

# IN ADDITION

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

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/16/24 - 09/22/24 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/16/24 - 09/22/24 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202404394

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: September 11, 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 21, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **October 21, 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, pro-

vides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Addie Marlin dba Marlin Marina Water System; DOCKET NUMBER: 2022-1549-PWS-E; IDENTIFIER: RN101196079; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; and 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days; PENALTY: \$230; ENFORCEMENT COORDINATOR: Daphne Greene, (903) 535-5157; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: Battle Cry Ministries, Incorporated; DOCKET NUMBER: 2023-1360-PWS-E; IDENTIFIER: RN106754179; LOCATION: Magnolia, Montgomery County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(e)(5), by failing to house the hypochlorination solution containers in a secure enclosure to protect them from adverse weather conditions and vandalism; 30 TAC §290.46(f)(2) and (3)(A)(i) and (ii)(III), and (B)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the executive director (ED) upon request; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days; and 30 TAC §290.110(e)(4)(B), by failing to retain the Disinfection Level Quarterly Operating Reports and provide a copy if requested by the ED; PENALTY: \$1,535; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Borden County; DOCKET NUMBER: 2024-0163-PWS-E; IDENTIFIER: RN101200731; LOCATION: Gail, Borden County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.010 milligrams per liter for arsenic based on a running annual average; and 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfection Level Quarterly Operating Report to the Executive Director by the tenth day of the month following the end of each quarter for the third quarter of 2023; PENALTY: \$1,787; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(4) COMPANY: Carterbug Holdings, LLC; DOCKET NUMBER: 2023-1581-MWD-E; IDENTIFIER: RN110488681; LOCATION: Brenham, Washington County; TYPE OF FACILITY: wastewater treatment facility; RULE VIOLATED: 30 TAC §305.42(a), by failing to obtain authorization for the treatment and disposal of domestic wastewater into or adjacent to any water in the state; PENALTY:

\$5,000; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(5) COMPANY: CHINA SPRING HOLDINGS LP; DOCKET NUMBER: 2024-0093-PWS-E; IDENTIFIER: RN102681863; LOCATION: Pinehurst, Montgomery County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(O), by failing to protect all well units with an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house to exclude possible contamination or damage to the facilities by trespassers; 30 TAC §290.46(f)(2) and (3)(B)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; and 30 TAC §290.46(n)(1), by failing to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; PENALTY: \$1,020; ENFORCEMENT COORDINATOR: De'Shaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(6) COMPANY: City of Humble; DOCKET NUMBER: 2022-0130-MLM-E; IDENTIFIER: RN102179447; LOCATION: Humble, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; and 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010763002, Permit Conditions Number 2.g., by failing to prevent an unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$15,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$12,600; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(7) COMPANY: City of Valley View; DOCKET NUMBER: 2022-1060-MWD-E; IDENTIFIER: RN101524338; LOCATION: Valley View, Cooke County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0014892001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$4,087; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$3,270; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(8) COMPANY: Grant McElwee III and Lajuana McElwee; DOCKET NUMBER: 2023-0673-OSS-E; IDENTIFIER: RN103047601; LOCATION: Fate, Rockwall County; TYPE OF FACILITY: on-site sewage facility (OSSF); RULES VIOLATED: 30 TAC §285.33(d)(2)(E), by failing to maintain the minimum required application area; and 30 TAC §285.33(d)(2)(G)(i) and §285.91(10), by failing to provide the minimum required separation distance for an OSSF irrigation field of at least 25 feet from the edge of the surface application spray area to the pool and at least ten feet from the edge of the surface application spray area to the property line; PENALTY: \$810; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: Hailiang Copper Texas Incorporated; DOCKET NUMBER: 2023-0715-IWD-E; IDENTIFIER: RN102411352; LOCATION: Sealy, Austin County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), (4), and (5), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0002462000, Permit Conditions Numbers 2.d and 2.g, by failing to prevent the unauthorized discharge of wastewater from the facility into or adjacent to water in the state; PENALTY: \$28,750; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(10) COMPANY: Harris County Municipal Utility District 106 and Harris County Municipal Utility District 290; DOCKET NUMBER: 2024-0125-PWS-E; IDENTIFIERS: RN101396455 and RN104408307; LOCATION: Humble, Harris County; TYPE OF FACILITY: public water supplies; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(iv) and Texas Health and Safety Code, §341.0315(c), by failing to provide an elevated storage capacity of 100 gallons per connection; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: ISMAT, LLC dba E Z Shop 13; DOCKET NUMBER: 2024-0830-PST-E; IDENTIFIER: RN102435492; LOCATION: Carrollton, Denton County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.48(g)(1)(B) and TWC, §26.3475(c)(2), by failing to inspect the overfill prevention equipment at least once every three years to ensure that the equipment is set to activate at the correct level and will activate when a regulated substance reaches that level; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$4,490; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(12) COMPANY: Lemur Island Holdings LLC; DOCKET NUMBER: 2023-1135-AIR-E; IDENTIFIER: RN106561509; LOCATION: Waco, McLennan County; TYPE OF FACILITY: water park; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance dust conditions; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: MDB Enterprises, Incorporated; DOCKET NUMBER: 2023-0946-WQ-E; IDENTIFIER: RN111715181; LOCATION: Lipan, Parker County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; and TWC, §26.121(a)(1), by failing to prevent an unauthorized discharge of waste into or adjacent to any water in the state; PENALTY: \$17,500; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: Mill Creek Community, LLC; DOCKET NUMBER: 2023-0718-PWS-E; IDENTIFIER: RN101233054; LOCATION: Bellville, Austin County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(F)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.45(b)(1)(F)(iii) and THSC, §341.0315(c), by failing to provide two or more service pumps with a total capacity of 2.0 gallons per

minute per connection; and 30 TAC §290.46(t), by failing to post a legible sign at the facility's production, treatment, and storage facilities that contains the name of the facility and an emergency telephone number where a responsible official can be contacted; PENALTY: \$3,900; ENFORCEMENT COORDINATOR: Claudia Bartley, (512) 239-1116; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: Oak Creek RV, L.L.C.; DOCKET NUMBER: 2023-1647-MWD-E; IDENTIFIER: RN110875689; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0015831001 Effluent Limitations and Monitoring Requirements Numbers 1, 3, and 6, by failing to comply with permitted effluent limitations; PENALTY: \$5,812; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,325; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(16) COMPANY: Parker County; DOCKET NUMBER: 2023-1105-PST-E; IDENTIFIER: RN101538106; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: fleet refueling station; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Ramyia Wendt, (512) 239-2513; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(17) COMPANY: Solo Cup Operating Corporation; DOCKET NUMBER: 2022-0338-AIR-E; IDENTIFIER: RN103080057; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: plastic and paper cup manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c), New Source Review Permit Number 22427, Special Conditions Number 2, and Texas Health and Safety Code, §382.085(b), by failing to comply with the maximum allowable emissions rates; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(18) COMPANY: Texan Concrete Enterprise Ready Mix, Incorporated; DOCKET NUMBER: 2024-0195-WQ-E; IDENTIFIER: RN109666016; LOCATION: Houston, Harris County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System General Permit Number TXG113211, Part IV, Standard Permit Conditions Number 7.f., by failing to timely submit monitoring results at intervals specified in the permit; PENALTY: \$1,500; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(19) COMPANY: Webb County; DOCKET NUMBER: 2023-0493-PWS-E; IDENTIFIER: RN101176170; LOCATION: Laredo, Webb County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.060 milligrams per liter (mg/L) for haloacetic acids and 0.080 (mg/L) for total trihalomethanes, based on the locational running annual average; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(20) COMPANY: WOODLAND OAKS UTILITY, LP; DOCKET NUMBER: 2022-1373-MWD-E; IDENTIFIER: RN107708836;

LOCATION: Cut and Shoot, Montgomery County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System Permit Number WQ0015296001, Monitoring and Reporting Requirements Number 1, by failing to submit monitoring results at intervals specified in the permit; PENALTY: \$15,152; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202404371

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: September 10, 2024



Combined Notice of Public Meeting and Notice of Receipt of Application and Intent to Obtain a Water Quality Permit (NORI) and Notice of Application and Preliminary Decision for TPDES Permit for Industrial Wastewater (NAPD) New Permit No. WQ0016422001

**APPLICATION AND PRELIMINARY DECISION.** South Central Water Company, P.O. Box 570177, Houston, Texas 77257, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016422001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 975,000 gallons per day. TCEQ received this application on October 5, 2023.

**This combined notice is being issued to update the facility's discharge route from what was stated in the NORI.**

The facility will be located approximately 1,210 feet northeast of the intersection of Plant Road and San Marcos Highway, in Caldwell County, Texas 78648. The treated effluent will be discharged via pipe to a **series of unnamed tributaries**, thence to Lower San Marcos in Segment No. 1808 of the Guadalupe River Basin. The unclassified receiving water use is limited aquatic life use for the unnamed tributaries. The designated uses for Segment No. 1808 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Lower San Marcos River, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.743055,29.728611&level=18>

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

draft permit are available for viewing and copying at Luling Public Library, Reference Section, 215 South Pecan Avenue, Luling, Texas.

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

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The TCEQ will hold a public meeting on this application because it was requested by a local legislator.

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

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

**Tuesday, October 22, 2024 at 7:00 p.m.**

**Zelder Mills Pavillion**

**1170 S Laurel Avenue**

**Luling, Texas 78648**

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

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific**

**description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.**

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

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

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment) within 30 days from the date of newspaper publication of this notice or by the date of the public meeting, whichever is later.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from South Central Water Company at the address stated above or by calling Mr. Jerry Ince, P.E., Ward, Getz & Associates, LLP, at (832) 344-6604

Issuance Date: September 6, 2024

TRD-202404407

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



Combined Notice of Public Meeting and Notice of Receipt of Application and Intent to Obtain a Water Quality Permit (NORI) and Notice of Application and Preliminary Decision for TPDES Permit for Industrial Wastewater (NAPD) New Permit Number WQ0005462000

**APPLICATION AND PRELIMINARY DECISION.** Space Exploration Technologies Corp., 1 Rocket Road, Brownsville, Texas 78521, which operates the Starbase Launch Pad Site, a site for rocket launch activity of SpaceX Starship-Super Heavy launch vehicles, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005462000, to authorize the discharge of deluge water (used for launch and return to launch site activities), **facility washdown water, and stormwater** on an intermittent and flow variable basis via Outfalls 001 and 002. TCEQ received this application on July 1, 2024.

**This combined notice is being issued to provide additional information not included in the original NORI regarding the applicant's proposed discharges via Outfalls 001 and 002. The applicant has requested that these outfalls be authorized to discharge facility washdown water and stormwater.**

The facility is located on the south side of the eastern terminus of State Highway 4, near the City of Brownsville, Cameron County, Texas 78521. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.156388,25.996944&level=18>.

The effluent is discharged to tidal wetlands, thence to Rio Grande Tidal in Segment No. 2301 of the Rio Grande Basin. The unclassified receiving water uses are high aquatic life use for the tidal wetlands. The designated uses for Segment No. 2301 are primary contact recreation and exceptional aquatic life use.

In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in tidal wetlands, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Port Isabel Public Library, 213 North Yturria Street, Port Isabel, in Cameron County, Texas. The application, including any updates, and associated notices are available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>

**ALTERNATIVE LANGUAGE NOTICE.** Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments about this application. The TCEQ will hold a public meeting on this application because of significant public interest.

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

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

**Thursday, October 17, 2024 at 7:00 p.m.**

**Brownsville Sports Park Gymnasium**

**1000 Sports Park Boulevard**

**Brownsville, Texas 78526**

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

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for public comments, the Executive Director will consider the comments and prepare a response to all relevant and material, or significant public comments. **The response to comments, along with the Executive Director's decision on the application, will be mailed to everyone who submitted public comments or who requested to**

be on a mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST:** your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

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

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be added to: (1) the permanent list for a specific applicant name and permit number; and (2) the mailing list for a specific county. If you wish to be placed on the permanent and the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www.tceq.texas.gov/goto/comment> within 30 days from the date of newspaper publication of this notice or by the date of the public meeting, whichever is later.**

**INFORMATION AVAILABLE ONLINE.** For details about the status of the application, visit the Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid/>. Search the database using the permit number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** Public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/goto/comment>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at (800) 687-4040 or visit their website at <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Space Exploration Technologies Corp. at the address stated above or by calling Ms. Katy Groom, Manager, Environmental Regulatory Affairs, at (310) 363-6000.

Issued: September 5, 2024

TRD-202404406

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



#### Enforcement Order

An order was adopted regarding STL Developer, LLC, Docket No. 2022-0376-MSW-E on September 11, 2024 assessing \$4,725 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Marilyn Norrod, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202404403

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



#### Enforcement Orders

An agreed order was adopted regarding Sutton Hills Estates Property Owners' Association, Inc., Docket No. 2022-0776-MLM-E on September 10, 2024 assessing \$4,463 in administrative penalties with \$892 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Wehner, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding K&L Enterprises, Inc., Docket No. 2023-0366-PST-E on September 10, 2024 assessing \$2,936 in administrative penalties with \$587 deferred. Information concerning any aspect of this order may be obtained by contacting Adriana Fuentes, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding REXCO, INC., Docket No. 2023-0522-PST-E on September 10, 2024 assessing \$2,125 in administrative penalties with \$425 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Western Refining Company LLC, Docket No. 2023-1466-AIR-E on September 10, 2024 assessing \$6,225 in administrative penalties with \$1,245 deferred. Information concerning any aspect of this order may be obtained by contacting Christina Ferrara, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Bastrop County Municipal Utility District No. 1, Docket No. 2023-1535-MWD-E on September 10, 2024 assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding WHITHARRAL WATER AND SEWER SERVICE SUPPLY CORPORATION, Docket No. 2023-1609-PWS-E on September 10, 2024 assessing \$1,925 in administrative penalties with \$1,485 deferred. Information concerning any aspect of this order may be obtained by contacting Margaux Ordoveza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jose Mario Rios dba Los Rios Landscaping LLC, Docket No. 2023-1636-LII-E on September 10, 2024 assessing \$1,125 in administrative penalties with \$225 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Caston, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Gerald Bower dba TLC TOTAL LAWN CARE LLC, Docket No. 2023-1652-LII-E on September 10, 2024 assessing \$1,546 in administrative penalties with \$309 deferred. Information concerning any aspect of this order may be obtained by contacting Claudia Bartley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ahmed Real Estate Inc, Docket No. 2024-0016-EAQ-E on September 10, 2024 assessing \$7,500 in administrative penalties with \$1,500 deferred. Information concerning any aspect of this order may be obtained by contacting Megan Crinklaw, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding FLUOR ENTERPRISES, INC. dba Colorado River Constructors, OHP and Balfour Beatty Infrastructure, Inc. dba Colorado River Constructors, OHP, Docket No. 2024-0313-EAQ-E on September 10, 2024 assessing \$3,850 in administrative penalties with \$770 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Quality Excavation LTD., Docket No. 2024-0409-WQ-E on September 10, 2024 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation order was adopted regarding Patriot Mining and Materials. LLC, Docket No. 2024-1137-WQ-E on September 10, 2024 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Nancy Sims, En-

forcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202404402

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024

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Enforcement Orders

An agreed order was adopted regarding Targa Frio LaSalle Pipeline LP f/k/a Frio LaSalle Pipeline, LP, Docket No. 2021-0727-AIR-E on September 11, 2024 assessing \$70,104 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Timber Lane Utility District, Docket No. 2021-0739-MWD-E on September 11, 2024 assessing \$37,125 in administrative penalties with \$7,425 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding JOHARSKY MOTORS LLC dba Pro Auto Fix, Docket No. 2021-1014-AIR-E on September 11, 2024 assessing \$2,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Harlingen Waterworks System, Docket No. 2022-0032-MWD-E on September 11, 2024 assessing \$19,050 in administrative penalties with \$3,810 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Stonetown Benbrook, LLC, Docket No. 2022-0754-MWD-E on September 11, 2024 assessing \$29,687 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Williamson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Thakurs Retailer Group LLC dba Thakurs C Store, Docket No. 2023-0618-PST-E on September 11, 2024 assessing \$20,726 in administrative penalties with \$4,145 deferred. Information concerning any aspect of this order may be obtained by contacting Celicia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Juan Carlos Diaz Amaya, Docket No. 2023-0873-MLM-E on September 11, 2024 assessing \$7,896 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Alexander Kepczyk, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ESPINOZA STONE, INC., Docket No. 2023-0878-WQ-E on September 11, 2024 assessing \$50,000 in administrative penalties with \$10,000 deferred. Informa-

tion concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding AET Environmental, Inc Source Environmental dba AET Environmental Texas, Docket No. 2023-1275-IHW-E on September 11, 2024 assessing \$17,165 in administrative penalties with \$3,433 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Chu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Petra Firma Development Group, Inc., Docket No. 2023-1746-PWS-E on September 11, 2024 assessing \$3,975 in administrative penalties with \$3,975 deferred. Information concerning any aspect of this order may be obtained by contacting Taner Hengst, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding STANLEY MOBILE HOME PARK, LLC, Docket No. 2023-1771-PWS-E on September 11, 2024 assessing \$5,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Alamo Cement Company, Docket No. 2024-0288-AIR-E on September 11, 2024 assessing \$46,500 in administrative penalties with \$9,300 deferred. Information concerning any aspect of this order may be obtained by contacting Amanda Diaz, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202404404

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



#### Example A Notice of Public Meeting Air Quality Registration Number 116476

**APPLICATION.** Texas Concrete Enterprise, L.L.C., has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Registration Number 116476, for an Air Quality Standard Permit for Concrete Batch Plants, which would authorize continued operation of the Concrete Batch Plant located at 3315 Carr Street, Houston, Harris County, Texas 77026-4505. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.345555,29.7925&level=13>. The existing facility is authorized to emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on June 12, 2024. The executive director has determined the application is administratively

complete and will conduct a technical review of the application. Information in the application indicates that this permit renewal would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted. **The TCEQ may act on this application without seeking further public comment or providing an opportunity for a contested case hearing if certain criteria are met.**

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

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

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

**Monday, October 14, 2024 at 6:00 p.m.**

**Ross (Betsy) Elementary School Cafeteria**

**2819 Bay Street**

**Houston, Texas 77026**

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

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

The application will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and the Carnegie Neighborhood Library and Center for Learning, 1050 Quitman Street, Houston, Harris County, Texas. The facility's compliance file, if any exists, is available for public review in the Houston regional office of the TCEQ. Further information may also be obtained from Texas Concrete Enterprise, L.L.C., 3506 Cherry Street, Houston, Texas 77026-3502 or by calling Mr. Josh Butler, Principal Consultant, Elm Creek Environmental, LLC, at (469) 946-8195.



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

Notice Issuance Date: September 10, 2024

TRD-202404405

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



### Notice of District Petition

Notice issued September 4, 2024

TCEQ Internal Control No. D-07302024-073; GF 2977 LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Fort Bend County Water Control and Improvement District No. 12 (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 51 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) Stellar Bank is the only holder of liens against the land to be included in the District and has consented to the creation; (3) the proposed District will contain approximately 1490.25 acres located within Fort Bend County, Texas; and (4) all of the area within the proposed District is within the extraterritorial jurisdiction of the Town of Thompsons, Texas and is not within the corporate limits or extraterritorial jurisdiction of any other city. The petition further states that the nature of the work to be done by the District at the present time is the purchase, construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District; to collect, transport, process, dispose of and control all domestic, industrial or commercial wastes, whether in fluid, solid or composite state; and to gather, conduct, divert and control local storm waters or other harmful excess of water. The District also intends to purchase interests in land and purchase, construct, acquire, improve, extend, maintain and operate improvements, facilities and equipment for the purpose of providing recreational facilities.

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 \$90,500,000 (\$57,250,000 for drainage and detention facilities plus \$33,250,000) for recreational facilities.

#### INFORMATION SECTION

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

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the

petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

TRD-202404399

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



### Notice of District Petition

Notice issued September 4, 2024 TCEQ Internal Control No. D-07302024-080; Estate of Vincent Huebinger, (Petitioner) filed a petition for creation of Guadalupe County Municipal Utility District No. 15 (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 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 46.40 acres located within Guadalupe County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of the City of Marion. In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the Petitioner submitted a petition to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, the Petitioner submitted a petition to the City to provide water and sewer services to the proposed District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the land within the proposed District. The petition further states that the proposed District will: (1) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial, or commercial purposes or provide adequate drainage for the proposed District; (2) collect, transport, process, dispose of and control domestic, industrial, or commercial wastes; and (3) gather, conduct, divert, abate, amend, and

control local storm water or other local harmful excesses of water in the proposed District; purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. Additional work and services which may be performed by the proposed District include the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a roadway system for the proposed District. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$20,813,833. The financial analysis in the application was based on an estimated \$12,297,303 (\$9,314,405 for water, wastewater, and drainage and \$2,982,898 for roads) at the time of submittal.

#### INFORMATION SECTION

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

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

TRD-202404400

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



Notice of District Petition

Notice issued September 5, 2024

TCEQ Internal Control No. D-03182024-040: WB West Alvin Land, LLC., a Texas limited company (Petitioner), filed a petition for the cre-

ation of Preservation Creek 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 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority of land to be included in the proposed District; (2) there are two lienholders, Brazoria Meadows, L.P a Texas limited partnership and Star State Land L.P a Texas limited partnership, on the property to be included in the proposed District and information provided indicates that the lienholders consent to the creation of the proposed District; (3) the proposed District will contain approximately 2,962.37 acres located within Brazoria County, Texas; and (4) the land within the proposed District is located within the corporate limits or the extraterritorial jurisdiction of the City of Alvin (City). The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend a waterworks and sanitary sewer system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of water; and (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, enterprises, road facilities, and park and recreational facilities as shall be consonant with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$370,000,000 (\$300,000,000 for water, wastewater, and drainage \$15,000,000 District's Park and recreational facilities plus \$55,000,000 for roads).

#### INFORMATION SECTION

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

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

(512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

TRD-202404401

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 11, 2024



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DOs when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **October 21, 2024**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on October 21, 2024**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Daryll Hawes; DOCKET NUMBER: 2021-0023-MLM-E; TCEQ ID NUMBER: RN111084554; LOCATION: 6510 Farm-to-Market 462 South, Hondo, Medina County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) disposal site; RULES VIOLATED: 30 TAC §330.15(a) and (c), by causing, suffering, allowing, or permitting the unauthorized disposal of MSW; and Texas Health and Safety Code, §382.085(b) and 30 TAC §111.201, by causing, suffering, allowing, or permitting outdoor burning within the State of Texas; PENALTY: \$13,281; STAFF ATTORNEY: Barrett Hollingsworth, Litigation, MC 175, (512) 239-0657; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(2) COMPANY: Randy Howell; DOCKET NUMBER: 2022-1435-MSW-E; TCEQ ID NUMBER: RN111328944; LOCATION: 626

Bullion Road, Springtown, Wise County; TYPE OF FACILITY: unauthorized scrap tire storage facility; RULES VIOLATED: Texas Health and Safety Code, §261.112(a) and 30 TAC §328.60(a), by failing to obtain a scrap tire storage site registration for the site prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers; PENALTY: \$5,000; STAFF ATTORNEY: Alexander Kepczyk, Litigation, MC 175, (512) 239-3992; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202404382

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: September 10, 2024



## Texas Ethics Commission

### List of Delinquent Filers

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

#### Deadline: Personal Financial Statement due April 30, 2024

#00065562 - William F. Smith, III, 4161 E. Highway 290, Ste. 100, Dripping Springs, Texas 78620

#00070897 - Syed Anwar, 110 N. Marienfeld, Ste.101, Midland, Texas 79702

#00080329 - David A. Saunders, 2703 Mary Court, Parker, Texas 75094

#00080494 - Jeanette L. Sterner, 312 Oxbow Cv., Holly Lake Ranch, Texas 75765

#00082582 - Gary W. Cheatwood, 3705 FM 1487, Bogata, Texas 75417

#00083339 - Courtney Boswell MacDonald, 1219 Virginia Drive, Ker-ville, Texas 78028

#00083417 - Traci G. LaChance, P.O. Box 102, Danbury, Texas 77534

#00085172 - Jacob W. Boggus, P.O. Box 1111, Harlingen, Texas 78551

#00086393 - Ian F. Shaw, 605 Promontory Lane, Dallas, Texas 75208

#00086593 - Joshua Hollub, 10809 Elizabeth lane, La Porte, Texas 77571

#00087406 - Douglas Tolleson, Texas A&M AgriLife Research, P.O. Box 918, Sonora, Texas 76950

#00069163 - Edward E. Martin, Jr., 2508 Ashley Worth Blvd, Austin, Texas 78738

#00086573 - Dorothy M. Byrd, 10948 Ted Williams Place, El Paso, Texas 79934

#00083699 - Zina Garrison, 5280 Caroline St. #2008, Houston, Texas 77004

#00088558 - Joe Elabd, 301 Tarrow Street, College Station, Texas 77840

#00088684 - Tomikia P. LeGrande, Office of the President Prairie View A&M University, P.O. Box 519 Mailstop 1001, Prairie View, Texas 77446

#00087059 - Samuel G. Farias, 105 W. Corpus Cristi St. Rm. 105, Beeville, Texas 78102  
#00021014 - Mike Wilkinson, P.O. Box 8105, Baytown, Texas 77522  
#00020694 - John J. Specia, Jr., 1100 NE Loop 410, Ste. 400, San Antonio, Texas 78209  
#00057957 - Jose A. Lopez, 1809 Lane St., Laredo, Texas 78043  
#00069496 - Latosha T. Lewis, P.O. Box 310507, Houston, Texas 77231  
#00082477 - Brian M. Middleton, P.O. Box 2574, Sugar Land, Texas 77487  
#00086460 - Kelly Higgins, 712 S. Stagecoach Trail, Ste. 1120, San Marcos, Texas 78666  
#00082796 - Clint A Mitchell, 8345 Lake Powell Dr., Nederland, Texas 77627  
#00083745 - Jeffrey W. Allison, 1705 Du Barry Ln., Houston, Texas 77018  
#00042411 - Jose Menendez, 7715 Windmill Hill, San Antonio, Texas 78229  
#00082870 - Roberto D. Martinez M.D., 2809 Santa Lydia, Mission, Texas 78572  
#00082916 - Ty Hunter Sheehan, 13602 Bluffcircle, San Antonio, Texas 78216  
#00084244 - Scott Gordon, P.O. Box 6078 SFA Station, Nacogdoches, Texas 75962  
#00084809 - Brandon M. Allen, 800 Embassy Dr. #117, Austin, Texas 78702  
#00086698 - Lesia L. Crumpton-Young, Hannah Hall Ste. 220, 3100 Cleburne St., Houston, Texas 77004  
#00086902 - Sarah C. Lamb, 5630 Willis Ave., Dallas, Texas 75214  
#00082845 - Mary C. Denny, 8684 FM 2153, Aubrey, Texas 76227  
#00082977 - Jeffrey D. Jacobs, 5961 Connie Lane, Rockwall, Texas 75032  
#00083089 - Anthony C. Scoma, 11324 Cherisse Dr., Austin, Texas 78739  
#00050458 - Ralph Diaz, 5409 County Road 73A, Robstown, Texas 78380  
#00086668 - Alecyssa Broyles DVM, 424 Old Tin Top Rd, Weatherford, Texas 76087  
#00087020 - Curtis Rath, 830 PR 52444, Lessburg, Texas 75451  
#00087105 - Brian J. Smith, 309 Lake Cliff Trail, Austin, Texas 78746  
#00082077 - Jamie D. Grant, 1975 Ballpark Way 200486, Arlington, Texas 76006  
#00086656 - Amanda Miles, 1820 Winding Trail Lane, Alvin, Texas 77511  
#00084109 - Stephanie Robinson, P.O. Box 6464, McKinney, Texas 75071  
#00082472 - Michael D. "Mike" Bell, 1907 W. Welsford Dr., Spring, Texas 77386  
#00080790 - Will Beinhorn, Bell House, 502 W. Mistletoe, San Antonio, Texas 78212

#00087832 - Stacy Ann Hock, 3331 Westlake Drive, Austin, Texas 78746  
#00088642 - Eric Marfin, 10631 Floral Park Dr., Austin, Texas 78759  
#00080803 - Arun Agarwal, 123 Oak Lawn Ave., Dallas, Texas 75207  
#00082214 - Kimberly N. Haynes, DMD, 2201 Lookout Knoll Dr., Leander, Texas 78641  
#00080825 - Jorge E. Quirch, D.D.S., 4899 Montrose #1107, Houston, Texas 77006  
#00087534 - Mario Lizcano, 5501 S. McColl Road, Edinburg, Texas 78539  
#00083840 - Jason Ray Denny, 2941 Sussex Gardens Ln., Austin, Texas 78748  
#00085603 - Rex W. Gore, 4825 Eagle Feather Dr., Austin, Texas 78735  
#00085690 - Charles Tatton, P.O. Box 105, Tivoli, Texas 77990  
#00083622 - Chad Foster, Jr., 104 N East St., Uvalde, Texas 78801  
#00053248 - Dan S. Leyendecker, 801 Navigation, Ste. 300, Corpus Christi, Texas 78408  
TRD-202404221  
J.R. Johnson  
Executive Director  
Texas Ethics Commission  
Filed: September 6, 2024

◆ ◆ ◆  
**Texas Feed and Fertilizer Control Service/Office of the Texas State Chemist**

**Correction of Error**

The Texas Feed and Fertilizer Control Service/Office of the Texas State Chemist proposed amendments to 4 TAC §65.13 and §65.24 in the September 6, 2024, issue of the *Texas Register* (49 TexReg 6863). Due to an error by the agency, the second paragraph of the preamble included incorrect information. The second paragraph should have read as follows:

Dr. Tim Herrman, State Chemist and Director, Office of the Texas State Chemist, has assessed that approximately 34 firms may be affected by the updated rules and that approximately 77,000 tons of waste products sold as fertilizer are used in the state.

TRD-202404409  
Dr. Tim Hermann  
Texas State Chemist and Director, Office of the Texas State Chemist  
Texas Feed and Fertilizer Control Service/Office of the Texas State Chemist  
Filed: September 11, 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 consis-

teny review were deemed administratively complete for the following project(s) during the period of, August 26, 2024 to September 6, 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, September 13, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday October 13, 2024.

Federal License and Permit Activities:

**Applicant:** Town of Quintana

**Location:** The project site is located in the Gulf of Mexico, approximately 0.33-mile southeast of the intersection of County Road (CR) 723 and CR 1495, in Quintana, Brazoria County, Texas.

**Latitude and Longitude:** 28.913797, -95.332811

**Project Description:** The applicant is proposing to discharge 50,000 cubic yards (CY) of beach quality sand along 1,850 feet of Bryan Beach shoreline fronting the Gulf of Mexico for beach nourishment activities. The applicant is proposing to use three previously authorized upland borrow sources; 1) Port of Bay City, 2) Weidemann Ranch, and 3) Krumwiede. Access to the site will be via Bryan Beach Road. The sand material from the upland borrow sites will be transported to the project site by truck or barge via designated routes and offloading sites. The applicant is proposing three possible staging areas totaling approximately 0.4-acre; one site is located within the beach nourishment template and two sites are located outside the beach nourishment template. The applicant is not proposing mitigation.

**Type of Application:** U.S. Army Corps of Engineers permit application #SWG-2013-00640. 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:** 24-1326-F1

**Applicant:** Kenneth Berry

**Location:** The project site is located in Corpus Christi Bay, at Berry Island, adjacent to the La Quinta Channel.

**Latitude and Longitude:** 27.831336, -97.230467

**Project Description:** The applicant proposes to construct an approximately 1400-foot by 1200-foot basin. The basin would be approximately 60 feet deep. The total volume of material to be excavated/dredged is approximately 3,425,000 cubic yards. The purpose of the project is to construct a vessel docking basin to provide 1) docking of large crude oil carriers, cargo ships, boats, barges, and other similar vessels, and 2) a safe harbor location during inclement weather events. The basin would be constructed by excavating as much material as possible from dry land. A section of land (berm) approximately 100 feet wide would be left in place to act as a barrier between basin construction activity and the La Quinta Channel. Once the area has been excavated from the existing ground level (approximately +15-38 feet elevation) to approximately +5 feet elevation, a section of the berm would be temporarily removed to allow a hydraulic dredger to enter the basin, and the barrier would be restored once the dredger is in place. The berm would remain intact until the rest of the basin is complete in order to minimize impacts to the La Quinta Channel and Corpus Christi Bay as much as possible. All excavated and dredged material would be placed in the Berry Island Dredge Material

Placement Area. The applicant has not proposed mitigation at this time.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2024-00134. 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:** 25-1000-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](mailto: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](mailto:federal.consistency@glo.texas.gov).

TRD-202404365

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: September 9, 2024



Official Notice to Vessel Owner/Operator (Pursuant To §40.254, Tex. Nat. Res. Code)

PRELIMINARY REPORT

Authority

This preliminary report and notice of violation was issued by the, Deputy Director, Oil Spill Prevention and Response Division (OSPR), Texas General Land Office, on August 19, 2024.

Facts

Based on an inspection conducted on July 9, 2024, the Commissioner of the General Land Office (GLO), has determined that the vessel identified as **Vessel Id # 2-97799** is in a derelict condition in coastal waters without the consent of the Commissioner. The vessel is in Offatts Bayou, in Galveston County, Texas. The vessel is located at 29°17'15"N, 94°50'37"W

The GLO determined that pursuant to OSPRA §40.254(b)(2)(B), that the vessel does have intrinsic value.

□ 10 Day Placard: with no visible vessel names, markings or identification numbers on the vessel; it is impossible to determine the vessel's owner of record.

x 20 Day Placard: USCG Vessel Documentation No./TPWD Reg. No. 939391

Violation

YOU ARE HEREBY GIVEN NOTICE, pursuant to the provisions of §40.254 of the Texas Natural Resources Code, (OSPRA) that you are in violation of OSPRA §40.108(a) that prohibits a person from leaving, abandoning, or maintaining any structure or vessel in or on coastal waters, on public lands without the consent of the Commissioner, and the Commissioner determines the vessel is involved in an actual or unauthorized discharge of oil, a threat to the public health, safety, and welfare, or a hazard to the environment or navigation. The Commissioner is authorized by OSPRA §40.108(b) to dispose of or contract for the disposal of any vessel described in §40.108(a).

Recommendation

The Commissioner recommends that the vessel be removed immediately from Texas coastal waters and disposed of in accordance with OSPRA §40.108.

The owner or operator of this vessel can request a hearing to contest the violation and the removal and disposal of the vessel. If the owner or operator wants to request a hearing, a request in writing must be made within twenty (20) days of this notice being posted on the vessel. The request for a hearing must be sent to: Texas General Land Office, Oil Spill Prevention and Response Division, P.O. Box 12873, Austin, Texas 78711. Failure to request a hearing will result in the removal and disposal of the vessel by the TGLO. If the TGLO removes and disposes of the vessel, the TGLO has authority under TNRC §40.108(b) to recover the costs of removal and disposal from the vessel's owner or operator.

For additional information contact the Hurricane Beryl Vessel Owner Hotline

TRD-202404188

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: September 5, 2024

## Texas Department of Housing and Community Affairs

Notice of Funding Availability (NOFA) Release for 2025 Community Services Block Grant Discretionary (CSBG-D) Funds - Native American and Migrant and Seasonal Farm Worker Education and Employment Initiatives

The Texas Department of Housing and Community Affairs (the Department) announces the availability of \$300,000 in CSBG-Discretionary funding for education and employment initiatives for migrant and seasonal farm worker and Native American populations. Each year the Department sets aside 5% of its annual CSBG allocation for state discretionary use. Each year, funds from CSBG-Discretionary are used for specific identified efforts that the Department supports and other ongoing initiatives such as employment and education programs for migrant and seasonal farm workers and Native Americans. This year, \$300,000 has been programmed for migrant and seasonal farm worker and Native American populations' employment and education programs for which the Department is issuing this NOFA. The Department will release funds competitively.

The Department's anticipated contract period for 2025 CSBG-Discretionary migrant and seasonal farm worker and Native American employment and education initiatives is February 1, 2025, through January 31, 2026.

Interested applicants must meet the requirements set forth in the NOFA and must submit a complete application through the established system described in the NOFA by October 18, 2024, 5:00 p.m., Central Standard Time.

The application forms contained in this packet and submission instructions are available on the Department's web site at <https://www.tdhca.texas.gov/notices-funding-availability-nofas>. Should you have any related questions, please contact Rita Gonzales-Garza at (512) 475-3905 or [rita.garza@tdhca.texas.gov](mailto:rita.garza@tdhca.texas.gov).

TRD-202404244

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: September 6, 2024

## Texas Department of Insurance

### Company Licensing

Application for incorporation in the state of Texas for Dallas Specialty Insurance Company, a domestic fire and/or casualty company. The home office is in Dallas, Texas.

Application for incorporation in the state of Texas for MedCare Partners Health Plan of Texas, LLC, a domestic health maintenance organization (HMO). The home office is in Houston, Texas.

Application for incorporation in the state of Texas for Builder Reciprocal Insurance Exchange, a domestic reciprocal. The home office is in Plano, Texas.

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

TRD-202404398

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: September 11, 2024

### Notice of Public Hearing

TWIA Adjustments to Maximum Liability Limits - Docket No. 2849

The commissioner of insurance will hold a public hearing to consider the adjustments that the Texas Windstorm Insurance Association (TWIA) proposed to its maximum limits of liability. The hearing will begin at 2:00 p.m., central time, September 30, 2024, in Room 2.034 of the Barbara Jordan State Office Building, 1601 Congress Avenue, Austin, Texas 78701. **This is not a hearing on TWIA's rates.**

The commissioner has jurisdiction over this hearing under Insurance Code §2210.504.

TWIA filed proposed inflation adjustments to its maximum liability limits on August 13, 2024. The proposed adjustments would apply to windstorm and hail insurance policies delivered, issued for delivery, or renewed on or after January 1, 2025. This filing does not affect TWIA's rates.

By statute, the proposed adjustments are subject to review and either approval, disapproval, or modification by the Texas Department of Insurance (TDI). The proposed adjustments were modified by TDI in an initial order issued on September 12, 2024. Insurance Code §2210.504 requires the commissioner to give notice and hold a hearing before deciding whether to finally approve, disapprove, or modify the proposed adjustment within 30 days of the initial order.

#### How to review, request copies, and comment:

To **review** or get copies of TDI's order of modification or TWIA's proposed adjustments to its maximum liability limits filings:

--**Online:** Go to [tdi.texas.gov/submissions/indextwia.html#limit](https://tdi.texas.gov/submissions/indextwia.html#limit)

--**In person:** You can review the filing in the Office of the Chief Clerk, Texas Department of Insurance, 1601 Congress Avenue, Austin, Texas

78701. If you would like to review the materials in person, please email ChiefClerk@tdi.texas.gov to arrange a time.

--By mail: Write to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030.

Written comments must be received by TDI on or before 5:00 p.m., central time, on September 30, 2024. Please include the docket number on any comments or exhibits. Submit your comments by mail to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030 or by email to ChiefClerk@tdi.texas.gov.

TRD-202404408

Jessica Barta

General Counsel

Texas Department of Insurance

Filed: September 11, 2024



## Texas Lottery Commission

Scratch Ticket Game Number 2611 "WILD CHERRIES"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2611 is "WILD CHERRIES". The play style is "slots - straight line".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2611 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2611.

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: STAR SYMBOL, HEART SYMBOL, MOON SYMBOL, CACTUS SYMBOL, ELEPHANT SYMBOL, COIN SYMBOL, RAINBOW SYMBOL, WISHBONE SYMBOL, WALLET SYMBOL, SUN SYMBOL, HORSESHOE SYMBOL, ANCHOR SYMBOL, BOAT SYMBOL, BOLT SYMBOL, DICE SYMBOL, SHELL SYMBOL, SPADE SYMBOL, CROWN SYMBOL, UMBRELLA SYMBOL, WALNUT SYMBOL, DAISY SYMBOL, HAT SYMBOL, BOOT SYMBOL, BIRD SYMBOL, LADYBUG SYMBOL, BUTTERFLY SYMBOL, PRETZEL SYMBOL, CAKE SYMBOL, GIFT SYMBOL, GRILL SYMBOL, TREASURE CHEST SYMBOL, SAFE SYMBOL, PIGGY BANK SYMBOL, CASH SYMBOL, GOLD SYMBOL, LOCK SYMBOL, RING SYMBOL, KEY SYMBOL, RUBY SYMBOL, PEPPER SYMBOL, CANDY SYMBOL, WILD SYMBOL, LEMON SYMBOL, BANANA SYMBOL, MELON SYMBOL, GRAPES SYMBOL, PINEAPPLE SYMBOL, STRAWBERRY SYMBOL, PEAR SYMBOL, PLUM SYMBOL, PEACH SYMBOL, ORANGE SYMBOL, CANTALOUPE SYMBOL, AVOCADO SYMBOL, CHERRY SYMBOL, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$250, \$500, \$1,000, and \$100,000.

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

Figure 1: GAME NO. 2611 - 1.2D

PLAY SYMBOL	CAPTION
STAR SYMBOL	STAR
HEART SYMBOL	HEART
MOON SYMBOL	MOON
CACTUS SYMBOL	CACTUS
ELEPHANT SYMBOL	ELEPHT
COIN SYMBOL	COIN
RAINBOW SYMBOL	RAINBW
WISHBONE SYMBOL	WSHBNE
WALLET SYMBOL	WALLET
SUN SYMBOL	SUN
HORSESHOE SYMBOL	HRSHOE
ANCHOR SYMBOL	ANCHOR
BOAT SYMBOL	BOAT
BOLT SYMBOL	BOLT
DICE SYMBOL	DICE
SHELL SYMBOL	SHELL
SPADE SYMBOL	SPADE
CROWN SYMBOL	CROWN
UMBRELLA SYMBOL	UMBRLA
WALNUT SYMBOL	WALNUT
DAISY SYMBOL	DAISY
HAT SYMBOL	HAT
BOOT SYMBOL	BOOT
BIRD SYMBOL	BIRD
LADYBUG SYMBOL	LDYBUG
BUTTERFLY SYMBOL	BTRFLY
PRETZEL SYMBOL	PRETZEL



CAKE SYMBOL	CAKE
GIFT SYMBOL	GIFT
GRILL SYMBOL	GRILL
TREASURE CHEST SYMBOL	TRCHEST
SAFE SYMBOL	SAFE
PIGGY BANK SYMBOL	PIGBNK
CASH SYMBOL	CASH
GOLD SYMBOL	GOLD
LOCK SYMBOL	LOCK
RING SYMBOL	RING
KEY SYMBOL	KEY
RUBY SYMBOL	RUBY
PEPPER SYMBOL	PEPPER
CANDY SYMBOL	CANDY
WILD SYMBOL	WINX10
LEMON SYMBOL	LEMON
BANANA SYMBOL	BANANA
MELON SYMBOL	MELON
GRAPES SYMBOL	GRAPES
PINEAPPLE SYMBOL	PNAPLE
STRAWBERRY SYMBOL	STRWBY
PEAR SYMBOL	PEAR
PLUM SYMBOL	PLUM
PEACH SYMBOL	PEACH
ORANGE SYMBOL	ORANGE
CANTALOUPE SYMBOL	CNTLPE
AVOCADO SYMBOL	AVCADO
CHERRY SYMBOL	WIN\$50
\$5.00	FIV\$

\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$250	TOFF
\$500	FVHN
\$1,000	ONTH
\$100,000	100TH

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 (2611), 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: 2611-0000001-001.

H. Pack - A Pack of the "WILD CHERRIES" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse; i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

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 "WILD CHERRIES" Scratch Ticket Game No. 2611.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "WILD CHERRIES" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose seventy (70) Play Symbols. BONUS PLAY INSTRUCTIONS: If a player reveals 2 "CHERRY" Play Symbols in the same BONUS Play Area, the player wins \$50! GAMES 1 - 16: If the player reveals 3 matching Play Symbols in the same GAME, the player wins the PRIZE for that GAME. If the player reveals a "WILD"

Play Symbol in a GAME, the player wins 10 TIMES the PRIZE for that GAME. Each game is played separately. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly seventy (70) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly seventy (70) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the seventy (70) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the seventy (70) 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. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket can win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to nineteen (19) times.

D. GAMES 1 - 16: On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$100,000 will each appear at least one (1) time, except on Tickets winning sixteen (16) times, with respect to other parameters, play action or prize structure.

E. GAMES 1 - 16: The play area consists of sixteen (16) GAMES with three (3) Play Symbols and one (1) Prize Symbol per GAME.

F. GAMES 1 - 16: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

G. GAMES 1 - 16: Across all GAMES, there will be no more than three (3) matching non-winning Prize Symbols.

H. GAMES 1 - 16: There will never be three (3) matching Play Symbols in a vertical or diagonal line.

I. GAMES 1 - 16: On non-winning GAMES, a Play Symbol will never appear more than two (2) times in a GAME.

J. GAMES 1 - 16: Consecutive Non-Winning Tickets within a Pack will not have matching GAMES. For example, if the first Ticket contains a "HEART" Play Symbol, "MOON" Play Symbol and a "STAR" Play Symbol in a GAME, the next Ticket will not contain a "HEART" Play Symbol, "MOON" Play Symbol and a "STAR" Play Symbol in any GAME in any order.

K. GAMES 1 - 16: Winning and Non-Winning Tickets will not have matching GAMES. For example, if GAME 1 is a "HEART" Play Symbol, "MOON" Play Symbol and a "STAR" Play Symbol, then GAME 2 - GAME 16 will not contain a "HEART" Play Symbol, "MOON" Play Symbol and a "STAR" Play Symbol in any order.

L. GAMES 1 - 16: Three (3) matching Play Symbols in the same horizontal GAME will win the PRIZE for that GAME.

M. GAMES 1 - 16: The "WILD" (WINX10) Play Symbol will never appear on Non-Winning Tickets.

N. GAMES 1 - 16: Within a GAME, when a "WILD" (WINX10) Play Symbol appears, the two (2) remaining Play Symbols will be different from each other.

O. GAMES 1 - 16: There will never be two (2) matching Play Symbols and a "WILD" (WINX10) Play Symbol adjacent in a vertical or diagonal line.

P. GAMES 1 - 16: A "WILD" (WINX10) Play Symbol in a GAME will win 10 TIMES the PRIZE for that GAME and will win as per the prize structure.

Q. GAMES 1 - 16: The "WILD" (WINX10) Play Symbol will only appear one (1) time per Ticket as per the prize structure.

R. BONUS PLAY AREAS: A Ticket can win up to one (1) time in each of the three (3) BONUS play areas.

S. BONUS PLAY AREAS: Winning Tickets will contain two (2) matching "CHERRY" (WIN\$50) Play Symbols in the same BONUS play area.

T. BONUS PLAY AREAS: A "CHERRY" (WIN\$50) Play Symbol will only appear with another "CHERRY" (WIN\$50) Play Symbol in the same BONUS play area, i.e., a winning BONUS play area. A single "CHERRY" (WIN\$50) Play Symbol will never appear.

U. BONUS PLAY AREAS: A non-winning BONUS play area will have two (2) different Play Symbols.

V. BONUS PLAY AREAS: A non-winning BONUS Play Symbol will not appear more than one (1) time per Ticket across all three (3) BONUS play areas.

W. BONUS PLAY AREAS: Consecutive Non-Winning Tickets within a Pack will not have matching BONUS play areas. For example, if the first Ticket contains a "LEMON" Play Symbol and a "BANANA" Play Symbol in any BONUS play area, then the next Ticket will not contain a "LEMON" Play Symbol and a "BANANA" Play Symbol in any BONUS play area in any order.

#### 2.3 Procedure for Claiming Prizes.

A. To claim a "WILD CHERRIES" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$250 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$250 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas

Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "WILD CHERRIES" Scratch Ticket Game prize of \$1,000 or \$100,000, 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 "WILD CHERRIES" 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 "WILD CHERRIES" 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 "WILD CHERRIES" 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 7,200,000 Scratch Tickets in Scratch Ticket Game No. 2611. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2611 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	752,000	9.57
\$10.00	672,000	10.71
\$20.00	208,000	34.62
\$50.00	96,000	75.00
\$100	27,000	266.67
\$250	2,560	2,812.50
\$500	2,100	3,428.57
\$1,000	50	144,000.00
\$100,000	6	1,200,000.00

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

\*\*The overall odds of winning a prize are 1 in 4.09. 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. 2611 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. 2611, 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-202404369  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: September 10, 2024



Scratch Ticket Game Number 2626 "7"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2626 is "7". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2626 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2626.

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: 01, 03, 04, 06, 08, 09, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 53, 54, 55, 2X SYMBOL, 5X SYMBOL, 7 SYMBOL, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$300, \$600, \$1,500, \$3,000, \$10,000 and \$250,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink

in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2626 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
03	THR
04	FOR
06	SIX
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO

33	TRTH
34	TRFR
35	TRFV
36	TRSX
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRT0
43	FRTH
44	FRFR
45	FRFV
46	FRSX
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
2X SYMBOL	DBL
5X SYMBOL	WINX5
7 SYMBOL	WINALL
\$10.00	TEN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN



\$300	THHN
\$600	SXHN
\$1,500	15HN
\$3,000	THTH
\$10,000	10TH
\$250,000	250TH

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 (2626), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2626-0000001-001.

H. Pack - A Pack of the "7" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

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 "7" Scratch Ticket Game No. 2626.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "7" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-six (66) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "7" Play Symbol, the player WINS ALL 30 PRIZES INSTANTLY! 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 sixty-six (66) 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 sixty-six (66) 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 sixty-six (66) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-six (66) 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. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of Play Symbols or Prize Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to thirty (30) times.

D. On winning and Non-Winning Tickets, the top cash prizes of \$1,500, \$3,000, \$10,000 and \$250,000 will each appear at least one (1) time, except on Tickets winning thirty (30) times or with the "7" (WINALL) Play Symbol and with respect to other parameters, play action or prize structure.

E. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

F. No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

G. No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

H. Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

I. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

J. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbols (i.e., 10 and \$10, 20 and \$20, 30 and \$30 and 50 and \$50).

K. On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

L. The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

M. The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

N. The "2X" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

O. The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

P. The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

Q. The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

R. The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

S. The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

T. The "7" (WINALL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

U. The "7" (WINALL) Play Symbol will instantly win all thirty (30) prize amounts and will win only as per the prize structure.

V. The "7" (WINALL) Play Symbol will never appear more than one (1) time on a Ticket.

W. The "7" (WINALL) Play Symbol will never appear on a Non-Winning Ticket.

X. On Tickets winning with the "7" (WINALL) Play Symbol, the YOUR NUMBERS Play Symbols will not match any of the WINNING NUMBERS Play Symbols.

Y. The "2X" (DBL) and "5X" (WINX5) Play Symbols can appear on the same winning Ticket, as per the prize structure.

Z. The "2X" (DBL) and "5X" (WINX5) Play Symbols will never appear on the same Ticket as the "7" (WINALL) Play Symbol.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "7" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$50.00, \$100 or \$300, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00, \$100 or \$300 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 "7" Scratch Ticket Game prize of \$600, \$1,500, \$3,000, \$10,000 or \$250,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event

that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "7" 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 "7" 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 "7" 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 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2626. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2626 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10.00	964,800	8.33
\$20.00	546,720	14.71
\$30.00	321,600	25.00
\$50.00	321,600	25.00
\$100	22,110	363.64
\$300	17,420	461.54
\$600	950	8,463.16
\$1,500	150	53,600.00
\$3,000	150	53,600.00
\$10,000	10	804,000.00
\$250,000	5	1,608,000.00

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

\*\*The overall odds of winning a prize are 1 in 3.66. 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. 2626 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. 2626, 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-202404370  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: September 10, 2024

◆ ◆ ◆  
**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 30, 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 Brazoria Telephone Company for True-Up of 2021 Federal Universal Service Fund Impacts to Texas Universal Service Fund, Docket Number 57024.

The Application: Brazoria Telephone Company filed a true-up in accordance with findings of fact 16 and 17 and ordering paragraphs 2, 3, and 4 of the Notice of Approval issued in Docket No. 54193, *Application of Brazoria Telephone Company to Recover Funds from the TUSF Under PURA §56.025 and 16 TAC §26.406 for Calendar Year 2021*. In that docket, the Commission determined that the Federal Communications Commission's actions were reasonably projected to reduce the amount that Brazoria Telephone received in FUSF revenue

by \$1,335,539.93 for calendar year 2021. It was also estimated that Brazoria Telephone would recover \$130,356.70 of the projected FUSF revenue impact from rate increases implemented for the same time period. Brazoria Telephone's request to recover the remaining \$1,205,183.23 from the TUSF for 2021 was approved. Ordering paragraphs 2, 4 and 5 of the Notice of Approval in Docket No. 54193 require Brazoria Telephone to file its final and actual FUSF impacts for 2021 by September 1, 2024, with detailed supporting documentation, and contain the requirements for potential over- or under-recovery from the TUSF. Brazoria Telephone states that the realized FUSF losses for 2021 were \$1,337,848.23. Therefore, Brazoria Telephone seeks additional TUSF funds in the amount of \$132,665.00 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 57024.

TRD-202404187  
Andrea Gonzalez  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 5, 2024

◆ ◆ ◆  
**Supreme Court of Texas**

Order Amending Rule 13 of the Rules Governing Admission to the Bar of Texas

# Supreme Court of Texas

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Misc. Docket No. 24-9064

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## Order Amending Rule 13 of the Rules Governing Admission to the Bar of Texas

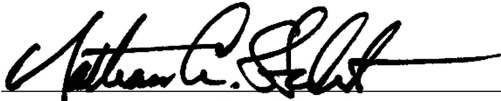
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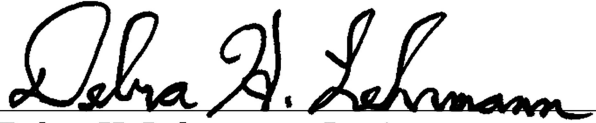
**ORDERED** that:

1. The Court approves the following amendments to Rule 13 of the Rules Governing Admission to the Bar of Texas, effective immediately.
2. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.

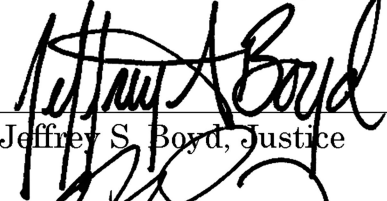
Dated: September 3, 2024.



Nathan L. Hecht, Chief Justice



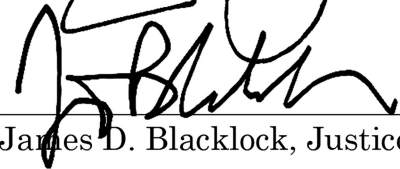
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



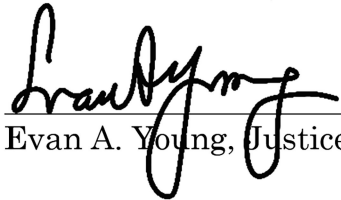
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

**Rule 13**  
**Applicants from Other Jurisdictions**

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**§ 9 LL.M. Curriculum Criteria**

- (a) Unless subsection (b) or (c) applies, for an LL.M. degree to satisfy the requirements of this Rule, the course of study for which the degree is awarded must meet each of the following requirements:
- (1) the program must consist of minimum of 24 semester hours of credit—or the equivalent, if the law school is on an academic schedule other than a conventional semester system—which must consist of courses in substantive and procedural law or professional skills;
  - (2) the program must require at least 700 minutes of instruction time, exclusive of examination time, for the granting of one semester of credit;
  - (3) the program must include a period of instruction consisting of no fewer than two semesters of at least 13 calendar weeks each, or the equivalent thereof, exclusive of reading periods, examinations, and breaks;
  - (4) the program must not be completed exclusively during summer semesters, but a maximum of four semester hours of credit may be earned in courses completed during summer semesters;
  - (5) the program must be completed within 24 months of matriculation;
  - (6) all coursework for the program must be completed at the U.S. campus of, or through synchronous online instruction offered by, an approved law school in the United States, except as otherwise permitted by paragraph (8) or subsection (b);
  - (7) the program must include:
    - (A) at least two semester hours of credit in professional responsibility;
    - (B) at least two semester hours of credit in legal research, writing, and analysis, which may not be satisfied by a research-and-writing requirement in a substantive law course;
    - (C) at least two semester hours of credit in a course designed to

introduce students to distinctive aspects and fundamental principles of United States law, which may be satisfied by an introductory course in the American legal system or a course in United States constitutional law, civil procedure, or contract law—additional credit hours earned in a course that meets the requirements of this subparagraph may be applied towards the requirements of subparagraph (D); and

(D) at least six semester hours of credit in subjects tested on the Texas Bar Examination; and

(8) the program may also include, towards satisfaction of the 24 semester hours of credit required by this Rule:

(A) up to four semester hours of credit in clinical coursework, if:

(i) the coursework includes a ~~classroom~~an instructional component that incorporates discussion, review, and evaluation of the clinical experience;

(ii) the clinical work is performed under the direct supervision of a member of the law school faculty or instructional staff; and

(iii) the time and effort required and the anticipated educational benefit are commensurate with the credit awarded; and

(B) up to six semester hours of credit in other coursework related to the law or legal training taught in conjunction with a joint degree program by a member of the law school faculty, a faculty member of the university or college with which the law school is affiliated, or a faculty member of a university or college with which the law school offers a joint degree program ~~provided that the coursework is completed at the U.S. campus of the law school, university, or college; and.~~

~~(9) courses completed online or by other distance learning programs must not count toward the required minimum 24 semester hours of credit.~~

(b) As used in paragraph (a)(6), “synchronous online instruction” means that the instructor and the students in the course engage with the course content and each other at the same time, but from different locations. A law school may petition the Board for an exception to the requirements of paragraph (a)(6).



~~The law school must demonstrate to the satisfaction of the Board that the quality of education provided at the school's campus abroad is substantially equivalent to the quality of education provided at the school's U.S. campus.~~

- (c) An applicant who completed an LL.M. degree before October 1, 2016 is exempt from demonstrating that the degree meets the curricular requirements of subsection (a).

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TRD-202404189  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: September 5, 2024

