

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 10/14/24 - 10/20/24 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/14/24 - 10/20/24 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-202404784

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: October 9, 2024

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **November 19, 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 19, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, pro-

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

(1) COMPANY: Aqua Utilities, Incorporated; DOCKET NUMBER: 2023-0732-PWS-E; IDENTIFIER: RN102688090; LOCATION: Denton, Denton County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligram per liter of free chlorine throughout the distribution system; PENALTY: \$1,530; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: Baylor Scott and White Health dba Baylor Scott and White Medical Center Centennial; DOCKET NUMBER: 2023-0722-PST-E; IDENTIFIER: RN104765037; LOCATION: Frisco, Collin County; TYPE OF FACILITY: emergency generator; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Calallen Independent School District; DOCKET NUMBER: 2024-0153-PST-E; IDENTIFIER: RN101749307; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.7(d)(1)(D), (3) and §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to notify the agency of any change or additional information regarding the underground storage tank (UST) system within 30 days of the date of the occurrence of the change or addition, and failing to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the regulated USTs; 30 TAC §334.48(g)(1)(a)(ii) and TWC, §26.3475(c)(2), by failing to conduct the triennial tightness testing for the spill prevention equipment and containment sumps used for interstitial monitoring of piping; and 30 TAC §334.50(b)(1)(B) and TWC, §26.3475(c)(1), by failing to monitor the USTs for releases in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring for tanks installed on or after January 1, 2009; PENALTY: \$12,313; ENFORCEMENT COORDINATOR: Celicia Garza, (210) 657-8422; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(4) COMPANY: City of Dublin; DOCKET NUMBER: 2024-0283-PWS-E; IDENTIFIER: RN101178044; LOCATION: Dublin, Erath 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: \$5,350; ENFORCEMENT COORDINATOR: Miles Caston, (512) 239-4593;

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

(5) COMPANY: City of Primera; DOCKET NUMBER: 2022-1374-PWS-E; IDENTIFIER: RN101389617; LOCATION: Primera, Cameron County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(B) and §290.110(b)(4) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to maintain a disinfectant residual of at least 0.5 milligrams per liter of chloramine throughout the distribution system at all times; and 30 TAC §290.46(e) and THSC, §341.033(a), by failing to use a water works operator who holds an applicable, valid license issued by the Executive Director; PENALTY: \$3,263; ENFORCEMENT COORDINATOR: Iliia Perez-Ramirez, (713) 767-3743; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(6) COMPANY: Explorer Pipeline Company; DOCKET NUMBER: 2022-1083-IWD-E; IDENTIFIER: RN102333911; LOCATION: Caddo Mills, Hunt County; TYPE OF FACILITY: refined petroleum products pipeline tankage station; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0002395000, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$8,550; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: Harris County Water Control and Improvement District 114; DOCKET NUMBER: 2023-1379-PWS-E; IDENTIFIER: RN103004487; LOCATION: Houston, Harris 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: \$2,750; ENFORCEMENT COORDINATOR: De'Shaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(8) COMPANY: Inez Convenience Services LLC dba Smitty's; DOCKET NUMBER: 2024-0266-PWS-E; IDENTIFIER: RN111467221; LOCATION: Inez, Victoria 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)(K), by failing to seal the wellhead by a gasket or sealing compound and provide a well casing vent for Well Number 1 that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.43(d)(2), by failing to provide the facility's pressure tank with a pressure release device and an easily readable pressure gauge; 30 TAC §290.45(d)(2)(A)(ii) and Texas Health and Safety Code, §341.0315(c), by failing to provide a minimum pressure tank capacity of 220 gallons; 30 TAC §290.46(m)(1)(B), by failing to inspect the facility's pressure tank annually; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; and 30 TAC §290.46(v), by failing to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code; PENALTY: \$5,955; ENFORCEMENT COORDINATOR: Nick Lohret-Froio, (512) 239-4495; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: New Alsace Water Supply Corporation; DOCKET NUMBER: 2024-0207-PWS-E; IDENTIFIER: RN101459469; LO-

CATION: Castroville, Medina County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system; 30 TAC §290.46(f)(2) and (3)(A)(i)(III), and (ii)(III), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(m), by failing to initiate maintenance and house-keeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; and 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$989; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(10) COMPANY: Owens Corning Insulating Systems, LLC; DOCKET NUMBER: 2022-0422-AIR-E; IDENTIFIER: RN100223585; LOCATION: Waxahachie, Ellis County; TYPE OF FACILITY: wool fiberglass manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(2), 113.710, 116.115(c), and 122.143(4), 40 Code of Federal Regulations (CFR) §63.12(c) and §63.1386(f), New Source Review (NSR) Permit Number 6093, Special Conditions Number (SC) 3, Federal Operating Permit (FOP) Number O1094, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.G. and 8, and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit the results of the performance tests within 60 days after the date of completing each performance test; and 30 TAC §§101.20(2), 113.710, 116.115(c), and 122.143(4), 40 CFR §63.1382(a), NSR Permit Number 6093, SC Number 3, FOP Number O1094, GTC and STC Numbers 1.G. and 8, and THSC, §382.085(b), by failing to comply with the emissions limit; PENALTY: \$21,875; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(11) COMPANY: PDC Williams Plaza, Ltd.; DOCKET NUMBER: 2023-1245-EAQ-E; IDENTIFIER: RN111699997; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$29,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$11,700; ENFORCEMENT COORDINATOR: Nancy M. Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: Rozina Investments LLC dba Park-It Market; DOCKET NUMBER: 2023-0587-PST-E; IDENTIFIER: RN102222783; LOCATION: Allen, Collin County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: Sustainable Pavement Technologies, LLC; DOCKET NUMBER: 2022-1041-MSW-E; IDENTIFIER: RN106171564; LOCATION: Austin, Travis County; TYPE OF FACILITY: recycling and road paving and repair business; RULES VIOLATED: 30 TAC §37.921 and §328.5(d) and (f)(3), by failing to maintain financial assurance for a facility that stores combustible ma-

terials outdoors; 30 TAC §328.5(b)(4), by failing to report any updates or changes of information contained in the facility's site report within 90 days of the effective date of the change; 30 TAC §328.5(f)(2)(B), by failing to maintain all records necessary to show reasonable efforts were made to maintain source-separation of materials received by the facility; and 30 TAC §328.5(h), by failing to have a fire prevention and suppression plan and make it available to the local fire prevention authority; PENALTY: \$15,870; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(14) COMPANY: Tejas Market Pleasanton, LLC dba Tejas Market; DOCKET NUMBER: 2023-1694-PST-E; IDENTIFIER: RN111046470; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; 30 TAC §334.50(b)(1)(B), (2)(A)(i)(III), and (iii) and TWC, §26.3475(a) and (c)(1), by failing to monitor the UST and associated pressurized piping installed on or after January 1, 2009, in a manner which will detect a release at a frequency of at least once every 30 days by using interstitial monitoring, and failing to test the line leak detector at least once per year for performance and operational reliability; and 30 TAC §334.606, by failing to maintain required operator training certification documentation on-site and make them available for inspection upon request by agency personnel; PENALTY: \$6,576; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(15) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2022-0856-MWD-E; IDENTIFIER: RN102315553; LOCATION: Tennessee Colony, Anderson 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 WQ0011915001, Effluent Limitations and Monitoring Requirements Numbers 1, 2, and 6, by failing to comply with permitted effluent limitations; PENALTY: \$32,625; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$26,100; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(16) COMPANY: Texas Portable Restrooms, LLC.; DOCKET NUMBER: 2023-1372-WQ-E; IDENTIFIER: RN110748639; LOCATION: Pilot Point, Denton County; TYPE OF FACILITY: sludge transporter; RULE VIOLATED: TWC, §26.121(a)(1), by failing to prevent the unauthorized discharge of wastewater into or adjacent to waters in the state; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Arti Patel, (512) 239-2514; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: Texas Sigma Partners, LLC; DOCKET NUMBER: 2023-1555-AIR-E; IDENTIFIER: RN111126124; LOCATION: Winnsboro, Wood County; TYPE OF FACILITY: poultry manure fertilizer plant; 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: \$7,937; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$3,175; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(18) COMPANY: Texas Water Utilities, L.P.; DOCKET NUMBER: 2024-0279-PWS-E; IDENTIFIER: RN101379899; LOCATION: Granbury, Hood County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a total pro-

duction capacity of 0.41 gallons per minute per connection; 30 TAC §290.46(m)(1)(B), by failing to inspect the interior of the facility's pressure tank at least once every five years at the Comanche Cove and Scenic View Pump Stations; 30 TAC §290.46(z), by failing to create a nitrification action plan for all systems distributing chloraminated water; and 30 TAC §290.110(c)(5)(B)(iii) and (D)(ii), by failing to monitor nitrite and nitrate at the first customer and in the distribution system on a quarterly basis for a system distributing chlorminated water; PENALTY: \$5,543; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(19) COMPANY: Texcrete, Incorporated; DOCKET NUMBER: 2021-1397-WQ-E; IDENTIFIERS: RN109831321 and RN110822475; LOCATION: Brazos and College Station, Brazos County; TYPE OF FACILITIES: concrete batch plants; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System Permit Numbers TXG112144 and TXG112524, Part III, Section A, Permit Conditions Numbers 1 and 2 and Part IV, Standard Permit Conditions Number 7.f, by failing to submit monitoring results at intervals specified in the permit; PENALTY: \$60,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$24,000; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(20) COMPANY: Utilities Incorporated of Texas; DOCKET NUMBER: 2024-0256-MWD-E; IDENTIFIER: RN101018240; LOCATION: Austin, Bastrop 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 WQ0013548001, Effluent Limitations and Monitoring Requirements Number 1, Outfall Number 002, by failing to comply with permitted effluent limitations; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: Waste Connections Lone Star, Incorporated dba WC Minnis Drive Transfer Station; DOCKET NUMBER: 2024-0149-MSW-E; IDENTIFIER: RN103019592; LOCATION: Haltom City, Tarrant County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) processing site; RULES VIOLATED: 30 TAC §330.121(a) and §330.129 and MSW Permit Number 2306A and Site Operating Plan (SOP), Section 8.7 TCEQ Notification, by failing to notify the TCEQ regional office immediately, but no later than four hours by telephone, and in writing within 14 days of the fire at the facility with a description of the fire and the resulting response; 30 TAC §330.121(a) and §330.213(a) and MSW Permit Number 2306A and SOP, Section 2.1 Transfer Station Personnel, by failing to employ at least one licensed individual who supervises or manages the operations of an MSW facility; and 30 TAC §330.121(a) and §330.235 and MSW Permit Number 2306A and SOP, Section 2.3 Facility Inspections and Maintenance and SOP, Section 13.2 Materials Along the Route to the Facility, by failing to inspect all facility signs weekly, and failing to conduct cleanup of waste at least once per day for a distance of two miles in either direction from any entrances used for delivery of the waste to the facility; PENALTY: \$3,862; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: White Rock Excavation, Incorporated; DOCKET NUMBER: 2022-0513-WQ-E; IDENTIFIER: RN111053633; LOCATION: Navasota, Brazos County; TYPE OF FACILITY: aggregate production operation (APO); RULE VIOLATED: 30 TAC §342.25(b), by

failing to register the site as an APO no later than the tenth business day before the beginning date of regulated activities; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, (361) 881-6900.

(23) COMPANY: Wyman-Gordon Forgings, Incorporated; DOCKET NUMBER: 2023-0754-IWD-E; IDENTIFIER: RN100217413; LOCATION: Houston, Harris 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 WQ0001402000, Effluent Limitations and Monitoring Requirements Number 1, for Outfall Number 002 and Effluent Limitations and Monitoring Requirement Number 2 for Outfall Number 101, by failing to comply with permitted effluent limitations; PENALTY: \$59,937; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202404775

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 8, 2024



Amended Notice of Public Meeting (Amended to correct zip code of meeting venue address) Air Quality Standard Permit for Concrete Batch Plants Proposed Registration No. 176227

Application. Triple C Concrete of Lubbock, Ltd, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit, Registration No. 176227, which would authorize construction of a permanent concrete batch plant located at 1521 Erskine St, Lubbock, Lubbock County, Texas 79403. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsource/airpermits-pending/permit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-101.8525,33.605556&level=13>. The proposed facility will emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on April 30, 2024. The executive director has completed the administrative and technical reviews of the application and determined that the application meets all of the requirements of a standard permit authorized by 30 Texas Administrative Code §116.611, which would establish the conditions under which the plant must operate. The executive director has made a preliminary decision to issue the registration because it meets all applicable rules.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and

questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application, and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. At the conclusion of the comment period, all formal comments will be considered before a decision is reached on the permit application. A written response to all formal comments will be prepared by the executive director and will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Monday, October 28, 2024 at 7:00 p.m.

HQ Plaza

5307 W Loop 289

Lubbock, Texas 79414

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

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

The application, executive director's preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Lubbock regional office, and at the Lubbock County Courthouse, 904 Broadway Street, Lubbock, Lubbock County, Texas 79401. The facility's compliance file, if any exists, is available for public review at the TCEQ Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas. Visit www.tceq.texas.gov/goto/cbp to review the standard permit. Further information may also be obtained from Triple C Concrete of Lubbock, Ltd, 2008 East 50th Street, Lubbock, Texas 79404-4044 or by calling Mrs. Aslyn Henry, Project Manager at (806) 783-9944.

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

Notice Issuance Date: October 9, 2024

TRD-202404799

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 9, 2024



Enforcement Orders

An agreed order was adopted regarding Sam Houston Area Council Boy Scouts of America, Docket No. 2022-0006-MWD-E on October 8, 2024 assessing \$5,250 in administrative penalties with \$1,050 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas

An agreed order was adopted regarding ARAB VENTURES LLC dba THE LOCAL SHOPPE #705, Docket No. 2022-1087-PST-E on October 8, 2024 assessing \$6,750 in administrative penalties with \$1,350 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Wehner, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Richard Allen Keenan dba K & B Waterworks, Docket No. 2022-1673-PWS-E on October 8, 2024 assessing \$725 in administrative penalties with \$145 deferred. Information concerning any aspect of this order may be obtained by contacting Nick Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Yaman Halal Meat LLC, Docket No. 2022-1686-AIR-E on October 8, 2024 assessing \$7,000 in administrative penalties with \$1,400 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding 3083 Investments LLC, Docket No. 2023-0169-PWS-E on October 8, 2024 assessing \$2,050 in administrative penalties with \$410 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Lemke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Howe, Docket No. 2023-0213-PWS-E on October 8, 2024 assessing \$1,650 in administrative penalties with \$330 deferred. Information concerning any aspect of this order may be obtained by contacting Christiana McCrimmon, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Sinton, Docket No. 2023-0692-PWS-E on October 8, 2024 assessing \$4,000 in administrative penalties with \$800 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 IRPHAN LLC dba SSA Super Food Mart, Docket No. 2023-0936-PST-E on October 8, 2024 assessing \$3,494 in administrative penalties with \$698 deferred. Information concerning any aspect of this order may be obtained by contacting Lauren Little, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding INZI, INC dba One Star Food Mart 2, Docket No. 2023-1001-PST-E on October 8, 2024 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Fishbeck, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Diamondback E&P LLC, Docket No. 2023-1081-AIR-E on October 8, 2024 assessing \$5,201 in administrative penalties with \$1,040 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 Aqua Texas, Inc., Docket No. 2023-1377-PWS-E on October 8, 2024 assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Miles Caston, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Benjamin Rubio dba B.M.B. TEXAS LANDSCAPING INC, Docket No. 2023-1427-LII-E on October 8, 2024 assessing \$3,111 in administrative penalties with \$622 deferred. 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 Boaz Energy II Operating, LLC, Docket No. 2023-1719-AIR-E on October 8, 2024 assessing \$2,000 in administrative penalties with \$400 deferred. Information concerning any aspect of this order may be obtained by contacting Morgan Kopcho, 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 Webb & Webb Construction, LLC, Docket No. 2023-1720-AIR-E on October 8, 2024 assessing \$2,250 in administrative penalties with \$450 deferred. Information concerning any aspect of this order may be obtained by contacting Michael Wilkins, 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 River Rim Resort Llc, Docket No. 2023-1747-PWS-E on October 8, 2024 assessing \$6,275 in administrative penalties with \$1,255 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 Baughman, Joshua, Docket No. 2023-1751-AIR-E on October 8, 2024 assessing \$2,500 in administrative penalties with \$500 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 Carl E Gungoll Exploration Llc, Docket No. 2023-1764-AIR-E on October 8, 2024 assessing \$1,875 in administrative penalties with \$375 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 Carl E Gungoll Exploration Llc, Docket No. 2023-1785-AIR-E on October 8, 2024 assessing \$1,875 in administrative penalties with \$375 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 Campbell Inspections Inc, Docket No. 2024-0026-WQ-E on October 8, 2024 assessing \$2,375 in administrative penalties with \$475 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 Bushland Investments Llc, Docket No. 2024-0029-PWS-E on October 8, 2024 assessing \$2,000 in administrative penalties with \$400 deferred. Information concerning any aspect of this order may be obtained by contacting Nicholas Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Consumers Supply Cooperative, Docket No. 2024-0594-PST-E on October 8, 2024 assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Faye Renfro, 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 Frac Sand Materials Inc, Docket No. 2024-0790-WQ-E on October 8, 2024 assessing \$3,687 in administrative penalties with \$737 deferred. Information concerning any aspect of this order may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Harris County Mud 170, Docket No. 2024-0939-WQ-E on October 8, 2024 assessing \$6,000 in administrative penalties with \$1,200 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City Of Clifton, Docket No. 2024-0942-MWD-E on October 8, 2024 assessing \$575 in administrative penalties with \$115 deferred. Information concerning any aspect of this order may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Cargill Meat Solutions Corporation, Docket No. 2024-0980-AIR-E on October 8, 2024 assessing \$3,001 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Caleb Martin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Morgan, David, Docket No. 2024-1000-EAQ-E on October 8, 2024 assessing \$1,875 in administrative penalties with \$375 deferred. Information concerning any aspect of this order may be obtained by contacting Madison Stringer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202404796

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 9, 2024



Notice of Correction to Agreed Order Number 2

In the November 19, 2021, issue of the *Texas Register* (46 TexReg 7905), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 2, for the City of Beeville; Docket Number 2020-1272-MWD-E. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$132,853."

The reference to the Supplemental Environmental Project Offset Amount should be added to the publication to read: "\$106,283."

For questions concerning these errors, please contact Michael Parrish at (512) 239-2548.

TRD-202404776

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 8, 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 19, 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 19, 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: Pro-Crete Ready Mix, LLC; DOCKET NUMBER: 2021-1518-WQ-E; TCEQ ID NUMBER: RN102390051; LOCATION: 4500 Great Trinity Forest Way, Dallas, Dallas County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d), and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXG112472,

Part III, Section A, Permit Requirements Number 1, and Part IV, Standard Permit Conditions Number 7.f., by failing to submit monitoring results at the intervals specified in the permit; 30 TAC §305.125(1) and (17) and §319.7(d), and TPDES General Permit Number TXG112472, Part III, Section A, Permit Requirements Number 2, and Part IV, Standard Permit Conditions Number 7.f., by failing to submit monitoring results at the intervals specified in the permit; and 30 TAC §305.125(1) and (17) and §319.7(d), and TPDES General Permit Number TXG112472, Part III, Section A, Permit Requirements Number 5, and Part IV, Standard Permit Conditions No. 7.f., by failing to submit monitoring results at the intervals specified in the permit; PENALTY: \$12,500; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202404779

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 8, 2024



Notice of Opportunity to Comment on an Agreed 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 Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **November 19, 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 the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on November 19, 2024**. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission **in writing**.

(1) COMPANY: Terranona Properties LP; DOCKET NUMBER: 2022-0774-PWS-E; TCEQ ID NUMBER: RN111514006; LOCATION: 397 Private Road 3190 near Edna, Jackson County; TYPE OF FACILITY: public water system (PWS); 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 §290.44(d) and §290.46(r), by failing to provide a minimum pressure of 35 pounds per square

inch (psi) throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting; 30 TAC §290.45(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 §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; and 30 TAC §290.46(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: \$3,038; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Corpus Christi Regional Office, 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

TRD-202404778

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: October 8, 2024



Notice of Public Meeting for TPDES Permit for Municipal Wastewater Major Amendment Permit No. WQ0014803001

APPLICATION. Las Lomas Municipal Utility District 4B of Kaufman County, 14755 Preston Road, Suite 600, Dallas, Texas 75254, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014803001, to authorize an increase in the discharge of treated domestic wastewater from a daily average flow not to exceed 500,000 gallons per day to a daily average flow not to exceed 950,000 gallons per day. TCEQ received this application on July 11, 2022.

The facility is located approximately 1,450 feet southwest of the intersection of Norton Drive and Farm-to-Market Road 148, in Kaufman County, Texas 75160. The treated effluent is discharged to Terry Creek, thence to Big Brushy Creek, thence to Kings Creek, thence to Cedar Creek Reservoir in Segment No. 0818 of the Trinity River Basin. The unclassified receiving water uses are minimal aquatic life use for Terry Creek and high aquatic life use for Big Brushy Creek. The designated uses for Segment No. 0818 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. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Big Brushy Creek and Cedar Creek Reservoir, which have been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be re-examined 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=-96.361666%2C32.692222&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.

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

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

The Public Meeting is to be held:

Tuesday, November 19, 2024 at 7:00 p.m.

Griffin Elementary School

1130 Ravenhill Road

Forney, Texas 75126

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Riter C. Hulsey Public Library, 301 North Rockwall Street, Terrell, Texas. Further information may also be obtained from Las Lomas Municipal Utility District 4B of Kaufman County at the address stated above or by calling Mr. Ricardo Doi, P.E., Pettitt - ECD, at (214) 221-9955.

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

Issuance Date: October 8, 2024

TRD-202404798

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 9, 2024



Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016342001

APPLICATION. Space Exploration Technologies Corp., 1 Rocket Road, Brownsville, Texas 78521, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016342001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 200,000 gallons per day. TCEQ received this application on May 10, 2023.

The facility is located approximately 1,000 feet west of the intersection of Boca Chica Boulevard and Remedios Lane, in Cameron County, Texas 78521. The treated effluent will be discharged directly to South Bay in Segment No. 2493 of the Bays and Estuaries. The designated uses for Segment No. 2493 are primary contact recreation exceptional aquatic life use, and oyster waters. 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. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in South Bay, which has been identified as having exceptional aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.19051,25.98448&level=18>

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

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

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

PUBLIC COMMENT / PUBLIC MEETING. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discus-

sion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Thursday, November 14, 2024 at 7:00 p.m.

Amigo Land Events Center

1010 Mexico Boulevard

Brownsville, Texas 78520

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Port Isabel Public Library, 213 North Yturria Street, Port Isabel, Texas. Further information may also be obtained from Space Exploration Technologies Corp. at the address stated above or by calling Mr. Mike McMinimee, EIT, JA Wastewater LLC, at (720) 413-6909.

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

Issuance Date: October 4, 2024

TRD-202404797

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 9, 2024



WQ0001842000 Minor Amendment

The following notice was issued on September 27, 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 MAILED.

INFORMATION SECTION

Southwestern Public Service Company, which operates Plant X Power Plant, a natural gas-fueled steam electric power plant, has

applied for a minor amendment without renewal to TCEQ Permit No. WQ0001842000 to authorize the removal of pivot 38 and 39 from the irrigation area reducing the total acres irrigated to 390 acres and reducing the flow to 1,200,000 gallons per day. The existing permit authorizes the disposal of cooling tower blowdown, low volume waste sources, metal cleaning waste, and stormwater at an application rate not to exceed 5.0 acre-feet per acre per year (ac-ft/ac/yr) via irrigation of 770 acres. This permit will not authorize discharge of pollutants into water in the state. The facility and land application sites are located at 1091 Farm-to-Market Road 1055, near the City of Earth, Lamb County, Texas 79031.

TRD-202404801

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 9, 2024



WQ0013565001 Minor Amendment

The following notice was issued on October 2, 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 MAILED.

INFORMATION SECTION

The Texas Commission on Environmental Quality (TCEQ) has initiated a minor amendment of the Texas Pollutant Discharge Elimination System Permit No. WQ0013565001 issued to T & W Water Service Company, to add the permit number and permittee's name on the header of the permit from pages 2 through 35. The existing permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 14,000 gallons per day. The facility is located approximately 1.5 miles north of the intersection of Country Club Road and US Highway 73, in Jefferson County, Texas 77705.

TRD-202404802

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 9, 2024



WQ0016100001 Minor Amendment

The following notice was issued on September 27, 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 MAILED.

INFORMATION SECTION

Quadvest, L.P. has applied for a minor amendment to the Texas Pollutant Discharge Elimination System Permit No. WQ0016100001 to authorize the addition of an Interim II phase at a daily average flow not to exceed 250,000 gallons per day. The existing permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 750,000 gallons per day. The facility will be located approximately 650 feet east of the intersection of Binford Road and Vining Road, in Harris County, Texas 77484.

TRD-202404800
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 9, 2024

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Texas Ethics Commission

List of Delinquent Filers

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

Deadline: Personal Financial Statement due May 3, 2024

#00088682 - Sarah Duggleby, 2201 Pine Dr., Friendswood, Texas 77546

#00088704 - Cynthia Conroy, 1021 E. Baltimore Dr., El Paso, Texas 79902

#00088680 - Kirk Shireman, 1617 Inverness Lane, Pearland, Texas 77581

Deadline: Personal Financial Statement due June 13, 2024

#00088773 - Lee P. Mann, 411 N Reid St., Woodville, Texas 75979

Deadline: Personal Financial Statement due July 1, 2024

#00086659 - Jamie Thomas, 3534 Balboa Beach, Abilene, Texas 79606

#00037259 - Danny Buck Davidson, P.O. Box 1420, Carthage, Texas 75633

#00087925 - William L. Doggett, 9111 North Freeway, Houston, Texas 77037

#00085176 - Asia Rodgers, 5919 Birchbrook Dr., Unit 212, Dallas, Texas 75206

#00080892 - Catherine H. Norwood, P.E., 505 N. Big Spring, Ste. 105, Midland, Texas 79701

TRD-202404786
J.R. Johnson
Executive Director
Texas Ethics Commission
Filed: October 9, 2024

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Texas Facilities Commission

Request for Proposals #303-5-20770 San Antonio

The Texas Facilities Commission (TFC), on behalf of the Office of Attorney General - Child Support Division (OAG-CSD), announces the issuance of Request for Proposals (RFP) # 303-5-20770. TFC seeks a five (5) or ten (10) year lease of approximately 7,786 square feet of office space in San Antonio, Texas.

The deadline for questions is October 29, 2024, and the deadline for proposals is November 19, 2024, at 3:00 p.m. The award date is January 16, 2025. 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 Ayra Matthews at ayra.matthews@tfc.texas.gov. A copy of the RFP may be downloaded from the Electronic State Business Daily at <https://www.txsmartbuy.gov/esbd/303-5-20770>.

TRD-202404780
Gayla Davis
State Leasing Services Director
Texas Facilities Commission
Filed: October 8, 2024

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General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of, September 30, 2024 to October 4, 2024. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, October 11, 2024. The public comment period for this project will close at 5:00 p.m. on Sunday, November 10, 2024.

Federal Agency Activities:

Applicant: National Aeronautics and Space Administration

Location: The project site is located west of the existing Space Center Houston in Houston, Harris County, Texas.

Project Description: The proposed Space Center Houston West Campus Master Plan (SCHWC - proposed Project) would include development of the Lunar Mars Surface Integration Facility, composed of an approximately 12-acre indoor domed facility that includes simulated lunar and Martian surfaces, a rover path, an operations center, SCH STEM learning centers (education facilities), and research labs and conference/collaboration spaces; a new AquaLab Facility; the Human Performance Accelerator Lab; the Remote Learning Innovation Center; the Astronaut Qualification Course; a 200-bed dormitory; a mini rocket student launch pad; a warehouse facility; and a parking garage.

Overall, the Proposed Action would result in the filling of 1.83 acres of wetlands, including 0.67 acre of palustrine forested wetlands and 1.16 acres of palustrine unconsolidated bottom wetland. Construction best management practices would be implemented to reduce erosion potential during ground-disturbing activities, and regulatory requirements would be followed to ensure appropriate stormwater runoff control. The construction contractor would be required to develop and implement a Stormwater Pollution Prevention Plan and file a Notice of Intent with the Texas Commission on Environmental Quality prior to the start of construction. Cow Bayou and other drainage features would be protected by implementation of erosion and sediment controls to ensure minimal discharge to the waterbodies. To minimize construction noise impacts to surrounding residential areas, construction would take place during normal business hours during the week only (Monday through Friday) and equipment would meet all local, state, and federal noise regulations. To reduce potential impacts to roadway traffic in the im-

mediate vicinity of the SCHWC, construction vehicles and equipment would be stored on-site during Project construction, appropriate signage would be posted on affected roadways, and a new left turn lane and signal would be installed at the main driveway entrance to the site. Additionally, all construction activities would be performed by qualified personnel and in accordance with all applicable federal, state, and local regulations, as well as NASA's policies.

Type of Application: Draft Environmental Assessment for Space Center Houston - West Campus Master Plan.

CMP Project No: 25-1007-F2

Federal License and Permit Activities:

Applicant: Galveston LNG Bunker Port, LLC

Location: The project site is located on Shoal Point in the southwestern portion of Galveston Bay, south of the Texas City Dike adjacent to the Texas City Ship Channel Turning Basin, in Galveston County, Texas.

Latitude and Longitude: 28.765193, -95.650717

Project Description: The applicant proposes to construct the Galveston Liquefied Natural Gas (LNG) Bunker Port Project, a natural gas liquefaction facility. To facilitate the construction and installation of this facility, the applicant proposes the following impacts to open water areas adjacent to on the western side of Shoal Point Island.

This is the second public notice being issued for this project due to project plan revisions in response to comments received regarding navigation and maneuverability within and adjacent to the Texas City Turning Basin. The project will now include the following components: LNG Bunker Vessel (LNGBV) Wharf and a Personal Transfer Dock (PTD).

The proposed LNGBV Wharf will include six breasting dolphins and four mooring dolphins, located behind the wharf bulkhead. The bulkhead will require discharge of 135 cubic yards (CY) below the high tide line (HTL) of steel-combi-wall bulkhead, backfilled with clean earthen fill covering a footprint of approximately 0.7 acre.

The PTD will be located along the northern edge of the LNGBV Wharf and will consist of a gangway and floating dock, with the gangway connecting the floating dock to the wharf bulkhead, supported by approximately seven steel driven pilings.

The applicant proposes to hydraulically and/or mechanically dredge approximately 75,058 total cubic yards (CY) to approximately -25 ft mean lower low water (MLLW) with a 2-foot over dredge from approximately 2.2 acres below mean high water (MHW). The shoreline bank will be dredged to a 3 to 1 slope to facilitate a proposed shoreline bulkhead wall.

The applicant also proposes to discharge approximately 5,357 CY of rip rap below the HTL (consisting of two different sizes) for scour protection with a geotextile underlay.

The remaining land-based facilities, including the heavy haul road will be constructed in uplands and within the active Snake Island Cell C dredge material placement area (DMPA) on Shoal Point and are not proposed to impact waters of the US, wetlands, nor any special aquatic sites.

The applicant proposes to dispose of the dredge material into Shoal Point DMPA Cell C and/or Cell A.

The applicant is not proposing mitigation as the project scope avoids impacts to wetlands and special aquatic sites by design.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2024-00043. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Railroad Commission of Texas as part of its certification under §401 of the Clean Water Act.

CMP Project No: 25-1011-F1

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

TRD-202404750

Jennifer Jones

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: October 7, 2024

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Department of State Health Services

Correction of Error

The Department of State Health Services published an Order Placing 2-Methyl AP-237, Etodesnitazene, NPyrrolidino Etonitazene, and Protonitazene into Schedule I and Extending the Temporary Placement of Butonitazene, Flunitazene, and Metodesnitazene in Schedule I in the October 4, 2024, issue of the *Texas Register* (49 TexReg 8234). Due to an error by the Texas Register, the text of the order contained incorrect text. The corrected order follows.

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

3. 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 schedule I.

-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);
- (2) Acetylmethadol;
- (3) Acetyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- (4) Acryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide) (Other name: acryloylfentanyl);

- (5) AH-7921 (3,4-dichloro-*N*-[1-(dimethylamino)cyclohexymethyl]benzamide);
- (6) Allylprodine;
- (7) Alphacetylmethadol (except levo- α -cetylmethadol, levo- α -acetylmethadol, levomethadyl acetate, or LAAM);
- (8) σ' -Methyl butyryl fentanyl (2-methyl-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);
- (9) α -Methylfentanyl or any other derivative of fentanyl;
- (10) α -Methylthiofentanyl (*N*-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-*N*-phenylpropanamide);
- (11) Benzethidine;
- (12) β -Hydroxyfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-*N*-phenylpropanamide);
- (13) β -Hydroxy-3-methylfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-*N*-phenylpropanamide);
- (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);
- (15) β -Methyl fentanyl (*N*-phenyl-*N*-(1-(2-phenylpropyl)piperidin-4-yl)propionamide);
- (16) β' -Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide) (Other name: 3-phenylpropanoyl fentanyl);
- (17) Betaprodine;
- (18) Brorphine (1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one);
- (19) Butyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);
- (20) Clonitazene;
- (21) Crotonyl fentanyl (Other name: (6-2-5) (E)-*N*-(1-Phenethylpiperidin-4-yl)-*N*-phenylbut-2-enamide);
- (22) Cyclopentyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-Phenylcyclopentanecarboxamide);
- (23) Cyclopropyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide);
- (24) Diampromide;
- (25) Diethylthiambutene;
- (26) Difenoxin;
- (27) Dimenoxadol;
- (28) 2',5'-Dimethoxyfentanyl (*N*-(1-(2,5-dimethoxyphenethyl)piperidin-4-yl)-*N*-phenylpropionamide);
- (29) Dimethylthiambutene;
- (30) Dioxaphetyl butyrate;
- (31) Dipipanone;
- (32) Ethylmethylthiambutene;
- *(33) 2-(2-(4-ethoxybenzyl)-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (Other names: etodesnitazene; etazene);
- (34) Etonitazene;

- (35) Etoxadine;
- (36) Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate);
- (37) 4-Fluoroisobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide) (Other name: *p*-fluoroisobutyryl fentanyl);
- (38) 2'-Fluoro *o*-fluorofentanyl (*N*-(1-(2-fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide) (Other name: 2'-fluoro 2-fluorofentanyl);
- (39) Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-2-carboxamide);
- (40) 3-Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-3-carboxamide);
- (41) Furethidine;
- (42) Hydroxypethidine;
- (43) Isobutyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide);
- (44) Isotonitazene (*N,N*-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine);
- (45) Isovaleryl fentanyl (3-methyl-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);
- (46) Ketobemidone;
- (47) Levophenacymorphan;
- (48) *m*-Fluorofentanyl (*N*-(3-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide);
- (49) *m*-Fluoroisobutyryl fentanyl (*N*-(3-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (50) Meprodine;
- (51) Methadol;
- (52) Methoxyacetyl fentanyl (2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- *(53) 2-Methyl AP-237 (1-(2-methyl-4-(3-phenylprop-2-en-1-yl)piperazin-1-yl)butan-1-one);
- (54) 4'-Methyl acetyl fentanyl (*N*-(1-(4-methylphenethyl)piperidin-4-yl)-*N*-phenylacetamide);
- (55) 3-Methylfentanyl (*N*-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-*N*-phenylpropanamide);
- (56) 3-Methylthiofentanyl (*N*-[3-methyl-1-(2-thienyl)ethyl-4-piperidiny]-*N*-phenylpropanamide);
- (57) Metonitazene (*N,N*-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine);
- (58) Moramide;
- (59) Morpheridine;
- (60) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (61) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
- (62) Noracymethadol;
- (63) Norlevorphanol;
- (64) Normethadone;
- (65) Norpipanone;

- * (66) 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzimidazole (other names: *N*-pyrrolidino etonitazene; etonitazepyne);
- (67) Ocfentanil (*N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide);
- (68) *o*-Fluoroacryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)acrylamide);
- (69) *o*-Fluorobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide) (Other name: 2-fluorobutyryl fentanyl);
- (70) *o*-Fluorofentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl);
- (71) *o*-Fluorofuranyl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
- (72) *o*-Fluoroisobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (73) *o*-Methyl acetylfentanyl (*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide) (Other name: 2-methyl acetylfentanyl);
- (74) *o*-Methyl methoxyacetyl fentanyl (2-methoxy-*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide) (Other name: 2-methyl methoxyacetyl fentanyl);
- (75) *p*-Chloroisobutyryl fentanyl (*N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (76) *p*-Fluorobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
- (77) *p*-Fluorofentanyl (*N*-(4-fluorophenyl)-*N*-[1-(2-phenethyl)-4-piperidinyl]propanamide);
- (78) *p*-Fluoro furanyl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
- (79) *p*-Methoxybutyryl fentanyl (*N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
- (80) *p*-Methoxyfuranyl fentanyl (*N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
- (81) *p*-Methylcyclopropyl fentanyl (*N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)cyclopropanecarboxamide);
- (82) *p*-Methylfentanyl (*N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 4-methylfentanyl);
- (83) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (84) Phenadoxone;
- (85) Phenampromide;
- (86) Phencyclidine;
- (87) Phenomorphan;
- (88) Phenoperidine;
- (89) Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbenzamide) (Other name: benzoyl fentanyl);
- (90) Piritramide;
- (91) Proheptazine;

- (92) Properidine;
- (93) Propiram;
- *(94) *N,N*-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (other name: protonitazene);
- (95) Tetrahydrofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide);
- (96) Thiofentanyl (*N*-phenyl-*N*-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
- (97) Thiofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide) (Other names: 2-thiofuranyl fentanyl; thiophene fentanyl);
- (98) Tilidine;
- (99) Trimeperidine;
- (100) U-47700 (3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-*N*-methylbenzamide);
- (101) Valeryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide); and,
- (102) Zipeprol (1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol).

-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.

(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, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

(1-1-3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, 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) 2-(2-(4-Butoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (Other name: butonitazene);
 - (3) *N,N*-Diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: flunitazene);
 - (4) *N,N*-Diethyl-2-(2-(4-methoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: metodesnitazene);
 - (5) 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) 8-chloro-6-(2-fluorophenyl)-1-methyl-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*α*][1,4]diazepine (Other name: flualprazolam);
 - (7) 6-(2-chlorophenyl)-1-methyl-8-nitro-4*H*-benzo[*f*][1,2,4]triazolo[4,3-*α*][1,4]diazepine (Other name: clonazolam);
 - (8) 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) 7-chloro-5-(2-chlorophenyl)-1-methyl-1,3-dihydro-2*H*-benzo[*e*][1,4]diazepin-2-one (Other name: diclazepam);
 - (10) Methyl 3,3-dimethyl-2-(1-(pent-4-en-1-yl)-1*H*-indazole-3-carboxamido)butanoate (Other name: MDMB-4en-PINACA);
 - (11) Methyl 2-[[1-(4-fluorobutyl)indole-3-carbonyl]amino]-3,3-dimethylbutanoate (Other names: 4F-MDMB-BUTICA; 4F-MDMB-BICA);
 - (12) *N*-(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) 5-Pentyl-2-(2-phenylpropan-2-yl)pyrido[4,3-*b*]indol-1-one (Other names: CUMYL-PEGACLONE; SGT-151);
 - (14) Ethyl 2-[[1-(5-fluoropentyl)indole-3-carbonyl]amino]-3,3-dimethylbutanoate (Other names: 5F-EDMB-PICA; 5F-EDMB-2201); and,
 - (15) Methyl 2-(1-(4-fluorobenzyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate (Other name: MMB-FUBICA).

Changes are marked by an asterisk (*).

TRD-202404782



Texas Department of Insurance

Company Licensing

Application for ManhattanLife of America Insurance Company, a domestic life, accident and/or health company, to change its name to Ceres Life Insurance Company. The home office is in Houston, Texas.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register*

publication, addressed to the attention of Andrew Guerrero, 1601 Congress Ave., Suite 6.900, Austin, Texas 78711.

TRD-202404787

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: October 9, 2024

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**Texas Department of Insurance, Division of
Workers' Compensation**

Correction of Error

The Texas Department of Insurance, Division of Workers' Compensation (DWC) published a miscellaneous document regarding the 2025 Research Group Agenda in the October 11, 2024, issue of the *Texas Register* (49 TexReg 8424). Due to an error by the DWC, the title of the document included an incorrect year. The correct title of the document is "Adopted Fiscal Year 2025 Research Agenda."

TRD-202404794

Kara Mace

General Counsel

Texas Department of Insurance, Division of Workers' Compensation

Filed: October 9, 2024

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North Central Texas Council of Governments

**Request for Proposals for North Texas Equitable Electric
Vehicle Infrastructure Project - Deployment Dream Team**

The North Central Texas Council of Governments (NCTCOG) is requesting proposals from consultants to serve in an advisory capacity as part of an electric vehicle (EV) charging "Deployment Dream Team." Selected consultant(s) will provide advisory and liaison services to the project team to assist with streamlining implementation of EV charging infrastructure projects, including site selection, layout and feasibility and guidance on streamlining "soft cost" barriers such as permitting, zoning, inspection, and utility coordination.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, November 15, 2024**, to Lori Clark, Senior Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to **TransRFPs@nctcog.org**. The Request for Proposals will be available at **www.nctcog.org/rfp** by the close of business on Friday, October 18, 2024.

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

TRD-202404783

Mike Eastland

Executive Director

North Central Texas Council of Governments

Filed: October 9, 2024

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Texas Parks and Wildlife Department

Notice of Proposed Real Estate Transaction

Acquisition of Land--Approximately 1,721 Acres in Uvalde County

In a meeting on November 7, 2024, the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the acquisition of approximately 1,721 acres in Uvalde County. The public will have an opportunity to comment on the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Solomon P. Ortiz International Center, 400 Harbor Drive, Corpus Christi, Texas 78401, *Nueces Room*. Prior to the meeting, public comment may be submitted to Trey Vick, Land Conservation, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, or by email to Real.Estate.Comment@tpwd.texas.gov, or via the department's website at www.tpwd.texas.gov. Visit the TPWD website at tpwd.texas.gov for the latest information regarding the Commission meeting.

TRD-202404727

James Murphy

General Counsel

Texas Parks and Wildlife Department

Filed: October 3, 2024

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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 26, 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 Northern Texas, Inc. to Determine Whether a Certain Market with a Population under 100,000 Should Remain Regulated, Docket Number 57000.

The Application: Brightspeed of Northern 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 provide voice communications service without regard to the delivery technology. Brightspeed of Northern 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 28, 2024, 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 57000.

TRD-202404730

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: October 4, 2024

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 26, 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 Southern Texas, Inc. to Determine Whether a Certain Market with a Population under 100,000 Should Remain Regulated, Docket Number 56998.

The Application: Brightspeed of Southern Texas, Inc. filed a petition under Public Utility Regulatory Act section 65.052 to deregulate the market located in its San Marcos exchange and reclassify Brightspeed of Southern Texas, Inc. as a deregulated company under Public Utility Regulatory Act section § 65.002. Brightspeed Southern states that the San Marcos exchange is its only exchange and has a population under 100,000 with at least two competitors unaffiliated with Brightspeed Southern that operate and provide voice communications service in all or part of the exchange. Under Public Utility Regulatory Act section

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 28, 2024, 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 56998.

TRD-202404735
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: October 4, 2024

