

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.

Texas State Affordable Housing Corporation

Public Comment Needed: 2025 Texas Foundations Fund Disaster Recovery Guidelines

The Draft FY 2025 Texas Foundations Fund Disaster Recovery Guidelines are now available for public comment. A copy of the Draft 2025 Texas Foundations Fund Disaster Recovery Guidelines may be found on TSAHC's website at www.tsahc.org. Please submit public comment via email to Anna Orendain at aorendain@tsahc.org with the subject line "2025 Texas Foundations Fund Disaster Recovery Public Comment." Public comment must be submitted for consideration by October 4, 2024, at 5:00 p.m.

TRD-202403840

David Long
President

Texas State Affordable Housing Corporation
Filed: August 20, 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 08/26/24 - 09/01/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/26/24 - 09/01/24 is 18.00% for commercial² credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 09/01/24 - 09/30/24 is 8.50%.

¹ Credit for personal, family, or household use.

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

TRD-202403850

Leslie L. Pettijohn
Commissioner

Office of Consumer Credit Commissioner
Filed: August 21, 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 ACU Credit Union (Abilene) seeking approval to merge with University Credit Union (Los Angeles, CA), 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-202403846

Michael S. Riepen
Commissioner
Credit Union Department
Filed: August 21, 2024

Application to Amend Articles of Incorporation

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

An application for a change to its principal place of business was received from Texell Credit Union, Temple, Texas. The credit union is proposing to change its domicile to 7083 Members Pkwy, Temple, Texas 76502.

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

TRD-202403847

Michael S. Riepen
Commissioner
Credit Union Department
Filed: August 21, 2024

Application to Expand Field of Membership

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

An application was received from Firstmark Credit Union, San Antonio, Texas, to expand its field of membership. The proposal would permit persons who live, worship, work, or attend school and businesses and other legal entities located in Caldwell, Gonzalez, Hays, and Karnes Counties, Texas, to be eligible for membership in the credit union.

An application was received from Essential Credit Union, Baton Rouge, Louisiana, to expand its field of membership. The proposal would permit members of the Texas Consumer Council 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-202403845
Michael S. Riepen
Commissioner
Credit Union Department
Filed: August 21, 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

Cabot Community CU (Pampa) - See *Texas Register* dated June 28, 2024.

Articles of Incorporation - Approved

An application was received from Gulf Credit Union (Groves) to amend its Articles of Incorporation relating to Place of Business.

TRD-202403844
Michael S. Riepen
Commissioner
Credit Union Department
Filed: August 21, 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 **October 1, 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 ap-

plicable 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 **October 1, 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 Texas, Incorporated; DOCKET NUMBER: 2023-0296-PWS-E; IDENTIFIER: RN102678364; LOCATION: Magnolia, Montgomery County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(f)(1)(E)(ii), by failing to provide containment facilities for all liquid chemical storage tanks; 30 TAC §290.46(f)(2) and (3)(A)(v), 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: \$2,825; ENFORCEMENT COORDINATOR: Daphne Greene, (903) 535-5157; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: ARAB VENTURES LLC dba THE LOCAL SHOPPE #705; DOCKET NUMBER: 2022-1087-PST-E; IDENTIFIER: RN101472793; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(B) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks 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; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Caney Creek Municipal Utility District of Matagorda County; DOCKET NUMBER: 2024-0124-PWS-E; IDENTIFIER: RN101384717; LOCATION: Sargent, Matagorda County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(e), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$7,000; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(4) COMPANY: City of Austin; DOCKET NUMBER: 2022-0673-MWD-E; IDENTIFIER: RN101607794; LOCATION: Del Valle, Travis County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and (5), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010543012, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$25,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$25,000; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(5) COMPANY: City of Goodlow; DOCKET NUMBER: 2024-0014-PWS-E; IDENTIFIER: RN101439982; LOCATION: Kerens, Navarro County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(e)(2), by failing to conduct an operational

evaluation and submit a written operation evaluation report to the Executive Director within 90 days after being notified of the analytical results that caused an exceedance of the operational evaluation level for total trihalomethanes (TTHM) for Stage 2 Disinfection Byproducts at Site 1 during the second quarter of 2023; and 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for TTHM, based on the locational running annual average; PENALTY: \$1,822; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(6) COMPANY: City of Trinidad; DOCKET NUMBER: 2023-1476-PWS-E; IDENTIFIER: RN101386514; LOCATION: Trinidad, Henderson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and §290.122(b)(2)(A) and (f) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter for total trihalomethanes (TTHM), based on the locational running annual average, and failing to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the executive director (ED) regarding the failure to comply with the MCL for TTHM for the second quarter of 2023; and 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification, accompanied with a signed Certificate of Delivery, to the ED regarding the failure to submit the Surface Water Monthly Operating Report with the required turbidity and disinfectant residual data to the ED by the tenth day of the month following the end of the reporting period for October 2021 and March 2022, and regarding the failure to conduct water quality parameter sampling for the January 1, 2022 - June 30, 2022, monitoring period; PENALTY: \$3,877; ENFORCEMENT COORDINATOR: Ilia Perez-Ramirez, (713) 767-3743; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: City of Zavalla; DOCKET NUMBER: 2022-1525-PWS-E; IDENTIFIER: RN101386100; LOCATION: Zavalla, Angelina County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.111(e) and (h)(1)(A) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to achieve a turbidity level of combined filter effluent (CFE) that is less than 1.0 Nephelometric Turbidity Unit (NTU) and consult with the Executive Director within 24 hours after having a turbidity level exceeding 1.0 NTU in the CFE; and 30 TAC §290.115(f)(1) and THSC, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$3,767; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (361) 881-6986; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(8) COMPANY: GAFFORD'S CHAPEL WATER SUPPLY CORPORATION; DOCKET NUMBER: 2023-0333-PWS-E; IDENTIFIER: RN101440733; LOCATION: Sulphur Springs, Hopkins County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(i) and Texas Health and Safety Code, §341.0315(c) and TCEQ Agreed Order Docket Number 2017-0115-PWS-E, Ordering Provision Number 2.a, by failing to provide two or more wells having a total capacity of 0.6 gallons per minute per connection; PENALTY: \$4,150; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: HB Shady Oaks TX, LP; DOCKET NUMBER: 2022-0221-MWD-E; IDENTIFIER: RN102183027; LOCATION: Stephenville, Erath County; TYPE OF FACILITY: wastewater treat-

ment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0013966001, Effluent Limitations and Monitoring Requirements Numbers 1 and 6, by failing to comply with permitted effluent limitations; PENALTY: \$16,500; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: MEREGRASS, INCORPORATED; DOCKET NUMBER: 2024-0233-MLM-E; IDENTIFIER: RN111476578; LOCATION: Dublin, Erath County; TYPE OF FACILITY: private aircraft maintenance facility; RULES VIOLATED: 30 TAC §324.6 and 40 Code of Federal Regulations (CFR) §279.22(c)(1), by failing to label or clearly mark containers used to store used oil with the words, "Used Oil"; 30 TAC §335.4, by failing to not cause, suffer, allow, or permit the unauthorized disposal of industrial and hazardous waste; 30 TAC §335.9(a)(1), by failing to keep records of all hazardous and industrial solid waste activities regarding the quantities generated, stored, processed, and disposed of on-site or shipped off-site for storage, processing, or disposal; and 30 TAC §335.504(a) and 40 CFR §262.11, by failing to make hazardous waste determinations for each solid waste at the point of waste generation; PENALTY: \$26,338; ENFORCEMENT COORDINATOR: Eresha DeSilva, (512) 239-5084; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(11) COMPANY: Richard Allen Keenan dba K and B Waterworks; DOCKET NUMBER: 2022-1673-PWS-E; IDENTIFIER: RN102690187; LOCATION: Santa Fe, Galveston County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; 30 TAC §290.46(f)(2) and (3)(B)(iii), 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(n)(2), by failing to make available an accurate up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; PENALTY: \$725; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(12) COMPANY: Sam Houston Area Council Boy Scouts of America; DOCKET NUMBER: 2022-0006-MWD-E; IDENTIFIER: RN109041632; LOCATION: Coldspring, San Jacinto County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0015454001, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; and 30 TAC §305.125(1) and §319.5(b) and TPDES Permit Number WQ0015454001, Monitoring and Reporting Requirements Number 1, by failing to collect and analyze effluent samples at the intervals specified in the permit; PENALTY: \$5,250; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(13) COMPANY: Sienna Shipyards, LLC; DOCKET NUMBER: 2022-0120-MLM-E; IDENTIFIER: RN105567176; LOCATION: Orange, Orange County; TYPE OF FACILITY: marine vessel sandblasting and painting facility; RULES VIOLATED: 30 TAC §106.433(2)(A) and §116.115(c), New Source Review (NSR) Permit Number 109892, Special Conditions (SC) Number 17, and Texas Health and Safety Code (THSC), §382.085(b), by failing to properly clean up all coating, solvent, and thinner spills; 30 TAC

§116.115(b)(2)(E)(i) and (c), NSR Permit Number 109892, General Conditions Number 6 and SC Number 12.C.(2), and THSC, §382.085(b), by failing to maintain records containing the information and data sufficient to demonstrate compliance with the permit; 30 TAC §116.115(c), NSR Permit Number 109892, SC Number 8.C., and THSC, §382.085(b), by failing to conduct surface coating operations between the hours of 7:00 a.m. and 7:00 p.m.; 30 TAC §116.115(c), NSR Permit Number 109892, SC Number 8.E., and THSC, §382.085(b), by failing to comply with the surface coating usage rate; 30 TAC §116.115(c), NSR Permit Number 109892, SC Number 10.A., and THSC, §382.085(b), by failing to conduct abrasive blasting operations between the hours of 7:00 a.m. and 7:00 p.m.; 30 TAC §116.115(c), NSR Permit Number 109892, SC Number 10.D., and THSC, §382.085(b), by failing to comply with the abrasive blast media usage rate; 30 TAC §116.115(c), NSR Permit Number 109892, SC Number 14, and THSC, §382.085(b), by failing to collect all spent dry abrasive blast media daily and place the media in either an enclosed container, in an enclosed building, or in a pile that is covered with either a tarp or shroud material to prevent wind erosion; 30 TAC §§116.115(c), 335.53, 335.262(b) and (d), 335.503(a), and 335.504, 40 Code of Federal Regulations §262.11, NSR Permit Number 109892, SC Number 16, and THSC, §382.085(b), by failing to conduct hazardous waste determinations and waste classifications and maintain the information for at least three years; 30 TAC §116.115(c) and §335.262(c)(2)(A), NSR Permit Number 109892, SC Numbers 15 and 16, and THSC, §382.085(b), by failing to close the cleaning solvent and paint waste containers when not in use; and 30 TAC §116.115(c) and §335.262(c)(2)(B), NSR Permit Number 109892, SC Number 16, and THSC, §382.085(b), by failing to properly contain paint or paint-related waste in a container that is structurally sound, compatible with waste, and that lacks evidence of leakage, spillage, or damage; PENALTY: \$120,844; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(14) COMPANY: Space Exploration Technologies Corporation; DOCKET NUMBER: 2024-1282-IWD-E; IDENTIFIER: RN111606745; LOCATION: Brownsville, Cameron County; TYPE OF FACILITY: wastewater treatment facility; RULE VIOLATED: 30 TAC §305.42(a), by failing to obtain authorization to discharge industrial wastewater into or adjacent to any water in the state; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(15) COMPANY: STAFFORD MOBILE HOME PARK, INCORPORATED; DOCKET NUMBER: 2023-1400-MWD-E; IDENTIFIER: RN102080397; LOCATION: Stafford, Fort Bend County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.65 and §305.125(2), by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$11,250; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(16) COMPANY: Undine Texas, LLC; DOCKET NUMBER: 2023-1790-PWS-E; IDENTIFIER: RN101197192; LOCATION: Huntsville, Walker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(f)(1)(E)(ii), by failing to provide adequate containment facilities for all liquid chemical storage tanks; 30 TAC §290.44(d) and §290.46(r), by failing to provide a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting; and 30 TAC §290.46(l), by failing to flush all dead-end mains monthly, or more often if required, to maintain water quality; PENALTY: \$2,600; ENFORCEMENT COORDINATOR:

Daphne Greene, (903) 535-5157; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(17) COMPANY: Walnut Creek Special Utility District; DOCKET NUMBER: 2024-0142-PWS-E; IDENTIFIER: RN101190056; LOCATION: Springtown, Parker County; TYPE OF FACILITY: public water supply; RULES 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; 30 TAC §290.45(b)(2)(B) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide the minimum treatment plant capacity; and 30 TAC §290.45(b)(2)(E) and THSC, §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; PENALTY: \$3,854; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(18) COMPANY: Webb and Webb Construction, LLC; DOCKET NUMBER: 2023-1720-AIR-E; IDENTIFIER: RN111844767; LOCATION: Splendora, Montgomery County; TYPE OF FACILITY: portable air curtain incinerator; 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; PENALTY: \$2,250; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(19) COMPANY: WOODBINE SPECIAL UTILITY DISTRICT; DOCKET NUMBER: 2024-0140-PWS-E; IDENTIFIER: RN101246361; LOCATION: Gainesville, Cooke County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j) 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; PENALTY: \$900; ENFORCEMENT COORDINATOR: Miles Caston, (512) 239-4593; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(20) COMPANY: WTG South Permian Midstream LLC; DOCKET NUMBER: 2024-0894-AIR-E; IDENTIFIER: RN102516937; LOCATION: Midkiff, Upton County; TYPE OF FACILITY: natural gas compression, treating, and natural gas liquids recovery plant; RULES VIOLATED: 30 TAC §§122.121, 122.133(2), and 122.241(b) and Texas Health and Safety Code, §382.054 and §382.085(b), by failing to submit a permit renewal application at least six months, but no earlier than 18 months, before the date of permit expiration; PENALTY: \$11,700; ENFORCEMENT COORDINATOR: Trenton White, (903) 535-5155; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(21) COMPANY: Yaman Halal Meat LLC; DOCKET NUMBER: 2022-1686-AIR-E; IDENTIFIER: RN111492021; LOCATION: Ector, Fannin County; TYPE OF FACILITY: slaughterhouse; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code (THSC), §382.085(a) and (b), by failing to prevent nuisance odor 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: \$7,000; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

TRD-202403823

Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: August 20, 2024



Notice of Costs to Administer the Voluntary Cleanup Program and the Innocent Owner/Operator Program

In accordance with Texas Health and Safety Code, §361.613 (pertaining to the Voluntary Cleanup Program (VCP)) and 30 Texas Administrative Code §333.43 (pertaining to the Innocent Owner/Operator Program (IOP)), the executive director of the Texas Commission on Environmental Quality (TCEQ or commission) annually shall calculate the commission's costs to administer the VCP and the IOP, and shall publish in the *Texas Register* the rates established for the purpose of identifying the costs recoverable by the commission. The TCEQ has calculated and is publishing the bill rate for both the VCP and the IOP as \$130 per hour for the commission's Fiscal Year 2025.

The VCP and the IOP are implemented by the same TCEQ staff. Therefore, a single hourly bill rate for both programs is appropriate. The hourly bill rate is determined based upon current projections for staff salaries for the Fiscal Year 2025, including the fringe benefit rate and the indirect cost rate, minus anticipated federal funding that the commission will receive, and then divided by the estimated number of staff hours necessary to complete the program tasks. Fringe benefits include retirement, social security, and insurance expenses and are calculated at a set rate for the entire agency. The current fringe benefit rate is 35.49% of the budgeted salaries. Indirect costs include allowable overhead expenses and are calculated at a set rate for the entire agency. The current indirect cost rate is 35.77% of the budgeted salary. The hourly bill rate was calculated and then rounded to the nearest whole dollar amount. After an applicant's initial \$1,000 application fee has been depleted for the VCP or the IOP review and oversight costs, invoices will be sent monthly to the applicant, or designee, for payment.

The commission anticipates receiving federal funding during Fiscal Year 2025 for the continued development and enhancement of the VCP and the IOP. If the federal funding anticipated for Fiscal Year 2025 does not become available, the commission may calculate and publish a new hourly bill rate. Federal funding of the VCP and the IOP should occur prior to October 1, 2024.

For more information, please contact Mr. Eric White, VCP-CA Section, Remediation Division, Texas Commission on Environmental Quality, MC 221, 12100 Park 35 Circle, Austin, Texas 78753, or call (512) 239-5051, or email eric.white@tceq.texas.gov.

TRD-202403824
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: August 20, 2024



Notice of District Petition

Notice issued August 16, 2024

TCEQ Internal Control No. D-08062024-007: The majority landowners, Bobbie Williams, Maurice Williams, Kimerly Williams Barnett, and Kristi Williams Neyes (Petitioners) filed a petition for creation of Southeast Collin County Municipal Utility District No. 1 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of

the State of Texas; Chapters 49 and Chapter 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 Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) Veritex Community Bank is the only holder of liens against the land to be included in the District; (3) the proposed District will contain approximately 207.336 acres located within Collin County, Texas; and (4) all of the area within the proposed District is wholly located within the Collin County unincorporated area and is not located within the corporate limits or extraterritorial jurisdiction of any city or town.

The petition further states that the nature of the work to be done by the District at the present time is the construction, maintenance and operation of a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; the construction, installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$84,500,000 for waterworks, sanitary sewer, drainage, storm sewer and roadway systems.

INFORMATION SECTION

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

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

TRD-202403854



Notice of District Petition

Notice issued August 16, 2024

TCEQ Internal Control No. D-07302024-072: Qualico Developments (U.S.), Inc., A Delaware Corporation; Ernest Bracewell Sr. Family Trust; Douglas Nelle; and Timothy Nelle (Petitioners) filed a petition for creation of Triada Municipal Utility District (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and Chapter 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 Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) all lienholders have consented to inclusion of the land into the corporate boundaries of the District; (3) the proposed District will contain approximately 271.82 acres located within Travis County, Texas; and (4) the land is located within the extraterritorial jurisdiction of the City of Elgin. The purposes of and the general nature of the work proposed to be done by the District shall be the purchase, construction, acquisition, repair, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to: (1.) provide a water supply for municipal uses, domestic uses and commercial purposes; (2.) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state; (3.) gather, conduct, divert and control local storm water or other local harmful excesses of water in the District and the payment of organization expenses, operational expenses during construction and interest during construction; (4.) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5.) provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law. 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 such information as they have at this time, that such cost will be approximately \$64,510,000 (\$41,900,000 for water, sewer and drainage facilities; \$21,010,000 for roads and improvements in aid of roads; and \$1,600,000 for park and recreation 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 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. Re-

quests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202403855
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 21, 2024



Notice of Public Hearing on Proposed Revisions to 30 TAC Chapter 350

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 350, Texas Risk Reduction Program, Section 350.76 under requirements of Texas Health and Safety Code, §§361.017 and 361.024; Texas Water Code, §§5.102, 5.103, 5.105, and Chapter 26; and Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would update the chemical-specific approaches used for developing and demonstrating attainment of the critical human health protective concentration levels (PCLs) for dioxins/furans and dioxin-like polychlorinated biphenyls (PCBs) contained in Section 350.76.

The commission will hold a hybrid virtual and in-person public hearing on this proposal in Austin on Monday, September 30, 2024 at 9:00 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.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by Thursday, September 26, 2024. To register for the hearing, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on Friday, September 27, 2024, to those who register for the hearing.

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

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzY3Ym-VhNjItZWlxOS00OWEyLW15ZTgtZjYyY2NhNzcwNjg1%40thread.v-

2/0?context=%7b%22id%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%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 (1) (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 2024-023-350-WS**. The comment period opens on August 30, 2024 and closes on October 1, 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 Scott Settemeyer, Remediation Division, (512) 239-3429.

TRD-202403775

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: August 16, 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 July 29, 2024 to August 16, 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, August 23, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday September 22, 2024.

Federal License and Permit Activities:

Applicant: City of Rockport

Location: The project site is located in waters and wetlands of Tule Lake in Rockport, Aransas County, Texas. Dredged material would be temporarily placed on-site to dewater and then transferred to one of two upland dredged material placement areas (DMPA). DMPA 1 is located at the corner of Verne Street and Orleans Street in Rockport, Aransas County, Texas. DMPA 2 is located at the corner of 4th Street and Kossuth Street in Rockport, Aransas County, Texas.

Latitude and Longitude:

Project Site Latitude: 28.051363, -97.043847

DMPA 1 Latitude: 28.029585, -97.061407

DMPA 2 Latitude: 28.006903, -97.069721

Project Description: The applicant proposes to expand the footprint of Tule Lake to increase stormwater detention times, promote sediment settling, and reduce downstream transport of sediment and nutrients. The lake would be expanded from 1.71 acres to approximately 4.2 acres and dredged to a depth of -4.0 feet NAVD88. Finger dikes and wetland benches would be created to route flow through the lake and prevent areas of stagnant water. Two sediment forebays would be created where Tule Creek and Tule North Ditch enter the wetlands surrounding Tule Lake. The forebays would hold stormwater runoff and slow flow velocities to allow suspended sediment to settle, which would reduce sediment and nutrient concentrations to Tule Lake and Little Bay. The project would result in 1.71 acres of temporary impacts to open waters of Tule Lake, 1.12 acres of temporary impacts to palustrine emergent wetlands, and 0.6 acre of permanent impacts to palustrine emergent wetlands.

Approximately 1.1 acres of impacted wetlands will be re-established as high-quality fringing palustrine emergent wetland benches. Proposed wetland benches would include higher functional value plant species than the current wetland vegetation community, including nutgrass (*Cyperus rotundus*), soft rush (*Juncus effusus*), sand spike rush (*Eleocharis montevedensis*), seashore dropseed (*Sporobolus virginicus*), and American bulrush (*Schoenoplectus americanus*). No compensatory mitigation has been proposed at this time.

Type of Application: U.S. Army Corps of Engineers permit application #SWG-2024-00098. This application will be reviewed pursuant to 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: 24-1307-F1

Applicant: Port Houston

Location: The project site is located at the Barbours Cut Terminal on the Barbours Cut Channel and the Houston Ship Channel in Galveston Bay with disposal of the dredged material in the Galveston ocean dredged material disposal site (ODMDS), in Harris/Galveston Counties, Texas.

Latitude and Longitude: 29.682245, -94.997762

Project Description: Port Houston proposes to maintenance dredge docks 1-8 at the Barbours Cut Terminal and dispose of the material in the Galveston ODMDS. The volume of material to be dredged is estimated at up to 328,000 cubic yards of maintenance material per dredging cycle. The applicant has not proposed compensatory mitigation for the maintenance dredging and use of the Galveston ODMDS.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2024-00551. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 103 of the Marine Protection Research and Sanctuaries 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: 24-1313-F1

Applicant: Port Houston

Location: The project site is located at the Bayport Container Terminal on the Bayport Ship Channel and Houston Ship Channel in Galveston

Bay, in Harris County, Texas. Project street address is 12619 Port Road, Seabrook, Texas 77586.

Latitude and Longitude: 29.613676, -95.008448

Project Description: The applicant proposes to maintenance dredge docks 1-7 and the Lay Berth at the existing Bayport Terminal Berth with disposal of the material in the Galveston ocean dredged material disposal site (ODMDS). The volume of material to be dredged is estimated at up to 350,000 cubic yards of maintenance material per dredging cycle. The applicant has not proposed compensatory mitigation for the maintenance dredging and use of the Galveston ODMDS.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2024-00552. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 103 of the Marine Protection Research and Sanctuaries 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: 24-1314-F1

Applicant: Port of Galveston

Location: The project site is located in Galveston Harbor, at Cruise Terminal 16, located between Galveston Island and Pelican Island, in Galveston County, Texas.

Latitude and Longitude: 29.312325, -94.798677

Project Description: The applicant proposes to modify previously authorized structures which will include the following:

New Mooring Dolphin 1

- 39'x28' pile cap installation
- Installation of two, 200-million-ton (MT) bollards
- Installation of twelve, 48" steel pipe piles

Mooring Dolphin 2

- Removal of 26'x28' existing decking
- Installation of one, 200 MT bollard
- Installation of nine, 48" steel pipe piles

Mooring Dolphin 3

- Removal of 26'x28' existing decking
- Installation of one, 200 MT bollard
- Installation of nine, 48" steel pipe piles

New Mooring Dolphin 4

- 26'x26' pile cap installation
- Installation of one, 200 MT bollard
- Installation of nine, 48" steel pipe piles
- Installation of 24' catwalk
- Removal of 27 existing fenders and installation of new fenders
- Installation of a 19-timber pile cluster

The applicant is not conducting dredging nor requesting an extension of time for other previously authorized work. The applicant is not proposing mitigation as the project only requires the modification and expansion of existing structures with no 404 impacts and no impacts to special aquatic sites.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2011-00162. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

CMP Project No: 24-1315-F1

Applicant: City of Galveston

Location: The project site is located in English Bayou, approximately 185 feet northwest of the intersection of Bayou Shore Drive and South Shore Drive, in Galveston, Galveston County, Texas.

Latitude and Longitude: 29.281266, -94.829778

Project Description: The applicant proposes to dredge approximately 4,278 cubic yards (0.83-acre) from English Bayou and dispose of the dredge material in an upland placement area. Additionally, the applicant is proposing to discharge fill material below the high tide line of English Bayou for the purpose of increasing the capacity of an existing stormwater sewer system. The fill material consists of rip rap (474 cubic yards (0.11-acre)) and a concrete scour pad (273 cubic yards (0.08-acre)). The applicant is not proposing mitigation.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2024-00112. 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: 24-1316-F1

Applicant: Manchester Terminal

Location: The project site is located in Buffalo Bayou (Houston Ship Channel) and Sims Bayou, near 10000 Manchester Street, in Houston, Harris County, Texas.

Latitude and Longitude: 29.7180438, -95.2441345

Project Description: The applicant proposes modifications to the previously authorized Permit SWG-1991-01836 to enhance navigational access and maintenance dredging operations. The existing dredge template consists of two areas totaling 11.92 acres. The proposed modifications include expanding the existing dredge template to the toe of the Houston Ship Channel and extending it an additional 50 feet into Sims Bayou, covering an additional area of 11.6 acres. Dredging activities will involve the removal of a total of 367,250 cubic yards of material (241,250 cubic yards within the previously authorized template and 126,000 cubic yards within the proposed template) using mechanical or hydraulic-cutter suction dredge methods. The dredging aims to achieve a depth of -41 feet below mean lower low water, with a one-foot allowable over-dredge within the expanded dredge pad area. Additionally, the applicant seeks a ten-year extension for maintenance dredging operations over a combined total of 23.52 acres (11.92 acres existing and 11.6 acres proposed) and requests the addition of Texas Deepwater and Adloy to the authorized dredge material placement areas for the placement of dredged material. The applicant is not proposing mitigation because there are no anticipated impacts to special aquatic sites as a result of the project.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-1991-01836. 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: 24-1322-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-202403822

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: August 20, 2024



Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Rule Amendments for the Inpatient Direct Graduate Medical Education (GME) Reimbursement.

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on September 5, 2024, at 1:00 p.m., to receive public comments on proposed rule amendments to 1 Texas Administrative Code §355.8058.

This hearing will be conducted online only. There is not a physical location for this hearing. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link: <https://attendee.gotowebinar.com/register/1970273600922759008>

After registering, you will receive a confirmation email containing information about joining the hearing. You can also dial in using your phone by calling +1 (631) 992-3221 .

If you are new to GoToWebinar, please download the GoToMeeting app at <https://global.gotomeeting.com/install/626873213> before the hearing starts.

A recording of the hearing will be archived and can be accessed on-demand at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>.

Proposal. The rule amendments to §355.8058, concerning Inpatient Direct Graduate Medical Education (GME) Reimbursement, are proposed to be effective January 2025.

Briefing Packet: Interested parties may obtain a copy of the proposed preamble and rule amendments in the August 16, 2024, Issue of the *Texas Register* at <https://www.sos.texas.gov/texreg/index.shtml> or by contacting HHSC Provider Finance by telephone at (512) 730-7401, by fax at (512) 730-7475, or by email at PFD_hospitals@hhsc.state.tx.us.

Written Comments. Written comments regarding the proposed rule amendments may be submitted instead of, or in addition to, oral testimony until 11:59 p.m. on September 16, 2024. 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 email to PFD_hospitals@hhsc.state.tx.us. Please include "Comments on Proposed Rule §355.8058" in the subject line. 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 W. Guadalupe St, Austin, Texas 78751.

Contact. Questions regarding the hearing or meeting arrangements should be directed to PFD_hospitals@hhsc.state.tx.us.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202403817

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 19, 2024



Public Notice - Amendment to the Texas State Plan for the Children's Health Insurance Program

The Texas Health and Human Services Commission (HHSC) announces its intent to submit the following amendment: Transmittal number 24-0017 to amend the Texas State Plan for the Children's Health Insurance Program (CHIP) under Title XXI of the Social Security Act. The proposed effective date of the amendment is January 1, 2024.

The purpose of this amendment is to provide children under age 19 with 12 months of continuous eligibility in CHIP, in accordance with Section 2107(e)(1)(K) of the Social Security Act, as amended by Section 5112 of the Consolidated Appropriations Act, 2023. Children under age 19 will remain continuously eligible for the full 12-month certification period, regardless of changes in circumstances with certain exceptions.

The proposed amendment is estimated to result in an additional annual aggregate expenditure of \$4.16 million (M) for the remainder of federal fiscal year (FFY) 2024, consisting of \$3M in federal funds and \$1.16M in state general revenue. For FFY 2025, the estimated additional annual expenditure is \$14.36M consisting of \$10.34M in federal funds and \$4.02M in state general revenue.

To obtain copies of or information relating to 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. Copies of the proposal will also be made available for public review at the local offices of the Texas Health and Human Services Commission.

TRD-202403816

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 19, 2024



Public Notice - Updates to Medicaid Hospital Reimbursement

The Texas Health and Human Services Commission (HHSC) announces its intent to implement the All Patient Refined - Diagnosis Related Group (APR-DRG) Grouper 41 Statistical Data Relative Weight (RW), Mean Length of Stay (MLOS), Day Threshold, and universal mean used to reimburse Medicaid Inpatient Hospital Services. Updates will be effective September 1, 2024.

These proposed updates are estimated to result in an annual aggregate expenditure of \$5,097,114 for federal fiscal year (FFY) 2024, consisting of \$3,065,914 in federal funds and \$2,031,200 in state general revenue. For FFY 2025 the estimated annual aggregate expenditure is \$56,068,250 consisting of \$33,640,950 in federal funds and \$22,427,300 in state general revenue.

Further detail on specific changes to Inpatient Hospital Services DRGs are available on the HHSC Provider Finance website under the proposed effective date at: <https://pfd.hhs.texas.gov/rate-packets>.

Rate Hearing

A rate hearing was conducted in person and online on August 19th, 2024. Information about the proposed rate changes and the hearing was published in the August 9th, 2024 edition of the *Texas Register* and in the GovDelivery notice sent to subscribers on August 13th, 2024. An updated notification noting the update to the proposed implementation date of September 1, 2024 was sent on August 13, 2024 via govdelivery, and an updated Texas Register Notice was published on August 23, 2024. Additional information and the notice of hearings can be found at <https://www.sos.state.tx.us/texreg/index.shtml>. Archived recordings of the hearings can be found at <https://www.hhs.texas.gov/about/meetings-events>.

Copy of Proposed Updates.

Interested parties may obtain additional information and/or a free copy of the proposed updates by contacting Hospital Rates by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at PFD_Hospitals@hhsc.state.tx.us. Copies of the proposed updates will be available for review at the local county offices of HHSC, (which were formerly the local offices of the Texas Department of Aging and Disability Services).

Written Comments.

Written comments about the proposed update and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 W. Guadalupe St.

Austin, Texas 78751

Phone number for package delivery: (512) 730-7401

Fax:

Attention: Provider Finance at (512) 730-7475

Email:

pfd_hospitals@hhsc.state.tx.us.

Preferred Communication.

For quickest response, please use e-mail or phone, if possible, for communication with HHSC related to this update.

TRD-202403843

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 21, 2024

Texas Department of Insurance

Company Licensing

Application for incorporation in the state of Texas for Arbor Reciprocal Exchange Company, a domestic reciprocal. The home office is in Irving, Texas.

Application for Metromile Insurance Company, a foreign fire and/or casualty company, to change its name to Lemonade Property and Casualty Insurance Company. The home office is in New York, New York.

Application to do business in the state of Texas for Wingsail Insurance Company, a foreign fire and/or casualty company. The home office is in Scottsdale, Arizona.

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-202403852

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: August 21, 2024

Notice of Annual Rate Filing for Texas Windstorm Insurance Association

Description

The Texas Windstorm Insurance Association (TWIA) made its annual rate filing on August 13, 2024. The filed rates represent a 10 percent increase in residential and commercial rates, effective January 1, 2025, for new and renewal policies.

The commissioner of insurance will review the filing to determine whether TWIA's proposed rates are just, fair, reasonable, adequate, not excessive, not unfairly discriminatory, and nonconfiscatory as to any class of insurer, as required by Insurance Code §560.002 and §2210.355.

The commissioner of insurance must approve or disapprove the filing no later than October 15, 2024. If the filing is not approved or disapproved by that date, it is considered approved.

To Review the Filing, Request Copies, Request Additional Supporting Information, and Comment

To review or get copies:

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TRD-202403737

Jessica Barta

General Counsel

Texas Department of Insurance

Filed: August 15, 2024

◆ ◆ ◆
Texas Department of Licensing and Regulation

Course of Organized Instruction (COI) for Driving Safety

The Texas Department of Licensing and Regulation publishes the proposed changes to the Course of Organized Instruction (COI) for Driving Safety. The COI for Driving Safety is incorporated by reference and to be considered with the proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 84, Subchapter A, §84.2 and §84.3; Subchapter C, §§84.40, 84.43, 84.44, 84.46; Subchapter D, §84.50; Subchapter E, §84.60 and §84.63; Subchapter G, §84.80; and Subchapter N, §84.600 and §84.601; new rules at Subchapter D, §84.51 and §84.52; Subchapter M, §§84.500-84.505; and the repeal of existing rules at Subchapter D, §84.51 and §84.52; and Subchapter M, §§84.500-84.502 and §84.504, regarding the Driver Education and Traffic Safety (DES) program, as published in the proposed rules section of this issue of the *Texas Register*.



**COURSE OF ORGANIZED INSTRUCTION (COI) FOR DRIVING
SAFETY**

December 2024 [~~May 2022~~]

**6-Hour Driving Safety Course
(COI-Driving Safety)**

**Texas Department of Licensing and Regulation, Education and
Examination Division**

www.tdlr.texas.gov

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NOTICE

The Course of Organized Instruction (COI) is not curriculum. It is a manual created for providers, that includes the required course content for the six hour classroom instruction for the driver safety course. Providers using a third-party source, or their own curriculum will use that with the COI, Driver Education & Safety laws and rules, and the current Texas Driver Handbook to create a strong driver safety course.

COURSE OF ORGANIZED INSTRUCTION FOR SIX-HOUR DRIVING SAFETY

Chapter One: Course Introduction

1.1 Introduction. This guide details the required course content and minimum instruction requirements for the ~~[classroom]~~ instruction for six-hour Driving Safety programs in Texas, as prescribed by the Texas Education Code (TEC) and the Texas Administrative Code (TAC). All course content and instructional material shall include current statistical data, references to law, driving procedures, and traffic safety methodology. Laws and statistical data presented must be Texas-specific. Course providers may employ national data and statistics, where appropriate, for comparative purposes during instruction.

Course content, minimum instruction requirements, and administrative guidelines for Driving Safety classroom instruction shall include the instructional objectives established by the Department. Further, providers ~~[programs and instructors]~~ must meet the requirements of the Texas Administrative Code and the statutes authorizing those codes.

Lesson lengths stated in this COI for the chapters expressed herein are to be determined by the provider to maximize effective instructional techniques and student mastery of course content. ~~[are minimum state requirements.]~~ It may be necessary to extend the training time by repeating lessons to ensure the student demonstrates mastery over course content contained in each section. Breaks ~~[Schools are allowed to give breaks]~~ to students during instruction are to be given in accordance with 16 TAC §84.500(b)(1)(B).

If there is a conflict with the information contained in this guide and applicable law, the law shall control. Failure to comply with the requirements contained in this guide, applicable law, rule or order of the Commission for the Texas Department of Licensing and Regulation (TDLR), or the TDLR executive director ~~[, or an order issued by the Governor of the State of Texas, pursuant to Chapter 418, Texas Government Code,]~~ may subject the licensee to administrative penalties and/or sanctions pursuant to 16 TAC §84.400.

Questions regarding the guide should be directed to the Texas Department of Licensing and Regulation, Education and Examination Division, P.O. Box 12157, Austin, Texas 78711, or www.tdlr.texas.gov, or call (800)803-9202.

Chapter Two: Course Options

The following course options are authorized by the Texas Department of Licensing and Regulation (TDLR):

2.1 Traditional Course. A six-hour curriculum attended in person by the student at an approved driving safety school classroom location. In a traditional classroom location, the licensee is responsible to ensure sufficient seating that allows students the ability to comprehend instructional aids.

2.2 Alternative Delivery Method (ADM). A six-hour curriculum that does not require the student to be present in a physical classroom location. The curriculum shall be instructed through the alternative method approved by the Department.

2.3 Chapter Exams or Comprehensive Exam. To evaluate the student's knowledge and understanding and measure progress (mastery equals 70 percent or above after each Chapter or a Comprehensive Exam at the end of the course).

2.4 Sequencing of Topics. Course Provider may teach Chapter Topics Two through Twelve in any order but, at a minimum, must instruct each Topic in full.

Chapter Three: Instructional Objectives

3.1 Educational Objective of Driving Safety Courses. ~~[this Course.]~~ The educational objectives of driving safety courses shall include, but not be limited to, information relating to human trafficking prevention; promoting respect for and encouraging observance of traffic laws and traffic safety responsibilities of drivers and citizens; implementation of law enforcement procedures for traffic stops in accordance with the provisions of the Community Safety Education Act [~~(Senate Bill 30, 85th Regular Legislature (2017))~~]; information relating to the Texas Driving with Disabilities Program (Senate Bill 2304, 88th Regular Legislature (2023)); the proper use of child passenger

safety seat systems; reducing traffic violations; reducing traffic-related injuries, deaths, and economic losses; motivating continuing development of traffic-related competencies; the passing of certain vehicles as described in Transportation Code §545.157; the dangers and consequences of street racing; and safely operating a vehicle around an oversize or overweight vehicle, including safe following distances and safe passing methods.

Chapter Four: Curriculum Instruction Characteristics

4.1 General. Driving Safety course content, including video and multimedia, shall include current statistical data, references to law, driving procedures, and traffic safety methodology. A driving safety course shall include, as a minimum, materials adequate to assure the student masters the following topics. Laws and statistical data presented must be Texas-specific. Course providers may employ national data and statistics, where appropriate, for comparative purposes during instruction.

4.2 Driving Safety Topics of Instruction. ~~[All times listed are minimum instruction duration.]~~

Total instruction time must be a minimum of five (5) hours, excluding breaks, and at minimum, include the Topics listed below. [The minimum topics shall include but are not limited to the following instruction:]

4.2.1 Topic One: Course Introduction

~~[Minimum Instruction Time: 10 Minutes]~~

Objective: The student recognizes the value of legal and responsible reduced-risk driving practices and accepts driving as a privilege with responsibilities, obligations, and potential consequences.

4.2.1.1 Instruction, at minimum, must ~~[Classroom instruction shall]~~ address the following topics:

- (A) purpose and benefits of the course;
- (B) course and facilities orientation;
- (C) requirements for receiving course credit; and
- ~~(D) student course evaluation procedures; and~~
- (D) ~~(E)~~ department provided information on course content.

4.2.2 Topic Two: The Traffic Safety Problem

~~[Minimum Instruction Time: 10 Minutes]~~

Objective: To develop an understanding of the nature of the traffic safety problem and to instill in each student a sense of responsibility for its solution.

4.2.2.1 Instruction, at minimum, must ~~[Classroom instruction shall]~~ address the following topics:

- (A) identification of the overall traffic problem in Texas, specifically, and comparatively, the United States; ~~[, Texas, and the locale where the course is being taught;]~~
- (B) death, injuries, and economic losses resulting from motor vehicle crashes in Texas; and
- (C) the top five contributing factors of motor vehicle crashes in Texas as identified by the Texas Department of Transportation.

4.2.3 Topic Three: Factors Influencing Driver Performance

~~[Minimum Instruction Time: 10 Minutes]~~

Objective: To identify the characteristics and behaviors of drivers and how they affect driving performance.

4.2.3.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

(A) attitudes, habits, feelings, and emotions (aggressive driving, etc.);

~~[(B) alcohol and other drugs;]~~

~~(B)~~ [(C)] physical condition (drowsy driving, etc.);

~~(C)~~ [(D)] knowledge of driving laws and procedures; and

~~(D)~~ [(E)] understanding the driving task.

4.2.4 Topic Four: Traffic Laws and Procedures

[~~Minimum Instruction Time: 50 Minutes~~]

Objective: To identify the requirements of, and the rationale for, applicable Texas driving laws and procedures and to influence drivers compliance. [~~to comply with the laws on a voluntary basis.~~]

4.2.4.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

(A) passing;

(B) right-of-way, and knowledge and application of procedure to yield right-of-way to emergency vehicles described in Transportation Code §545.157, school buses, and pedestrians;

(C) turns;

(D) stops;

(E) speed limits;

(F) railroad crossings safety, including statistics, causes, and evasive actions;

(G) categories of traffic signs, signals, and highway markings;

(H) pedestrians;

(I) improved shoulders;

(J) intersections;

(K) occupant restraints;

(L) anatomical gifts;

(M) litter prevention;

(N) law enforcement and emergency vehicles "Move Over and Slow Down Law" (HB 3319, 87th Regular Legislature 2021) [~~(this category will be temporary until the need is substantiated by documentation from the Department of Public Safety on the number of deaths or injuries involved because of improper procedures used by a citizen when stopped by a law enforcement officer)~~];

(O) law enforcement procedures for traffic stops in accordance with the provisions of the Community Safety Education Act (Senate Bill 30, 85th Regular Legislature (2017)); [~~and~~]

(P) Texas Driving with Disabilities Program. Curriculum is expected to instruct the student on the following:

1. How to participate in the program;
2. How to identify which diagnoses may be considered a “Communication Impediment” for the Texas Driving with Disability Program;
3. Identify which form the student should have their doctor fill out and take to DPS to have “Communication Impediment” added to the front of their Driver License or Texas State ID card;
4. Explain where to find the Communication Impediment with a Peace Officer on a Driver License or a Texas State ID card; and
5. Identify which forms a student would need to complete with the Texas Department of Motor Vehicles to disclose their Communication Impediment or Deaf/Hard of Hearing in The Texas Law Enforcement Telecommunication System (TLETS); and

(Q) [(P)] other laws as applicable (i.e., financial responsibility/compulsory insurance).

4.2.5 Topic Five: Special Skills for Difficult Driving Environments

~~[Minimum Instruction Time: 15 Minutes]~~

Objective: To identify how special conditions affect driver and vehicle performance and identify techniques for management of these conditions.

4.2.5.1 Instruction, at minimum, must ~~[Classroom instruction shall]~~ address the following topics:

- (A) inclement weather;
- (B) traffic congestion;
- (C) city, urban, rural, and expressway/freeway environments;
- (D) reduced visibility conditions--hills, fog, curves, light conditions (darkness, glare, etc.), and
- (E) roadway conditions.

4.2.6 Topic Six: Physical Forces That Influence Driver Control

~~[Minimum Instruction Time: 10 Minutes]~~

Objective: To identify the physical forces that affect driver control and vehicle performance.

4.2.6.1 Instruction, at minimum, must ~~[Classroom instruction shall]~~ address the following topics:

- (A) speed control (acceleration, deceleration, etc.);
- (B) traction (friction, hydroplaning, stopping distances, centrifugal force, etc.); and
- (C) force of impact (momentum, kinetic energy, inertia, etc.).

4.2.7 Topic Seven: Perceptual Skills Needed for Driving

~~[Minimum Instruction Time: 20 Minutes]~~

Objective: To identify the factors of perception and how the factors affect driver performance.

4.2.7.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

- (A) visual interpretations;
- (B) hearing;
- (C) touch;
- (D) smell;
- (E) reaction abilities (simple and complex); and
- (F) judging speed and distance.

4.2.8 Topic Eight: Defensive Driving Strategies

[~~Minimum Instruction Time: 30 Minutes~~]

Objective: To identify the concepts of defensive driving and demonstrate how they can be employed by drivers to reduce the likelihood of crashes, deaths, injuries, and economic losses.

4.2.8.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

- (A) trip planning;
- (B) evaluating the traffic environment;
- (C) anticipating the actions of others;
- (D) decision making;
- (E) implementing necessary maneuvers;
- (F) compensating for the mistakes of other drivers;
- (G) avoiding common driving errors;
- (H) interaction with other road users (motorcycles, bicycles, trucks, pedestrians, etc.);
- (I) safe operation of a motor vehicle near an oversize or overweight vehicle, including safe following distances and safe passing methods;
- (J) motorcycle awareness, including the dangers of failing to yield the right-of-way to a motorcyclist and the need to share the road with motorcyclist;
- (K) distractions relating to the effect of using a wireless communication device, including texting or engaging in other actions that may distract a driver from the safe or effective operation of a motor vehicle; and
- (L) understand the dangers of speed and its impact on reduced-risk driving practices; must include the dangers and consequences of street racing in violation of Transportation Code §545.420.

4.2.9 Topic Nine: Driving Emergencies

[~~Minimum Instruction Time: 20 Minutes~~]

Objective: To identify common driving emergencies and their countermeasures.

4.2.9.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

- (A) collision traps (front, rear, and sides);
- (B) off road recovery, paths of least resistance; and
- (C) mechanical malfunctions (tires, brakes, steering, power, lights, etc.)

4.2.10 Topic Ten: Occupant Restraints and Protective Equipment

~~[Minimum Instruction Time: 15 Minutes]~~

Objective: To identify the rationale for having and using occupant restraints and protective equipment.

4.2.10.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

- (A) legal aspects;
- (B) vehicle control;
- (C) crash protection;
- (D) operational principles (active and passive);
- (E) helmets and other protective equipment;
- (F) proper use of child passenger safety seat systems; and
- (G) dangers involved in locking or leaving children in vehicles unattended.

4.2.11 Topic Eleven: Alcohol and Traffic Safety

~~[Minimum Instruction Time: 40 minutes]~~

Objective: To identify the effects of alcohol on roadway users.

4.2.11.1 Classroom instruction shall address the following topics:

- (A) physiological effects;
- (B) psychological effects;
- (C) legal aspects; and
- (D) synergistic effects.

4.2.12 Topic Twelve: Human Trafficking

~~[Minimum Instruction Time: To be Determined by Instructor]~~

Objective: Recognize the key indicators of human trafficking.

4.2.12.1 Instruction, at minimum, must [~~Classroom instruction shall~~] address the following topics:

- (A) activities commonly associated with human trafficking;

(B) recognition of potential victims of human trafficking; and

(C) methods for assisting victims of human trafficking, including how to report human trafficking.

4.2.13 Topic Thirteen: Comprehensive Examination or Unit Examination

~~[Minimum Time: 5 Minutes]~~

Objective: The student reduces risk by legally and responsibly completing a Progress Assessment to evaluate classroom knowledge and understanding and measure progress (mastery equals 70 percent or above).

~~[Important Note: The remaining 65 minutes of instruction shall be allocated to the topics included in the minimum course content or to additional driving safety topics that satisfy the educational objectives of the course.]~~

NOTICE

The Course of Organized Instruction (COI) is not curriculum. It is a manual created for providers, that includes the required course content for the six hour classroom instruction for the driver safety course. Providers using a third-party source, or their own curriculum will use that with the COI, Driver Education & Safety laws and rules, and the current Texas Driver Handbook to create a strong driver safety course.

TRD-202403813
Doug Jennings
General Counsel
Texas Department of Licensing and Regulation
Filed: August 19, 2024



Program of Organized Instruction for Driver Education and Traffic Safety (POI-DE)

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure is not included in the print version of the Texas Register. The figure is available in the on-line version of the August 30, 2024, issue of the Texas Register.)

The Texas Department of Licensing and Regulation publishes the proposed changes to the Program of Organized Instruction for Driver Education and Traffic Safety (POI-DE). The POI-DE is incorporated by reference and to be considered with the proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 84, Subchapter A, §84.2 and §84.3; Subchapter C, §§84.40, 84.43, 84.44, 84.46; Subchapter D, §84.50; Subchapter E, §84.60 and §84.63; Subchapter G, §84.80; and Subchapter N, §84.600 and §84.601; new rules at Subchapter D, §84.51 and §84.52; Subchapter M, §§84.500-84.505; and the repeal of existing rules at Subchapter D, §84.51 and §84.52; and Subchapter M, §§84.500-84.502 and §84.504, regarding the Driver Education and Traffic Safety (DES) program, as published in the proposed rules section of this issue of the *Texas Register*.

TRD-202403814
Doug Jennings
General Counsel
Texas Department of Licensing and Regulation
Filed: August 19, 2024



Program of Organized Instruction (POI) for Driver Education and Traffic Safety (Adult Six-Hour)

The Texas Department of Licensing and Regulation publishes the proposed changes to the Program of Organized Instruction (POI) for Driver Education and Traffic Safety (Adult Six-Hour). The POI for Driver Education and Traffic Safety (Adult Six-Hour) is incorporated by reference and to be considered with the proposed amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 84, Subchapter A, §84.2 and §84.3; Subchapter C, §§84.40, 84.43, 84.44, 84.46; Subchapter D, §84.50; Subchapter E, §84.60 and §84.63; Subchapter G, §84.80; and Subchapter N, §84.600 and §84.601; new rules at Subchapter D, §84.51 and §84.52; Subchapter M, §§84.500-84.505; and the repeal of existing rules at Subchapter D, §84.51 and §84.52; and Subchapter M, §§84.500-84.502 and §84.504, regarding the Driver Education and Traffic Safety (DES) program, as published in the proposed rules section of this issue of the *Texas Register*.



**PROGRAM OF ORGANIZED INSTRUCTION (POI)
FOR DRIVER EDUCATION AND TRAFFIC SAFETY**

December 2024 [~~May 2022~~]

**Exclusively for Adults 6-Hour Course
(POI-Adult Six-Hour)**

**Texas Department of Licensing and Regulation, Education and
Examination Division**
www.tdlr.texas.gov

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NOTICE

The Program of Organized Instruction (POI) is not curriculum. It is a manual created for providers, that includes the required course content for the six hour classroom instruction for the adult driver education course. Providers using a third-party source, or their own curriculum will use that with the POI, Driver Education & Safety laws and rules, and the current Texas Driver Handbook to create a strong driver education course.

PROGRAM OF ORGANIZED INSTRUCTION FOR ADULT SIX-HOUR DRIVER EDUCATION AND TRAFFIC SAFETY

Chapter One: Program Introduction

1.1 General. This guide details the required course content and minimum instruction requirements for the classroom instruction phase for the Exclusively for Adults driver education programs in Texas, as prescribed by the Texas Education Code (TEC) and the Texas Administrative Code (TAC). All course content and instructional material shall include current statistical data, references to law, driving procedures, and traffic safety methodology.

Course content, minimum instruction requirements, and administrative guidelines for Adult Driver Education and Traffic Safety classroom instruction shall include the instructional objectives, knowledge and skills, and student expectations established by the Department. Further, programs and instructors must meet the requirements of the Texas Administrative Code and the statutes authorizing those codes.

Lesson lengths for the topics expressed herein are to be determined by the provider to maximize effective instructional techniques and student mastery of course content. [~~stated in this POI are minimum state requirements.~~] It may be necessary to extend the training time by repeating lessons to ensure the student demonstrates mastery over course content contained in each section. Schools are allowed to give breaks to students during instruction in accordance with 16 TAC §84.500(b)(1)(B).

If there is a conflict with the information contained in this guide and applicable law, the law shall control. Failure to comply with the requirements contained in this guide, applicable law, rule or order of the Commission for the Texas Department of Licensing and Regulation (TDLR), or the TDLR executive director [~~or an order issued by the Governor of the State of Texas, pursuant to Chapter 418, Texas Government Code,~~] may subject the licensee to administrative penalties and/or sanctions pursuant to 16 TAC §84.400.

Questions regarding the guide should be directed to the Texas Department of Licensing and Regulation, Education and Examination Division, P.O. Box 12157, Austin, Texas 78711, or www.tdlr.texas.gov, or call (800) 803-9202.

Chapter Two: Course Options

The following course options are authorized by the Texas Department of Licensing and Regulation (TDLR):

- 2.1 Traditional Course.** An Adult six-hour curriculum attended in person by the student at an approved driver education school classroom location. In a traditional classroom location, the licensee is responsible to ensure sufficient seating and desks or tables that allows students to comprehend classroom instruction.
- 2.2 Online Course.** An Adult six-hour curriculum that does not require the student to be present in a classroom location. The curriculum shall be instructed online as approved by the Department.

DRIVER EDUCATION AND TRAFFIC SAFETY ADULT SIX HOUR COURSE

Chapter Three: Instructional Objectives

3.1 General. In Texas, the **Driver Education and Traffic Safety Program** provides new drivers the foundation of knowledge, understanding, skills, and experiences necessary for new drivers to drive legally and safely. This foundation is provided by licensed instructors, parents, guardians, or adult mentors through a classroom of culturally responsive instructional techniques that include knowledge assessment, skill assessment, guided observation, and parental/mentor involvement.

3.2 Educational Objective of this Course. The student legally and responsibly recognizes the necessity for reduced risk driving practices by accepting driving as a privilege with responsibilities, obligations, and potential consequences; and applying knowledge and understanding about alcohol and drug awareness. The educational objectives of driver training courses must include, but not be limited to, promoting respect for and encouraging observance of traffic laws and traffic safety responsibilities of driver education and citizens.

instruction on law enforcement procedures for traffic stops in accordance with provisions of the Community Safety Education Act; information relating to human trafficking prevention in accordance with the provisions of the Julia Wells Act (Senate Bill 1831, Section 3, 87th Regular Legislature (2021)); information relating to the Texas Driving with Disabilities Program (Senate Bill 2304, 88th Regular Legislature (2023)); litter prevention; anatomical gifts; safely operating a vehicle near oversize or overweight vehicles; the passing of certain vehicles as described in Transportation Code §545.157; the dangers and consequences of street racing; leaving children in vehicles unattended; distractions; motorcycle awareness; alcohol awareness and the effect of alcohol on the effective operation of a motor vehicle; recreational water safety; reducing traffic violations, injuries, deaths, and economic losses; the proper use of child passenger safety seat systems; and motivating development of traffic-related competencies through education, including, but not limited to, Texas traffic laws, risk management, driver attitudes, courtesy skills, and evasive driving techniques.

~~[3.2 Educational Objective of this Course. The student legally and responsibly recognizes the necessity for reduced risk driving practices by accepting driving as a privilege with responsibilities, obligations, and potential consequences; and applying knowledge and understanding about alcohol and drug awareness; information relating to human trafficking prevention; instruction on law enforcement procedures for traffic stops in accordance with provisions of the Community Safety Education Act (Senate Bill 30, 85th Regular Legislature (2017)); the proper use of child passenger safety seat systems; the traffic laws of this state; highway signs, signals, and markings that regulate, warn, or direct traffic; and the issues commonly associated with motor vehicle accidents, including poor decision making, risk taking, impaired driving, distractions, speed, failure to use a safety belt, driving at night, and failure to yield the right of way; safely operating a motor vehicle near an oversize or overweight vehicle, including safe following distances and safe passing methods; the passing of certain vehicles as described in Transportation Code §545.157; the dangers and consequences of street racing; and using a wireless communication device while operating a vehicle.]~~

Chapter Four: Minimum Course Content

4.1 Driving Safety Topics of Instruction. The driver education course exclusively for adults shall consist of six clock hours of classroom instruction that meets the following topics. ~~[All times listed are minimum instruction duration.]~~

4.1.1 Topic One: Course Introduction

~~[Minimum Instruction Time: 10 Minutes]~~

Objective: The student recognizes the value of legal and responsible reduced-risk driving practices and accepts driving as a privilege with responsibilities, obligations, and potential consequences.

4.1.1.1 Classroom Instruction Requirements:

(A) recognize how an Adult Driver Education course provides a novice driver the foundation of knowledge, understanding, skills, and experiences necessary to continue the life-long learning process of reduced-risk driving;

(B) know that basic knowledge of traffic laws provides a driver the foundation to formulate informed, legal, and responsible decisions to reduce risk; and

(C) recognize that driving is a privilege with risk, responsibilities, obligations, and potential consequences requiring the knowledge, understanding, and application of legal and responsible reduced-risk driving practices; and reduce risk by recognizing the value of legal and responsible reduced-risk driving practices and accepting driving as a privilege with responsibilities, obligations, and potential consequences.

4.1.2 Topic Two: Your License to Drive

~~[Minimum Instruction Time: 20 Minutes]~~

Objective: The student reduces risk and accepts driving as a privilege by legally and responsibly possessing a driver license, registering ~~[and having a current inspection on]~~ a motor vehicle, and obeying the

Safety Responsibility Act.

Resource: Texas Driver Handbook, Chapters 1-3

4.1.2.1 Classroom Instruction Requirements:

(A) describe the process, responsibility, and obligation of obtaining, possessing, and renewing a Texas driver license including the instruction permit;

(B) recognize driver license types, restrictions, endorsements, and special information;

(C) list and describe suspensions and revocations placed on driving privileges;

(D) list and describe guidelines and procedures to inspect and register a motor vehicle in Texas;

(E) recognize the benefits and obligations of the Safety Responsibility Act; ~~and~~

(F) reduce risk and accept driving as a privilege by legally and responsibly possessing a driver license, registering ~~and having a current inspection on~~ a motor vehicle, and obeying the Safety Responsibility Act; and

(G) explain the Texas Drivers with Disabilities Program and its underlying purposes and policies and the procedure by which a driver may participate in the program to place a notice on a driver license.

4.1.3 Topic Three: Right-of-Way

[Minimum Instruction Time: 45 Minutes]

Objective: The student reduces risk by legally and responsibly accepting or yielding the right-of-way.

Resource: Texas Driver Handbook, Chapter 4

4.1.3.1 Classroom Instruction Requirements:

(A) define right-of-way and list the responsibilities, obligations, and potential consequences for failure to accept or yield the right-of-way, including yielding the right-of-way to motorcyclists;

(B) define traditional and non-traditional intersections;

(C) describe when and the procedures to accept or yield the right-of-way at controlled intersections, uncontrolled intersections, intersecting roads with lesser or greater number of lanes, intersecting roads with different pavement surfaces, T-intersections, controlled-access roads, railroad grade crossings, turns (left and right), and entering a public road from a private road;

(D) know when and the procedure to yield the right-of-way to emergency vehicles “Move Over and Slow Down Law” (HB 3319, 87th Regular Legislature 2021), as described in Transportation Code §545.157, school buses, and pedestrians;

(E) state the law and describe risk-reducing procedures when passing an emergency vehicle stopped on or by a roadway;

(F) know how the basic knowledge of right-of-way laws provides a driver the foundation to formulate and implement informed, legal, and responsible decisions to reduce risk; and

(G) reduce risk by legally and responsibly accepting or yielding the right-of-way.

4.1.4 Topic Four: Traffic Control Devices

[Minimum Instruction Time: 40 Minutes]

Objective: The student reduces risk by legally and responsibly applying knowledge and understanding of traffic control devices.

Resource: Texas Driver Handbook, Chapter 5

4.1.4.1 Classroom Instruction Requirements:

- (A) list and explain the meanings of the colors and shapes of signs, signals, and pavement markings;
- (B) recognize and describe the purpose and appropriate response for traffic control devices including signs, signals, and pavement markings based on law, consequences, and driving conditions;
- (C) recognize how basic knowledge of traffic control devices provides a driver the foundation to formulate and implement informed, legal, and responsible decisions to reduce risk; and
- (D) reduce risk by legally and responsibly responding to traffic control devices.

4.1.5 Topic Five: Controlling Traffic Flow

[Minimum Instruction Time: 35 Minutes]

Objective: The student reduces risk by legally and responsibly applying knowledge and understanding of laws and procedures for controlling traffic flow.

Resource: Texas Driver Handbook, Chapters 6-9

4.1.5.1 Classroom Instruction Requirements:

- (A) define traffic flow;
- (B) relate how traffic flow is managed by traffic control devices, law enforcement, and other persons;
- (C) explain the appropriate communication to indicate a change in speed or position;
- (D) state the laws for passing and being passed, basic and special turning situations, and for stopping, standing, parking, leaving a space, backing, and coasting;
- (E) define and explain how to avoid blind spot driving;
- (F) know the importance and how to establish a safe following interval;
- (G) relate speed to stopping a vehicle based on roadway conditions;
- (H) know the importance of adjusting speed, route planning, or not driving during poor driving conditions including traffic, weather, visibility, roadway, vehicle, and driver;
- (I) state the legal minimum and maximum speed limits for Texas roadways and beaches;
- (J) state the law and purpose of vehicle lights;
- (K) state the laws and potential dangers for freeway entry, travel, and exit;
- (L) know the importance of avoiding driving when fatigued including highway (roadway) hypnosis;

(M) describe procedures for managing a vehicle breakdown;

(N) describe procedures for controlling a vehicle in a skid, brake failure, running off pavement, blowout, or driving down a steep hill;

(O) explain potential dangers and countermeasures associated with winter driving; and

(P) reduce risk by legally and responsibly applying knowledge and understanding of laws and procedures for controlling traffic flow.

4.1.6 Topic Six: Alcohol and Other Drugs

[Minimum Instruction Time: 40 Minutes]

Objective: The student legally and responsibly performs reduced-risk driving practices by adopting zero-tolerance driving and lifestyle practices related to the use of alcohol and other drugs, and applying knowledge and understanding of alcohol and other drug laws, regulations, penalties, and consequences.

Resource: Texas Driver Handbook, Chapter 10

4.1.6.1 Classroom Instruction Requirements:

(A) know the legal definition of intoxication in Texas;

(B) summarize how alcohol and other drugs affect driving ability;

(C) know laws, regulations, and penalties applicable to adults, over 21, for Improper Use of a Driver License, [~~improper use of a driver license~~,] Driving Under the Influence, Public Intoxication, Driving While Intoxicated, Intoxication Assault, and Intoxication Manslaughter violations;

(D) know laws, regulations, and penalties applicable to minors and under 21 for Improper Use of a Driver License, [~~improper use of a driver license~~,] Driving Under the Influence by a Minor, Public Intoxication, Minor in Possession, Driving While Intoxicated, Intoxication Assault, and Intoxication Manslaughter violations;

(E) know laws, regulations, and penalties applicable to minors and adults for Open Container Law, and Open Container Enhancement Law;

(F) know laws, regulations, and penalties applicable to minors and adults for Administrative License Revocation and Implied Consent violations; and

(G) reduce risk by legally and responsibly performing reduced-risk driving practices and adopt zero-tolerance practices related to the use of alcohol and other drugs by applying knowledge and understanding of alcohol and other drug laws, regulations, penalties; and consequences to driving and lifestyles.

4.1.7 Topic Seven: Cooperating with Other Roadway Users

[Minimum Instruction Time: 50 Minutes]

Objective: The student reduces risk by legally and responsibly cooperating with law enforcement and other roadway users including vulnerable roadway users in emergency and potential emergency situations, and safely operating a motor vehicle near an oversize or overweight vehicle, including safe following distances and safe passing methods.

Resource: Texas Driver Handbook, Chapters 11-14

4.1.7.1 Classroom Instruction Requirements:

- (A) summarize and categorize roadway users;
- (B) understand the Good Samaritan Law and responsibilities at the scene of a traffic crash including aiding the injured;
- (C) list the laws and responsibilities of sharing the road with other roadway users such as bicyclists, trucks, motorcyclists, light rail, person on horseback, horse driven conveyance, slow-moving vehicles, work zone/construction workers, and pedestrians;
- (D) describe the responsibilities of a defensive driver;
- (E) state the laws and responsibilities regarding occupant restraints and open truck beds;
- (F) describe the responsibilities if stopped by law enforcement;
- (G) show and explain the Community Education Safety Act (Senate Bill 30) video and instructional materials;
- (H) define aggressive driving and list ways to avoid personal or other roadway users aggressive driving;
- (I) explain the responsibilities for transporting cargo, using safety chains, and towing;
- (J) list the causes and consequences of carbon monoxide poisoning and state avoidance procedures;
- (K) reduce risk by legally and responsibly cooperating with law enforcement and other roadway users including vulnerable roadway users including emergency and potential emergency situations; ~~and~~
- (L) reduce risk by safely operating a motor vehicle near an oversize or overweight vehicle, including safe following distances and safe passing methods; and
- (M) explain the Texas Driving with Disabilities Program. Curriculum is expected to instruct the student on the following:

1. How to participate in the program;

2. How to identify which diagnoses may be considered a “Communication Impediment” for the Texas Driving with Disability Program;

3. Identify which form the student should have their doctor fill out and take to DPS to have “Communication Impediment” added to the front of their Driver License or Texas State ID card;

4. Explain where to find the Communication Impediment with a Peace Officer on a Driver License or a Texas State ID card; and

5. Identify which forms a student would need to complete with the Texas Department of Motor Vehicles to disclose their Communication Impediment or Deaf/Hard of Hearing in The Texas Law Enforcement Telecommunication System (TLETS).

4.1.8 Topic Eight: Managing Risk

[Minimum Instruction Time: 40 Minutes]

Objective: The student reduces and manages risk by legally and responsibly understanding the issues commonly associated with motor vehicle collisions, including poor decision-making, risk taking,

impaired driving, distractions, speed, failure to use a safety belt, driving at night, and using a wireless communications device while operating a vehicle.

4.1.8.1 Classroom Instruction Requirements:

(A) recognize the value of responsible reduced-risk driving practices to manage issues commonly associated with motor vehicle collisions;

(B) recognize how poor decision-making and risk-taking increase the possibility of a collision;

(C) understand the dangers of impaired driving including but not limited to; mental, emotional, and physical fatigue and illnesses;

(D) list distractions that affect driving including but not limited to; vehicle navigation systems, music systems, vehicle controls, mobile phones, passengers and pets;

(E) understand the dangers of speed and its impact on reduced-risk driving practices, including the dangers and consequences of street racing in violation of Transportation Code §545.420;

(F) recognize how failure to use a safety belt while driving increases risk;

(G) explain the potential dangers associated with driving at night;

(H) understand the effect of using a wireless communications device or engaging in other actions that may distract a driver on the safe or effective operation of a motor vehicle including but not limited to; text messaging while driving, eating & drinking while driving, personal grooming, multi-tasking, working in the vehicle, reading while driving;

(I) reduce risk by legally and responsibly applying knowledge, understanding and safe driving practices to manage issues commonly associated with motor vehicle collisions; and

(J) recognize the key indicators of human trafficking by:

- identifying activities commonly associated with human trafficking;
- recognizing of potential victims of human trafficking; and
- learning methods for assisting victims of human trafficking, including how to report human trafficking.

4.1.9 Topic Nine: Classroom Progress Assessment

[Minimum Instruction Time: 25 Minutes]

Objective: Texas Department of Public Safety Highway Sign and Traffic Law examination. The student reduces risk by legally and responsibly completing a Progress Assessment to evaluate classroom knowledge and understanding and measure progress (mastery equals 70 percent or above).

Required Exam: Texas Department of Public Safety Highway Sign and Traffic Law Examination

[Important Note: ~~The remaining 25 minutes of instruction shall be allocated to the topics included in the minimum course content, excluding the introduction or classroom progress assessment.~~]

NOTICE

The Program of Organized Instruction (POI) is not curriculum. It is a manual created for providers, that includes the required course content for the six hour classroom instruction for the adult driver education course. Providers using a third-party source, or their own curriculum will use that with the POI, Driver Education & Safety laws and rules, and the current Texas Driver Handbook to create a strong driver education course.

TRD-202403812
Doug Jennings
General Counsel
Texas Department of Licensing and Regulation
Filed: August 19, 2024

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Texas Lottery Commission

Scratch Ticket Game Number 2628 "TEXAS LOTERIA"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2628 is "TEXAS LOTERIA". The play style is "row/column/diagonal".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2628 shall be \$3.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2628.

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, BLUEBONNET SYMBOL, BOAR SYMBOL, CACTUS SYMBOL, CHERRIES SYMBOL, CHILE PEPPER SYMBOL, CORN SYMBOL, COVERED WAGON SYMBOL, COWBOY HAT SYMBOL, COWBOY SYMBOL, FIRE 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, RATTLESNAKE SYMBOL, ROADRUNNER SYMBOL, SADDLE SYMBOL, SHOES SYMBOL, SPEAR SYMBOL, SPUR SYMBOL, STRAWBERRY SYMBOL, SUNSET SYMBOL, WHEEL SYMBOL and WINDMILL SYMBOL.

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. 2628 - 1.2D

PLAY SYMBOL	CAPTION
ARMADILLO SYMBOL	ARMADILLO
BAT SYMBOL	BAT
BLUEBONNET SYMBOL	BLUEBONNET
BOAR SYMBOL	BOAR
CACTUS SYMBOL	CACTUS
CHERRIES SYMBOL	CHERRIES
CHILE PEPPER SYMBOL	CHILE PEPPER
CORN SYMBOL	CORN
COVERED WAGON SYMBOL	COVERED WAGON
COWBOY HAT SYMBOL	COWBOY HAT
COWBOY SYMBOL	COWBOY
FIRE SYMBOL	FIRE
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

RATTLESNAKE SYMBOL	RATTLESNAKE
ROADRUNNER SYMBOL	ROADRUNNER
SADDLE SYMBOL	SADDLE
SHOES SYMBOL	SHOES
SPEAR SYMBOL	SPEAR
SPUR SYMBOL	SPUR
STRAWBERRY SYMBOL	STRAWBERRY
SUNSET SYMBOL	SUNSET
WHEEL SYMBOL	WHEEL
WINDMILL SYMBOL	WINDMILL

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 (2628), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2628-0000001-001.

H. Pack - A Pack of the "TEXAS LOTERIA" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

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 "TEXAS LOTERIA" Scratch Ticket Game No. 2628.

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. Each Scratch Ticket contains exactly 30 (thirty) Play Symbols. A prize winner in the "TEXAS LOTERIA" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose Play Symbols as follows: 1) The player completely scratches the CALLER'S CARD to reveal 14 symbols. 2) The player scratches ONLY the symbols on the PLAYBOARD that exactly match the sym-

bols revealed on the CALLER'S CARD. 3) If the player reveals a complete row, column or diagonal line, the player wins the prize for that line. 1) El jugador raspa completamente la CARTA DEL GRITÓN para revelar 14 símbolos. 2) El jugador SOLAMENTE raspa los símbolos en la TABLA 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, el jugador gana el premio para esa línea. 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 thirty (30) 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 thirty (30) 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 thirty (30) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the thirty (30) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. A Ticket can win up to three (3) times in accordance with the prize structure.

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

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

D. At least eight (8), but no more than twelve (12), CALLER'S CARD/CARTA DEL GRITÓN Play Symbols will match a symbol on the PLAYBOARD/TABLA DE JUEGO play area on a Ticket.

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

2.3 Procedure for Claiming Prizes.

A. To claim a "TEXAS LOTERIA" Scratch Ticket Game prize of \$3.00, \$5.00, \$8.00, \$10.00, \$15.00, \$18.00, \$20.00, \$30.00, \$33.00, \$50.00, \$80.00 or \$250, 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, \$33.00, \$50.00, \$80.00 or \$250 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 "TEXAS LOTERIA" Scratch Ticket Game prize of \$3,000 or \$50,000, 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 "TEXAS 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 "TEXAS 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 "TEXAS 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 32,400,000 Scratch Tickets in Scratch Ticket Game No. 2628. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2628 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3.00	3,024,000	10.71
\$5.00	1,296,000	25.00
\$8.00	864,000	37.50
\$10.00	648,000	50.00
\$15.00	648,000	50.00
\$18.00	324,000	100.00
\$20.00	216,000	150.00
\$30.00	216,000	150.00
\$33.00	103,680	312.50
\$50.00	32,400	1,000.00
\$80.00	15,120	2,142.86
\$250	4,860	6,666.67
\$3,000	230	140,869.57
\$50,000	14	2,314,285.71

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

**The overall odds of winning a prize are 1 in 4.38. 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. 2628 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. 2628, 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-202403836
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: August 20, 2024

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Plateau Water Planning Group

Vacancy Notice

MUNICIPALITIES (KERR COUNTY) AND COUNTIES (EDWARDS COUNTY)

Please be advised that the Plateau Water Planning Group (PWPG), Region "J" is currently seeking nominations to fill two (2) vacancies on the Regional Planning Group. These vacancies represent Municipali-

ties (Kerr County) and Counties (Edwards County). The PWPG and Texas Water Development Board (TWDB) believe it is important to maintain balanced geographic representation on the PWPG. Therefore, please note that the referenced "Municipalities" interest represents Kerr County and the "Counties" interest represents Edwards County.

The Plateau Water Planning Group is a voluntary organization and no funds are available for reimbursement of expenses associated with service to or participation in the planning group. Successful nominees must represent the vacant interest ("Municipalities" and "Counties") for which the member is sought, be willing to actively participate in the regional water planning process and abide by the PWPG By-Laws. Written nominations must be filed with the Plateau Water Planning Group at the address listed below no later than November 1, 2024.

Submit written nominations to:

Plateau Water Planning Group (PWPG)

Attention: Mr. Gene Williams

c/o: Jody Grinstead

700 Main Street, Ste. 101

Kerrville, Texas 78028

Fax: (830) 792-2218

E-Mail: jgrinstead@co.kerr.tx.us

If you have any questions regarding the nomination process or requirements for nominations, please contact Jonathan Letz at (830) 792-2216.

TRD-202403729

Jonathan Letz

PWPG Chair

Plateau Water Planning Group

Filed: August 15, 2024

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Public Utility Commission of Texas

Notice of Application for True-Up of 2021 Federal Universal Service Fund Impacts to the Texas Universal Service Fund

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on August 15, 2024, for true-up of 2021 Federal Universal Service Fund (FUSF) Impacts to the Texas Universal Service Fund (TUSF).

Docket Style and Number: Application of Border to Border Communications, Inc. for True-Up of 2021 Federal Universal Service Fund Impacts to Texas Universal Service Fund, Docket Number 56953.

The Application: Border to Border Communications, Inc. filed a true-up in accordance with findings of fact 22 and 23 and ordering paragraphs 2, 3, and 4 of the Notice of Approval issued in Docket No. 52769, *Application of Border to Border Communications, Inc. to Recover Funds from the TUSF Under PURA § 56.025 and 16 TAC §26.406*. In that docket, the Commission determined that the Federal

Communications Commission's actions were reasonably projected to reduce the amount that Border to Border Communications, Inc. received in Federal Universal Service Fund (FUSF) revenue by \$1,512,879 for calendar year 2021. Border to Border Communications, Inc. recovered the entire projected FUSF revenue impact of \$1,512,879. Ordering paragraphs 2, 3 and 4 require Border to Border to file its final and actual FUSF impacts for 2021 by August 1, 2024, with detailed supporting documentation verifying the actual impact of reduced FUSF funding. Border to Border states that it is due to refund the TUSF the amount of \$17,070 in this true-up proceeding.

Persons wishing to intervene or comment on the action sought should contact the Commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. 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 56953.

TRD-202403815

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: August 19, 2024

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Workforce Solutions Brazos Valley Board

Public Notice

Workforce Solutions Brazos Valley Board

Target Occupation List Update

The Workforce Solutions Brazos Valley Board seeks public comment on an update to the 2024 Target Occupations list for the time period of August 24, 2024 to September 24, 2024. One occupation is being added, Certified Nursing Assistant, SOC 31.1131. The Target Occupations list is used to provide eligible Workforce Innovation Opportunity Act (WIOA) customers training in an industry where they can acquire a certification in an industry to help attain self-sufficient wages. A copy of this occupation may be reviewed at the Center for Regional Services located at 3991 East 29th Street, Bryan, Texas 77802 between 8:00 a.m. to 5:00 p.m., Monday through Friday, for the period of August 24, 2024 to September 24, 2024. After the review period, the updated 2024 Target Occupation List will be posted on www.bvjobs.org under the Board tab. Any questions and/or comments can be emailed to Barbara Clemmons at bclemmons@bvcog.org by September 20, 2024.

TRD-202403835

Barbara Clemmons

Program Specialist

Workforce Solutions Brazos Valley Board

Filed: August 20, 2024