

# IN ADDITION

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

## Texas Department of Agriculture

Notice of Public Hearing on Proposed Amendments to 4 Texas Administration Code §7.30, Concerning Classification of Pesticides

### Date of Public Hearing:

December 27, 2023

### Time of Public Hearing:

Hearing Start time: 9:00 a.m.

Public Comment Sign Up ends: 11:00 a.m.

Hearing End time: 11:00 a.m. or until all public comment concludes (whichever is earlier); provided, however, the hearing will conclude no later than 12:00 p.m.

### Location:

Texas Capitol Extension Auditorium

1100 Congress Ave., Austin, Texas 78701

Capitol Extension, Room E1.004

### Hearing:

The Texas Department of Agriculture (Department) will hold a public hearing on December 27, 2023 from 9:00 a.m. to 12:00 p.m. to receive public comment on the Department's proposed amendments to 4 Texas Administration Code §7.30, concerning Classification of Pesticides. The proposed amendments add a new subsection (d) to §7.30 to classify pesticide products containing the active ingredient warfarin as "state-limited-use" pesticides when used as a feral hog toxicant and to establish related licensure requirements. The proposed amendments were published in the December 1, 2023, issue of the *Texas Register* (48 TexReg 6983). The proposed amendments can also be accessed through the Department's Pesticide Program webpage at <https://www.texasagriculture.gov/Regulatory-Programs/Pesticides>.

The hearing is being held in accordance with Section 76.003(a) of the Texas Agriculture Code (Code), which requires the Department to conduct a public hearing on the designation of a pesticide as a state-limited-pesticide, and Section 76.104 of the Code, which requires the Department to conduct a public hearing on proposed rules related to the use and application of pesticides.

This public hearing will be at the Texas Capitol Extension Auditorium, 1100 Congress Ave., Austin, Texas 78701, Capitol Extension, Room E1.004. There will be no option to participate virtually in this hearing.

### Agenda:

1. Call to Order
2. Public hearing to receive comments from interested persons concerning proposed amendments to 4 Texas Administration Code §7.30, concerning Classification of Pesticides. Any interested person may appear and offer comments or statements; however, questioning commenters will be reserved exclusively for Department staff as may be necessary to ensure a complete record. While any person with perti-

nent comments or statements will be granted an opportunity to present them during the course of the hearing, the Department reserves the right to restrict statements in terms of time or repetitive content. Organizations, associations, or groups are encouraged to present their commonly held views or similar comments through a representative member when possible.

### 3. Adjourn

### Comments:

*Public Comment or Testimony.* The Department welcomes public comments pertaining to the proposed rule amendments. Members of the public who would like to provide public comment may choose from the following options:

*Oral Comments.* Each public comment is limited to no more than five minutes in length. The Department may extend this time period if it considers appropriate to do so under the circumstances. Speakers must state their name and on whose behalf they are speaking (if anyone).

*Written Comments.* Written comments regarding the proposed rule amendments may also be submitted instead of, or in addition to, oral comments until January 1, 2024. Written comments may be sent to Philip Wright, Texas Department of Agriculture, at P.O. Box 12847, Austin, Texas 78711, or [Philip.Wright@TexasAgriculture.gov](mailto:Philip.Wright@TexasAgriculture.gov) with a subject line reading "**Public Comment - State-Limited-Use Pesticide; Warfarin.**"

**Auxiliary Aids or Services for Persons with a Disability:** If you would like to attend the meeting and require auxiliary aids or services, please notify the Texas Department of Agriculture at least 72 hours before the meeting so that appropriate arrangements can be made. Requests may be made by telephone to (512) 475-0044 or by email to [Jim.Reaves@TexasAgriculture.gov](mailto:Jim.Reaves@TexasAgriculture.gov).

For more information regarding this public hearing, please contact Jim Reaves, Coordinator for Intergovernmental Affairs, Texas Department of Agriculture, at P.O. Box 12847, Austin, Texas 78711, (512) 475-0044 or [Jim.Reaves@TexasAgriculture.gov](mailto:Jim.Reaves@TexasAgriculture.gov).

TRD-202304373

Susan Maldonado

General Counsel

Texas Department of Agriculture

Filed: November 27, 2023

## Office of the Attorney General

Request for Applications (RFA) for the Sexual Assault Prevention and Crisis Services (SAPCS)-State: Advocacy Enhancement and Counseling Waitlist Reduction

The Office of the Attorney General (OAG) is soliciting applications from programs with an active SAPCS-State grant contract that provide services to victims of sexual assault.

**Applicable Funding Source:** The source of funding is through a biennial appropriation by the Texas Legislature. All funding is contingent

upon an appropriation to the OAG by the Texas Legislature. The OAG makes no commitment that an application, once submitted, or a grant, once funded, will receive subsequent funding.

**Eligibility Requirements:**

*Eligible Applicants:* Applicant must be a current FY 2024 SAPCS-State grantee. A current SAPCS-State grantee is a Sexual Assault Program with an active (September 1, 2023 - August 31, 2024) SAPCS-State grant contract.

*Eligibility:* The OAG will initially screen each application for eligibility. Applications will be deemed ineligible if the application is submitted by an ineligible Applicant; the application is not submitted in the manner and form required by the Application Kit; the application is submitted after the deadline established in the Application Kit; or the application does not meet other requirements as stated in the RFA and the Application Kit.

**How to Obtain Application Kit:** The OAG will post the Application Kit on the OAG's website at <https://www.texasattorneygeneral.gov/divisions/grants>. Updates and other helpful reminders about the application process will also be posted at this location. Potential Applicants are encouraged to refer to the site regularly.

**Deadlines and Filing Instructions for the Grant Application:**

*Create an On-Line Account:* Creating an on-line account in the Grant Offering and Application Lifecycle System (GOALS) is required to apply for a grant. If an on-line account is not created, the Applicant will be unable to apply for funding. To create an on-line account, the Applicant must email the point of contact information to [Grants@oag.texas.gov](mailto:Grants@oag.texas.gov) with the following information:

First Name

Last Name

Email Address (*It is highly recommended to use a generic organization email address if available*)

Organization Legal Name

*Application Deadline:* The Applicant must submit its application, including all required attachments, to the OAG by the deadline and the manner and form established in the Application Kit.

*Filing Instructions:* Strict compliance with the submission instructions, as provided in the Application Kit, is required. The OAG will **not** consider an Application if it is not submitted by the due date. The OAG will **not** consider an Application if it is not in the manner and form as stated in the Application Kit.

**Minimum and Maximum Amounts of Funding Available:** The minimum amount of funding for all programs is \$60,000 per fiscal year. The maximum amount of funding for all programs is \$100,000 per fiscal year.

Minimum and maximum amounts of funding are subject to change as stated in the Application Kit. The OAG is not obligated to fund a grant at the amount requested.

**Start Date and Length of Grant Contract Period:** The grant contract period (term) is up to two years from January 1, 2024 through August 31, 2025, subject to and contingent on funding and/or approval by the OAG.

**No Match Requirements:** There are no match requirements.

**Award Criteria:** The OAG will make funding decisions that support the efficient and effective use of public funds. Scoring components will include, but are not limited to, information provided by the Applicant

on the proposed project activities and budget. Funding decisions will be determined using a competitive allocation method.

**Grant Purpose Area:** All grant projects must address one or more of the purpose areas as stated in the Application Kit.

**Prohibitions on Use of Grant Funds:** OAG grant funds may not be used to support or pay the costs of lobbying; indirect costs; fees to administer a subcontract; any portion of the salary or any other compensation for an elected government official; the purchase of food and beverages except as allowed under Texas State Travel Guidelines; the purchase or lease of vehicles; the purchase of promotional items or recreational activities; costs of travel that are unrelated to the direct delivery of services that support the OAG grant-funded program; the costs for consultants or vendors who participate directly in writing a grant application; or for any unallowable costs set forth in applicable state or federal law, rules, regulations, guidelines, policies, procedures or cost principles. Grant funds may not be used to purchase any other products or services the OAG identifies as inappropriate or unallowable within this RFA or the Application Kit.

**OAG Contact Information:** If additional information is needed, contact the Grants Administration Division at [Grants@oag.texas.gov](mailto:Grants@oag.texas.gov), or (512) 936-0792.

TRD-202304378  
Austin Kinghorn  
General Counsel  
Office of the Attorney General  
Filed: November 28, 2023



Texas Water Code Settlement Notice

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

*Case Title and Court:* *State of Texas v. Angelina County Water Control and Improvement District No. 4*; Cause No. D-1-GN-18-002078; in the 459th Judicial District, Travis County, Texas.

*Background:* Angelina County Water Control and Improvement District No. 4 (the "District") was created by the Texas Legislature to be a governmental taxing authority that could install a sewer system for the Wildwood community in the southern portion of Angelina County. Pursuant to Chapter 49 of the Texas Water Code and Title 30, Chapter 293, of the Texas Administrative Code, the District was obligated to comply with certain financial reporting requirements, including the submission of annual audit reports, annual financial reports, annual financial dormancy affidavits, and/or annual filing affidavits (collectively, "Annual Financial Filings") to the Texas Commission on Environmental Quality ("TCEQ") for each fiscal year. The District failed to submit proper Annual Financial Filings for fiscal years 2012, 2013, 2014, 2015, 2016, and 2017. The State initiated suit on behalf of the TCEQ to address the District's violations of Texas law regarding the financial reporting of water districts.

*Proposed Settlement:* The parties propose an Agreed Final Judgment and Permanent Injunction that orders the District to submit proper Annual Financial Filings for fiscal years 2021, 2022, and every year following the effective date of the settlement. The proposed judgment

also awards the State against the District \$3,000.00 in attorney's fees and costs.

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

TRD-202304372  
Austin Kinghorn  
General Counsel  
Office of the Attorney General  
Filed: November 27, 2023

## Comptroller of Public Accounts

### Certification of the Average Closing Price of Gas and Oil - October 2023

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period October 2023 is \$52.01 per barrel for the three-month period beginning on July 1, 2023, and ending September 30, 2023. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of October 2023, from a qualified low-producing oil lease, is not eligible for credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period October 2023 is \$1.28 per mcf for the three-month period beginning on July 1, 2023, and ending September 30, 2023. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of October 2023, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of October 2023 is \$85.47 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of October 2023, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of October 2023 is \$3.15 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of October 2023, from a qualified low-producing gas well.

Inquiries should be submitted to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

This agency hereby certifies that legal counsel has reviewed this notice and found it to be within the agency's authority to publish.

Issued in Austin, Texas, on November 29, 2023.

TRD-202304387

Jenny Burleson  
Director, Tax Policy  
Comptroller of Public Accounts  
Filed: November 29, 2023

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§ 303.003, 303.009, and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/27/23 - 12/03/23 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/27/23 - 12/03/23 is 18.00% for commercial<sup>2</sup> credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 12/01/23 - 12/31/23 is 8.50%.

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

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

TRD-202304360  
Leslie L. Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: November 27, 2023

### 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 12/04/23 - 12/10/23 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/04/23 - 12/10/23 is 18.00% for commercial<sup>2</sup> credit.

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

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

TRD-202304385  
Leslie L. Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: November 29, 2023

## Texas Education Agency

### Request for Applications Concerning the 2024-2025 Charter School Program (Subchapter C) Grant

Filing Authority. The availability of grant funds under Request for Applications (RFA) #701-24-117 is authorized by Public Law 114-95, Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, Title IV, Part C, Expanding Opportunity Through Quality Charter Schools; Texas Education Code (TEC), Chapter 12; and 19 Texas Administrative Code Chapter 100, Subchapter AA.

**Eligible Applicants.** Texas Education Agency (TEA) is requesting applications under RFA #701-24-117 from eligible applicants, which include open-enrollment charter schools that meet the federal definition of a charter school, have never received funds under this grant program, and meet the following qualifications: a campus charter school authorized by the local board of trustees pursuant to TEC, Chapter 12, Subchapter C, on or before December 15, 2023, as a new charter school, or as a charter school that is designed to replicate a new charter school campus, based on the educational model of an existing high-quality charter school, and that submits all required documentation as stated in this RFA. A campus charter school must apply through its public school district, and the application must be signed by the district's superintendent or the appropriate designee.

**Important:** Any charter school that does not open prior to Wednesday, September 3, 2025, after having been awarded grant funds may be required to forfeit any remaining grant funds and may be required to reimburse any expended amounts to TEA.

**Description.** The purpose of the Texas Quality Charter Schools Program (Subchapter C) Grant is to support the growth of high-quality district-authorized campus charter schools in Texas, especially those focused on improving academic outcomes for educationally disadvantaged students. This program will provide financial assistance for the planning, program design, and initial implementation of the campus charter school. By administering the 2024-2025 Charter School Program (Subchapter C) Grant, eligible applicants will be supported in opening and preparing for the operation of new district-authorized campus charter schools and replicated high-quality schools.

**Dates of Project.** The 2024-2025 Charter School Program (Subchapter C) Grant will be implemented during the 2024-2025 and 2025-2026 school years. Applicants should plan for a starting date of no earlier than April 1, 2024, and an ending date of no later than September 30, 2025.

**Project Amount.** Approximately \$9 million is available for funding the 2024-2025 Charter School Program (Subchapter C) Grant. It is anticipated that approximately 10 grants will be awarded up to \$900,000. This project is funded 100% with federal funds.

**Selection Criteria.** Applications will be selected based on the ability of each applicant to carry out all requirements contained in the RFA. Reviewers will evaluate applications based on the overall quality and validity of the proposed grant programs and the extent to which the applications address the primary objectives and intent of the project. Applications must address each requirement and minimum scoring criteria as specified in the RFA to be considered for funding. TEA reserves the right to select from the highest-ranking applications those that address all requirements in the RFA.

TEA is not obligated to approve an application, provide funds, or endorse any application submitted in response to this RFA. This RFA does not commit TEA to pay any costs before an application is approved. The issuance of this RFA does not obligate TEA to award a grant or pay any costs incurred in preparing a response.

**Applicants' Conference.** A webinar will be held on Tuesday, December 19, 2023, at 9:30 a.m. (Central Time). Register for the webinar at <https://zoom.us/join/joinMeeting?meetingRef=1234567890>. Questions relevant to the RFA may be emailed to Charlotte Nicklebur at [CharterSchools@tea.texas.gov](mailto:CharterSchools@tea.texas.gov) prior to 12:00 p.m. (Central Time) on Monday, December 18, 2023. These questions, along with other information, will be addressed during the webinar. The applicants' conference webinar will be open to all potential applicants and will provide general and clarifying information about the grant program and the RFA.

**Requesting the Application.** The complete RFA will be posted on the TEA Grant Opportunities web page at <https://tea4avalonzo.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx> for viewing and downloading. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view and download all documents that pertain to this RFA.

**Further Information.** In order to make sure that no prospective applicant obtains a competitive advantage because of acquisition of information unknown to other prospective applicants, any and all questions must be submitted in writing to [CharterSchools@tea.texas.gov](mailto:CharterSchools@tea.texas.gov), the TEA email address identified in the Program Guidelines of the RFA, no later than January 10, 2024. All questions and the written answers thereto will be posted on the TEA Grant Opportunities web page in the format of Frequently Asked Questions (FAQs) by January 12, 2024. In the "Search Options" box, select the name of the RFA from the drop-down list. Scroll down to the "Application and Support Information" section to view all documents that pertain to this RFA.

**Deadline for Receipt of Applications.** Applications must be submitted to [competitivedgrants@tea.texas.gov](mailto:competitivedgrants@tea.texas.gov). Applications must be received no later than 11:59 p.m. (Central Time), January 22, 2024, to be considered eligible for funding.

Issued in Austin, Texas, on November 29, 2023.

TRD-202304388

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: November 29, 2023

## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **January 12, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **January 12, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforce-

ment coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Angelina and Neches River Authority; DOCKET NUMBER: 2023-0586-PWS-E; IDENTIFIER: RN101459758; LOCATION: Diboll, Angelina 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: \$1,650; ENFORCEMENT COORDINATOR: Christiana McCrimmon, (512) 239-2811; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: CEMEX Construction Materials South, LLC; DOCKET NUMBER: 2021-0740-EAQ-E; IDENTIFIER: RN102437274; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: aggregate production operation; RULES VIOLATED: 30 TAC §213.4(a)(1) and §213.5(a)(4), by failing to obtain approval of an Edwards Aquifer Protection Plan for an aboveground storage tank facility prior to commencing a regulated activity over the Edwards Aquifer Recharge and Transition Zones; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(3) COMPANY: Centex Materials LLC; DOCKET NUMBER: 2021-0669-MLM-E; IDENTIFIER: RN102190592; LOCATION: Buda, Hays County; TYPE OF FACILITY: aggregate production operation; RULES VIOLATED: 30 TAC §213.4(j)(6) and Edwards Aquifer Protection Plan Number 11001536, by failing to obtain approval of a modification to an approved aboveground storage tank system facility plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR05DB38, Part III, Section B.5, by failing to conduct annual comprehensive compliance evaluations at the site and assess the effectiveness of the stormwater pollution prevention plan; 30 TAC §305.125(1) and TPDES General Permit Number TXR05DB38, Part III, Section E.6(a)(1) and (2), by failing to conduct annual effluent limitations monitoring by December 31st each year and submit the report to the TCEQ by March 31st of the following year; and 30 TAC §305.125(1) and TPDES General Permit Number TXR05DB38, Part IV, Section A.1 and B, by failing to conduct benchmark monitoring for discharges from regulated industrial activities once every six months; PENALTY: \$23,580; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(4) COMPANY: City of Paducah; DOCKET NUMBER: 2022-0385-PWS-E; IDENTIFIER: RN101385029; LOCATION: Paducah, Cottle County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(D), by failing to ensure that livestock in pastures are not allowed within 50 feet of the facility's Well Number 13; 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(c)(4), by failing to provide all ground storage tanks (GSTs) with a liquid level indicator; 30 TAC §290.43(e), by failing to provide all potable water storage tanks and pressure maintenance facilities with a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates; 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 dur-

ing emergencies such as firefighting; 30 TAC §290.44(h)(1), by failing to prevent a water connection from the public drinking water supply system to any residence or establishment where an actual or potential contamination hazard exists without ensuring the public water facilities are protected from contamination; 30 TAC §290.44(h)(1)(A), by failing to ensure additional protection was provided at all residences or establishments where an actual or potential contamination hazard exists in the form of an air gap or backflow prevention assembly (BPA), as identified in 30 TAC §290.44(h)(4) and §290.47(f), by failing to have all BPAs tested upon installation and on an annual basis by a recognized backflow assembly tester and certified that they are operating within specifications; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; 30 TAC §290.46(l), by failing to flush all dead-end mains at monthly intervals; 30 TAC §290.46(m)(1)(A), by failing to inspect the facility's three GSTs annually; 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; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; and 30 TAC §290.46(u), by failing to plug an abandoned public water supply well with cement in accordance with 16 TAC Chapter 76 or submit test results proving that the well is in a non-deteriorated condition; PENALTY: \$50,015; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(5) COMPANY: CLEBURNE STORAGE LLC; DOCKET NUMBER: 2023-1095-WQ-E; IDENTIFIER: RN111688131; LOCATION: Cleburne, Johnson County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$875; ENFORCEMENT COORDINATOR: Shane Glantz, (325) 698-6124; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: Dorothea Edmonds dba James Mini Mart Exxon; DOCKET NUMBER: 2022-1554-PST-E; IDENTIFIER: RN102907961; LOCATION: Henderson, Rusk County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew previously issued underground storage tank (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 USTs; and 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the UST system; PENALTY: \$10,563; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(7) COMPANY: QUAIL VALLEY COUNTRY LLC; DOCKET NUMBER: 2023-0911-PST-E; IDENTIFIER: RN102707932; LOCATION: Missouri City, Fort Bend County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1) by failing to monitor the underground storage tanks (USTs) for releases in a manner which will detect a release at a frequency of at

least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$4,621; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: Shubh Mahadev, Incorporated dba Amigo Mart; DOCKET NUMBER: 2023-0612-PST-E; IDENTIFIER: RN101284024; LOCATION: Santa Fe, Galveston County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.48(g)(1)(A)(ii) and TWC, §26.3475(c)(2), by failing to test the spill prevention equipment at least once every three years to ensure the equipment is liquid tight; 30 TAC §334.49(c)(2)(C) and (4)(C) and TWC, §26.3475(d), by failing to inspect the corrosion protection system at least once every 60 days to ensure that the rectifier and other system components are operating properly, and failing to test the corrosion protection system for operability and adequacy of protection at least once every three years; and 30 TAC §334.50(b)(1)(A) and (d)(9)(A)(iii) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks in a manner which will detect a release at a frequency of at least once every 30 days by taking appropriate steps to ensure that a statistical inventory reconciliation (SIR) analysis report is received from the vendor in no more than 15 calendar days following the last day of the 30-day period for which the SIR analysis is performed; PENALTY: \$7,231; ENFORCEMENT COORDINATOR: Tiffany Chu, (817) 588-5891; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: Texas Star Ready Mix, LLC; DOCKET NUMBER: 2022-1557-AIR-E; IDENTIFIER: RN111648234; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$30,000; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: The Praxis Companies, LLC; DOCKET NUMBER: 2023-0796-AIR-E; IDENTIFIER: RN102539145; LOCATION: Ennis, Ellis County; TYPE OF FACILITY: fiberglass tub and shower manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Federal Operating Permit Number O2690, General Terms and Conditions and Special Terms and Conditions Number 8, and Texas Health and Safety Code, §382.085(b), by failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$3,250; ENFORCEMENT COORDINATOR: Karyn Olschesky, (817) 588-5896; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: W. L. Tillis, Jr. dba Tillis Tire and Detail; DOCKET NUMBER: 2023-0981-PST-E; IDENTIFIER: RN102839909; LOCATION: Crockett, Houston County; TYPE OF FACILITY: tire and detail shop; RULE VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks; PENALTY: \$3,160; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202304375

Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: November 28, 2023

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Amended Consolidated Notice of Public Meeting, Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision Proposed Air Quality Permit No. 172856

**APPLICATION.** J7 Ready Mix, LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for the issuance of Permit No. 172856. This application would authorize construction of a Concrete Batch Plant located at 5428 East Farm to Market Road 1187, Burleson, Tarrant County, Texas 76028. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcereview/airpermits-pendingpermit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.245393,32.579117&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 May 22, 2023. The executive director has completed the administrative and technical reviews of the application and determined that the application meets all of the requirements of a standard permit authorized by 30 TAC §116.611, which would establish the conditions under which the plant must operate. The executive director has made a preliminary decision to issue the registration because it meets all applicable rules. The application, executive director's preliminary decision, and standard permit will be available for viewing and copying at the TCEQ central office, the TCEQ Dallas/Fort Worth regional office, and at the *Crowley Public Library located at 409 South Oak Street, Crowley, Tarrant County, Texas 76036* beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Dr, Fort Worth, Texas. Visit [www.tceq.texas.gov/goto/cbp](http://www.tceq.texas.gov/goto/cbp) to review the standard permit.

**Public Comment/Public Meeting. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will hold a public meeting on this application because it was requested by a local legislator.** 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, December 11, 2023 at 7:00 p.m.**

**Anchora Event Center, LLC**

**403 E Broad Street**

**Mansfield, Texas 76063**

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.

You may submit additional written public comments within 30 days of the date of newspaper publication of this notice in the manner set forth in the AGENCY CONTACTS AND INFORMATION paragraph below, or by the date of the public meeting, whichever is later. After the deadline for public comment, the executive director will consider the comments and prepare a response to all public comment. The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application.

**Contested Case Hearing. You may request a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court. **Unless a written request for a contested case hearing is filed within 30 days from this notice, the executive director may approve the application.**

**A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. To request a hearing, a person must actually reside in a permanent residence within 440 yards of the proposed plant. If requesting a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number; (2) applicant's name and registration number; (3) the statement "[I/we] request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; (6) a description of how you use the property which may be impacted by the facility; and (7) a list of all disputed issues of fact that you submit during the comment period. If the request is made by a group or association, one or more members who have standing to request a hearing must be identified by name and physical address. The interests which the group or association seeks to protect must be identified. You may submit your proposed adjustments to the application which would satisfy your concerns. See Contacts section.**

**TCEQ Action. After the deadline for public comments, the executive director will consider the comments and prepare a response to all relevant and material, or significant public comments. The executive director's decision on the application, and any response to comments, will be mailed to all persons on the mailing list. If no timely contested case hearing requests are received, or if all hearing requests are withdrawn, the executive director may issue final approval of the application. If all timely hearing requests are not withdrawn, the executive director will not issue final approval of the permit and will forward the application and requests to the Commissioners for their consideration at a scheduled commission meeting. The Commission**

may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material air quality concerns submitted during the comment period.** Issues such as property values, noise, traffic safety, and zoning are outside of the Commission's jurisdiction to address in this proceeding.

**MAILING LIST.** You may ask to be placed on a mailing list to receive additional information on this specific application by sending a written request to the Office of the Chief Clerk. See Contacts section.

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

**CONTACTS.** Public comments and requests must be submitted either electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/), or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this application or the permitting process, please call the TCEQ Public Education Program toll free at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from J7 Ready Mix, LLC, 5515 E Highway 67, Alvarado, Texas 76009-6818 or by calling Mr. Chad Nerren, Project Manager at (936) 635-6524.

Amended Notice Issuance Date: November 17, 2023

TRD-202304362

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 27, 2023



Combined Notice of Public Meeting and Notice of Receipt of Application and Intent to Obtain Water Quality Permit and Notice of Application and Preliminary Decision for Water Quality Land Application Permit for Municipal Wastewater New Permit No. WQ0016281001

**APPLICATION AND PRELIMINARY DECISION.** Gram Vikas Partners, Inc., 1141 N Loop 1604 E 105-605, San Antonio, Texas 78232, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016281001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 300,000 gallons per day. TCEQ received this application on January 10, 2023.

**This combined notice is being issued due to an error in the previous notices regarding the address for the applicant.**

The facility will be located approximately 0.2 miles west of the intersection of County Road 341 and County Road 442, in Medina County, Texas 78861. 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=-99.144444,29.380277&level=18>

The treated effluent will be discharged directly to Hondo Creek in Segment No. 2114 of the Nueces River Basin. The designated uses for Segment No. 2114 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and the TCEQ *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 Hondo Creek, which has been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Hondo Public Library, 2003 Avenue K, Hondo, Texas.

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

**PUBLIC COMMENT / PUBLIC MEETING.** 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, January 9, 2024, at 7:00 p.m.**

**Graff 7A Event Barn**

**911 US Hwy 90 E**

**Hondo, Texas 78861**

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director

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

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

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

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

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

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

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



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

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

Further information may also be obtained from Gram Vikas Partners, Inc. at the address stated above or by calling Mr. Kelly Leach at (210) 827-7918.

Issuance Date: November 21, 2023

TRD-202304364

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 27, 2023



#### Enforcement Orders

An agreed order was adopted regarding Silva Industries, LLC, Docket No. 2021-0912-WQ-E on November 21, 2023 assessing \$1,425 in administrative penalties with \$285 deferred. Information concerning any aspect of this order may be obtained by contacting Shane Glantz, 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 ASHBY CAPITAL INVESTMENTS, LLC, Docket No. 2021-1020-EAQ-E on November 21, 2023 assessing \$6,500 in administrative penalties with \$1,300 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 SM Wagner, LLC, Docket No. 2021-1348-EAQ-E on November 21, 2023 assessing \$7,500 in administrative penalties with \$1,500 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 THE BUILDERS GROUP, LLC, Docket No. 2021-1607-WQ-E on November 21, 2023 assessing \$4,000 in administrative penalties with \$800 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.

An agreed order was adopted regarding City of Palmer, Docket No. 2022-0146-MWD-E on November 21, 2023 assessing \$6,750 in administrative penalties with \$1,350 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding YETI INVESTMENT LLC, Docket No. 2022-0177-PST-E on November 21, 2023 assessing \$3,375 in administrative penalties with \$675 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 Nameless Hollow Council of Co-Owners, Docket No. 2022-0276-PWS-E on November 21, 2023 assessing \$4,550 in administrative penalties with \$910 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 DALLARDSVILLE-SEGNO WATER SUPPLY CORPORATION, Docket No. 2022-0463-MLM-E on November 21, 2023 assessing \$1,800 in administrative penalties with \$360 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Salas, 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 Elgin-Butler Brick Company, LLC, Docket No. 2022-0997-WQ-E on November 21, 2023 assessing \$3,983 in administrative penalties with \$796 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 IEA Constructors, LLC, Docket No. 2022-1482-WQ-E on November 21, 2023 assessing \$5,975 in administrative penalties with \$1,195 deferred. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, 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 Kopperl ISD, Docket No. 2022-1567-MWD-E on November 21, 2023 assessing \$1,350 in administrative penalties with \$270 deferred. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, 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 PERMIAN LODGING MON-AHANS LLC, Docket No. 2022-1705-MWD-E on November 21, 2023 assessing \$1,625 in administrative penalties with \$325 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, 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 Duran Apartment Management Inc, Docket No. 2023-0457-UTL-E on November 21, 2023 assessing \$500 in administrative penalties with \$100 deferred. Information concerning any aspect of this order may be obtained by contacting Claudia Bartley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding U. S. LAND CORP., Docket No. 2023-0534-UTL-E on November 21, 2023 assessing \$470 in administrative penalties with \$94 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt,

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

An agreed order was adopted regarding The George R. Brown Partnership, L.P., Docket No. 2023-0635-AIR-E on November 21, 2023 assessing \$2,000 in administrative penalties with \$400 deferred. Information concerning any aspect of this order may be obtained by contacting Desmond 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 The George R. Brown Partnership, L.P., Docket No. 2023-0665-AIR-E on November 21, 2023 assessing \$4,000 in administrative penalties with \$800 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0666-AIR-E on November 21, 2023 assessing \$1,625 in administrative penalties with \$325 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0667-AIR-E on November 21, 2023 assessing \$1,625 in administrative penalties with \$325 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0685-AIR-E on November 21, 2023 assessing \$4,000 in administrative penalties with \$800 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0686-AIR-E on November 21, 2023 assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0687-AIR-E on November 21, 2023 assessing \$1,625 in administrative penalties with \$325 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0716-AIR-E on November 21, 2023 assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, 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 The George R. Brown Partnership, L.P., Docket No. 2023-0779-AIR-E on November 21, 2023

assessing \$1,625 in administrative penalties with \$325 deferred. Information concerning any aspect of this order may be obtained by contacting Karyn Olschesky, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Thompson, Wesley, Docket No. 2023-1122-WOC-E on November 21, 2023 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Celicia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Pico Propane Operating, LLC, Docket No. 2023-1139-WQ-E on November 21, 2023 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Mark Gamble, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding White, Cody L., Docket No. 2023-1141-WOC-E on November 21, 2023 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Daphne Greene, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202304365  
Laurie Gharis  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: November 27, 2023



#### Enforcement Orders

An agreed order was adopted regarding Richard Thomas, Docket No. 2020-0630-WQ-E on November 29, 2023 assessing \$10,500 in administrative penalties with \$9,300 deferred. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Hawk Cove, Docket No. 2021-0024-MWD-E on November 29, 2023 assessing \$39,525 in administrative penalties with \$7,905 deferred. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, 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 Carol Mahan and Tanner Mahan, Docket No. 2021-0287-WR-E on November 29, 2023 assessing \$2,400 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Holly P. Wright and Tyler O. Wright, Docket No. 2021-0287-WR-E on November 29, 2023 assessing \$2,400 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding LION ELASTOMERS LLC, Docket No. 2021-0875-AIR-E on November 29, 2023 assessing \$59,376 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Amanda Diaz,

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

An agreed order was adopted regarding Casco Hauling & Excavating Co., Docket No. 2021-1309-MSW-E on November 29, 2023 assessing \$38,543 in administrative penalties with \$7,708 deferred. Information concerning any aspect of this order may be obtained by contacting Horus Garcia, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Zenon Soto dba Soto's Paint & Body Shop, Docket No. 2021-1495-AIR-E on November 29, 2023 assessing \$5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pack Ellis, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Ranger, Docket No. 2021-1533-MWD-E on November 29, 2023 assessing \$27,125 in administrative penalties with \$5,425 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Nutrien US LLC f/k/a Agrium U.S. Inc., Docket No. 2021-1562-AIR-E on November 29, 2023 assessing \$50,938 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Town of Sunnyvale, Docket No. 2022-0137-WQ-E on November 29, 2023 assessing \$9,000 in administrative penalties with \$1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Sodolaks Properties, LLC, Docket No. 2022-0278-PST-E on November 29, 2023 assessing \$8,497 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding North Texas Municipal Water District, Docket No. 2022-0855-MWD-E on November 29, 2023 assessing \$14,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Galveston, Docket No. 2023-0267-PWS-E on November 29, 2023 assessing \$17,250 in administrative penalties with \$3,450 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 THE LUBRIZOL CORPORATION, Docket No. 2023-0393-AIR-E on November 29, 2023 assessing \$26,250 in administrative penalties with \$5,250 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Moore Water Supply Corporation, Docket No. 2023-0415-MWD-E on November 29, 2023 assessing \$8,525 in administrative penalties with \$1,705 deferred. Information concerning any aspect of this order may be obtained by contacting Shane Glantz, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202304396

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 29, 2023



#### Notice and Comment Hearing Draft Permit No.: O1553

This is a notice for a notice and comment hearing on Federal Operating Permit Number O1553. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: February 5, 2024

Time: 6 p.m.

Location: Marriott SpringHill Suites Baytown

5169 I-10 East

Baytown, Texas 77521

Location phone: (281) 421-1200

**Application and Draft Permit.** Exxon Mobil Corporation, P.O. Box 100, Baytown, Texas 77522-0100, an All Other Basic Organic Chemical Manufacturing facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O1553, Application No. 23071 to authorize operation of the Baytown Olefins Plant. The area addressed by the application is located at 3525 Decker Drive in Baytown, Harris County, Texas 77520-1646. This application was received by the TCEQ on June 26, 2015.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) §122.10. The permit will not authorize new construction or new emissions.

**Notice and Comment Hearing.** The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. There will

be no open discussion during the hearing; however, commission staff members will be available to discuss the proposal and answer questions after the hearing. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this meeting and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC §122.340.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact the TCEQ Public Education Program toll free at (800) 687-4040 or (800) RELAY-TX (TDD), at least five business days prior to the hearing.

**Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/).** Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

**A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application.** This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

**Mailing List.** In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

**Information.** For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at (800) 687-4040. General information about the TCEQ can be found at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained for Exxon Mobil Corporation by calling Santhosh Kapildev, BOP NSR Permitting & Title V Advisor at (254) 545-3949.

Notice Issuance Date: November 21, 2023

TRD-202304367

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 27, 2023



Notice of Informational Meeting on Petition for the Creation of Kaufman County Municipal Utility District No. 15 TCEQ Internal Control No. D-09072022-008

**PETITION.** Bellagio 443, LLC, a Wyoming limited liability company filed a petition for the creation of Kaufman County Municipal Utility District No. 15 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the

Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, Megatel Capital Investments, LLC, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the district; (3) the proposed District will contain approximately 445.993 acres of land located within Kaufman County, Texas; and (4) all of the land to be included within the proposed district is located wholly within the extraterritorial jurisdiction of the City of Mesquite, Texas

**INFORMATIONAL MEETING.** The TCEQ will conduct an informational meeting to answer questions and discuss the petition. Formal comments will not be taken at the informational meeting. The meeting will be held:

**Thursday, December 14, 2023, at 7:00 p.m.**

**Best Western Plus - Christopher Inn & Suites**

**752 Pinson Road, Forney, Texas 75126**

**INFORMATION.** For more information about this petition or the permitting process, please call the Public Education Program toll free at (800) 687-4040. General information can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from CoatsRose, 16000 North Dallas Parkway, Suite 350, Dallas, Texas 75248, or by calling Ms. Mindy Koehne, attorney at (972) 788-1600.

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: November 20, 2023

TRD-202304363

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 27, 2023



Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed 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 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 **January 12, 2024**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required

to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building 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 January 12, 2024**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission **in writing**.

(1) COMPANY: Belmont 407, LLC; DOCKET NUMBER: 2022-0645-WQ-E; TCEQ ID NUMBER: RN110642303; LOCATION: Old Justin Road and Cleveland Gibbs Road, Argyle, Denton County; TYPE OF FACILITY: residential housing development; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR15596U, Part III, Section F.2(a)(ii), by failing to properly select, install, and maintain control measures according to the manufacturer's or designer's specifications; and 30 TAC §305.125(1) and TPDES General Permit Number TXR15596U, Part III, Section F.7(b)(iv), by failing to identify any incidents of noncompliance observed during the inspection; PENALTY: \$1,788; STAFF ATTORNEY: Tracy Chandler, Litigation, MC 175, (512) 239-0629; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: TriStar Convenience Stores, Inc. dba Handi Stop 74; DOCKET NUMBER: 2021-0406-PST-E; TCEQ ID NUMBER: RN102445418; LOCATION: 612 Center Street, Deer Park, Harris County; TYPE OF FACILITY: underground storage tank (UST) system; RULE VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements were met; PENALTY: \$750; STAFF ATTORNEY: Barrett Hollingsworth, Litigation, MC 175, (512) 239-0657; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202304376

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: November 28, 2023



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a 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 **January 12, 2024**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on January 12, 2024**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission **in writing**.

(1) COMPANY: ALAUDDIN INVESTMENTS, INC. dba Kwik Trip Food Store; DOCKET NUMBER: 2022-1014-PST-E; TCEQ ID NUMBER: RN102466091; LOCATION: 551 Fredericksburg Road, San Antonio, Bexar County; TYPE OF FACILITY: out-of-service underground storage tank (UST) system and a convenience store; RULE VIOLATED: 30 TAC §334.47(a)(2), by failing to permanently remove from service, no later than 60 days after the prescribed upgrade implementation date, a UST system for which any applicable component of the system is not brought into timely compliance with the upgrade requirements; PENALTY: \$4,125; STAFF ATTORNEY: Taylor Pack Ellis, Litigation, MC 175, (512) 239-6860; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(2) COMPANY: FARMERS COOPERATIVE SOCIETY NO. 1 OF JAYTON, TEXAS; DOCKET NUMBER: 2021-1451-PST-E; TCEQ ID NUMBER: RN102548492; LOCATION: 217 East 2nd Street, Jayton, Kent County; TYPE OF FACILITY: underground storage tank (UST) system and a farmers' cooperative; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs; TWC, §26.3475(d) and 30 TAC §334.49(c)(2)(C), by failing to inspect the impressed current cathodic protection system at least once every 60 days to ensure that the rectifier and system components are operating properly; TWC, §26.3475(d) and 30 TAC §334.49(c)(4)(C), by failing to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every 30 days; TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; and 30 TAC §334.606, by failing to maintain required operator training certification records and make them available for inspection upon request by agency personnel; PENALTY: \$12,500; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(3) COMPANY: RAYLEE TRUCKING SERVICES, INC.; DOCKET NUMBER: 2022-0764-MSW-E; TCEQ ID NUMBER:

RN102016235; LOCATION: 1501 Corsicana Highway, Hillsboro, Hill County; TYPE OF FACILITY: Emergency Response site; RULE VIOLATED: 30 TAC §327.5(c), by failing to submit written information describing the details of the discharge or spill and supporting the adequacy of the response action, to the appropriate TCEQ regional manager within 30 working days of the discovery of the reportable discharge or spill; PENALTY: \$2,625; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(4) COMPANY: Rickey Evans, Jr.; DOCKET NUMBER: 2021-1263-WQ-E; TCEQ ID NUMBER: RN111035309; LOCATION: south of Farm-to-Market Road 1844, Longview, Gregg County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR1581CB, Part III, Section D.2, by failing to maintain the TCEQ site notice near the main entrance of the construction site; 30 TAC §305.125(1) and TPDES General Permit Number TXR1581CB, Part III, Section F.7(a) and (e), by failing to conduct inspections of disturbed areas as specified in the permit; 30 TAC §305.125(1) and TPDES General Permit Number TXR1581CB, Part III, Section F.2(b)(iii), by failing to initiate erosion control and stabilization measures where construction activities have temporarily ceased and will not resume within 14 days or where construction activities have permanently ceased; and 30 TAC §305.125(1) and TPDES General Permit Number TXR1581CB, Part III, Section F.6(c), by failing to maintain sediment traps and sedimentation ponds; PENALTY: \$4,987; STAFF ATTORNEY: William Hogan, Litigation, MC 175, (512) 239-5918; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202304377

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: November 28, 2023



## Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Major Permit Amendment

Notice mailed on November 28, 2023

Proposed Permit No. 66C

Application. Waste Management of Texas, Inc. has applied to the Texas Commission on Environmental Quality (TCEQ) for a major permit amendment to authorize a lateral landfill expansion to increase the size and waste disposal volume (capacity) of the facility. In addition to waste disposal, waste processing (including liquid waste solidification) and storage will occur onsite. The facility is located at 1700 Kohlenberg Road, New Braunfels, 78130 in both Comal and Guadalupe Counties, Texas. The TCEQ received this application on October 26, 2023. The permit application is available for viewing and copying at the New Braunfels Public Library, 700 East Common Street, New Braunfels, Texas 78130 in Comal County and at the Seguin Public Library, 313 West Nolte Street, Seguin, Texas 78155 in Guadalupe County and may be viewed online at <https://prj.geosyntec.com/TXPermits/MesquiteCreekLandfill.aspx>. The following link to an electronic map of the site or facility general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/nTrme>. For exact location, refer to the application.

Alternative Language Notice/Aviso sobre lenguas alternativas. Alternative language notice in Spanish is available at

[www.tceq.texas.gov/goto/mswapps](http://www.tceq.texas.gov/goto/mswapps). Hay disponible un aviso en español en [www.tceq.texas.gov/goto/mswapps](http://www.tceq.texas.gov/goto/mswapps).

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

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Opportunity for a Contested Case Hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period, and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose. Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

Mailing List. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition,

you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice. Agency Contacts and Information. All public comments and requests must be submitted either electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/) or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040. Further information may also be obtained from Waste Management of Texas, Inc. at the mailing address 1700 Kohlenberg Road, New Braunfels, Texas 78130 or by calling James Smith at (512) 748-4235.

TRD-202304393

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 29, 2023



### Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment

Notice mailed on November 28, 2023

Proposed Limited Scope Amendment to Permit No. 2348

Application. Desarrollo del Rancho La Gloria TX, a Type I municipal solid waste landfill, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit amendment to authorize the re-characterization of groundwater flow conditions and addition of new groundwater monitor wells to adequately monitor the groundwater below the site. The facility is located near the intersection of Mile 14 and FM 681 due north of Moorfield in Hidalgo County, Texas. The TCEQ received this application on October 18, 2023. The permit application is available for viewing and copying at the McAllen Public Library, 4001 North 23rd Street, McAllen, Hidalgo County, Texas 78504, and may be viewed online at <http://downloads.cecinc.com/LaGloria/>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/4f9vS0>. For exact location, refer to application.

Alternative Language Notice/Aviso de idioma alternativo. Alternative language notice in Spanish is available at [www.tceq.texas.gov/goto/mswapps](http://www.tceq.texas.gov/goto/mswapps). La notificación en otro idioma en español está disponible en [www.tceq.texas.gov/goto/mswapps](http://www.tceq.texas.gov/goto/mswapps).

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the

mailing list for this application. That notice will contain the deadline for submitting public comments.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Opportunity for a Contested Case Hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

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

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at

[www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

**Agency Contacts and Information.** All public comments and requests must be submitted either electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/) or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Desarrollo del Rancho La Gloria TX at the mailing address 13630 Fondren Road, Houston, Texas 77085 or by calling Mr. Michael Derdeyn at (210) 951-3337.

TRD-202304392

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 29, 2023



## Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment

Notice mailed on November 28, 2023

Proposed Limited Scope Amendment to Permit No. 2316

**Application.** Maverick County has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit amendment to authorize the correction of waste capacity of the Maverick County El Indio MSW Landfill. The facility is located at 16179 FM 1021, El Indio, 78860, in Maverick County, Texas. The TCEQ received this application on October 4, 2023. The permit application is available for viewing and copying at the Maverick County Courthouse, 500 Quarry Street, Suite 3, Eagle Pass, in Maverick County, Texas 78852, and may be viewed online at <https://www.scsengineers.com/state/maverick-county-el-indio-landfill/>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/1qWKGq0>. For exact location, refer to application.

**Alternative Language Notice/Aviso de idioma alternativo.** Alternative language notice in Spanish is available at [www.tceq.texas.gov/goto/mswapps](http://www.tceq.texas.gov/goto/mswapps). La notificación en otro idioma en español está disponible en [www.tceq.texas.gov/goto/mswapps](http://www.tceq.texas.gov/goto/mswapps).

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

**Public Comment/Public Meeting.** You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if

the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

**Opportunity for a Contested Case Hearing.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**To Request a Contested Case Hearing, You Must Include The Following Items in Your Request:** your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

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

**Information Available Online.** For details about the status of the application, visit the Commissioners' Integrated Database (CID) at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

**Agency Contacts and Information.** All public comments and requests must be submitted either electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/) or in writing to the Texas



Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Maverick County at the mailing address 500 Quarry Street, Suite 3, Eagle Pass, Texas 78852 or by calling Mr. Mike Castillo, Landfill Manager, at (830) 757-8191.

TRD-202304394

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 29, 2023



### Notice of Water Quality Application

The following notice was issued on November 21, 2023:

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

#### INFORMATION SECTION

Freestone Power Generation, LLC and Calpine Operating Services Company, Inc., which operates the Freestone Power Generation Plant, a combined cycle electric power generation facility, has applied for a minor amendment to Texas Pollutant Discharge Elimination System Permit No. WQ0004298000 to re-locate Outfall 001. The draft permit authorizes the discharge of cooling tower blowdown, low volume waste sources, and stormwater at a daily average flow not to exceed 1,250,000 gallons per day via Outfall 001. The facility is located at 1366 Farm-to-Market Road 488, near the City of Fairfield, Freestone County, Texas 75840.

TRD-202304366

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 27, 2023



### 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 November 13, 2023 to November 17, 2023. 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, December 1, 2023. The public comment period for this project will close at 5:00 p.m. on December 31, 2023.

Federal License and Permit Activities:

**Applicant:** Plains Marketing, L.P.

**Location:** The project site is located within the Corpus Christi Ship Channel, in Corpus Christi, Nueces County, Texas. Eleven dredge material placement areas (DMPA) locations are scattered throughout the Corpus Christi Bay area.

**Latitude and Longitude:** 27.815354, -97.463111

**Project Description:** The applicant proposes to perform dredging operations on the previously authorized and constructed dock slip including the slip's side/end slopes. Further the applicant wishes to extend maintenance dredging 10 years. The applicant requests the use of silt blade, mechanical, or hydraulic dredging methods and to increase and maintain the overall dredging depth to elevation (-) 51 feet NAV88, with an allowable overdepth of elevation (-) 53 feet NAVD88 within the slip. An estimated up to 52,346 cubic yards of material will be dredged to achieve elevation (-) 51 feet NAVD88 within the slip, and with side/end slopes dredged on a 2.5 horizontal to 1 vertical grade. An additional estimated 22,297 cubic yards is requested to be dredged below the required depth of the slip and slopes from within a 2-foot allowable overdepth area to a maximum depth of elevation (-) 53 feet NAVD 88, for a total of an estimated 74,643 cubic yards of dredging. The applicant would like authorization to use six previously authorized DMPAs as well five additional DMPAs as to place dredged material from the ship dock basin. Proposed DMPAs consist of Suntide DMPA, Tule Lake DMPA No. 6, South Shore DMPA - Cells A & B, DMPA No. 1, Herbie A. Maurer DMPA, Rincon B West, DMPA 14, DMPA 13, and Good Hope DMPA Cell J and Cell I. The applicant does not propose compensatory mitigation.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2014-00260. 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:** 24-1067-F1

**Applicant:** Texas International Terminals LTD (TXIT)

**Location:** The project site is located in the Galveston Ship Channel, east of the Pelican Island Causeway, at 4800 Port Industrial Road, in Galveston, Galveston County, Texas.

**Latitude and Longitude:** 29.307877, -94.822815

**Project Description:** The applicant proposes modification to previously authorized Permit SWG-2012-00602 to authorize additional dredging of approximately 160,000 cubic yards (CY) of new work material from the TXIT Berth to create an 11-acre siltation basin within the existing, previously authorized 33-acre TXIT Berth that would be dredged to -51 feet mean lower low water (MLLW). Previously authorized placement areas are onsite: PA50, San Jacinto, Pelican Island DMPA, five Port of Galveston (POG) former ship slips (#12, #14, #37, #39, and #41) and the POG PA. Additionally, the applicant is requesting authorization to place the dredge material at the USACE Pelican Island Beneficial Use (BU) Site and the continued authorization for 10 years of maintenance dredging from the berth, including the siltation basin within the berth. Annually, approximately 250,000 CY of maintenance material is proposed to be placed in any of the previously authorized areas and in addition of Pelican Island

BU area. The purpose of the proposed siltation basin is to capture sediment that leads to the excessive accumulation of silt in the berth, resulting in unsafe navigation conditions. The applicant is not proposing mitigation as the proposed work is only associated with dredging activities and the placement of the dredge material for beneficial use.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2012-00602. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 24-1073-F1

**Applicant:** Deer Park Refining, LP

**Location:** The project site is located along the south shore and open waters of the Houston Ship Channel (Buffalo Bayou), adjacent to the PEMEX facility, in Deer Park, Harris County, Texas.

**Latitude and Longitude:** 29.732958, -95.122961

**Project Description:** The applicant proposes to expand an existing bulkhead and install a new pier for mooring a privately owned fire-fighting boat. Specifically, the applicant proposes to install a new 624 linear foot bulkhead and 740 cubic yards of fill material waterward of the high tide line and existing bulkhead structure; the existing bulkhead will be left in place. Additionally, the applicant proposes to demolish an existing fireboat dock and install new structure consisting of a 124' 4" long x 6' wide (106' 7" x 6' over waters) pier supported walkway leading to a 554 square foot mooring dock (55' 5" at widest x 14' 2" long). Lastly the applicant proposes installing 6 dolphins, consisting of a 24" diameter steel monopiles, waterward of the newly installed dock for the purpose of protecting the dock and mooring vessels; piles will be driven approximately 80 feet below the high-tide line into the substrate. The docking structure is not proposed to be covered and will be supported by piles driven approximately 30-40 feet below the high-tide line into the substrate.

The applicant has not proposed compensatory mitigation. The applicant has provided the flowing statement relating to mitigation: "We do not believe that compensation/ mitigation is required for this project, as only 740 CY of fill will be discharged in front of an existing bulkhead, displacing a minimal amount of water. The new pier will not cause a loss of public waters or impact to navigation."

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2023-00464. 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 Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 24-1077-F1

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

TRD-202304398

Mark Havens

Chief Clerk

General Land Office

Filed: November 29, 2023

## Texas Health and Human Services Commission

### Public Notice - Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act. The proposed amendments will be effective January 1, 2024.

The purpose of the amendments is to update the fee schedules in the current state plan by adjusting fees, rates, or charges for the following services:

2024 Annual Healthcare Common Procedure Coding System (HCPCS) Updates:

Ambulance Services;

Ambulatory Surgical Center;

Birthing Center Facility Services;

Case Management Services;

Certified Pediatric Nurse Practitioners and Certified Family Nurse Practitioners;

Certified Registered Nurse Anesthetists and Anesthesiologist Assistants;

Clinical Diagnostic Laboratory Services;

Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS);

Early and Periodic Screening, Diagnosis, and Treatment Services (EPSDT);

Family Planning Services;

Hearing Aids and Audiometric Evaluations;

Home Health Services;

Indian Health Services;

Licensed Clinical Social Worker Services;

Licensed Professional Counselor Services;

Licensed Marriage and Family Therapist Services;

Physicians and Other Practitioners;

Physician Assistants;

Rehabilitative Chemical Dependency Treatment Facility Services; and

Vision Care Services.

The proposed amendment is estimated to result in an annual aggregate expenditure of \$311,760 for federal fiscal year (FFY) 2024, consisting of \$187,524 in federal funds and \$124,236 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$411,273 consisting of \$248,820 in federal funds and \$162,453 in state general revenue. For FFY 2026, the estimated annual aggregate expenditure is \$406,913 consisting of \$246,182 in federal funds and \$160,731 in state general revenue.

Further detail on specific reimbursement rates and percentage changes will be made available on the HHSC Provider Finance website under the proposed effective date at: <https://pfd.hhs.texas.gov/rate-packets>.

Rate Hearings.

A Rate hearing will be conducted either online or both in person and online in February 2024, to address the 2024 Annual Healthcare Common Procedures Coding System (HCPCS) Updates. Once available, information about the proposed rate changes and the hearing will be published in a subsequent issue of the *Texas Register* at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Nicole Hotchkiss, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 487-3349; by facsimile at (512) 730-7472; or by e-mail at [Medicaid\\_Chip\\_SPA\\_Inquiries@hhsc.state.tx.us](mailto:Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us). Copies of the proposed amendment will be available for review at the local county offices of HHSC, (which were formerly the local offices of the Texas Department of Aging and Disability Services).

Written Comments.

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

U.S. Mail Texas Health and Human Services Commission Attention: Provider Finance Department

Mail Code H-400 P.O. Box 149030 Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery Texas Health and Human Services Commission Attention: Provider Finance Department

North Austin Complex

Mail Code H-400 4601 W. Guadalupe St.

Austin, Texas 78751

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

Fax Attention: Provider Finance at (512) 730-7475

Email [PFDAcuteCare@hhs.texas.gov](mailto:PFDAcuteCare@hhs.texas.gov)

Preferred Communication.

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

If an in-person hearing is necessary, persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202304399

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: November 29, 2023



## Texas Department of Insurance

### Company Licensing

Application to do business in the state of Texas for Concept Program Management, Inc., a foreign fire and/or casualty company. The home office is in Omaha, Nebraska.

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

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

TRD-202304361

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: November 27, 2023



### Company Licensing

Application to do business in the state of Texas for Bridgefield Indemnity Insurance Company, a foreign fire and/or casualty company. The home office is in Cincinnati, Ohio.

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

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

TRD-202304395

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: November 29, 2023



## Texas Lottery Commission

### Scratch Ticket Game Number 2504 "CROSSWORD"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2504 is "CROSSWORD". The play style is "crossword".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2504 shall be \$3.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2504.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z and GRID BOX SYMBOL.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. Crossword and Bingo style games do not typically have Play Symbol captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2504 - 1.2D

PLAY SYMBOL	CAPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
Z	
GRID BOX SYMBOL	

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2504), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2504-0000001-001.

H. Pack - A Pack of the "CROSSWORD" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). There will be 2 fanfold configurations for this game. Configuration A will show the front of Ticket 001 and the back of Ticket 125. Configuration B will show the back of Ticket 001 and the front of Ticket 125.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CROSSWORD" Scratch Ticket Game No. 2504.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "CROSSWORD" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose the Play Symbols as indicated per the game instructions from the total one hundred forty-one (141) Play Symbols. A player completely scratches all of the YOUR 20 LETTERS Play Symbols. Then the player scratches all the letters found in the CROSSWORD puzzle that exactly match the YOUR 20 LETTERS Play Symbols. If the player has scratched at least 3 complete WORDS, the player wins the prize found in the PRIZE LEGEND. Only 1 prize is paid per Ticket. Only letters with the CROSSWORD puzzle that are matched with the YOUR 20 LETTERS Play Symbols can be used to form a complete WORD. Every letter within an unbroken horizontal (left to right) or vertical (top to bottom) sequence must be matched with the YOUR 20 LETTERS Play Symbols to be considered a complete WORD. Words revealed in a diagonal sequence are not considered valid WORDS. Words within WORDS are not eligible for a prize. Words that are spelled from right to left or bottom to top are not eligible for a prize. A complete WORD must contain at least 3 letters. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly one hundred forty-one (141) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play

Symbol Caption. Crossword and Bingo style games do not typically have Play Symbol captions;

3. Each of the Play Symbols must be present in its entirety and be fully legible;
  4. Each of the Play Symbols must be printed in black ink except for dual image games;
  5. The Scratch Ticket shall be intact;
  6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
  7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
  8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
  9. The Scratch Ticket must not be counterfeit in whole or in part;
  10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
  11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
  12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
  13. The Scratch Ticket must be complete and not miscut, and have exactly one hundred forty-one (141) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
  14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
  15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
  16. Each of the one hundred forty-one (141) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
  17. Each of the one hundred forty-one (141) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
  18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
  19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.
- B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.
- C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion,

refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

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

B. GENERAL: There is no correlation between any exposed data on a ticket and its status as a winner or non-winner.

C. CROSSWORD GAMES: The grid on each Ticket will contain exactly the same number of letters.

D. CROSSWORD GAMES: The grid on each Ticket will contain exactly the same number of words.

E. CROSSWORD GAMES: There will be no matching words on a Ticket.

F. CROSSWORD GAMES: All words used will be from the TX APPROVED WORDS v.2.042321, dated April 23, 2021.

G. CROSSWORD GAMES: All words will contain a minimum of three (3) letters.

H. CROSSWORD GAMES: All words will contain a maximum of nine (9) letters.

I. CROSSWORD GAMES: There will be a minimum of three (3) vowels in the YOUR 20 LETTERS play area. Vowels are considered to be A, E, I, O, U.

J. CROSSWORD GAMES: No consonant will appear more than nine (9) times, and no vowel will appear more than fourteen (14) times in the grid.

K. CROSSWORD GAMES: There will be no matching Play Symbols in the YOUR 20 LETTERS play area.

L. CROSSWORD GAMES: At least fifteen (15) of the letters in the YOUR 20 LETTERS play area will open at least one (1) letter in the grid.

M. CROSSWORD GAMES: The presence or absence of any letter or combination of letters in the YOUR 20 LETTERS play area will not be indicative of a winning or Non-Winning Ticket.

N. CROSSWORD GAMES: Words from the TX PROHIBITED WORDS v.2.042321, dated April 23, 2021, will not appear horizontally in the YOUR 20 LETTERS play area when read left to right or right to left.

O. CROSSWORD GAMES: On Non-Winning Tickets, there will be two (2) completed words in the grid.

P. CROSSWORD GAMES: There will be a random distribution of all Play Symbols on the Ticket, unless restricted by other parameters, play action or prize structure.

Q. CROSSWORD GAMES: There will be no more than twelve (12) complete words in the grid.

R. CROSSWORD GAMES: A Ticket can only win one (1) time.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "CROSSWORD" Scratch Ticket Game prize of \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the

Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "CROSSWORD" Scratch Ticket Game prize of \$5,000 or \$50,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "CROSSWORD" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

- B. if there is any question regarding the identity of the claimant;

- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "CROSSWORD" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "CROSSWORD" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A

Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

### 3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 35,040,000 Scratch Tickets in Scratch Ticket Game No. 2504. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2504 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3.00	3,854,400	9.09
\$5.00	1,962,240	17.86
\$10.00	1,681,920	20.83
\$15.00	490,560	71.43
\$20.00	420,480	83.33
\$50.00	140,160	250.00
\$100	56,940	615.38
\$500	2,920	12,000.00
\$5,000	71	493,521.13
\$50,000	18	1,946,666.67

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

\*\*The overall odds of winning a prize are 1 in 4.07. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2504 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2504, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202304389  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: November 29, 2023



Scratch Ticket Game Number 2550 "SHOW ME 100X"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2550 is "SHOW ME 100X". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2550 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2550.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 5X



SYMBOL, 10X SYMBOL, 100X SYMBOL, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, \$1,000, \$5,000 and \$100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears

under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2550 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI

30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
56	FFSX
57	FFSV
58	FFET

59	FFNI
60	SXTY
5X SYMBOL	WINX5
10X SYMBOL	WINX10
100X SYMBOL	WINX100
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$1,000	ONTH
\$5,000	FVTH
\$100,000	100TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2550), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2550-0000001-001.

H. Pack - A Pack of the "SHOW ME 100X" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "SHOW ME 100X" Scratch Ticket Game No. 2550.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "SHOW ME 100X" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-seven (67) Play Symbols. GAME 1: If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. If the player reveals a "100X" Play Symbol, the player wins 100 TIMES the prize for that symbol. GAME 2: If a player matches any of the YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly sixty-seven (67) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;

4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly sixty-seven (67) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the sixty-seven (67) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the sixty-seven (67) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

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

## 2.2 Programmed Game Parameters.

- A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.
- B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
- C. GAME 1 (Ticket Front) - Key Number Match: A non-winning Prize Symbol will never match a winning Prize Symbol.
- D. GAME 1 (Ticket Front) - Key Number Match: A Ticket may have up to three (3) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.
- E. GAME 1 (Ticket Front) - Key Number Match: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.
- F. GAME 1 (Ticket Front) - Key Number Match: There will be no matching WINNING NUMBERS Play Symbols on a Ticket.
- G. GAME 1 (Ticket Front) - Key Number Match: The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.
- H. GAME 1 (Ticket Front) - Key Number Match: The "10X" (WINX10) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.
- I. GAME 1 (Ticket Front) - Key Number Match: The "100X" (WINX100) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.
- J. GAME 1 (Ticket Front) - Key Number Match: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 20 and \$20).
- K. GAME 2 (Ticket Back) - Key Number Match: A non-winning Prize Symbol will never match a winning Prize Symbol.
- L. GAME 2 (Ticket Back) - Key Number Match: A Ticket may have up to two (2) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.
- M. GAME 2 (Ticket Back) - Key Number Match: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.
- N. GAME 2 (Ticket Back) - Key Number Match: There will be no matching WINNING NUMBERS Play Symbols on a Ticket.
- O. GAME 2 (Ticket Back) - Key Number Match: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 50 and \$50).
- P. GAME 2 (Ticket Back) - Key Number Match: No win(s) will appear in GAME 2 on the Ticket back, unless there is at least one (1) win in GAME 1 on the Ticket front.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "SHOW ME 100X" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$25.00, \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery.

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

B. To claim a "SHOW ME 100X" Scratch Ticket Game prize of \$1,000, \$5,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "SHOW ME 100X" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "SHOW ME 100X" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "SHOW ME 100X" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 7,080,000 Scratch Tickets in Scratch Ticket Game No. 2550. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2550 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	731,600	9.68
\$10.00	542,800	13.04
\$20.00	94,400	75.00
\$25.00	141,600	50.00
\$50.00	94,400	75.00
\$100	20,650	342.86
\$500	3,540	2,000.00
\$1,000	413	17,142.86
\$5,000	10	708,000.00
\$100,000	6	1,180,000.00

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

\*\*The overall odds of winning a prize are 1 in 4.35. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2550 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2550, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202304390  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: November 29, 2023



Scratch Ticket Game Number 2551 "MONEY MONEY MONEY"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2551 is "MONEY MONEY MONEY". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2551 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2551.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 2X SYMBOL, 5X SYMBOL, 10X SYMBOL, \$10.00,

\$20.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$10,000, \$50,000 and \$250,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears

under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:



Figure 1: GAME NO. 2551 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY

31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
\$10.00	TEN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$50,000	50TH
\$250,000	250TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2551), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2551-0000001-001.

H. Pack - A Pack of the "MONEY MONEY MONEY" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). Ticket back 001 and 050 will both be exposed.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "MONEY MONEY MONEY" Scratch Ticket Game No. 2551.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "MONEY MONEY MONEY" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-two (62) Play Symbols. BONUS PLAY INSTRUCTIONS: If a player reveals 2 matching prize amounts in the same BONUS, the player wins that amount. MONEY MONEY MONEY PLAY INSTRUCTIONS: If the player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

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

1. Exactly sixty-two (62) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;

6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly sixty-two (62) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the sixty-two (62) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-two (62) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

#### 2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

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

C. BONUS: A non-winning Prize Symbol in one (1) BONUS play area will never match a winning Prize Symbol in another BONUS play area.

D. BONUS: A Ticket will not have matching non-winning Prize Symbols across the BONUS play areas.

E. BONUS: The \$1,000, \$10,000, \$50,000 and \$250,000 Prize Symbols will not be used in the BONUS play areas.

F. MONEY MONEY MONEY (Key Number Match): No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 20 and \$20).

G. MONEY MONEY MONEY (Key Number Match): There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

H. MONEY MONEY MONEY (Key Number Match): There will be no matching WINNING NUMBERS Play Symbols on a Ticket.

I. MONEY MONEY MONEY (Key Number Match): A non-winning Prize Symbol will never match a winning Prize Symbol.

J. MONEY MONEY MONEY (Key Number Match): A Ticket may have up to five (5) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

K. MONEY MONEY MONEY (Key Number Match): The "2X" (DBL) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

L. MONEY MONEY MONEY (Key Number Match): The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

M. MONEY MONEY MONEY (Key Number Match): The "10X" (WINX10) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "MONEY MONEY MONEY" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "MONEY MONEY MONEY" Scratch Ticket Game prize of \$1,000, \$10,000, \$50,000 or \$250,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate in-

come reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "MONEY MONEY MONEY" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
- D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "MONEY MONEY MONEY" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "MONEY MONEY MONEY" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified

in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the

Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2551. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2551 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10.00	964,800	8.33
\$20.00	482,400	16.67
\$30.00	321,600	25.00
\$50.00	241,200	33.33
\$100	80,400	100.00
\$200	19,832	405.41
\$500	2,680	3,000.00
\$1,000	402	20,000.00
\$10,000	8	1,005,000.00
\$50,000	4	2,010,000.00
\$250,000	5	1,608,000.00

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

\*\*The overall odds of winning a prize are 1 in 3.80. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2551 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the

closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2551, the State Lottery Act (Texas Government Code, Chap-

ter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202304391

Bob Biard

General Counsel

Texas Lottery Commission

Filed: November 29, 2023

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**North Central Texas Council of Governments**

**Request for Proposals for Bus Transportation Services for 2024 Wings Over Cowtown Air Show**

The North Central Texas Council of Governments (NCTCOG) in partnership with the Fort Worth Naval Air Station Joint Reserve Base is seeking proposals from qualified, experienced, financially sound, and responsible Motor Coach Charter Bus Service providers to provide shuttle service from the remote parking lots at Ridgemark Mall for the April 13-14, 2024 "Wings over Cowtown Airshow". <https://www.navymwrfortworth.com/event/airshow>. NCTCOG is seeking estimates for 35-70 passenger buses (to be used on both days, 8:00 a.m. - 5:00 p.m.) and the availability of wheelchair accessible vehicles.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, January 12, 2024**, to Gypsy Gavia, Principal Transportation Planner, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to [TransRFPs@nctcog.org](mailto:TransRFPs@nctcog.org). The Request for Proposals will be available at [www.nctcog.org/rfp](http://www.nctcog.org/rfp) by the close of business on **Friday, December 8, 2023**.

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-202304397

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: November 29, 2023

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**Public Utility Commission of Texas**

**Notice of Application to Amend Designation as an Eligible Telecommunications Carrier**

Notice is given to the public of an application filed with the Public Utility Commission of Texas on November 21, 2023, to amend a designation as an eligible telecommunications carrier (ETC) in the State of Texas under 47 U.S.C. § 214(e) and 16 Texas Administrative Code §26.418.

Docket Title and Number: Application of Sage Telecom Communications LLC dba Sage Wireless to Amend its Eligible Telecommunications Carrier Designation, Docket Number 55870.

The Application: Sage Telecom Communications LLC dba Sage Wireless requests that its ETC designation be amended to expand its service area to include additional wire centers for Lifeline purposes only.

Persons who wish to file a motion to intervene or comments on the application should contact the commission no later than December 28, 2023, 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 55870.

TRD-202304386

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: November 29, 2023

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**Supreme Court of Texas**

**Order Approving Education Rules on Guardianship, Alternatives to Guardianship, and Supports and Services for Proposed Wards and Wards**

# Supreme Court of Texas

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Misc. Docket No. 23-9097

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## Order Approving Education Rules on Guardianship, Alternatives to Guardianship, and Supports and Services for Proposed Wards and Wards

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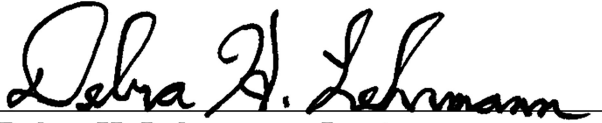
ORDERED that:

1. In accordance with the Act of May 27, 2023, 88th Leg., R.S. ch. 939 (S.B. 1624, codified at TEX. GOV'T CODE § 22.0133 and TEX. EST. CODE § 1054.157), the Court approves the following Education Rules on Guardianship, Alternatives to Guardianship, and Supports and Services for Proposed Wards and Wards, effective immediately.
2. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.

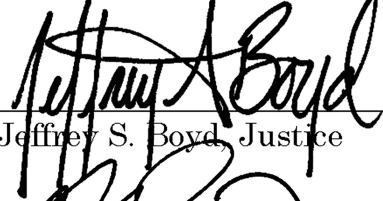
Dated: November 29, 2023.




Nathan L. Hecht, Chief Justice



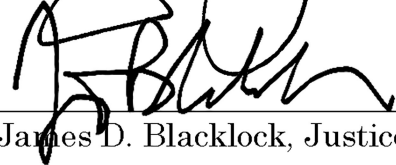
Debra H. Lehrmann, Justice




Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



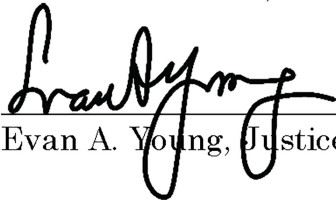
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



# **Education Rules on Guardianship, Alternatives to Guardianship, and Supports and Services for Proposed Wards and Wards**

## **Rule 1. Authority**

These rules are adopted pursuant to Section 22.0133 of the Government Code and Section 1054.157 of the Estates Code.

## **Rule 2. Definitions**

In these rules:

- (a) “Alternatives to guardianship” has the same meaning as is assigned in Section 1002.0015 of the Estates Code.
- (b) “Court investigator” means a person appointed under Subchapter D of Chapter 1054 of the Estates Code.
- (c) “Court visitor” means a person appointed to conduct evaluations of wards and file reports with the court under Subchapter C of Chapter 1054 of the Estates Code.
- (d) “Probate judge” means a constitutional county court judge, statutory county court judge, statutory probate judge, or any associate judge who has jurisdiction over guardianship.
- (e) “Proposed ward” means a person for whom an application for the appointment of a guardian has been filed but who is not under guardianship.
- (f) “Supports and services” has the same meaning as is assigned in Section 1002.031 of the Estates Code.
- (g) “Ward” means a person under guardianship.

## **Rule 3. Biennial Education**

- (a) *Probate Judge.*
  - (1) A probate judge who was in office on September 1, 2023, must complete:
    - (A) one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards by December 1, 2025; and

- (B) one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards every two years thereafter.
- (2) A probate judge who assumes office after September 1, 2023, must complete one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards every two years from the probate judge's anniversary of assuming office.
- (3) The probate judge must certify completion consistent with Rule 9 of the Rules of Judicial Education.
- (b) *Court Investigator or Court Visitor.*
  - (1) A court investigator or a court visitor must complete two hours of education on guardianship every two years. Of the two hours of education, the court investigator or the court visitor must complete one hour of education on alternatives to guardianship and supports and services available to proposed wards and wards.
  - (2) Certification. The court investigator and the court visitor must file with each appointing court a certificate or other proof of completion.
- (c) *Other Laws and Rules Applicable.* Nothing in this rule excuses completion of other education requirements mandated by law or rule.

#### **Rule 4. Approved Programs**

- (a) Programs sponsored by the following organizations may be used to satisfy the education requirements of these rules:
  - (1) programs listed in Rule 2(c) of the Rules of Judicial Education; and
  - (2) any other program approved by the Supreme Court, in consultation with the Court of Criminal Appeals and the Judicial Branch Certification Commission.
- (b) A provider of a continuing education program, a probate judge, a court investigator, or a court visitor may request approval of a program under (a)(2). The request must be accompanied by an outline of the materials that describe the course content, identify the presenters, indicate the time allotted to each segment, and provide the date and location of the program.

TRD-202304381  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: November 29, 2023

Renewed Emergency Order Regarding Indigent Defense and  
the Border Security State of Disaster Permitting Out-of-State  
Lawyers to Practice in Texas Temporarily



# Supreme Court of Texas

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Misc. Docket No. 23-9096

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## Renewed Emergency Order Regarding Indigent Defense and the Border Security State of Disaster Permitting Out-of-State Lawyers to Practice in Texas Temporarily

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**ORDERED** that:

1. The Court's Renewed Emergency Order Regarding Indigent Defense and the Border Security State of Disaster Permitting Out-of-State Lawyers to Practice in Texas Temporarily, Misc. Dkt. No. 22-9105, is renewed as amended.

2. To protect the constitutionally and statutorily guaranteed right to counsel of indigent criminal defendants, and pursuant to Section 81.061 of the Texas Government Code, and notwithstanding Chapter 81, Subchapter G, an attorney who is licensed to practice law in another U.S. jurisdiction and who meets the following criteria is permitted to practice law in Texas:

a. the attorney is in good standing and authorized to practice law with the entity that governs the practice of law in the jurisdiction in which the attorney is licensed;

b. the attorney agrees to abide by the Texas Disciplinary Rules of Professional Conduct and to submit to the disciplinary jurisdiction of the Supreme Court of Texas and the State Bar of Texas;

c. the attorney is providing services as an employee of a public defender office or through a managed assigned counsel program to indigent defendants arrested for misdemeanor offenses under Operation Lone Star launched by Governor Abbott on March 6, 2021, and is on the alternative appointment list established by the Texas Indigent Defense Counsel or its designee under Renewed Emergency Order Regarding Indigent Defense and Border Security State of Disaster, Misc. Dkt. No. 23-9086, or prior or subsequent renewal orders;

d. the attorney registers to provide services at [www.texasbar.com/SCOTEO229007](http://www.texasbar.com/SCOTEO229007) before providing services under this Order; and

e. by March 1, 2024 or within 90 days after registering under (d), whichever is later, the attorney applies with the Texas Board of Law Examiners to be admitted to practice law in Texas.

3. This Order expires on December 1, 2024, unless extended by the Chief Justice of the Supreme Court. But an attorney may complete after December 1, 2024, any ongoing services commenced before December 1, 2024.

4. The Clerk of the Supreme Court is directed to:

a. post a copy of this Order on [www.txcourts.gov](http://www.txcourts.gov);

b. file a copy of this Order with the Secretary of State; and

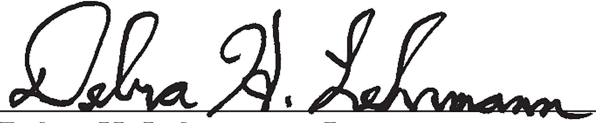
c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

5. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order and to create and maintain the website for attorneys to register under this Order.

Dated: November 17, 2023.



Nathan L. Hecht, Chief Justice



Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

TRD-202304331  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: November 20, 2023

Report of Fiscal Transactions, Accumulated Cash and Securities, and Rate of Return on Assets and Actuary's Certification of Actuarial Valuation and Actuarial Present Value of Future Benefits

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this document is not*

◆ ◆ ◆  
**Teacher Retirement System of Texas**

*included in the print version of the Texas Register. The document is available in the on-line version of the December 8, 2023, issue of the Texas Register.)*

TRD-202304370

Brian Guthrie

Executive Director

Teacher Retirement System of Texas

Filed: November 27, 2023

