

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 09/30/24 - 10/06/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/30/24 - 10/06/24 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

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

TRD-202404600

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: September 25, 2024

◆ ◆ ◆

Court of Criminal Appeals

Final Approval of Amendments to Texas Rule of Appellate Procedure 39.8

Court of Criminal Appeals of Texas

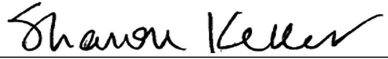
Misc. Docket No. 24-006

Final Approval of Amendments to Texas Rule of Appellate Procedure 39.8

ORDERED that:

1. On February 6, 2024, in Misc. Dkt. No. 24-9005, the Supreme Court of Texas preliminarily approved new Texas Rule of Appellate Procedure 27a and amendments to Texas Rules of Appellate Procedure related to the Fifteenth Court of Appeals, including amendments to Texas Rule of Appellate Procedure 39.8, and invited public comment.
2. Following the comment period, the Supreme Court of Texas revised the rules. This Order incorporates the revisions and contains the final version of the new and amended rules, and this Court adopts the revisions to Texas Rule of Appellate Procedure 39.8 (shown in redline). These rules are effective September 1, 2024.
3. 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*.

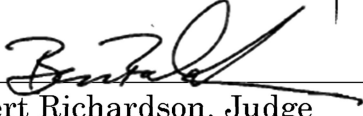
Dated: September 10, 2024.



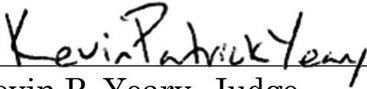
Sharon Keller, Presiding Judge




Barbara P. Hervey, Judge



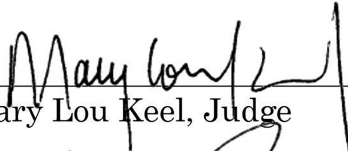
Bert Richardson, Judge



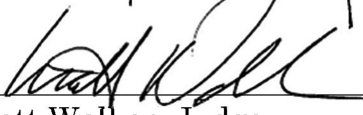
Kevin P. Yeary, Judge



David Newell, Judge



Mary Lou Keel, Judge



Scott Walker, Judge



Michelle Slaughter, Judge



Jesse F. McClure, Judge

Rule 39. Oral Argument; Decision Without Argument

39.8. Clerk's Notice

The clerk must send to the parties—at least 21 days before the date the case is set for argument or submission without argument—a notice telling the parties:

- (a) whether the court will allow oral argument or will submit the case without argument;
- (b) the date of argument or submission without argument;
- (c) if argument is allowed, ~~the time allotted for argument; and:~~
 - (1) the time allotted for argument; and
 - (2) the location of the argument or instructions for joining the argument electronically, the court's designated contact information, and instructions for submitting exhibits; and
- (d) the names of the members of the panel to which the case will be argued or submitted, subject to change by the court.

A party's failure to receive the notice does not prevent a case's argument or submission on the scheduled date. Once issued, the court may amend the notice at any time before the case is set for argument or submission. The 21-day requirement does not apply to amended notices.

Notes and Comments

Comment to 2024 change: Rule 39.8 is amended to clarify requirements for notices and to clarify the court's ability to amend notices.

TRD-202404599
Deana Williamson
Clerk of the Court
Court of Criminal Appeals
Filed: September 24, 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 **November 4, 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 **November 4, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Angel Campos Sr., Guadalupe Campos, and Miguel Campos dba Little Angel's Auto and Scrap Metal Recycling; DOCKET NUMBER: 2022-0586-MLM-E; IDENTIFIER: RN111363578; LOCATION: Presidio, Presidio County; TYPE OF FACILITY: auto and scrap metal recycling operation; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations (CFR) §122.26(c), by failing to obtain authorization to discharge stormwater associated with scrap metal recycling activities; and 30 TAC §324.15 and 40 CFR §279.22(d), by failing to perform response actions upon detection of a release of used oil; PENALTY: \$2,925; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: Angel Elias dba Judy K's Kountry Kitchen; DOCKET NUMBER: 2024-0031-PWS-E; IDENTIFIER: RN101237683; LOCATION: Odessa, Ector County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement covering land within 150 feet of the facility's well; 30 TAC §290.41(c)(3)(M), by failing to provide a suitable sampling cock on the discharge pipe of the facility's well pump prior to any treatment; 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 §290.41(c)(3)(N), by failing to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data; 30 TAC §290.46(f)(2) and (3)(A)(ii)(III), (vi), (B)(iii) and (ix), (D)(i) and (ii), (E)(i) and (ii), and (F), 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(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 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(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$4,152; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Charlotte Retief dba Cowboy Capital RV Park and Campground and Gerhard Retief dba Cowboy Capital RV Park and Campground; DOCKET NUMBER: 2024-0053-PWS-E; IDENTIFIER: RN111819579; LOCATION: Pipe Creek, Bandera County;

TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; and 30 TAC §290.46(q)(5)(B), by failing to implement special precautions, protective measures, or issue boil water notices to customers within 24 hours of receiving written notification from the Executive Director; PENALTY: \$2,750; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(4) COMPANY: City of Amarillo; DOCKET NUMBER: 2024-0022-MWD-E; IDENTIFIER: RN101611929; LOCATION: Amarillo, Randall 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 WQ0010392003, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state; PENALTY: \$44,625; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(5) COMPANY: City of Lockhart; DOCKET NUMBER: 2023-1209-PST-E; IDENTIFIER: RN102004967; LOCATION: Lockhart, Caldwell County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.48(g)(1)(A)(ii) and (B) and TWC, §26.3475(c)(2), by failing to test the spill prevention equipment at least once every three years to ensure the equipment is liquid tight, and 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 §334.48(e)(1) and §334.50(b)(2)(B) and TWC, §26.3475(b) and (c)(1), by failing to provide release detection for the suction piping associated with the underground storage tank system, and failing to conduct the annual operability testing of the release detection equipment to ensure it is operating properly; PENALTY: \$3,751; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(6) COMPANY: COWBOY'S READY MIX, LLC; DOCKET NUMBER: 2024-0263-MLM-E; IDENTIFIER: RN110935590; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §205.4(a) and TWC, §26.040(e) and §26.121(a), by failing to obtain authorization to discharge wastewater and stormwater associated with industrial activity from ready-mixed concrete plants, concrete product plants, and their associated facilities; 30 TAC §324.6 and 40 Code of Federal Regulations §279.22, by failing to properly manage used oil; 30 TAC §334.127(a)(1) and TWC, §26.346(a), by failing to register all above ground storage tanks; and 30 TAC §335.4(1) and TWC, §26.121(a)(1), by failing to prevent the unauthorized discharge or imminent threat of discharge of industrial solid waste into or adjacent to waters in the state; PENALTY: \$14,500; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: CUA, LLC; DOCKET NUMBER: 2023-1704-AIR-E; IDENTIFIER: RN111803532; LOCATION: Denton, Denton County;

TYPE OF FACILITY: pool cleaning business; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance odor conditions; PENALTY: \$4,688; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(8) COMPANY: Dupre Logistics LLC dba Dupre Transport; DOCKET NUMBER: 2023-1109-PST-E; IDENTIFIER: RN104358718; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to make available a valid, current TCEQ delivery certificate before depositing a regulated substance into a regulated underground storage tank system; PENALTY: \$2,255; ENFORCEMENT COORDINATOR: Faye Renfro, (512) 239-1833; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: Emerald Forest Utility District; DOCKET NUMBER: 2024-0461-PWS-E; IDENTIFIER: RN102685013; LOCATION: Houston, Harris County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; PENALTY: \$1,020; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: Eula Water Supply Corporation; DOCKET NUMBER: 2024-0165-PWS-E; IDENTIFIER: RN102682036; LOCATION: Clyde, Callahan 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 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$5,600; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(11) COMPANY: Everett Square Incorporated; DOCKET NUMBER: 2024-0251-MLM-E; IDENTIFIER: RN103128625; LOCATION: Spring, Harris County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(A)(ii) and Texas Health and Safety Code, §341.0315(c), by failing to provide a pressure tank capacity of 50 gallons per connection; 30 TAC §290.45(h)(1)(D), by failing to provide the use of portable generators capable of serving multiple facilities equipped with quick connect systems in accordance with the affected utility's approved Emergency Preparedness Plan; and 30 TAC §291.93(3)(A) and TWC, §13.139(d), by failing to provide a written planning report for a utility possessing a Certificate of Convenience and Necessity that has reached or exceeded 85% of all or part of its capacity; PENALTY: \$900; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(12) COMPANY: Fairway Methanol LLC; DOCKET NUMBER: 2023-1721-AIR-E; IDENTIFIER: RN100227016; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 103626, PSDTX1296, and N164, Special Conditions Number 14.A., Federal Operating Permit Number O3678, General Terms and Conditions and Special Terms and Conditions Number 19, and Texas Health and Safety Code, §382.085(b), by failing to comply with the concentration limit; PENALTY: \$158,925; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$63,570; ENFORCEMENT COORDINATOR: Caleb Martin, (512) 239-2091; REGIONAL OF-

FICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: Files Valley Water Supply Corporation; DOCKET NUMBER: 2024-0431-PWS-E; IDENTIFIER: RN102693207; LOCATION: Hillsboro, Hill County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.44(d)(2), by failing to provide increased pressure by means of booster pumps taking suction from ground storage tanks or obtain an exception by acquiring plan approval from the Executive Director for a booster pump taking suction from the distribution lines; PENALTY: \$1,575; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: Ingram Readymix Number 101, L.L.C.; DOCKET NUMBER: 2024-0482-WQ-E; IDENTIFIER: RN102653060; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System General Permit Number TXG113016, Part III, Section A, Permit Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: Jagodik Investments, LLC; DOCKET NUMBER: 2024-0096-PWS-E; IDENTIFIER: RN111833885; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(e) and (h)(1) and Texas Health and Safety Code (THSC), §341.035(a), by failing to submit plans and specifications to the Executive Director for review and approval prior to the construction of a new public water supply; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and THSC, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; PENALTY: \$4,000; ENFORCEMENT COORDINATOR: Rachel Frey, (512) 239-4330; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: K-Solv Chemicals, LLC; DOCKET NUMBER: 2022-0750-AIR-E; IDENTIFIER: RN100616721; LOCATION: Channelview, Harris County; TYPE OF FACILITY: dock facility that conducts barge degassing and heel removal operations; RULES VIOLATED: 30 TAC §115.354(2)(C) and §116.115(c), New Source Review (NSR) Permit Numbers 87595 and 129626, Special Conditions (SC) Numbers 11.F. and 18.F., and Texas Health and Safety Code (THSC) §382.085(b), by failing to conduct quarterly Leak Detection and Repair monitoring; 30 TAC §101.20(2) and §116.115(c), 40 Code of Federal Regulations (CFR) §61.247(b), NSR Permit Number 129626, SC Number 4.C., and THSC, §382.085(b), by failing to submit the 40 CFR Part 61 Subpart V semiannual reports; 30 TAC §101.20(2) and §116.115(c), 40 CFR §61.305(f), NSR Permit Number 129626, SC Number 4.D., and THSC, §382.085(b), by failing to submit the 40 CFR Part 61 Subpart BB quarterly reports; 30 TAC §116.115(b)(2)(E)(i) and (c), NSR Permit Numbers 87595 and 129626, General Conditions (GC) Number 7, and THSC, §382.085(b), by failing to maintain records containing the information and data sufficient to demonstrate compliance with the permit; 30 TAC §116.115(b)(2)(G), NSR Permit Numbers 87595 and 129626, GC Number 9, and THSC, §382.085(b), by failing to maintain all air pollution emission capture and abatement equipment in good working order and operating properly during normal facility operations; 30 TAC §116.115(c), NSR Permit Number 87595, SC Numbers 5.B.(2) and 7.B., and THSC, §382.085(b), by failing to calibrate the temperature

monitor on annual basis; 30 TAC §116.115(c), NSR Permit Number 87595, SC Number 6, and THSC, §382.085(b), by failing to limit the use of compounds at the storage and loading, barge depressurizing, and barge degassing to those identified in NSR Permit Number 87595 Attachment Lists I, II, and III; 30 TAC §116.115(c), NSR Permit Number 87595, SC Number 7.A., and THSC, §382.085(b), by failing to maintain the minimum six-minute average temperature in, or immediately downstream of, the combustion zone at or above 1,450 degrees Fahrenheit; 30 TAC §116.115(c), NSR Permit Number 87595, SC Number 7.D., and THSC, §382.085(b), by failing to operate the Vapor Combustor with no visible emissions; 30 TAC §116.115(c), NSR Permit Number 87595, SC Number 8, and THSC, §382.085(b); by failing to operate the Vapor Combustor five minutes prior to, during, and for 15 minutes after emissions are directed to the Vapor Combustor; 30 TAC §116.115(c), NSR Permit Numbers 87595 and 129626, SC Numbers 11.F. and 18.F., and THSC, §382.085(b); by failing to calibrate the flame ionization detector; and 30 TAC §116.115(c), NSR Permit Number 129626, SC Number 17, and THSC, §382.085(b), by failing to perform loading of liquids into containers within a total enclosure or within a partial enclosure designed and operated with a capture velocity of at least 200 feet per minute at the container vent; PENALTY: \$164,996; ENFORCEMENT COORDINATOR: Danielle Porras, (512) 239-2923; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: Lone Star Industries, Incorporated; DOCKET NUMBER: 2019-0411-AIR-E; IDENTIFIER: RN100220847; LOCATION: Maryneal, Nolan County; TYPE OF FACILITY: cement plant; RULES VIOLATED: 30 TAC §§101.20(1), (2), and (3), 116.115(c), and 122.143(4), 40 Code of Federal Regulations (CFR) §60.8(d) and §63.7(b), New Source Review (NSR) Permit Numbers 82775 and PSDTX1101, Special Conditions (SC) Numbers 3.A, 3.B, and 22.B, Federal Operating Permit (FOP) Number O1119, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.E, 4.B, and 8, and Texas Health and Safety Code (THSC), §382.085(b), by failing to provide notice at least 60 days prior to conducting any performance test or as soon as possible of any delay in conducting the initially scheduled performance test or at least seven days prior to a rescheduled performance test; 30 TAC §§101.20(1), (2), and (3), 116.115(c), and 122.143(4), 40 CFR §§60.13(c)(2), 60.64(d)(1), and 63.10(d)(2), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.A, 3.B, and 22.D, FOP Number O1119, GTC and STC Numbers 1.E, 4.E, and 8, and THSC, §382.085(b), by failing to submit the results of the performance test within 60 days after completion of the performance test; 30 TAC §§101.20(1), (2), and (3), 116.115(c), and 122.143(4), 40 CFR §60.62(a)(1)(ii) and §63.1343(b), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 1 and 5, FOP Number O1119, GTC and STC Number 9, and THSC, §382.085(b), by failing to comply with the emissions limit and maximum allowable emissions rates; 30 TAC §§101.20(1) and (3), 116.115(c), and 122.143(4), 40 CFR §60.7(c) and §60.65(a), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.A and 31.A, FOP Number O1119, GTC and STC Numbers 4.A, 8 and 9, and THSC, §382.085(b), by failing to submit a semiannual excess emissions and monitoring systems performance report for the operation of the Continuous Emissions Monitoring System (CEMS) as required by 40 CFR Part 60 Subpart F by the 30th day following the end of each six-month period; 30 TAC §§101.20(1) and (3), 116.115(c), and 122.143(4), 40 CFR §60.13(c)(2), NSR Permit Numbers 82775 and PSDTX1101, SC Number 24.E, FOP Number O1119, GTC and STC Numbers 1.A and 8, and THSC, §382.085(b), by failing to submit the quarterly cylinder gas audit (CGA) reports for the operation of the CEMS; 30 TAC §§101.20(1) and (3), 116.115(c), and 122.143(4), 40 CFR §§60.7(c), 60.65(a), 63.10(e)(3)(i), and 63.1354(b)(9), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.A, 3.B, and

31.A, FOP Number O1119, GTC and STC Numbers 1.E, 4.A, 8 and 9, and THSC, §382.085(b), by failing to submit a semiannual excess emissions and monitoring systems performance test report for the operation of the Continuous Parameter Monitoring System (CPMS) as required by 40 CFR Part 60 Subpart F and 40 CFR Part 63 Subpart A by the 30th day following the end of each six-month period; 30 TAC §§101.20(1) and (3), 116.115(c), and 122.143(4), 40 CFR §60.8(d), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.A(2) and 22.B, FOP Number O1119, GTC and STC Numbers 4.B and 9, and THSC, §382.085(b), by failing to provide notice at least 30 days prior to conducting any performance test or as soon as possible of any delay in conducting the initially scheduled performance test or at least seven days prior to a rescheduled performance test; 30 TAC §§101.20(1) and (3), 116.115(c), and 122.143(4), 40 CFR §60.13(c)(2) and §60.64(d)(1), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.A(2) and 22.D, FOP Number O1119, GTC and STC Numbers 4.E and 9, and THSC, §382.085(b), by failing to submit the results of the performance test within 60 days after completion of the performance test; 30 TAC §§101.20(2) and (3), 116.115(c), and 122.143(4), 40 CFR §63.7(b), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.B(1) and 22.B, FOP Number O1119, GTC and STC Numbers 1.E and 9, and THSC, §382.085(b), by failing to provide notice at least 60 calendar days before the performance test or as soon as testing is scheduled but not less than 30 days prior to the performance test; 30 TAC §§101.20(2) and (3), 116.115(c), and 122.143(4), 40 CFR §63.10(d)(2), NSR Permit Numbers 82775 and PSDTX1101, SC Numbers 3.B and 22.D, FOP Number O1119, GTC and STC Numbers 1.E and 9, and THSC, §382.085(b), by failing to submit the results of the performance tests within 60 days after completion of the performance tests; 30 TAC §§101.20(2) and (3), 116.115(c), and 122.143(4), 40 CFR §63.1346(a), NSR Permit Numbers 82775 and PSDTX1101, SC Number 3.B, FOP Number O1119, GTC and STC Numbers 1.A and 9, and THSC, §382.085(b), by failing to comply with the established baghouse inlet temperature limit; 30 TAC §§101.20(2) and (3), 116.115(c), and 122.143(4), 40 CFR §63.1350(b)(1)(i), NSR Permit Numbers 82775 and PSDTX1101, SC Number 3.B, FOP Number O1119, GTC and STC Number 1.E, and THSC, §382.085(b), by failing to conduct an annual performance test; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 82775 and PSDTX1101, SC Number 5, FOP Number O1119, GTC and STC Number 8, and THSC, §382.085(b), by failing to comply with the emissions limits; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), NSR Permit Numbers 82775 and PSDTX1101, SC Number 24.L, FOP Number O1119, GTC and STC Number 8, and THSC, §382.085(b), by failing to submit written notification to the TCEQ Abilene Regional Office at least 30 days prior to conducting the quarterly CGA of the CEMS; 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O1119, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; 30 TAC §122.143(4) and §122.145(2)(C), FOP Number O1119, GTC, and THSC, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of each reporting period; 30 TAC §122.143(4) and §122.145(2)(c), FOP Number O1119, GTC, THSC, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of each reporting period; 30 TAC §122.143(4) and §122.146(1) and (2), FOP Number O1119, GTC and STC Number 12, and THSC, §382.085(b), by failing to certify compliance with the terms and conditions of the permit for at least each 12-month period following initial permit issuance, and failing to submit a permit compliance certification (PCC) within 30 days of any certification period; and 30 TAC §122.143(4) and §122.146(2), FOP Number O1119, GTC and STC Number 31.A, and THSC, §382.085(b), by failing to submit a PCC within 30 days of any certification period; PENALTY: \$390,884; ENFORCEMENT COORDINATOR: Amanda

Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(18) COMPANY: Mauriceville Municipal Utility District; DOCKET NUMBER: 2024-0395-MWD-E; IDENTIFIER: RN102286952; LOCATION: Orange, Orange 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 WQ0013839001, Interim Effluent Limitations and Monitoring Requirements Numbers 1 and 2, by failing to comply with permitted effluent limitations; PENALTY: \$15,750; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(19) COMPANY: New Gurukirpa Enterprises, Incorporated dba Crystals Food and Fuel; DOCKET NUMBER: 2024-0466-PST-E; IDENTIFIER: RN108874157; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a petroleum underground storage tanks (USTs); and 30 TAC §334.50 (b)(1)(B) and (2)(A)(iii) and TWC, §26.3475(a) and (c)(1), by failing to monitor the USTs and associated piping installed on or after January 1, 2009, in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring; PENALTY: \$6,042; ENFORCEMENT COORDINATOR: Ramya Wendt, (512) 239-2513; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(20) COMPANY: OXY USA Incorporated; DOCKET NUMBER: 2022-0295-AIR-E; IDENTIFIER: RN103758470; LOCATION: Seminole, Gaines County; TYPE OF FACILITY: gas processing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 8414, 9235, PSDTX485M1 and PSDTX328M4, Special Conditions Numbers 8, and 26, Federal Operating Permit (FOP) Number O627, General Terms and Conditions (GTC) and Special Terms and Conditions Numbers 1.A. and 11, and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain the in-stack concentration of oxygen from the Tail Gas Incinerator no less than 1.0% by volume and no greater than 12% by volume; and 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O627, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; PENALTY: \$215,047; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$86,019; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(21) COMPANY: Regal 5 LLC dba Joe's Future Food Mart; DOCKET NUMBER: 2022-1376-PST-E; IDENTIFIER: RN101432268; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(22) COMPANY: Sasol Chemicals (USA) LLC; DOCKET NUMBER: 2023-1703-AIR-E; IDENTIFIER: RN100214576; LOCATION: Houston, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4), Federal Operating Permit Number O1254, General Terms and Conditions and Special

Terms and Conditions Number 12, and Texas Health and Safety Code, §382.085(b), by failing to comply with the hourly fuel gas usage limit; PENALTY: \$34,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$13,800; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(23) COMPANY: Scout Energy Management LLC; DOCKET NUMBER: 2023-1472-AIR-E; IDENTIFIER: RN100226943; LOCATION: Masterson, Potter County; TYPE OF FACILITY: natural gas liquids and sales gas production plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 20711 and PSDTX798M1, Special Conditions Number 2, Federal Operating Permit (FOP) Number O4062, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 12, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §101.201(a)(1)(B) and §122.143(4), FOP Number O4062, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §101.201(b)(1)(D), (G), and (H) and §122.143(4), FOP Number O4062, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to identify all required information on the final record for a reportable emissions event; and 30 TAC §101.201(c) and §122.143(4), FOP Number O4062, GTC and STC Number 2.F., and THSC, §382.085(b), by failing to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event; PENALTY: \$186,663; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$93,331; ENFORCEMENT COORDINATOR: Caleb Martin, (512) 239-2091; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(24) COMPANY: TATUM EXCAVATING COMPANY, INCORPORATED; DOCKET NUMBER: 2024-0262-WQ-E; IDENTIFIER: RN111037412; LOCATION: Texarkana, Bowie County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with industrial activities; and 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$23,400; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(25) COMPANY: Texas Water Utilities, L.P.; DOCKET NUMBER: 2023-1396-PWS-E; IDENTIFIER: RN101376648; LOCATION: Granbury, Hood County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(C)(i) and (g) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 0.32 gallons per minute per connection as required by the alternative capacity requirement approved by the Executive Director on April 17, 2012; PENALTY: \$750; ENFORCEMENT COORDINATOR: Miles Caston, (512) 239-4593; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(26) COMPANY: Thomas H. Watson, II; DOCKET NUMBER: 2023-0935-WQ-E; IDENTIFIER: RN110859154; LOCATION: Cuero, Dewitt County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.42, by failing to maintain authorization to discharge wastewater and stormwater associated with industrial activity from ready-mixed concrete plants, concrete product plants, and their associated facilities; and TWC, §26.121(a), by failing to prevent an unauthorized discharge of pollutants into or adjacent to any water in the state; PENALTY: \$35,250; ENFORCEMENT COORDINATOR:

Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(27) COMPANY: Victoria County Water Control and Improvement District Number 1; DOCKET NUMBER: 2024-0214-PWS-E; IDENTIFIER: RN101397735; LOCATION: Bloomington, Victoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.010 milligrams per liter for arsenic based on a running annual average; PENALTY: \$1,337; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(28) COMPANY: Wellborn Special Utility District; DOCKET NUMBER: 2022-1660-PWS-E; IDENTIFIER: RN101203016; LOCATION: College Station, Brazos County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(2)(F) and Texas Health and Safety Code, §341.0315(c), by failing to provide two or more service pumps with a service pump capacity of at least 2.0 gallons per minute per connection; PENALTY: \$1,350; ENFORCEMENT COORDINATOR: Christiana McCrimmon, (512) 239-2811; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(29) COMPANY: Xevex Materials' LLC; DOCKET NUMBER: 2024-0234-MLM-E; IDENTIFIER: RN111786778; LOCATION: Niederwald, Hays County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code (THSC), §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.126(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; and 30 TAC §334.127(a)(1) and TWC, §26.346(a), by failing to register an aboveground storage tanks in existence on or after September 1, 1989, with the TCEQ; PENALTY: \$11,250; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(30) COMPANY: Z B ENTERPRISES, INCORPORATED dba Overton Texaco; DOCKET NUMBER: 2023-1119-PST-E; IDENTIFIER: RN102835766; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks 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: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

TRD-202404586

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: September 24, 2024



Enforcement Orders

An agreed order was adopted regarding Phillips 66 Company, Docket No. 2021-1545-AIR-E on September 25, 2024, assessing \$93,729 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Freeport LNG Development, L.P., Docket No. 2022-0058-AIR-E on September 25, 2024, assessing \$152,173 in administrative penalties with \$30,434 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Portland, Docket No. 2022-0129-MWD-E on September 25, 2024, assessing \$279,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Veolia ES Technical Solutions, L.L.C., Docket No. 2022-0445-AIR-E on September 25, 2024, assessing \$42,269 in administrative penalties with \$8,453 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, 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 Troy G. Waller dba Rockwell Acres Water System, Docket No. 2022-0456-PWS-E on September 25, 2024, assessing \$7,200 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Misty James, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ECOLAB INC., Docket No. 2022-0751-WQ-E on September 25, 2024, assessing \$9,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Madison Stringer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Quality Readymix, Ltd., L.L.P., Docket No. 2022-0792-WQ-E on September 25, 2024, assessing \$10,850 in administrative penalties with \$2,170 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CSWR-Texas Utility Operating Company, LLC, Docket No. 2022-1040-MWD-E on September 25, 2024, assessing \$29,400 in administrative penalties. Information 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.

A default order was adopted regarding Brighton Manor Apartments, L.P., Docket No. 2022-1192-UTL-E on September 25, 2024, assessing \$750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Misty James, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Troy G. Waller dba Rockwell Acres Water System, Docket No. 2022-1330-UTL-E on September 25, 2024, assessing \$610 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Misty James, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Duck Creek Municipal Utility District Of Denton County, Docket No. 2022-1631-DIS on September

25, 2024, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kayla Murray, 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 Usa Waste Of Texas Landfills Inc, Docket No. 2023-0265-MSW on September 25, 2024, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Anthony Tatu, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Los Botines Water Supply Corporation, Docket No. 2023-0291-UTL-E on September 25, 2024, assessing \$825 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Misty James, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Webb County Consolidated Independent School District, Docket No. 2023-0391-PWS-E on September 25, 2024, assessing \$1,275 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Edmonson, Docket No. 2023-1312-PWS-E on September 25, 2024, assessing \$5,050 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Rachel Vulk, 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 MILLER GROVE WATER SUPPLY CORPORATION, Docket No. 2023-1479-PWS-E on September 25, 2024, assessing \$983 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Mason Demasi, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Undine Texas, LLC, Docket No. 2023-1629-PWS-E on September 25, 2024, assessing \$8,191 in administrative penalties with \$1,638 deferred. Information concerning any aspect of this order may be obtained by contacting Tessa Bond, 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 Oxy Vinyls, LP, Docket No. 2023-1659-AIR-E on September 25, 2024, assessing \$10,875 in administrative penalties with \$2,175 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 City of Hamilton, Docket No. 2024-0030-PWS-E on September 25, 2024, assessing \$2,750 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 TEXAS CONCRETE SAND AND GRAVEL ENTERPRISE INC, Docket No. 2024-0064-WQ-E on September 25, 2024, assessing \$7,812 in administrative penalties with \$1,562 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 Jim Hogg County Water Control and Improvement District 2, Docket No. 2024-0086-PWS-E on September 25, 2024, assessing \$2,625 in administrative penalties with \$2,625 deferred. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Watson, Thomas Howard II, Docket No. 2024-0678-AIR on September 25, 2024, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katherine Keithley, 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 Fnh Construction Llc, Docket No. 2024-0679-AIR on September 25, 2024, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Chrystyn Cavazos, 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 Circle S West Municipal Utility District Of Ellis County, Docket No. 2024-1226-DIS on September 25, 2024, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Allie Soileau, 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 Prairie Crossing Wastewater Llc, Docket No. 2024-1260-MWD on September 25, 2024, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Allie Soileau, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202404613
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 25, 2024



Notice of an Amendment to a Certificate of Adjudication Application No. 14-1556D

Notice Issued September 17, 2024

Jon Thomas Murr, P.O. Box 361, Junction, Texas 76849-0361, seeks to amend Certificate of Adjudication No. 14-1556 to add voluntary instream purpose of use to the 50 acre-feet of water per year currently authorized for diversion. More information on the application and how to participate in the permitting process is given below.

The application and partial fees were received on August 9 and August 20, 2024. Additional fees were received on September 4, 2024. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 5, 2024.

The Executive Director has prepared a draft amendment. The application and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at

TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by October 2, 2024. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by October 2, 2024. The Executive Director may approve the application unless a written request for a contested case hearing is filed by October 2, 2024.

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) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. 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.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 2814 in the search field. 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 Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202404605

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 25, 2024



Notice of District Petition

Notice issued September 18, 2024

TCEQ Internal Control No. D-01292024-037; Buffalo Hills Development, LLC., a Texas limited liability company (Petitioner), filed a petition for the creation of Hawk Ridge Municipal Utility District of Johnson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article III, § 52 and 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 the assessed value of the real property 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 87.89 acres located within Johnson County, Texas; and (4) the land within the proposed District is located wholly within the corporate limits of the City of Venus (City). The petition further states that the proposed District will manage: (1) the construction, maintenance and operation of a water-works system, purchase and sale of water, for domestic and commercial purposes; (2) the construction and installation, maintenance, purchase and operation of drainage and roadway facilities and improvements; and (3) the construction, installation, maintenance, purchase and operation of facilities, systems, plants and enterprises of such additional facilities as shall be consonant with the purposes for which the District is organized.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$16,800,000. It is noted that application material provided indicates that the cost of said project will be approximately \$16,800,000 (\$12,500,000 for water, wastewater, and drainage plus \$4,300,000 for roads). Pursuant to the "Consent and Development Agreement among City of Venus, Texas and Buffalo Hills Development, LLC," entered into on March 20, 2023, the City asserts that the land within the proposed District will be located within the corporate limits of the City and provided the City's consent to the creation of the District. Accordingly, the requirements of TWC Section 54.016 and Texas Local Government Code Section 42.042 have been satisfied.

INFORMATION SECTION

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

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

TRD-202404606



Notice of District Petition

Notice issued September 19, 2024

TCEQ Internal Control No. D-08132024-020: McKinney Ridge, LLC, a Texas limited liability company and HC McKinney 3, LLC, a Texas limited liability company (Petitioners) filed a petition for creation of Collin County Municipal Utility District No. 11 (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 Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are two lienholders, Back Nine Partners, L.P., a Texas limited partnership and AgTrust, ACA, as an agent or nominee on behalf of its wholly-owned subsidiaries, AgTrust, FCLA and/or AgTrust, PCA, 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 572.705 acres located within Collin County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (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 waters; and (4) purchase, construct, acquire, improve, maintain, operate such additional facilities, systems, plants, and enterprises, and road 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 Petitioners that the cost of said project will be approximately \$184,200,000 (\$148,100,000 for water, wastewater, and drainage and \$36,100,000 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 or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results.

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

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

TRD-202404607

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 25, 2024



Notice of District Petition

Notice issued September 19, 2024

TCEQ Internal Control No. D-08142024-026: Whitley Heritage, LP, a Texas limited partnership and 222 Farm, LTD., a Texas limited partnership (Petitioners) and Provident Realty Advisors, Inc., a Texas corporation (earnest money contract holder) filed a petition for creation of Collin County Municipal Utility 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 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 226.813 acres located within Collin County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, own, operate, repair, improve, 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, amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, and enterprises, and road 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 Petitioners that the cost of said project will be approximately \$66,335,000 (\$42,905,000 for water, wastewater, and drainage and \$23,430,000 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 or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete no-

tice. When searching the website, type in the issued date range shown at the top of this document to obtain search results.

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

TRD-202404608

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 25, 2024



Notice of District Petition

Notice issued September 19, 2024

TCEQ Internal Control No. D-09042024-006: Amigos del Sol, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Iron Pointe Municipal Utility District (District) of El Paso County 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 1,520.369 acres located within El Paso County, Texas; and (4) all of the land within the proposed District is wholly within the extraterritorial jurisdiction of El Paso, Texas. The petition further states that the proposed District will: (1) provide a water supply for municipal uses, domestic uses and commercial purposes; (2) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether fluid, solid, or composite state; (3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction and interest during construction (4) design, acquire,

construct, finance, improve, operate, and maintain macadamized, graded, or paved roads, or improvements in aid of those roads; (5) purchase, construct, acquire, provide, operate, maintain, repair, improve, extend and develop park and recreational facilities for the inhabitants of the District; and, (6) provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the proposed District is created and permitted under state law. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$277,600,000 (\$227,000,000 for water, wastewater, and drainage plus \$3,140,000 for recreation plus \$47,460,000 for roads). The Property is located wholly within the extraterritorial jurisdiction of the City of El Paso, El Paso County, Texas (the "City"). 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.

INFORMATION SECTION

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

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

TRD-202404609



Notice of District Petition

Notice issued September 19, 2024

TCEQ Internal Control No. D-08272024-051; Ranch Road Ladera, LLC, a Texas limited liability company (Petitioner) filed a petition for creation of Ladera Municipal Utility District (District) of Caldwell County 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 is one lienholder, Marbro Funding, on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 116.411 acres located within Caldwell County, Texas; and (4) all of the land within the proposed District is located within the corporate boundaries of the City of Luling. By Resolution No.2024-R-06, passed and approved on July 11, 2024, the City of Luling, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016.

The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A", which is attached to this document. The petition further states that the proposed District will: (1) provide a water supply for municipal uses, domestic uses and commercial purposes (2) collect, transport, process, dispose of and control all domestic industrial, or communal wastes whether in fluid, solid, or composite state (3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the District and provide for the payment of organization expenses, operational expense during construction and interest during construction (4) design, acquire, construct, finance, improve, operate, and maintain macadamized graveled, or paved roads or improvements in aid of those roads; and (5) provide such other facilities systems, plants and enterprises as shall be consonant with the purposes for which the District is created and permitted under state law. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that, from the information available, the cost of said project will be approximately \$30,600,000 (\$20,000,000 for water, wastewater, and drainage facilities, and \$10,600,000 for roads and improvements in aid of roads).

INFORMATION SECTION

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

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the lo-

cation 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 web site at www.tceq.texas.gov.

TRD-202404610

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 25, 2024



Notice of District Petition

Notice issued September 19, 2024

TCEQ Internal Control No. D-07182024-047; Lanzola MHP4, LP S1, a series of a Delaware limited partnership, (Petitioner) filed an amended petition for creation of Las Haciendas Municipal Utility District (District) with the Texas Commission on Environmental Quality (TCEQ). The amended 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 amended petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Vantage Bank Texas, a Texas state bank, on the property to be included in the proposed District and the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 509.93 acres located within Bastrop County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The amended petition further states that the proposed District will design, construct, acquire, improve, extend, finance, and issue bonds to: (1) maintain, operate, and convey an adequate and efficient water works and sanitary sewer system for domestic and commercial purposes; (2) maintain, operate, and convey works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District and to control, abate, and amend local storm waters or other harmful excesses of waters; (3) maintain, operate, and convey park and recreational facilities; (4) convey roads and improvements in aid of those roads; and (5) maintain, operate, and convey of such other additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. According to the amended 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 \$77,116,519 (\$58,778,838 for water, wastewater, and drainage and \$18,337,681 for roads).

INFORMATION SECTION

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

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

TRD-202404611

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 25, 2024



Notice of Hearing Clancy Utility Holdings LLC SOAH Docket No. 582-25-00462 TCEQ Docket No. 2024-0726-MWD TPDES Permit No. WQ0016335001

APPLICATION.

Clancy Utility Holdings LLC, 4143 Maple Avenue, Suite 400, Dallas, Texas 75219, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, Proposed TCEQ Permit No. WQ0016335001, to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 39,000 gallons per day via public access subsurface area drip dispersal system with a minimum area of 16.20 acres. This permit will not authorize a discharge of pollutants into waters in the State.

The wastewater treatment facility and disposal site will be located approximately 0.8 miles southwest of the intersection of Hamilton Pool Road and Stagecoach Ranch Road, in Hays County, Texas 78620. The wastewater treatment facility and disposal site will be located in the drainage basin of Pedernales River in Segment No. 1414 of the Colorado River Basin. 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=-98.1375,30.328888&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 Dripping Springs Community Library, 501 Sportsplex Drive, Dripping Springs, Texas.

DIRECT REFERRAL.

The Combined Notice of Public Meeting and Notice of Application and Preliminary Decision was published on January 4, 2024. A Public Meeting was held on February 12, 2024. On June 18, 2024, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. - November 5, 2024

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 160 737 4850

Password: TCEQ2424

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 160 737 4850

Password: 54429104

Visit the SOAH website for registration at: <http://www.soah.texas.gov/> or call SOAH at (512) 475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 305; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney

may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our website at www.tceq.texas.gov.

Further information may also be obtained from Clancy Utility Holdings LLC at the address stated above or by calling Mrs. Andrea Wyatt, P.E., Murfee Engineering Company, Inc., at (512) 327-9204.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: September 23, 2024

TRD-202404616

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 25, 2024



Notice of Hearing The Psalm 25:10 Foundation SOAH Docket No. 582-24-25107 TCEQ Docket No. 2024-0596-MWD TPDES Permit No. WQ0016202001

APPLICATION.

The Psalm 25:10 Foundation, 3000 Altamesa Boulevard, Suite 300, Fort Worth, Texas 76133, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016202001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 500,000 gallons per day.

The facility will be located approximately 0.5 miles northwest of the intersection of West Farm-to-Market Road 4 and Farm-to-Market Road 2331, in Johnson County, Texas 76044. The treated effluent will be discharged to an unnamed tributary, thence to an unnamed impoundment, thence to West Fork Nolan River, thence to Nolan River, thence to Lake Pat Cleburne in Segment No. 1228 of the Brazos River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and West Fork Nolan River. The designated uses for Segment No. 1228 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code §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. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and 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://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.554722%2C32.400555&level=12>

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 City of Godley Municipal Complex, City Secretary's Office, 200 West Railroad Street, Godley, Texas.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. - November 7, 2024

To join the Zoom meeting via computer:

<https://soah-texas.zoomgov.com/>

Meeting ID: 161 356 5764

Password: TCE596

or

To join the Zoom meeting via telephone:

(669) 254-5252 or (646) 828-7666

Meeting ID: 161 356 5764

Password: 142569

Visit the SOAH website for registration at:

<http://www.soah.texas.gov/>

or call SOAH at (512) 475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on May 28, 2024. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our website at www.tceq.texas.gov.

Further information may also be obtained from The Psalm 25:10 Foundation at the address stated above or by calling Mr. Richard Alberque, Director of Land Development, TCCI Land Development Inc., at (214) 734-0360 / (469) 688-8224.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: September 23, 2024

TRD-202404617

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 25, 2024



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **November 4, 2024**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on November 4, 2024**. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Chaos Shaw AKA Chongbai Xia dba Twin Lakes Water; DOCKET NUMBER: 2021-1377-PWS-E; TCEQ ID NUMBER: RN101453512; LOCATION: 6495 Appian Way, Fort Worth, Tarrant

County; TYPE OF FACILITY: public water supply (PWS); RULES VIOLATED: 30 TAC §290.46(u), by failing to plug an abandoned PWS well with cement in accordance with 16 TAC Chapter 76 or submit the test results proving that the well is in a non-deteriorated condition; 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; 30 TAC §290.46(s)(1), by failing to calibrate the facility's two well meters at least once every three years; 30 TAC §290.43(c)(8), by failing to ensure that all clearwells, ground storage tanks (GSTs), standpipes, and elevated storage tanks are painted, disinfected, and maintained in strict accordance with current American Water Works Association (AWWA) standards; 30 TAC §290.43(c)(1), by failing to provide the GST with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with AWWA standards and equipped with a corrosion-resistant 16-mesh or finer screen; 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; 30 TAC §290.46(f)(2) and (3)(D)(ii), by failing to maintain water works operation and maintenance records and make them readily available for review by the executive director upon request; 30 TAC §290.43(c)(4), by failing to ensure that all clearwells and water storage tanks have a liquid level indicator located at the tank site; 30 TAC §290.42(j), by failing to use an approved chemical or media for the treatment of potable water that conforms to the American National Standards Institute/National Sanitation Foundation Standard 60 for Drinking Water Treatment Chemicals; 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(n)(1), by failing to maintain at the PWS accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the PWS will use to comply with the monitoring requirements; 30 TAC §290.43(c)(7), by failing to provide the GST with a means of removing accumulated silt and deposits at all low points in the bottom of the tank; Texas Health and Safety Code (THSC), §341.0315(c) and 30 TAC §290.45(b)(1)(F)(iv), by failing to provide a pressure tank capacity of 20 gallons per connection; THSC, §341.0315(c) and 30 TAC §290.45(b)(1)(F)(iii), by failing to provide two or more service pumps with a total capacity of 2.0 gallons per minute (gpm) per connection; THSC, §341.0315(c) and 30 TAC §290.45(b)(1)(F)(i), by failing to provide a well capacity of 0.6 gpm per connection; 30 TAC §290.43(c)(2) and TCEQ Agreed Order Docket Number 2018-0424-PWS-E, Ordering Provision Number 3.c.iii., by failing to maintain the GST in strict accordance with current AWWA standards with a roof opening of not less than 30 inches in diameter with a lockable cover that overlaps the curbing at least two inches in a downward direction and a gasket to make a positive seal when the hatch is closed; 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; and TWC, §5.702 and 30 TAC §290.51(a)(6), by failing to pay Public Health Service fees, and/or associated late fees, for TCEQ Financial Administration Account Number 92200190 for Fiscal Year 2019, 2020, and 2021; PENALTY: \$14,788; STAFF ATTORNEY: Benjamin Warms, Litigation, MC 175, (512) 239-5144; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202404585

Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: September 24, 2024

◆ ◆ ◆
Notice of Public Meeting Cancellation

The Texas Commission on Environmental Quality (TCEQ) submitted a Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater Permit Number WQ0016472001 for HWY 3349 HOLDINGS LLC, for publication in the September 06, 2024, issue of the *Texas Register*, TexReg Docket Number 202403863. However the application was withdrawn by the request of the applicant on September 18, 2024. Therefore, the public meeting scheduled for Thursday, September 26, 2024, is cancelled.

Members of the public with questions regarding this application or public meeting may seek further information by calling the TCEQ Public Education Program toll free at (800) 687-4040.

TRD-202404612
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 25, 2024

◆ ◆ ◆
Notice of Water Quality Application

The following notice was issued on September 17, 2024:

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

INFORMATION SECTION

The Texas Commission on Environmental Quality has a staff initiated a minor amendment of the Texas Pollutant Discharge Elimination System Permit No. WQ0014514001 issued to Fort Bend County Municipal Utility District No. 133, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, to remove the Other Requirement No. 5 from the existing permit issued on October 6, 2022. This minor amendment was initiated based on the TCEQ Water Quality Standard's superseded memo issued on June 9, 2022. The existing permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 1,360,000 gallons per day. The facility is located at 23527 1/2 Bellaire Boulevard, in Fort Bend County, Texas 77469.

TRD-202404604
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 25, 2024

◆ ◆ ◆
Texas Ethics Commission

Correction of Error

The Texas Ethics Commission withdrew proposed new 1 TAC §§12.51 - 12.53 in the August 9, 2024, issue of the *Texas Register* (49 TexReg 5934). The notice of withdrawn rulemaking incorrectly omitted 1 TAC

§12.53. The correct listing of the proposed new rules being withdrawn should have been published as 1 TAC §§12.51 - 12.53 in the notice.

TRD-202404601

◆ ◆ ◆
Texas Facilities Commission

Requests for Proposals #303-5-20768 Cedar Park or Leander

The Texas Facilities Commission (TFC), on behalf of the Department of Public Safety -- Driver's License (DPS-DL), announces the issuance of Request for Proposals (RFP) # 303-5-20768. TFC seeks a five (5) or ten (10) year lease of approximately 10,613 square feet of office space and 195 square feet of outdoor lounge area in Cedar Park or Leander, Texas.

The deadline for questions is October 15, 2024, and the deadline for proposals is November 5, 2024, at 3:00 p.m. The award date is January 16, 2024. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of a RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting Samantha De Leon at samantha.deleon@tfc.texas.gov. A copy of the RFP may be downloaded from the Electronic State Business Daily at <https://www.txsmartbuy.gov/esbd/303-5-20768>.

TRD-202404588
Rico Gamino
Procurement Director
Texas Facilities Commission
Filed: September 24, 2024

◆ ◆ ◆
General Land Office

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, 20, 2024.

Facts

Based on an inspection conducted on July 12, 2024, the Commissioner of the General Land Office (GLO), has determined that the vessel identified as **Vessel Id #67** is in a derelict condition in coastal waters without the consent of the Commissioner. The vessel is/or was located at 960 CR209, in Matagorda County, Texas.

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

20 Day Placard: USCG Vessel Documentation No./TPWD Reg. No. - TX 6210 KA.

The last registered owner of this vessel is unknown.

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 wa-

ters, 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-202404565

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: September 23, 2024

◆ ◆ ◆
Department of State Health Services

Licensing Actions for Radioactive Materials

During the second half of July 2024, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
HOUSTON	EAGLE ANALYTICAL SERVICES INC	L07231	HOUSTON	00	07/18/24

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AUSTIN	TEXAS ONCOLOGY	L06206	AUSTIN	28	07/26/24
BAYTOWN	COVESTRO LLC	L01577	BAYTOWN	78	07/26/24
BAYTOWN	EXXON MOBIL CORPORATION DBA EXXONMOBIL CHEMICAL COMPANY	L01135	BAYTOWN	97	07/18/24
BEAUMONT	EXXON MOBIL CORPORATION	L00603	BEAUMONT	115	07/25/24
BIG SPRING	SHROFF CARDIOLOGY AND INTERNAL MEDICINE CLINIC PA	L05893	BIG SPRING	05	07/24/24
CARROLLTON	SANA HEALTHCARE CARROLLTON LLC DBA CARROLLTON REGIONAL MEDICAL CENTER	L07078	CARROLLTON	04	07/15/24
DALLAS	PIPELINE EAST DALLAS LLC DBA WHITE ROCK MEDICAL CENTER	L06955	DALLAS	04	07/29/24
DALLAS	UT SOUTHWESTERN MEDICAL CENTER	L06663	DALLAS	25	07/25/24
DALLAS	UT SOUTHWESTERN MEDICAL CENTER	L05947	DALLAS	59	07/22/24
DALLAS	HEARTPLACE PLLC	L04607	DALLAS	83	07/16/24
DALLAS	METHODIST HOSPITALS OF DALLAS	L00659	DALLAS	155	07/23/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

DALLAS	COLUMBIA HOSPITAL AT MEDICAL CITY DALLAS SUBSIDIARY LP DBA MEDICAL CITY DALLAS	L01976	DALLAS	240	07/26/24
EL PASO	EL PASO CARDIOLOGY ASSOCIATES PA	L05162	EL PASO	23	07/29/24
EL PASO	EL PASO COUNTY HOSPITAL DISTRICT DBA UNIVERSITY MEDICAL CENTER OF EL PASO	L00502	EL PASO	83	07/26/24
FORTH WORTH	NORTH TEXAS MCA LLC DBA MEDICAL CITY ALLIANCE	L06687	FORTH WORTH	14	07/24/24
FRISCO	TEXAS HEALTH HOSPITAL FRISCO	L07017	FRISCO	02	07/15/24
GROESBECK	SOUTH LIMESTONE HOSPITAL DISTRICT DBA LIMESTONE MEDICAL CENTER	L05932	GROESBECK	11	07/23/24
HOUSTON	AVANCE BIOSCIENCES INC	L06493	HOUSTON	03	07/24/24
HOUSTON	JUBILANT DRAXIMAGE INC DBA JUBILANT RADIOPHARMA	L06944	HOUSTON	13	07/16/24
HOUSTON	SPECTRACELL LABORATORIES INC	L04617	HOUSTON	25	07/17/24
HOUSTON	RADIOMEDIX INC	L06044	HOUSTON	33	07/19/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

HOUSTON	HOUSTON NORTHWEST OPERATING COMPANY LLC DBA HOUSTON NORTHWEST MEDICAL CENTER	L06190	HOUSTON	48	07/29/24
HOUSTON	TEXAS CHILDRENS HOSPITAL	L04612	HOUSTON	81	07/16/24
HOUSTON	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN-TEXAS MEDICAL CENTER	L00650	HOUSTON	98	07/24/24
KERRVILLE	SID PETERSON MEMORIAL HOSPITAL DBA PETERSON HEALTH	L01722	KERRVILLE	50	07/16/24
LUBBOCK	LUBBOCK COUNTY HOSPITAL DISTRICT OF LUBBOCK COUNTY TEXAS	L04719	LUBBOCK	177	07/25/24
LUFKIN	MEMORIAL HEALTH SYSTEM OF TEXAS DBA CHI ST LUKES HEALTH MEMORIAL LUFKIN	L01346	LUFKIN	104	07/26/24
NACOGDOCHES	SHARED MEDICAL SERVICES INC	L06142	NACOGDOCHE S	45	07/23/24
ORANGE	THE DOW CHEMICAL COMPANY	L07026	ORANGE	07	07/19/24
SAN ANTONIO	BHS PHYSICIANS NETWORK INC DBA HEART & VASCULAR INSTITUTE OF TEXAS	L06750	SAN ANTONIO	30	07/16/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

SAN ANTONIO	SOUTH TEXAS RADIOLOGY IMAGING CENTERS	L00325	SAN ANTONIO	266	07/19/24
SUGAR LAND	METHODIST HEALTH CENTERS DBA HOUSTON METHODIST SUGAR LAND HOSPITAL	L05788	SUGAR LAND	61	07/19/24
THE WOODLANDS	THE METHODIST HOSPITAL DBA METHODIST DEBAKEY HEART & VASCULAR	L07075	THE WOODLANDS	05	07/24/24
THROUGHOUT TX	PROFESSIONAL SERVICE INDUSTRIES INC	L04947	AUSTIN	33	07/19/24
THROUGHOUT TX	TEXAS A&M UNIVERSITY	L05683	COLLEGE STATION	47	07/24/24
THROUGHOUT TX	TEXAS A&M UNIVERSITY	L00448	COLLEGE STATION	166	07/24/24
THROUGHOUT TX	BONDED INSPECTIONS INC	L00693	DALLAS	100	07/25/24
THROUGHOUT TX	WEAVER CONSULTANTS GROUP LLC	L06395	FORT WORTH	13	07/29/24
THROUGHOUT TX	SENTINEL INTEGRITY SOLUTIONS INC	L06735	HOUSTON	15	07/16/24
THROUGHOUT TX	GEOTEST ENGINEERING INC	L02735	HOUSTON	49	07/15/24
THROUGHOUT TX	TERRACON CONSULTANTS INC	L05268	HOUSTON	78	07/26/24
THROUGHOUT TX	KLEINFELDER INC	L06960	IRVING	15	07/29/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	ADVANCED CORROSION TECHNOLOGIES & TRAINING LLC DBA ACTT-ADVANCED CORROSION TECHNOLOGIES & TRAINING LLC	L06508	LA PORTE	30	07/18/24
THROUGHOUT TX	MISTRAS GROUP INC	L06369	LA PORTE	39	07/25/24
THROUGHOUT TX	ATLAS TECHNICAL CONSULTANTS LLC	L06407	LUBBOCK	33	07/17/24
THROUGHOUT TX	EMPIRE WIRELINE LLC	L06997	MANVILLE	4	07/18/24
THROUGHOUT TX	B2Z ENGINEERING LLC	L06996	MCALLEN	10	07/26/24
THROUGHOUT TX	BASIN PUMP DOWN SERVICES	L07170	MIDLAND	01	07/15/24
THROUGHOUT TX	TIER 1 INTEGRITY LLC	L06718	PASADENA	28	07/16/24
THROUGHOUT TX	CACTUS MEASUREMENT LCC	L07187	RICHMOND	04	07/17/24
THROUGHOUT TX	CACTUS MEASUREMENT LLC	L07187	RICHMOND	05	07/23/24
THROUGHOUT TX	FENAGH LLC	L07124	ROUND ROCK	04	07/18/24
THROUGHOUT TX	EAST TEXAS TESTING LABORATORY INC DBA E TTL ENGINEERS & CONSULTANTS INC	L01423	WHITEHOUSE	43	07/26/24
THROUGHOUT TX	CITY OF WICHITA FALLS	L03217	WICHITA FALLS	23	07/23/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

TYLER	MOTHER FRANCES HOSPITAL REGIONAL HEALTH CARE CENTER DBA CHRISTUS MOTHER FRANCES HOSPITAL - TYLER	L01670	TYLER	224	07/26/24
-------	--	--------	-------	-----	----------

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
KILLEEN	LOCKHEED MARTIN CORPORATION MISSILES & FIRE CONTROL, KILLEEN SPECIAL REPAID ACTIVITY	L06653	KILLEEN	05	07/25/24
SUGAR LAND	BITSWAVE INC	L06606	SUGAR LAND	06	07/17/24
THROUGHOUT TX	UES PROFESSIONAL SOLUTIONS 44 LLC	L03411	DALLAS	42	07/26/24
THROUGHOUT TX	EVOLUTION WELL SERVICES OPERATING LLC	L06748	THE WOODLANDS	8	07/18/24

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	FRONTIER TUBULAR SOLUTIONS LLC	L06581	HOUSTON	02	07/16/24

EXEMPTIONS ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	Exemption Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	UNIVERSITY OF SOUTH ALABAMA	AL 584	E24-02	MOBILE	00	07/28/24

TRD-202404596
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: September 24, 2024

◆ ◆ ◆
 Licensing Actions for Radioactive Materials

During the first half of August 2024, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
BEAUMONT	EXXON MOBIL CORPORATION	L00603	BEAUMONT	116	08/01/24
CYPRESS	HOUSTON INTERVENTIONAL CARDIOLOGY PA	L05470	CYPRESS	19	08/08/24
DEER PARK	EQUISTAR CHEMICALS LP	L00204	DEER PARK	79	08/05/24
EL PASO	EL PASO COUNTY HOSPITAL DISTRICT DBA UNIVERSITY MEDICAL CENTER OF EL PASO	L00502	EL PASO	84	08/05/24
HOUSTON	HARRIS COUNTY HOSPITAL DISTRICT DBA HARRIS HEALTH SYSTEM	L01303	HOUSTON	113	08/14/24
HOUSTON	AMERICAN DIAGNOSTIC TECH LLC	L05514	HOUSTON	170	08/05/24
KAUFMAN	TEXAS HEALTH PRESBYTERIAN HOSPITAL OF KAUFMAN	L03337	KAUFMAN	23	08/01/24
LANCASTER	LANCASTER REGIONAL HOSPITAL LP DBA CRESCENT MEDICAL CENTER LANCASTER	L06847	LANCASTER	09	08/08/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

LIVINGSTON	MEMORIAL HOSPITAL OF POLK COUNTY DBA CHI ST LUKES HEALTH MEMORIAL LIVINGSTON	L05552	LIVINGSTON	21	08/08/24
LUBBOCK	AURELIO R. CERVERA, MD PA DBA CASL HEALTH DBA CARDIOVASCULAR ARRHYTHMIAS SERVICES OF LUBBOCK	L07221	LUBBOCK	02	08/01/24
MCKINNEY	BAYLOR SCOTT & WHITE MEDICAL CENTERS - GREATER NORTH TEXAS DBA BAYLOR SCOTT & WHITE MEDICAL CENTER - MCKINNEY	L06470	MCKINNEY	019	08/08/24
NACOGDOCHES	SHARED MEDICAL SERVICES INC	L06142	NACOGDOCHES	46	08/13/24
RICHMOND	OAKBEND MEDICAL CENTER	L02406	RICHMOND	64	08/13/24
ROUND ROCK	ST DAVIDS HEALTHCARE PARTNERSHIP LP LLP DBA ST DAVIDS ROUND ROCK MEDICAL CENTER	L03469	ROUND ROCK	74	08/08/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

SAN ANTONIO	THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO	L05217	SAN ANTONIO	29	08/01/24
THROUGHOUT TX	TRISPEC LLC	L06642	CORPUS CHRISTI	10	08/13/24
THROUGHOUT TX	HVJ NORTH TEXAS – CHELLIAH CONSULTANTS INC	L06807	DALLAS	12	08/07/24
THROUGHOUT TX	RONE ENGINEERING SERVICES LLC	L02356	DALLAS	62	08/07/24
THROUGHOUT TX	RONE ENGINEERING SERVICES LLC	L02356	DALLAS	63	08/13/24
THROUGHOUT TX	AMBIPAR RESPONSE TEXAS LLC	L06394	FORT WORTH	7	08/07/24
THROUGHOUT TX	CREDO SERVICES LLC	L06953	FRIENDSWOOD	01	08/13/24
THROUGHOUT TX	FROST GEOSCIENCES INC	L06015	HELOTES	09	08/07/24
THROUGHOUT TX	PROFESSIONAL SERVICE INDUSTRIES INC	L04942	HOUSTON	32	08/07/24
THROUGHOUT TX	FIXED EQUIPMENT RELIABILITY LLC	L07168	INGLESIDE	06	08/08/24
THROUGHOUT TX	CUTTER TECHNICAL SERVICES LLC	L07052	KILGORE	06	08/07/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	ACUREN INSPECTION INC DBA PREMIUM DBA INSPECTION AND TESTING INC DBAVERSA INTEGRITY GROUP INC DBA CAPITAL ULTRASONIC LLC	L01774	LA PORTE	319	08/01/24
THROUGHOUT TX	PROTECT LLC	L07110	MIDLAND	11	08/13/24
THROUGHOUT TX	SOUTHWESTERN ELECTRIC POWER COMPANY	L02008	PITTSBURG	26	08/08/24
THROUGHOUT TX	CENTURY INSPECTION INC	L00062	PONDER	120	08/13/24
THROUGHOUT TX	INSIGHT NDE INC	L06817	PORT LAVACA	13	08/01/24
THROUGHOUT TX	WRANGLER WIRELINE INC	L05404	SOUR LAKE	11	08/08/24
TYLER	ALLENS NUTECH INC DBA NUTECH INC	L04274	TYLER	110	08/07/24
WEBSTER	CHCA CLEAR LAKE LP DBA HCA HOUSTON HEALTHCARE CLEAR LAKE	L01680	WEBSTER	115	08/13/24

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
DALLAS	RLS (USA) INC	L05529	DALLAS	62	08/13/24
MCALLEN	RENAISSANCE CARDIOLOGY GROUP OF SOUTH TEXAS PLLC DBA HEART INSTITUTE AT RENAISSANCE	L06627	MCALLEN	02	08/13/24
THROUGHOUT TX	NUCLEAR SOURCES AND SERVICES INC DBA NSSI	L02991	HOUSTON	52	08/05/24

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
SUGAR LAND	E+ PET IMAGING XI LP DBA PET IMAGING OF SUGAR LAND	L05858	SUGAR LAND	12	08/07/24
VICTORIA	VICTORIA HEART AND VASCULAR CENTER PA	L05748	VICTORIA	12	08/07/24

TRD-202404597
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: September 24, 2024

◆ ◆ ◆
 Licensing Actions for Radioactive Materials

During the second half of August 2024, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	CLEAN-CO SYSTEMS INC	L07232	CHANNELVIEW	00	08/20/24

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ARLINGTON	HEALTH IMAGING PARTNERS LLC DBA ENVISION IMAGING	L06634	ARLINGTON	11	08/15/24
AUSTIN	AUSTIN CARDIOLOGY CLINIC PLLC	L07196	AUSTIN	01	08/27/24
AUSTIN	UROLOGY AUSTIN PLLC	L06798	AUSTIN	05	08/19/24
AUSTIN	ASCENSION SETON MEDICAL CENTER	L00268	AUSTIN	178	08/26/24
BROWNWOOD	HENDRICK MEDICAL CENTER BROWNWOOD	L02322	BROWNWOOD	74	08/21/24
COLLEGE STATION	SCOTT & WHITE HOSPITAL-COLLEGE STATION	L06557	COLLEGE STATION	18	08/20/24
COLLEGE STATION	BCS HEART LLP	L04890	COLLEGE STATION	22	08/26/24
DALLAS	CARDINAL HEALTH	L05610	DALLAS	55	08/26/24
DALLAS	TEXAS HEALTH PRESBYTERIAN HOSPITAL DALLAS	L01586	DALLAS	112	08/20/24
DEER PARK	DEER PARK REFINING LIMITED PARTNERSHIP	L04554	DEER PARK	48	08/26/24
EL PASO	AKUMIN IMAGING TEXAS LLC DBA SOUTHWEST X-RAY	L05207	EL PASO	28	08/26/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

EL PASO	EL PASO COUNTY HOSPITAL DISTRICT DBA UNIVERSITY MEDICAL CENTER OF EL PASO	L00502	EL PASO	85	08/15/24
FORT WORTH	UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER FORT WORTH	L07089	FORT WORTH	03	08/19/24
FORT WORTH	ONCOLOGY HEMATOLOGY CONSULTANTS PA DBA THE CENTER FOR CANCER AND BLOOD DISORDERS	L05919	FORT WORTH	36	08/21/24
HARLINGEN	THE UNIVERSITY OF TEXAS RIO GRANDE VALLEY	L06754	HARLINGEN	12	08/22/24
HOUSTON	W D VON GONTEN ENGINEERING LLC	L06789	HOUSTON	04	08/22/24
HOUSTON	UIH AMERICA INC	L07090	HOUSTON	11	08/22/24
HOUSTON	RADIOMEDIX INC	L06044	HOUSTON	34	08/15/24
HOUSTON	RLS (USA) INC	L05517	HOUSTON	35	08/19/24
HOUSTON	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN SUGARLAND HOSPITAL	L03457	HOUSTON	82	08/21/24
HOUSTON	MEMORIAL HERMANN HEALTH SYSTEM DBA MEMORIAL HERMANN SOUTHWEST HOSPITAL	L00439	HOUSTON	269	08/26/24
HUMBLE	RADIOMEDIX INC	L06990	HUMBLE	17	08/15/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

LAKE JACKSON	THE DOW CHEMICAL COMPANY	L00451	LAKE JACKSON	118	08/30/24
LUBBOCK	COLIBRI ISOTOPES CORPORATION	L07203	LUBBOCK	03	08/26/24
MCALLEN	RIO GRANDE VALLEY ISOTOPES LLC	L06202	MCALLEN	14	08/26/24
PASADENA	EQUISTAR CHEMICALS LP	L01854	PASADENA	57	08/20/24
PASADENA	CELANESE LTD	L01130	PASADENA	85	08/30/24
PLANO	TEXAS HEALTH PRESBYTERIAN HOSPITAL PLANO	L04467	PLANO	84	08/21/24
PORT LAVACA	UNION CARBIDE CORPORATION	L00051	PORT LAVACA	108	08/26/24
ROUND ROCK	ARA ST DAVIDS IMAGING LP	L05862	ROUND ROCK	126	08/21/24
SAN ANTONIO	SOUTH TEXAS RADIOLOGY IMAGING CENTERS	L00325	SAN ANTONIO	267	08/26/24
SUGAR LAND	METHODIST HEALTH CENTERS DBA HOUSTON METHODIST SUGAR LAND HOSPITAL	L05788	SUGAR LAND	62	08/21/24
THREE RIVERS	DIAMOND SHAMROCK REFINING COMPANY LP DBA VALERO THREE RIVERS REFINERY	L03699	THREE RIVERS	34	08/21/24
THROUGHOUT TX	RWLS DBA RENEGADE SERVICES	L06307	ANDREWS	44	08/26/24
THROUGHOUT TX	EUSTIS ENGINEERING LLC	L07051	HOUSTON	003	08/23/24
THROUGHOUT TX	ECS SOUTHWEST LLP	L06693	HOUSTON	12	08/21/24

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	NUCLEAR SOURCES AND SERVICES INC DBA NSSI	L02991	HOUSTON	53	08/30/24
THROUGHOUT TX	ARCTIC TESTING & INSPECTION LLC	L07065	LA PORTE	09	08/15/24
THROUGHOUT TX	STRONGHOLD INSPECTION LTD	L06918	LA PORTE	11	08/19/24
THROUGHOUT TX	SUNTRAC SERVICES INC	L03062	LEAGUE CITY	38	08/21/24
THROUGHOUT TX	ALLIED WIRELINE SERVICES LLC	L06374	MIDLAND	23	08/20/24
THROUGHOUT TX	PLPS INC	L04955	PEARLAND	10	08/26/24
THROUGHOUT TX	INSIGHT NDE INC	L06817	PORT LAVACA	14	08/19/24
THROUGHOUT TX	US ECOLOGY TEXAS INC	L05518	ROBSTOWN	019	08/23/24
VICTORIA	VICTORIA OF TEXAS LP DBA DETAR HEALTHCARE SYSTEM	L01630	VICTORIA	56	08/21/24

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
BRYAN	ST JOSEPH REGIONAL HEALTH CENTER DBA CHI ST JOSEPH HEALTH REGIONAL HOSPITAL	L00573	BRYAN	90	08/28/24
BUDA	TEXAS LEHIGH CEMENT COMPANY LP	L06633	BUDA	06	08/14/24
GEORGETOWN	RADIATION DETECTION COMPANY	L06647	GEORGETOWN	006	08/26/24
NEW BRAUNFELS	RESOLUTE HOSPITAL COMPANY LLC DBA RESOLUTE BAPTIST HOSPITAL	L06632	NEW BRAUNFELS	13	08/20/24
THROUGHOUT TX	TEXAS CMT INC	L04766	DALLAS	014	08/26/24
THROUGHOUT TX	SPEESOIL INC	L05619	EL PASO	008	08/15/24
THROUGHOUT TX	QUARTET ENGINEERS CORPORATION	L06879	HOUSTON	009	08/15/24

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
CORPUS CHRISTI	NARAIN D MANGLA MD PA	L05630	CORPUS CHRISTI	08	08/21/24
THROUGHOUT TX	SCHNABEL ENGINEERING LLC	L07160	AUSTIN	03	08/26/24

EXEMPTIONS ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	Exemption Number	City of Licensed Entity	Amendment Number	Date of Action
COLLEGE STATION	TEXAS A&M UNIVERSITY	L00448	E24-3	COLLEGE STATION	167	08/20/24

TRD-202404598
Cynthia Hernandez
General Counsel
Department of State Health Services
Filed: September 24, 2024

Order Placing 2-Methyl AP-237, Etodesnitazene, N-Pyrrolidino Etonitazene, and Protonitazene into Schedule I and Extending the Temporary Placement of Butonitazene, Flunitazene, and Metodesnitazene in Schedule I



The U.S. Drug Enforcement Administration issued a final order placing 2-methyl AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one), including its optical and geometric isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, in schedule I of the Controlled Substances Act effective April 15, 2024. This final rule was published in the *Federal Register*, Volume 89, Number 52, pages 18793-18796.

This scheduling action was taken pursuant to the following:

1. 2-Methyl AP-237 has a pharmacological profile and potential for abuse similar to other classical opioids such as fentanyl (schedule II), morphine (schedule II), and heroin (schedule I);

2. 2-Methyl AP-237 has no currently accepted medical use in treatment in the United States; and

3. Control of 2-methyl AP-237 is required to meet the United States' obligation under the 1961 United Nations Single Convention on Narcotic Drugs.

The U.S. Drug Enforcement Administration issued a final order permanently placing 2-(2-(4-ethoxybenzyl)-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (other names: etodesnitazene; etazene), 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzimidazole (other names: *N*-pyrrolidino etonitazene; etonitazepyne), and *N,N*-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (other name: protonitazene), including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts are possible within the specific chemical designation, in schedule I of the Controlled Substances Act effective April 11, 2024. This final rule was published in the *Federal Register*, Volume 89, Number 71, pages 25514-25517.

This scheduling action was taken pursuant to the following:

1.a Etodesnitazene, *N*-pyrrolidino etonitazene, and protonitazene share a pharmacological profile with etonitazene (schedule I), isotonitazene (schedule I), and other schedule I and II synthetic opioids;

2.a The use of etodesnitazene, *N*-pyrrolidino etonitazene, and protonitazene presents a high risk of abuse and have negatively affected users and communities; and,

3.a Etodesnitazene, *N*-pyrrolidino etonitazene, and protonitazene have no currently accepted medical use in treatment in the United States.

The U.S. Drug Enforcement Administration issued temporary order extending the placement of 2-(2-(4-Butoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (other name: butonitazene), *N,N*-Diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine (other name: flunitazene), and *N,N*-Diethyl-2-(2-(4-methoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (other name: metodesnitazene) including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts are possible within the specific chemical designation, in schedule I of the Controlled Substance Act effective April 12, 2024. This temporary order was published in the *Federal Register*, Volume 89, Number 71, pages 25517-25519. This scheduling action was taken based on a finding that these substances pose an imminent hazard to the public safety.

Pursuant to the Texas Controlled Substances Act, Health and Safety Code Section 481.034(g), , at least thirty-one days have expired since notice of the above referenced actions were published in the Federal Register. In the capacity as Commissioner of the Texas Department of State Health Services, Jennifer Shuford, M.D., does hereby order that the substance 2-Methyl AP-237, etodesnitazene, *N*-pyrrolidino etonitazene, and protonitazene be placed into schedule I, and butonitazene, flunitazene, and metodesnitazene remain temporarily placed in a schedule I.a

-Schedule I Opiates

The following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts are possible within the specific chemical designation:

- (1) ~~Acetyl- α -methylfentanyl (*N*-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-*N*-phenylacetamide);e~~
- (2) ~~Acetylmethadol;~~e
- (3) ~~Acetyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);e~~
- (4) ~~Acryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide) (Other name: acryloylfentanyl);e~~
- (5) ~~AH-7921 (3,4-dichloro-*N*-[1-(dimethylamino)cyclohexymethyl]benzamide);e~~
- (6) ~~Allylprodine;~~e
- (7) ~~Alphacetylmethadol (except levo- α -cetylmethadol, levo- α -acetylmethadol, levomethadyl acetate, or LAAM);e~~
- (8) ~~α' -Methyl butyryl fentanyl (2-methyl-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);e~~
- (9) ~~α -Methylfentanyl or any other derivative of fentanyl;~~
- (10) ~~α -Methylthiofentanyl (*N*-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-*N*-phenylpropanamide);e~~
- (11) ~~Benzethidine;~~e
- (12) ~~β -Hydroxyfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-*N*-phenylpropanamide);e~~
- (13) ~~β -Hydroxy-3-methylfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-*N*-phenylpropanamide);e~~
- (14) ~~β -hydroxythiofentanyl (Other names: *N*-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-*N*-phenylpropionamide; *N*-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-*N*-phenylpropanamide);e~~
- (15) ~~β -Methyl fentanyl (*N*-phenyl-*N*-(1-(2-phenylpropyl)piperidin-4-yl)propionamide);e~~
- (16) ~~β' -Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide)e (Other name: 3-phenylpropanoyl fentanyl);e~~
- (17) ~~Betaprodinè;~~e
- (18) ~~Brorphine (1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one);e~~
- (19) ~~Butyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);e~~
- (20) ~~Clonitazene;~~e
- (21) ~~Crotonyl fentanyl (Other name: (6-2-5) (E)-*N*-(1-Phenethylpiperidin-4-yl)-*N*-phenylbut-2-enamide);e~~
- (22) ~~Cyclopentyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-Phenylcyclopentanecarboxamide);e~~
- (23) ~~Cyclopropyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide);e~~
- (24) ~~Diampromide;~~e
- (25) ~~Diethylthiambutene;~~e
- (26) ~~Difenoxin;~~e
- (27) ~~Dimenoxadol;~~e
- (28) ~~2',5'-Dimethoxyfentanyl (*N*-(1-(2,5-dimethoxyphenethyl)piperidin-4-yl)-*N*-phenylpropionamide);e~~
- (29) ~~Dimethylthiambutene;~~e

- (30) ϵ Dioxaphetyl butyrate;e
- (31) ϵ Dipipanone;e
- (32) ϵ Ethylmethylthiambutene;e
- * (33) 2-(2-(4-ethoxybenzyl)-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-aminee
(Other names: etodesnitazene; etazene);e
- (34) ϵ Etonitazene;e
- (35) ϵ Toxeridine;e
- (36) ϵ Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate);e
- (37) ϵ 4-Fluoroisobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide) (Other name: *p*-fluoroisobutyryl fentanyl);e
- (38) ϵ 2'-Fluoro *o*-fluorofentanyl (*N*-(1-(2-fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide) (Other name: 2'-fluoro 2-fluorofentanyl);e
- (39) ϵ Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-2-carboxamide);e
- (40) ϵ 3-Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-3-carboxamide);e
- (41) ϵ Furethidine;e
- (42) ϵ Hydroxypethidine;e
- (43) ϵ Isobutyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide);e
- (44) ϵ sotonitazene (*N,N*-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine);e
- (45) ϵ Isovaleryl fentanyl (3-methyl-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);e
- (46) ϵ Ketobemidone;e
- (47) ϵ Levophenacilmorphan;e
- (48) ϵm -Fluorofentanyl (*N*-(3-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide);e
- (49) ϵm -Fluoroisobutyryl fentanyl (*N*-(3-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);e
- (50) ϵ Meprodine;e
- (51) ϵ Methadol;e
- (52) ϵ Methoxyacetyl fentanyl (2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);e
- * (53) 2-Methyl AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one);e
- (54) ϵ 4'-Methyl acetyl fentanyl (*N*-(1-(4-methylphenethyl)piperidin-4-yl)-*N*-phenylacetamide);e
- (55) ϵ 3-Methylfentanyl (*N*-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-*N*-phenylpropanamide);e
- (56) ϵ 3-Methylthiofentanyl (*N*-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-*N*-phenylpropanamide);e
- (57) ϵ Metonitazene (*N,N*-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine);e
- (58) ϵ Moramide;e
- (59) ϵ Morpheridine;e

(60) Δ MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);e
 (61) Δ MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);e
 (62) Δ Noracymethadol;e
 (63) Δ Norlevorphanol;e
 (64) Δ Normethadone;e
 (65) Δ Norpipanone;e
 *(66) 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzimidazole
 (other names: *N*-pyrrolidino etonitazene; etonitazepyne);e
 (67) Δ Ocfentanil (*N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide);e
 (68) Θ -Fluoroacryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)acrylamide);e
 (69) Θ -Fluorobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide) (Other name: 2-fluorobutyryl fentanyl);e
 (70) Θ -Fluorofentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl);e
 (71) Θ -Fluorofuranyl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);e
 (72) Θ -Fluoroisobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);e
 (73) Θ -Methyl acetylfentanyl (*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide) (Other name: 2-methyl acetylfentanyl);e
 (74) Θ -Methyl methoxyacetyl fentanyl (2-methoxy-*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide) (Other name: 2-methyl methoxyacetyl fentanyl);e
 (75) *p*-Chloroisobutyryl fentanyl (*N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);e
 (76) Φ -Fluorobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);e
 (77) Φ -Fluorofentanyl (*N*-(4-fluorophenyl)-*N*-[1-(2-phenethyl)-4e piperidinyl]propanamide);e
 (78) Φ -Fluoro furanyl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);e
 (79) Φ -Methoxybutyryl fentanyl (*N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);e
 (80) Φ -Methoxyfuranyl fentanyl (*N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);e
 (81) Φ -Methylcyclopropyl fentanyl (*N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);e
 (82) Φ -Methylfentanyl (*N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 4-methylfentanyl);e
 (83) Φ EPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);e
 (84) Φ henadoxone;e
 (85) Φ henampromide;e
 (86) Φ hencyclidine;e

- (87) Phenomorphan;e
- (88) Phenoperidine;e
- (89) Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbenzamide) (Other name: benzoyl fentanyl);e
- (90) Piritramide;e
- (91) Proheptazine;e
- (92) Properidine;e
- (93) Propiram;
- * (94) *N,N*-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (other name: protonitazene);e
- (95) Tetrahydrofuranfentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide);e
- (96) Thiofentanyl (*N*-phenyl-*N*-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);e
- (97) Thiofuranfentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide) (Other names: 2-thiofuranfentanyl; thiophene fentanyl);e
- (98) Tilidine;e
- (99) Trimeperidine;e
- (100) U-47700 (3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-*N*-methylbenzamide);e
- (101) Valeryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide); and,e
- (102) Zipeprol (1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol).e

-Schedule I Temporarily Listed Substances Subject to Emergency Scheduling by the U.S. Drug Enforcement Administration

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances or that contains any of the substance's isomers, esters, ethers, salts and salts of isomers, esters, and ethers if the existence of the salts, esters, ethers isomers, and salts of isomers, esters, ethers is possible within the specific chemical designation:

(1) Fentanyl-related substances.e

(1-1) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under Section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355], that is structurally related to fentanyl by one or more of the following modifications:

(1-1-1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(1-1-2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;

(1-1-3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(1-1-4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(1-1-5) Replacement of the *N*-propionyl group by another acyl group.

(1-2) This definition includes, but is not limited to, the following substances:

(1-2-1) *N*-(1-(2-Fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide (Other name: 2'-fluoro-*o*-fluorofentanyl);

(1-2-2) *N*-(2-Methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (Other name: *o*-methyl acetylfentanyl);

(1-2-3) *N*-(1-Phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide (Other names: β'-phenyl fentanyl; hydrocinnamoyl fentanyl); and,

(1-2-4) *N*-(1-Phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (Other name: thiofuranyl fentanyl).

(2) *e*2-(2-(4-Butoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (Other name: butonitazene);*e*

(3) *e**V,N*-Diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: flunitazene);

(4) *e**V,N*-Diethyl-2-(2-(4-methoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: metodesnitazene);

(5) *e*4-(2-chlorophenyl)-2-ethyl-9-methyl-6*H*-thieno[3,2-*f*][1,2,4]triazolo[4,3-*α*][1,4]diazepine (Other name: etizolam);

(6) *e*8-chloro-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*α*][1,4]diazepine (Other name: flualprazolam);*e*

(7) *e*6-(2-chlorophenyl)-1-methyl-8-nitro-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*α*][1,4]diazepine (Other name: clonazolam);*e*

(8) *e*8-bromo-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*α*][1,4]diazepine (Other names: 8-bromo-6-(2-fluorophenyl)-1-methyl-4*H*-[1,2,4]triazolo[4,3-*α*][1,4]benzodiazepine and flubromazolam);

(9) *e*7-chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2*H*-benzo[*e*][1,4]diazepin-2-one (Other name: diclazepam);

(10) *e*Methyl 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1*H*-indazole-3-carboxamido)butanoate (Other name: MDMA-4en-PINACA);

(11) *e*Methyl 2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3,3-dimethylbutanoate (Other names: 4F-MDMA-BUTICA; 4F-MDMA-BICA);

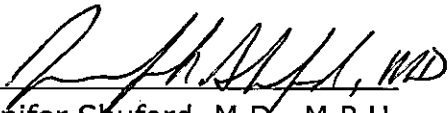
(12) *e**V*-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(pent-4-en-1-yl)-1*H*-indazole-3-carboxamide (Other name: ADB-4en-PINACA);

(13) *e*5-Pentyl-2-(2-phenylpropan-2-yl)pyrido[4,3-*b*]indol-1-one (Other names: CUMYL-PEGACLONE; SGT-151);

(14) *e*Ethyl 2-[[1-(5-fluoropentyl)indole-3-carbonyl]amino]-3,3-dimethylbutanoate (Other names: 5F-EDMA-PICA; 5F-EDMA-2201); and,

(15) Methyl 2-(1-(4-fluorobenzyl)-1H-indole-3-carboxamido)-3-methyl butanoate (Other name: MMB-FUBICA).

Changes are marked by an asterisk (*).


Jennifer Shuford, M.D., M.P.H.

9/10/2024
Date

TRD-202404589
Cynthia Hernandez
General Counsel
Department of State Health Services
Filed: September 24, 2024

provide voice communications service without regard to the delivery technology. Brightspeed of Coastal Texas, Inc. additionally seeks to be reclassified as a deregulated company under PURA § 65.002.

Under PURA § 65.052(a), the Commission must issue a final order no later than 90 days after the petition is filed. The 90th day in this case is November 25, 2024.

Persons wishing to file a motion to intervene or comments on the application should contact the Public Utility Commission no later than October 16, 2021, 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. 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 56999.

TRD-202404587
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: September 24, 2024

◆ ◆ ◆
Public Utility Commission of Texas

Notice of Petition to Determine Whether a Certain Market With a Population Under 100,000 Should Remain Regulated

Notice is given to the public of a petition filed with the Public Utility Commission of Texas on August 27, 2024, seeking a determination whether a certain market in Texas with a population under 100,000 should be deregulated.

Docket Style and Number: Petition of Brightspeed of Coastal Texas, Inc. to Determine Whether a Certain Market with a Population under 100,000 Should Remain Regulated, Docket Number 56999.

The Application: Brightspeed of Coastal Texas, Inc. filed a petition seeking a determination that certain markets of the company with populations of under 100,000 in Texas should be deregulated. The Commission has jurisdiction over the petition under § 65.052 of the Public Utility Regulatory Act (PURA). In making a determination, PURA § 65.052(b)(2) provides that the Commission may not determine that a market should remain regulated if the population in the area included in the market is less than 100,000 and, in addition to the incumbent local exchange company (ILEC), there are at least two competitors operating in all or part of the market that are unaffiliated with the ILEC and

◆ ◆ ◆
Supreme Court of Texas

Order Approving Amendments to the Internal Procedural Rules of the Board of Disciplinary Appeals

Supreme Court of Texas

Misc. Docket No. 24-9067

Order Approving Amendments to the Internal Procedural Rules of the Board of Disciplinary Appeals

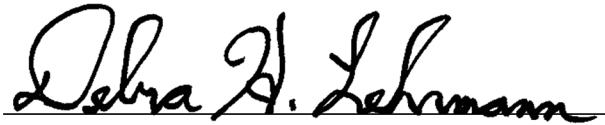
ORDERED that:

1. The Internal Procedural Rules of the Board of Disciplinary Appeals are amended as follows, 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*.

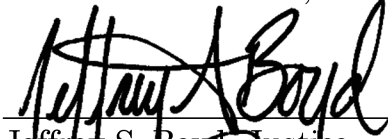
Dated: September 24, 2024.



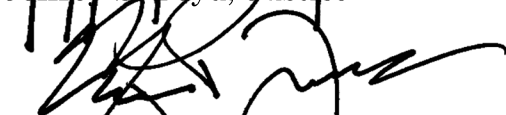
Nathan L. Hecht, Chief Justice



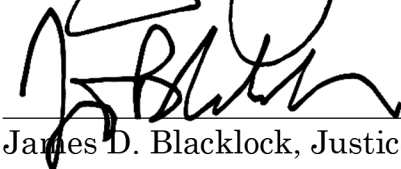
Debra H. Lehrmann, Justice



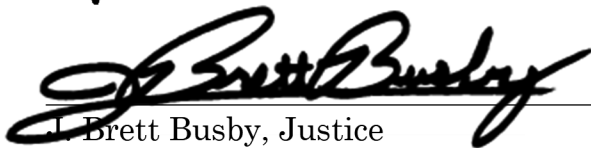
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



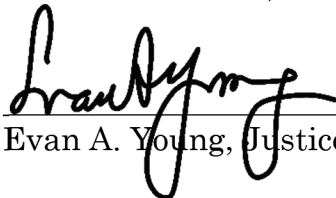
L. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

**BOARD OF DISCIPLINARY APPEALS
INTERNAL PROCEDURAL RULES**

SECTION 1: GENERAL PROVISION

Rule 1.05 Filing of Pleadings, Motions, and Other Papers

- (a) **Electronic Filing.** All documents must be filed electronically. Unrepresented persons or those without the means to file electronically may electronically file documents, but it is not required.

(4) **Exceptions.**

- (i) An appeal to BODA of a decision by the CDC to classify a grievance as an inquiry or a complaint is not required to be filed electronically.

SECTION 3: CLASSIFICATION APPEALS

Rule 3.01. Notice of Right to Appeal

- (a) If a grievance filed by the Complainant under TRDP 2.10 is classified as an inquiry, the CDC must notify the Complainant of his or her right to appeal as set out in TRDP 2.10 or another applicable rule. If a grievance is classified as a complaint, the CDC must notify both the Complainant and the Respondent of the Respondent's right to appeal as set out in TRDP 2.10 or another applicable rule.
- (b) To facilitate the potential filing of an appeal of a grievance classified as an inquiry, the CDC must send the Complainant an appeal notice form, approved by BODA, with the classification disposition. For a grievance classified as a complaint, the CDC must send the Respondent an appeal notice form, approved by BODA, with notice of the classification disposition. The form must include the docket number of the matter; the deadline for appealing; and information for mailing, faxing, or emailing the appeal notice form to BODA. The appeal notice form must be available in English and Spanish.

Rule 3.02. Record on Appeal

~~BODA must only~~must not consider documents or other submissions that were the Complainant or Respondent filed with the CDC ~~prior to~~or BODA after the CDC's classification decision. When a notice of appeal from a classification decision has been filed, the CDC must forward to BODA a copy of the grievance and all supporting documentation. If the appeal challenges the classification of an amended grievance, the CDC must also send BODA a copy of the initial grievance, unless it has been destroyed.

Rule 3.03. Disposition of Classification Appeal

- (a) BODA may decide a classification appeal by doing any of the following:
- (1) affirm the CDC's classification of the grievance as an inquiry and the dismissal of the grievance;
 - (2) reverse the CDC's classification of the grievance as an inquiry, reclassify the grievance as a complaint, and return the matter to the CDC for investigation, just cause determination, and further proceedings in accordance with the TRDP;
 - (3) affirm the CDC's classification of the grievance as a complaint and return the matter to the CDC to proceed with investigation, just cause determination, and further proceedings in accordance with the TRDP;
or
 - (4) reverse the CDC's classification of the grievance as a complaint, reclassify the grievance as an inquiry, and dismiss the grievance.
- (b) When BODA reverses the CDC's inquiry classification and reclassifies a grievance as a complaint, BODA must reference any provisions of the TDRPC under which BODA concludes professional misconduct is alleged. When BODA affirms the CDC's complaint classification, BODA may reference any provisions of the TDRPC under which BODA concludes professional misconduct is alleged. The scope of investigation will be determined by the CDC in accordance with TRDP 2.12.
- (c) BODA's decision in a classification appeal is final and conclusive, and such decision is not subject to appeal or reconsideration.
- (d) A classification appeal decision under (a)(1) or (4), which results in dismissal, has no bearing on whether the Complainant may amend the grievance and resubmit it to the CDC under TRDP 2.10.

TRD-202404603
Jaclyn Daumerie
Rules Attorney
Supreme Court of Texas
Filed: September 25, 2024

◆ ◆ ◆
Texas Department of Transportation

Department Policies Affecting Bicycle Use on the State
Highway System

Notice

Virtual Public Hearing - Dallas District

In accordance with Texas Administrative Code, Title 43, Part 1, Chapter 25, Subchapter D, Rule §25.55(a) and (b), the Texas Department of Transportation (TxDOT) and the North Central Texas Council of Governments (NCTCOG) is offering a virtual public hearing on district transportation projects, programs, and policies affecting bicycle use on the state highway system. The virtual hearing will consist of a pre-recorded video presentation and will include both audio and visual components. The presentation will be posted online by **Thursday, November 7, 2024, at 5 p.m., and will remain online through Monday, November 25, 2024, at 11:59 p.m.** To log into the virtual public hearing, go to the following web address at the date and time indicated above:

www.keepitmovingdallas.com/bicycle-2024

If you do not have internet access, you may call Mohammed Shaikh at (214) 320-6148 between the hours of 9 a.m. and 4 p.m., Monday through Friday, to ask questions and access project materials during the project development process. **Please note that the materials will not be available until Thursday, November 7, 2024.**

Members of the public may call the verbal testimony line at (833) 228-7711 to leave their recorded comments after review of the public hearing presentation beginning on **Thursday, November 7, 2024, at 5 p.m. through Monday, November 25, 2024, at 11:59 p.m.**

Formal written comments may also be provided by mail or email as explained below. All verbally provided testimony, and timely written comments will be considered by TxDOT and included as part of the official record. Responses to verbally provided testimony and comments will be prepared by TxDOT, included as part of the hearing and project record, and made available online at www.keepitmovingdallas.com/bicycle-2024.

The virtual public hearing will be conducted in English. If you need an interpreter or document translator because English is not your primary language or have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or are a person with a disability who requires an accommodation to attend and participate in the virtual public hearing, please contact **Kenna Mitchell, TxDOT Dallas District Public Information Officer at (214) 320-4404** no later than **Friday, November 1, 2024, at 4 p.m.** Please be aware that advance notice is required as some services and accommodations may require time for TxDOT to arrange.

La audiencia pública virtual se llevará a cabo en inglés. Si usted necesita un intérprete o un traductor de documentos porque su idioma principal no es el inglés o tiene alguna dificultad para comunicarse eficazmente en inglés, se le proporcionará uno. Si usted tiene alguna discapacidad y necesita ayuda, se pueden hacer arreglos especiales para

atender la mayoría de las necesidades. Si usted necesita servicios de interpretación o traducción o usted es una persona con alguna discapacidad que requiera una adaptación para asistir a y participar en el evento de audiencia pública virtual, por favor póngase en contacto con **Kenna Mitchell, Oficial de Información Pública del Distrito de Dallas de TxDOT, al número (214) 320-4404, a más tardar a las 4:00 p.m. hora central del viernes, 1 de noviembre de 2024.**

Por favor sepa que es necesario dar aviso con anticipación, ya que algunos servicios y adaptaciones pueden requerir tiempo para que TxDOT los organice.

Written comments from the public regarding the proposed project are requested and may be submitted by mail to **STV Inc. Attn: Shyanne Hernandez, 5750 Genesis Court, Suite 200, Frisco, Texas 75034.** Written comments may also be submitted by email to **Shyanne.Hernandez@stvinc.com.** All written comments must be received on or before **Monday, November 25, 2024, at 11:59 p.m.** Additionally, as stated above, members of the public may call the verbal testimony line at (833) 2288-7711 and verbally provide comments from **Thursday, November 7, 2024, at 5 p.m. through Monday, November 25, 2024, at 11:59 p.m.** Responses to written comments received and public testimony provided will be available online at www.keepitmovingdallas.com/bicycle-2024 once they have been prepared.

If you have any general questions regarding the proposed project or the virtual hearing, please contact **Mohammed Shaikh at (214) 320-6148** or **Mohammed.Shaikh@txdot.gov.**

TRD-202404568

Becky Blewett
Deputy General Counsel
Texas Department of Transportation
Filed: September 23, 2024

◆ ◆ ◆
Department Policies Affecting Bicycle Use on the State
Highway System

Notice

Virtual Public Hearing - Fort Worth District

In accordance with Texas Administrative Code, Title 43, Part 1, Chapter 25, Subchapter D, Rule §25.55(a) and (b), the Texas Department of Transportation (TxDOT) and the North Central Texas Council of Governments (NCTCOG) is offering a virtual public hearing on district transportation projects, programs, and policies affecting bicycle use on the state highway system. The virtual hearing will consist of a pre-recorded video presentation and will include both audio and visual components. The presentation will be posted online by **Thursday, November 7, 2024, at 5 p.m., and will remain online through Monday, November 25, 2024, at 11:59 p.m.** To log into the virtual public hearing, go to the following web address at the date and time indicated above:

www.keepitmovingdallas.com/bicycle-2024

If you do not have internet access, you may call Terrence McAllister at (817) 370-6515 between the hours of 9 a.m. and 4 p.m., Monday through Friday, to ask questions and access project materials during the project development process. **Please note that the materials will not be available until Thursday, November 7, 2024.**

Members of the public may call the verbal testimony line at (833) 233-1177 to leave their recorded comments after review of the public hearing presentation beginning on **Thursday, November 7, 2024, at 5 p.m. through Monday, November 25, 2024, at 11:59 p.m.**

Formal written comments may also be provided by mail or email as explained below. All verbally provided testimony, and timely written comments will be considered by TxDOT and included as part of the official record. Responses to verbally provided testimony and comments will be prepared by TxDOT, included as part of the hearing and project record, and made available online at www.keepitmovingdallas.com/bicycle-2024.

The virtual public hearing will be conducted in English. If you need an interpreter or document translator because English is not your primary language or have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or are a person with a disability who requires an accommodation to attend and participate in the virtual public hearing, please contact **Flávia Paulino** at Flavia.Paulino@txdot.gov, no later than **Friday, November 1, 2024, at 4 p.m.** Please be aware that advance notice is required as some services and accommodations may require time for TxDOT to arrange.

*La audiencia pública virtual se llevará a cabo en inglés. Si usted necesita un intérprete o un traductor de documentos porque su idioma principal no es el inglés o tiene alguna dificultad para comunicarse eficazmente en inglés, se le proporcionará uno. Si usted tiene alguna discapacidad y necesita ayuda, se pueden hacer arreglos especiales para atender la mayoría de las necesidades. Si usted necesita servicios de interpretación o traducción o usted es una persona con alguna discapacidad que requiera una adaptación para asistir a y participar en el evento de audiencia pública virtual, por favor póngase en contacto con **Flávia Paulino** por correo electrónico dirigido a Flavia.Paulino@txdot.gov*

dot.gov, a más tardar a las 4:00 p.m. hora central del viernes, 1 de noviembre de 2024. *Por favor sepa que es necesario dar aviso con anticipación, ya que algunos servicios y adaptaciones pueden requerir tiempo para que TxDOT los organice.*

Written comments from the public regarding the proposed project are requested and may be submitted by mail to **STV Inc. Attn: Shyanne Hernandez, 5750 Genesis Court, Suite 200, Frisco, Texas 75034.** Written comments may also be submitted by email to Shyanne.Hernandez@stvinc.com. All written comments must be received on or before **Monday, November 25, 2024, at 11:59 p.m.** Additionally, as stated above, members of the public may call the verbal testimony line at (833) 233-1177 and verbally provide comments from **Thursday, November 7, 2024, at 5 p.m. through Monday, November 25, 2024, at 11:59 p.m.** Responses to written comments received and public testimony provided will be available online at www.keepitmovingdallas.com/bicycle-2024 once they have been prepared.

If you have any general questions regarding the proposed project or the virtual hearing, please contact **Terrence McAllister** at **(817) 370-6515** or Terrence.McAllister@txdot.gov, executed by FHWA and TxDOT.

TRD-202404570

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: September 23, 2024

