application not later than 30 days after the end of the public comment period, considering all comments received within the comment period, and base this deci-

sion 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 Dr, Fort Worth, Texas 76118-6951, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

Further information may also be obtained from North Texas Natural Select Materials LLC, 6500 Meyer Way, Suite 110, McKinney, Texas 75070-1997, or by calling Mrs. Melissa Fitts, Senior Vice President, Westward Environmental, Inc. at (830) 249-8284.

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.

Notice Issuance Date: June 27, 2024

TRD-202402916

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 1, 2024



**Notice of Public Meeting for an Application to Obtain a Class III Injection Well Area Permit Renewal Permit No. UR3075**

**APPLICATION.** Uranium Energy Corp., 500 North Shoreline Boulevard, Suite 800 N, Corpus Christi, Texas, an in-situ uranium mining business, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit renewal to authorize in-situ uranium mining. The facility is located at 14869 North United States Highway 183, Yorktown, Texas 78164 in Goliad County, Texas. TCEQ received the application on December 22, 2020. 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 (for exact location, refer to application):

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd36f8168250f&marker=-97.356944%2C28.865555&level=12>.

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

**PUBLIC COMMENT / PUBLIC MEETING.** A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official

record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

**The Public Meeting is to be held:**

**Monday, August 5, 2024 at 7:00 p.m.**

**Goliad Memorial Auditorium**

**925 S. US HWY 183**

**Goliad, Texas 77963**

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

The permit application is available for viewing and copying at Goliad Public Library, 320 South Commercial, Goliad, Texas 77963. Further information may also be obtained from Uranium Energy Corp. at the address stated above or by calling Craig Wall at (361) 888-8235.

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.

Issued: June 27, 2024

TRD-202402918

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 1, 2024



**Notice of Water Quality Application**

The following notices were issued on June 28, 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**

Yoakum Packing Co., which operates Yoakum Packing, a meat and chicken processing facility, has applied for a minor amendment without renewal to TCEQ Permit No. WQ0005426000 to amend the sampling location from "taken after the grease trap at the facility (500 Front Street), prior to leaving the facility in 3-inch PVC pipe routed to the evaporation ponds" to "samples being taken at the clean out right before the grease trap at the facility (500 Front Street) and prior to leaving facility in 3-inch PVC pipe routed to evaporation ponds". The draft permit authorizes the disposal of process wastewater, utility wastewater,

and wash water at a daily average flow not to exceed 3,280 gallons per day (gpd) via evaporation. This permit will not authorize a discharge of pollutants into water in the state. The facility is located at 500 Front Street, in the City of Yoakum, De Witt County, Texas 77995. The evaporation ponds are located approximately 0.25 mile south of the intersection of Elwood Street and Fischer Street, in the City of Yoakum, De Witt County, Texas 77995.

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

**INFORMATION SECTION**

River Ranch Municipal Utility District No. 1 has applied for a minor amendment to the Texas Pollutant Discharge Elimination System Permit No. WQ0015597001 to authorize the addition of an Interim phase with a daily average flow not to exceed 600,000 gallons per day. The existing permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 900,000 gallons per day. The facility is located approximately 5.7 miles south of the intersection of Farm-to-Market Road 146 and U.S. Highway 90, in Liberty County, Texas 77535.

TRD-202402912

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 1, 2024



**Request for Nominations for Appointment to Serve on the Irrigator Advisory Council**

The Texas Commission on Environmental Quality (TCEQ) is requesting nominations for three individuals to serve on the Irrigator Advisory Council (council). Two of the individuals must be irrigators who are licensed to work in Texas, and one individual must represent the public. To be eligible to be a "public member," the person or person's spouse may not be licensed by an occupational regulatory agency in the field of irrigation. The person or the person's spouse may not be employed by, participate in the management of, or have, other than as a consumer, a financial interest in a business entity or other organization related to the field of irrigation. Council members will be asked to serve a six-year term beginning in 2025.

The Texas Occupations Code, Chapter 1903, Subchapter D (see also 30 Texas Administrative Code §344.80) provides the structure of the nine-member council appointed by the TCEQ. The council is comprised of nine members appointed by the TCEQ: six licensed irrigators, who are residents of Texas, experienced in the irrigation business, and familiar with irrigation methods and techniques; and three public members.

The council provides advice to the TCEQ and TCEQ Staff concerning matters that relate to irrigation. It is grounds for removal from the council when a council member misses three consecutive regularly scheduled meetings or more than half of all the regularly scheduled meetings in a one-year period. The council members generally meet for one day in Austin or virtually via Teams in the months of February, May, August, and November of each year. Council members are not paid for their services but are eligible for reimbursement of travel expenses at state rates as appropriated by the legislature.

To nominate an individual: 1) ensure that the individual is qualified for the position for which he/she is being considered; 2) submit a brief résumé which includes relevant work experience; and 3) provide the

nominee a copy of the nomination. The nominee must submit a letter indicating his/her agreement to serve, if appointed. A person may nominate themselves by: 1) ensuring that he/she is qualified for the position; 2) submitting a brief résumé which includes relevant work experience; and 3) submitting a letter indicating his/her agreement to serve, if appointed.

Written nominations and letters from nominees must be received by **5:00 p.m. on August 16, 2024**. The appointments will be considered by the TCEQ at a future Commission agenda meeting. Please mail all correspondence to the TCEQ Landscape Irrigation Program, Texas Commission on Environmental Quality, Program Support and Environmental Assistance Division, MC-235, P.O. Box 13087, Austin, Texas 78711-3087, by E-mail to [install@tceq.texas.gov](mailto:install@tceq.texas.gov), or fax to (512) 239-2249. Questions regarding the council may be directed to the Technical Programs Team Leader at (512) 839-3399 or by E-mail: [install@tceq.texas.gov](mailto:install@tceq.texas.gov). Additional information regarding the council is available on the website: [https://www.tceq.texas.gov/drinkingwater/irrigation/irr\\_advisory.html](https://www.tceq.texas.gov/drinkingwater/irrigation/irr_advisory.html)

TRD-202402906

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: July 1, 2024



## General Land Office

### Notice of Public Hearing and Extension of Comment Period

Public hearing to receive comments from interested persons concerning the amended rule proposed under Texas Natural Resources Code §§33.602, 33.607, 61.011, 61.015(b), 61.022 (b) & (c), 63.091, and 63.121, which provides the General Land Office with the authority to promulgate and adopt rules consistent with the Act governing its administration, including a rule relating to the Certification Status of the City of Galveston Dune Protection and Beach Access Plan, will be held on July 16, 2024, at a time indicated on the City of Galveston's website, at 823 Rosenberg, 2nd Floor, Galveston, Texas. The proposed amended rule, 31 TAC §15.36, was published in the June 7, 2024 issue of the *Texas Register*. Any interested person may appear and offer comments or statements, either orally or in writing; however, questioning of commenters will be reserved exclusively to the General Land Office and the City of Galveston, or their staff, as may be necessary to ensure a complete record. While any person with pertinent comments or statements will be granted an opportunity to present them during the course of the hearing, the General Land Office reserves the right to restrict statements in terms of time or repetitive content. Organizations, associations, or groups are encouraged to present their commonly held views or similar comments through a representative member when possible. Persons with disabilities who have special needs and who plan to attend the meeting should contact Mr. Walter Talley, Texas Register Liaison, Texas General Land Office, at [walter.talley@glo.texas.gov](mailto:walter.talley@glo.texas.gov). The public comment period for the proposed amendment of 31 TAC §15.36 is extended until the conclusion of the public hearing.

TRD-202402899

Jennifer Jones

Chief Clerk

General Land Office

Filed: July 1, 2024



## Texas Health and Human Services Commission

### Corrected Notice of Public Hearing on Proposed Updates to Medicaid Payment Rates

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 30, 2024, 9:00 a.m., to receive public comments on proposed Medicaid Payment Rates to School and Health Related Services (SHARS) reimbursement methodology.

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/3902433289070570846>

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.

A recording of the hearing will be archived and accessible on demand at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings> 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 rate adjustments for the topics presented during the rate hearing will be as follows:

Effective October 1, 2024

SHARS Rate Methodology

-Remove UD group modifier for Personal Care Services (PCS) code T1019 in SHARS

-Replace the current Physician Services code (99499) with screening to determine the appropriateness of consideration of an individual for participation in a specified program, project, or treatment protocol, per encounter (T1023).

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

Section 355.8443, Reimbursement Methodology for School and Related Services (SHARS)

Rate Hearing Packet. A briefing packet describing the proposed payment rates will be made available at <https://pfd.hhs.texas.gov/rate-packets> no later than July 19, 2024. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (512) 730-7400; by fax at (512) 730-7475; or by e-mail at [ProviderFinanceSHARS@hhs.texas.gov](mailto:ProviderFinanceSHARS@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 [ProviderFinanceSHARS@hhs.texas.gov](mailto:ProviderFinanceSHARS@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 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 (512) 730-7400 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202402905

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 1, 2024



## Notice of Public Hearing on Proposed Updates to Medicaid Payment Rates

**Hearing.** The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 30, 2024, 9:00 a.m., to receive public comments on proposed Medicaid Payment Rates to School and Health Related Services (SHARS) reimbursement methodology.

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://register.gotowebinar.com/register/7096212201757445209>

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 attend the rate hearing via 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 rate adjustments for the topics presented during the rate hearing will be as follows:

Effective October 1, 2024

SHARS Rate Methodology

-Remove UD group modifier for Personal Care Services (PCS) code T1019 in SHARS

-Replace the current Physician Services code (99499) with screening to determine the appropriateness of consideration of an individual for participation in a specified program, project, or treatment protocol, per encounter (T1023).

**Methodology and Justification.** The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

Section 355.8443, Reimbursement Methodology for School and Related Services (SHARS)

**Rate Hearing Packet.** A briefing packet describing the proposed payment rates will be made available at <https://pfd.hhs.texas.gov/rate-packets> no later than July 19, 2024. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (512) 730-7400; by fax at (512) 730-7475; or by e-mail at [ProviderFinanceSHARS@hhs.texas.gov](mailto:ProviderFinanceSHARS@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 [ProviderFinanceSHARS@hhs.texas.gov](mailto:ProviderFinanceSHARS@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 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 (512) 730-7400 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202402900

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 1, 2024



## Texas Department of Housing and Community Affairs

### Request for Qualifications for Peer Review - Internal Audit

The Texas Department of Housing and Community Affairs' (Department) Internal Audit Division provides an independent, objective appraisal of the Department's various functions, activities and systems of control. The purpose of the audit work is to determine whether management information is reliable, acceptable policies and procedures are being followed, whether established standards are met, whether resources are safeguarded and used efficiently and economically, if missions are accomplished effectively, and if the Department's objectives are achieved. The Internal Audit Division is independent of the Department's management and the Director of Internal Audit reports to the Chair of the governing Board's audit committee.

Posting date for RFQ: July 10, 2024

Questions Due: July 16, 2024 4:00 p.m. (CT)

Questions/Answers Posted July 18, 2024 (or as soon as possible)

Response Due: July 24, 2024 2:00 p.m. (CT)

RFQ 332-RFQ24-1009 is posted on <https://www.txsmartbuy.com/esbd>

Proposals shall be delivered to:

Texas Department of Housing and Community Affairs

Attention: Suzanne Saucedo

Mailing Address:

P.O. Box 13941

Austin, Texas 78711-3941

Physical Address for Overnight Carriers:

221 E. 11th Street

Austin, Texas 78701

For more information, please contact:

Suzanne Saucedo, Senior Purchaser

(512) 475-3998

suzanne.saucedo@tdhca.texas.gov

TRD-202402883

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: June 28, 2024

◆ ◆ ◆  
**Texas Department of Insurance**

**Company Licensing**

Application for incorporation in the state of Texas for Antidote Health Insurance Company of Texas, a domestic life, accident and/or health company. The home office is in Austin, Texas.

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-202402804

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: June 26, 2024

◆ ◆ ◆  
**North Central Texas Council of Governments**

**Request for Proposals for Data Hub - Transportation Systems and Management and Operation (TSMO)**

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from vendors to provide Installation and Integration of the FDOT-Owned Vehicle-to-Everything (V2X) Data Exchange Platform (DEP).

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, August 9, 2024**, to Natalie Bettger, Senior Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to [TransRFPs@nctcog.org](mailto:TransRFPs@nctcog.org). The Request for Proposals will be available at [www.nctcog.org/rfp](http://www.nctcog.org/rfp) by the close of business on **Friday, July 12, 2024**.

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

TRD-202402812

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: June 26, 2024

◆ ◆ ◆  
**Request for Proposals for Environmental Economics Services for Integrating Transportation and Stormwater Infrastructure - North Study Area**

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from qualified firms to demonstrate the financial feasibility and return-on-investment of integrating transportation, environmental, and stormwater infrastructure planning to increase flood risk awareness and resiliency.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, August 9, 2024**, to Kate Zielke, Environment & Development Program Supervisor, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to [TransRFPs@nctcog.org](mailto:TransRFPs@nctcog.org). The Request for Proposals will be available at [www.nctcog.org/rfp](http://www.nctcog.org/rfp) by the close of business on Friday, July 12, 2024.

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

TRD-202402904

Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: July 1, 2024

◆ ◆ ◆  
**Request for Proposals for Hydrologic & Hydraulic Services and Transportation Planning Services for Integrating Transportation and Stormwater Infrastructure - North Study Area**

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from qualified firms to conduct hydrologic and hydraulic analyses and/or transportation planning to support integration of transportation, stormwater, and environmental infrastructure to increase flood risk awareness and resiliency.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, August 9, 2024**, to Kate Zielke, Environment & Development Program Supervisor, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to [TransRFPs@nctcog.org](mailto:TransRFPs@nctcog.org). The Request for Proposals will be available at [www.nctcog.org/rfp](http://www.nctcog.org/rfp) by the close of business on Friday, July 12, 2024.

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

TRD-202402903

Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: July 1, 2024

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**Supreme Court of Texas**

**Final Approval of Amendments to the Texas Rules of Appellate Procedure Related to the Fifteenth Court of Appeals**

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included in the print version of the Texas Register. The order is available in the on-line version of the July 12, 2024, issue of the Texas Register.)*

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Jaclyn Daumerie

Rules Attorney

Supreme Court of Texas

Filed: June 28, 2024

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**Final Approval of Rules for the Business Court**

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included in the print version of the Texas Register. The order is available in the on-line version of the July 12, 2024, issue of the Texas Register.)*

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