

IN ADDITION

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

Office of the Attorney General

2024 Tax Charts

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure is not included in the print version of the Texas Register. The figure is available in the on-line version of the December 15, 2023, issue of the Texas Register.)

TRD-202304576

Justin Gordon

General Counsel

Office of the Attorney General

Filed: December 6, 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, 303.005, 303.008, and 303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/11/23 - 12/17/23 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/11/23 - 12/17/23 is 18.00% for commercial² credit.

The monthly ceiling as prescribed by §303.005³ and §303.009 for the period of 12/01/23 - 12/31/23 is 18.00%.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 01/01/24 - 03/31/24 is 18.00% for consumer¹ credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 01/01/24 - 03/31/24 is 18.00% for commercial² credit.

The annualized ceiling as prescribed by §303.008 and §303.009⁴ for the period of 01/01/24 - 12/31/24 is 18.00% for consumer¹ credit.

The annualized ceiling as prescribed by §303.008 and §303.009⁴ for the period of 01/01/24 - 12/31/24 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

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

³ Only for variable rate commercial transactions, as provided by §303.004(a).

⁴ Only for open-end credit as defined in §301.002(14), as provided by §303.007.

TRD-202304573

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: December 6, 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 18, 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 18, 2024**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: 2BN SERVICES LLC; DOCKET NUMBER: 2023-1551-WR-E; IDENTIFIER: RN111802807; LOCATION: Mason, Mason County; TYPE OF FACILITY: operator; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to appropriating any state water or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(2) COMPANY: BILL STARKS CONSTRUCTION CO INCORPORATED; DOCKET NUMBER: 2023-1463-WQ-E; IDENTIFIER: RN111757860; LOCATION: Abilene, Jones 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: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(3) COMPANY: BROOKS, JAMES EDWIN; DOCKET NUMBER: 2023-1461-WOC-E; IDENTIFIER: RN111604815; LOCATION: Watauga, Tarrant County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: CIMA GENERAL CONTRACTORS INCORPORATED; DOCKET NUMBER: 2023-1462-WQ-E; IDENTIFIER: RN111628079; LOCATION: Bartonville, Denton 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: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: Circle 7 Dairy LLC and GRAND CANYON DAIRY LLC; DOCKET NUMBER: 2022-0651-AGR-E; IDENTIFIER: RN100794155; LOCATION: Dublin, Erath County; TYPE OF FACILITY: concentrated animal feeding operation; RULES VIOLATED: 30 TAC §305.125(1) and §321.31(a), TWC, §26.121(a)(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0002950000, Part VI.A, by failing to prevent the discharge of agricultural waste into or adjacent to any water in the state; 30 TAC §305.125(1) and §321.36(b) and TPDES Permit Number WQ0002950000, Part X.M, by failing to remove manure and settled solids accumulations in the settling basin on a regular and consistent basis so as to assure attainment of the 50% designed removal efficiency; 30 TAC §305.125(1) and §321.38(g)(1)(A) and TPDES Permit Number WQ0002950000, Part VII.A.3(f)(1), by failing to keep the spillway and embankment free of foreign material such as rocks larger than four inches, trash, brush, and fallen trees; 30 TAC §305.125(1) and §321.39(b)(5) and TPDES Permit Number WQ0002950000, Part VII.A.5(h), by failing to prevent trees from growing on the Retention Control Structure embankment; 30 TAC §305.125(1) and §321.39(g)(3) and TPDES Permit Number WQ0002950000, Part X.Q.6, by failing to properly dispose of dead carcasses; and 30 TAC §305.125(1) and §321.40(h) and TPDES Permit Number WQ0002950000, Part VII.A.8(d)(1), by failing to maintain a vegetative buffer strip of no less than 100 feet of vegetation between manure, litter, or wastewater application areas and water in the state; PENALTY: \$18,313; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: City of Henderson; DOCKET NUMBER: 2021-0992-MWD-E; IDENTIFIER: RN101612588; LOCATION: Henderson, Rusk County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.65 and TWC, §26.121(a)(1), by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$26,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$20,800; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(7) COMPANY: City of Marquez; DOCKET NUMBER: 2023-0519-MWD-E; IDENTIFIER: RN101918506; LOCATION: Marquez, Leon County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013980001, Operational Requirements Number 1, by failing to ensure that all systems of collection, treatment, and disposal are properly operated and maintained; 30 TAC §305.125(1) and (9)(A) and TPDES Permit Number WQ0013980001, Monitoring and Reporting Requirements Number

7(c), by failing to report to the TCEQ in writing, any effluent violation which deviates from the permitted effluent limitation by more than 40% within five working days of becoming aware of non-compliance; 30 TAC §305.125(1) and §319.11(d) and TPDES Permit Number WQ0013980001, Monitoring and Reporting Requirements Number 1, by failing to comply with flow measurements, equipment, installation, and procedures that conform to those prescribed in the Water Measurement Manual, published by the United States Department of the Interior, Bureau of Reclamation, Washington, D.C., or methods that are equivalent as approved by the Executive Director; and 30 TAC §317.7(e), by failing to provide the required plant protection with fencing, lockable gates, and hazard signs; PENALTY: \$24,338; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$19,471; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(8) COMPANY: MYERS, JAMES A; DOCKET NUMBER: 2023-1638-WR-E; IDENTIFIER: RN111644472; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: operator; RULES VIOLATED: 30 TAC §297.11 and TWC, §11.081 and §11.121, by failing to obtain authorization prior to diverting, storing, impounding, taking, or using state water, or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$875; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(9) COMPANY: REY, THOMAS A; DOCKET NUMBER: 2023-1548-OSS-E; IDENTIFIER: RN104404322; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §285.61(4), by failing to ensure that an authorization to construct has been issued prior to beginning construction of an on-site sewage facility; PENALTY: \$175; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(10) COMPANY: SWIFT HOLDINGS INCORPORATED; DOCKET NUMBER: 2023-1621-WQ-E; IDENTIFIER: RN11122122; LOCATION: Gilmer, Upshur 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: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202304523
Gitanjali Yadav
Deputy Director, Litigation
Texas Commission on Environmental Quality
Filed: December 5, 2023



Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0016296001

APPLICATION AND PRELIMINARY DECISION. Lower Valley Water District, 1557 Farm-to-Market Road 1110, Clint, Texas 79836, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016296001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 900,000 gallons per day. TCEQ received this application on February 13, 2023.

The facility will be located at 616 Northwest Camp Street, Fabens, in El Paso County, Texas 79838. The treated effluent will be discharged to San Felipe Arroyo, thence to River Drain, thence to Fabens Waste Channel, thence to the Rio Grande Below Riverside Diversion Dam in Segment No. 2307 of the Rio Grande River Basin. The unclassified receiving water uses are minimal aquatic life use for San Felipe Arroyo and high aquatic life use for the River Drain and Fabens Waste Channel. The designated uses for Segment No. 2307 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's Procedures to Implement the Texas Surface Water Quality Standards (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the River Drain and Fabens Waste Channel, which have 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. 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=-106.1598,31.5079448&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Lower Valley Water District, 1557 Farm-to-Market Road 1110, Clint, Texas.

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

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

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

permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Tuesday, January 16, 2024 at 7:00 p.m. MST (Mountain Standard Time)

O'Donnell Intermediate School Auditorium

301 NE Camp Street

Fabens, Texas 79838

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 one week prior to the meeting.

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

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address, phone number; applicant's name and 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; 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 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 germane 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 will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

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 within 30 days from the date of newspaper publication of this notice or by the date of the public meeting, whichever is later.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. 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, 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. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Lower Valley Water District at the address stated above or by calling Mr. Ed Long, P.E., Chief Operations & Technical Officer, at (915) 791-4480.

Issuance Date: December 1, 2023

TRD-202304578

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 6, 2023



Correction of Error

The Texas Commission on Environmental Quality (TCEQ) published a proposed rule review notice for Title 30, Chapter 5 in the November 24, 2023, issue of the *Texas Register* (48 TexReg 6921). Due to an error by TCEQ, the notice incorrectly refers to Chapter 86 instead of Chapter 5 in several paragraphs. The references to Chapter 86 should be to Chapter 5.

TRD-202304582

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: December 6, 2023



Enforcement Orders

An agreed order was adopted regarding Vidor Mhp No. 1, LLC, Docket No. 2021-0557-MWD-E on December 5, 2023 assessing \$3,450 in

administrative penalties with \$690 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Far Hills Utility District, Docket No. 2022-0905-MWD-E on December 5, 2023 assessing \$2,888 in administrative penalties with \$577 deferred. Information concerning any aspect of this order may be obtained by contacting Laura Draper, 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 Mako, LLC, Docket No. 2022-1287-WR-E on December 5, 2023 assessing \$4,500 in administrative penalties with \$900 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 JUSTICE SAND CO., INC., Docket No. 2022-1610-AIR-E on December 5, 2023 assessing \$6,000 in administrative penalties with \$1,200 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 City of Point, Docket No. 2023-0179-UTL-E on December 5, 2023 assessing \$1,400 in administrative penalties with \$280 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 Candelaria Water Supply Corporation, Docket No. 2023-0467-UTL-E on December 5, 2023 assessing \$530 in administrative penalties with \$106 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.

A field citation was adopted regarding IOC Company LLC, Docket No. 2023-1298-WR-E on December 5, 2023 assessing \$350 in administrative penalties. Information concerning any aspect of this citation 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.

TRD-202304581

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 6, 2023



Notice of District Petition

Notice issued November 30, 2023

TCEQ Internal Control No. D-05092023-019; Lackland Creekview Development, LLC, a Texas limited liability company, (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into Grayson County Municipal Utility District No. 8 (District) under Texas Water Code Chapters 49 and 54, Texas Local Government Code Sections (§§) 42.042 and 42.0425 and the procedural rules of the TCEQ. The petition states

that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) the proposed property annexation will contain approximately 70.201 acres of land located within Grayson County; (3) all of the land to be included within the proposed property annexation is within the extraterritorial jurisdiction of the City of Van Alstyne, Texas (City); and (4) there is one lienholder on the property, American National Bank & Trust, and they have consented to the proposed annexation. The property proposed for annexation is a non-contiguous tract located east of the existing District boundaries and approximately one quarter mile east of the City. Access to the annexation tract will be by Farm-to-Market Road 3133. In accordance with Local Government Code §42.042 and Texas Water Code §54.016, the petition was submitted to the City, requesting the City's consent to the addition of land to the District. After more than 90 days passed without receiving consent, a petition was submitted to the City to provide water and sewer services to the proposed annexation property. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code §54.016(c) expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code §54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the land within the District.

INFORMATION SECTION

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

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

TRD-202304579

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: December 6, 2023



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **January 18, 2024**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on January 18, 2024**. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Jimmy Ray Bland; DOCKET NUMBER: 2021-0781-MSW-E; TCEQ ID NUMBER: RN111005716; LOCATION: 0.3 miles north of Fishtrap Road on Collins Road, Denton, Denton County; TYPE OF FACILITY: auto crushing and scrap tire storage facility; RULES VIOLATED: Texas Health and Safety Code, §361.112(a) and 30 TAC §§328.56(d)(2), 328.59(b)(1), and 328.60(a), by failing to obtain a scrap tire storage registration for the facility, prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in trailers; 30 TAC §328.58(a) and §328.62(c), by failing to maintain a complete record in the form of a five-part manifest of each individual load of used or scrap tires or tire pieces transported from the facility; 30 TAC §328.58(e), by failing to notify the appropriate commission regional office of any transporter or authorized scrap tire facility that fails to complete the manifest, alters the generator portion of the manifest, or fails to return the manifest within three months after the off-site transportation of the used or scrap tires or tire pieces; 30 TAC §328.56(d)(4), by failing to monitor tires stored outside for vectors and utilize appropriate vector control measures at least once every two weeks; and 30 TAC §330.15(a) and (c), by

causing, suffering, allowing, or permitting the unauthorized disposal of municipal solid waste; PENALTY: \$79,779; STAFF ATTORNEY: Taylor Pearson, Litigation, MC 175, (512) 239-5937; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202304561

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: December 5, 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 18, 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 18, 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: BRIGHTON KING LIMITED LIABILITY COMPANY and KEV KING LIMITED LIABILITY COMPANY; DOCKET NUMBER: 2022-0967-PWS-E; TCEQ ID NUMBER: RN111522579; LOCATION: 15222 King Road near Frisco, Denton County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(q)(1), by failing to issue a boil water notice to customers of the facility within 24 hours of a low disinfectant residual using the prescribed notification format as specified in 30 TAC §290.42(b)(1) and (e)(3) and §290.47(c), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; Texas Health and Safety Code, §341.033(a) and 30 TAC §290.46(e)(4)(A), by failing to operate the facility under the direct supervision of a water works operator who holds a Class D or higher groundwater license; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; PENALTY: \$7,503; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Dallas-Fort Worth Regional

Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: Maria Elena Gueta dba Maria Elena's Mobile Homes; DOCKET NUMBER: 2022-0915-PWS-E; TCEQ ID NUMBER: RN105677447; LOCATION: 1905 West Philips Street, Alvin, Brazoria County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.271(b) and §290.274(a) and (c), by failing to mail or directly deliver one copy of the Consumer Confidence Report (CCR) to each bill paying customer by July 1st for each year, and failed to submit to the TCEQ by July 1st for each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data for calendar years 2016 - 2020; 30 TAC §290.117(c)(2)(C), (h), and (i)(1), by failing to collect lead and copper tap samples at the required five sample sites, have the samples analyzed, and report the results to the executive director for the January 1, 2019 - December 31, 2021 monitoring period; and TWC, §5.702 and 30 TAC §290.51(a)(6), by failing to pay annual Public Health Service fees and/or any associated late fees for the TCEQ Financial Administration Account Number 90200670 for Fiscal Year 2022; PENALTY: \$2,746; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202304560

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: December 5, 2023



Notice of Public Hearing on Proposed Revisions to 30 Texas Administrative Code Chapters 115 and 117 and to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed state implementation plan (SIP) revisions resulting from reclassification of the Dallas-Fort Worth (DFW) area from serious to severe nonattainment for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS). The hearing will also be offered to receive testimony regarding proposed air quality rules applicable to the DFW area. These proposals are made under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed revisions to the SIP include an attainment demonstration (AD) that includes a photochemical modeling analysis and a weight-of-evidence assessment that meets EPA modeling guidance (Project No. 2023-107-SIP-NR) and a demonstration that includes an analysis of reasonable further progress towards attainment (Project No. 2023-108-SIP-NR). The RFP SIP revision includes motor vehicle emissions budgets (MVEB) for the 2023 analysis (milestone) year and both the RFP and AD SIP revisions include MVEB for the 2026 attainment year. The concurrently proposed rulemakings concern amendments to 30 Texas Administrative Code (TAC) Chapter 115, to address reasonably available control technology (RACT) and contingency measure requirements for the 2008 ozone NAAQS and to correct inadvertent errors made in a previously adopted rulemaking (Project No. 2023-116-115-AI) and Chapter 117, to address RACT requirements as well as a rule petition for stationary diesel engines and associated emissions monitoring requirements (**Project No. 2023-117-117-AI**).

The commission will offer a public hearing on these proposals in Arlington on January 11, 2024 at 7:00 p.m. CST in the Arlington City Council Chambers, located at 101 West Abrams Street. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Jamie Zech, Office of Air at (512) 239-3935 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Denine Calvin, MC 206, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via the *Public Comment* system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CST on January 16, 2024. Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/propose_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/dfw/dfw-lat-est-ozone>. For further information, please contact the project manager for the proposed project: for Project Nos. 2023-107-SIP-NR and 2023-108-SIP-NR, contact Denine Calvin, at (512) 239-0613. For Project No. 2023-116-115-AI, contact Bob Gifford at (512) 239-8541. For **Project No. 2023-117-117-AI**, contact Lindley Anderson at (512) 239-0003.

TRD-202304428
Charmaine Backens
Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: December 1, 2023



Notice of Public Hearing on Proposed Revisions to 30 Texas Administrative Code Chapters 115 and 117 and to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed state implementation plan (SIP) revisions resulting from reclassification of the Houston-Galveston-Brazoria (HGB) area from serious to severe nonattainment for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS). The hearing will also be offered to receive testimony regarding proposed air quality rules applicable to the HGB area. These proposals are made under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed revisions to the SIP include an attainment demonstration (AD) that includes a photochemical modeling analysis and a weight-of-evidence assessment that meets EPA modeling guidance (**Project No. 2023-110-SIP-NR**) and a demonstration that includes an analysis of reasonable further progress (RFP) towards attainment (**Project**

No. 2023-108-SIP-NR). The RFP SIP revision includes motor vehicle emissions budgets (MVEB) for the 2023 analysis (milestone) year and both the RFP and AD SIP revisions include MVEB for the 2026 attainment year. The concurrently proposed rulemakings concern amendments to 30 Texas Administrative Code (TAC) Chapter 115, to address contingency measure requirements for the 2008 ozone NAAQS and to correct inadvertent errors made in a previously adopted rulemaking (**Project No. 2023-116-115-AI**) and Chapter 117, to address a rule petition for stationary diesel engines and associated emissions monitoring requirements (**Project No. 2023-117-117-AI**).

The commission will offer a public hearing on these proposals in Houston on January 4, 2024 at 7:00 p.m. CST at the Houston-Galveston Area Council, located at 3555 Timmons Lane, #100. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Jamie Zech, Air Quality Division at (512) 239-3935 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Vanessa T. De Arman, MC 206, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via *Public Comment* system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CST on January 16, 2024. Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/propose_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/hgb/hgb-lat-est-ozone>. For further information, please contact the project manager for the proposed project: for **Project No. 2023-110-SIP-NR**, contact Vanessa T. De Arman, at (512) 239-5609 and for **Project No. 2023-108-SIP-NR**, contact Denine Calvin, at (512) 239-0613. For **Project No. 2023-116-115-AI**, contact Bob Gifford at (512) 239-8541. For **Project No. 2023-117-117-AI**, contact Lindley Anderson at (512) 239-0003.

TRD-202304429
Charmaine Backens
Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: December 1, 2023



Notice of Public Hearing on Proposed Revisions to 30 Texas Administrative Code Chapters 115 and 117 and to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will offer a public hearing to receive testimony regarding proposed air quality rules and a state implementation plan (SIP) revision resulting from reclassification of Bexar County from marginal to moderate nonattainment for the 2015 eight-hour ozone National Ambient Air Quality Stan-

dard (NAAQS) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

The proposed rulemaking concerns amendments to 30 Texas Administrative Code (TAC) Chapters 115 and 117 to implement reasonably available control technology (RACT) requirements in Bexar County (**Project Nos. 2023-116-115-AI and 2023-117-117-AI**). The proposed revision to the SIP includes a RACT analysis to address federal Clean Air Act requirements and implements RACT for all categories of stationary sources identified by EPA or classified as major stationary sources of nitrogen oxides or volatile organic compounds (**Project No. 2023-132-SIP-NR**).

The commission will offer a public hearing on these proposals in San Antonio on January 9, 2024 at 7:00 p.m. CST in the Alamo Area Council of Governments board room, located at 2700 NE Loop 410, Suite 101. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposals 30 minutes prior to the hearing.

The hearing will be conducted in English, and Spanish language interpretation services will be made available. Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Jamie Zech at (512) 239-3935. Requests should be made as far in advance as possible.

Written comments may be submitted to Stephanie Frederick, MC 206, Office of Air, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to either (512) 239-4804 or fax4808@tceq.texas.gov. Electronic comments may be submitted via the *Public Comment* system at: <https://tceq.commentinput.com/>. File size restrictions may apply. All comments should reference the respective project number.

The comment period closes at 11:59 p.m. CST on January 16, 2024. Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/propose_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at <https://www.tceq.texas.gov/airquality/sip/san/san-latest-ozone>. For further information, contact the project manager for the proposed project. For **Project No. 2023-116-115-AI**, contact Bob Gifford at (512) 239-8541. For **Project No. 2023-117-117-AI**, contact Lindley Anderson at (512) 239-0003. For **Project No. 2023-132-SIP-NR**, contact Stephanie Frederick at (512) 239-1001.

TRD-202304430

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: December 1, 2023



Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ0016210001

APPLICATION. Atlantis WKA Bastrop, LLC, 2121 Midway Road, Suite 320, Carrollton, Texas 75006, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016210001, to authorize the discharge of treated domestic wastewater at a daily aver-

age flow not to exceed 300,000 gallons per day. TCEQ received this application on August 29, 2022.

The facility will be located approximately 826 feet southwest of the intersection of Orchard Road and State Highway 71 West, in Bastrop County, Texas 78612. The treated effluent will be discharged to a sinuous man-made ditch, thence to an unnamed tributary, thence to Dry Creek, thence to Colorado River Below Lady Bird Lake in Segment No. 1428 of the Colorado River Basin. The unclassified receiving water uses are minimal aquatic life use for the sinuous man-made ditch, and limited aquatic life use for the unnamed tributary and Dry Creek. The designated uses for Segment No. 1428 are primary contact recreation, public water supply, and exceptional aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. This review has preliminarily determined that no water bodies with exceptional, high, or intermediate aquatic life uses are present within the stream reach assessed; therefore, no Tier 2 degradation determination is required. No significant degradation of water quality is expected in water bodies with exceptional, high, or intermediate aquatic life uses downstream, and existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-97.521388%2C30.169166&level=12>

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

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

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

Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Thursday, January 18, 2024, at 7:00 p.m.

Jerry Fay Wilhelm Center for the Performing Arts

1401 Cedar Street

Bastrop, Texas 78602

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Bastrop Public Library, 1100 Church Street, Bastrop, Texas.

Further information may also be obtained from Atlantis WKA Bastrop, LLC at the address stated above or by calling Mr. Wyatt Henderson at (972) 715-6440.

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

Issuance Date: December 6, 2023

TRD-202304580

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 6, 2023



Notice of Water Quality Application

The following notice was issued on November 29, 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

City of Lubbock has applied for a minor amendment to Texas Pollutant Discharge Elimination System Permit No. WQ0010353002, to authorize to remove 210.3 acres from the Lubbock Land Application Site (LLAS) irrigation area. The existing permit authorizes the discharge/dispose of treated domestic wastewater at an annual average flow not to exceed 31,500,000 gallons per day. The existing permit authorizes the disposal of treated domestic wastewater via irrigation of 5,634 acres of the LLAS, and 3400 acres of the Hancock Land Application Site. The facility is located at 3603 Guava Avenue, in the City of Lubbock, Lubbock County, Texas 79404.

TRD-202304577

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 6, 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 27, 2023 to December 1, 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 8, 2023. The public comment period for this project will close at 5:00 p.m. on January 7, 2024.

Federal License and Permit Activities:

Applicant: Brazoria County

Location: The project site is located at the San Bernard River Mouth, approximately 8 miles southwest of Freeport, in Brazoria County, Texas.

Latitude and Longitude: 28.86211, -95.43907

Project Description: The applicant proposes to perform hydraulic maintenance dredging to restore the mouth of the San Bernard River at its historic location. Approximately 300,000 cubic yards of material is planned to be dredged in order to increase the depth of the channel to 10 feet. The total dredge footprint of this project will be 34.14 acres. The applicant proposes to discharge suitable sand material into the surf zone for down shore beach nourishment. The proposed impacts to wetlands do not exceed 0.1 acre, and no fill material is being placed in wetlands or other special aquatic sites. Therefore, no mitigation is proposed for this project.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2015-00603. 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: 24-1066-F1

Applicant: Coastal Bend Bays & Estuaries Program

Location: The project site is located in the Corpus Christi Bay, adjacent to the JFK Causeway, in Corpus Christi, Nueces County, Texas.

Latitude and Longitude: 27.65775, -97.25130

Project Description: The applicant proposes to place fill within open water and modify an existing anthropogenically-created island to improve nesting habitat for colonial waterbirds. Specifically, the applicant proposes to construct an erosion control structure erosion control structure around the perimeter of an existing island, and place fill in

nearshore open waters to expand upland nesting habitat and tidal wetlands. As proposed, 1.35-acres of nearshore open water with bare bottom and 0.15-acres of tidal wetlands will be filled with sand to expand the upland portion of the island to 1.02-acres and create 0.33-acres of tidal wetlands, a net growth of 0.18-acres of tidal wetlands. Additionally, a 1,155 linear foot erosion control structure will be constructed with a crest elevation of +3.5 feet NAVD and 2:1 side slope, with a width of 10 feet wide at the crest and a width of 24 feet at the base. The erosion control structure is planned to have an approximately 20 feet wide gap located on the southwestern side of the island to facilitate juvenile bird entry and egress and long-term management by Coastal Ben Bays & Estuaries Program. The total project footprint is planned to be 1.64 acres with 2,600 cubic yards of sand and approximately 2,100 cubic yards of rock proposed to be placed. Fill material is proposed to be supplied from a third-party source and will be of clean and free of toxic materials. Native vegetation will be planted throughout the island to stabilize the sand fill and provide roosting birds with habitat and forage material. The applicant does not propose compensatory mitigation. The applicant has stated "the proposed project will result in net increases to ecological and aquatic resource functions and services through a conservative approximate 2.2 acre created tidal wetland habitat to 1 acre impacted wetland habitat (creation to impact ratio of 2.2:1)"; this statement has not been verified by the Corps.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2023-00361. 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: 24-1080-F1

Applicant: Aransas County Navigation District

Location: The project site is located within the Aransas Bay, at Aransas Beach, Rockport, Aransas County, Texas.

Latitude and Longitude: 28.029145, -97.040526

Project Description: The applicant proposes to conduct a beach nourishment project along Rockport Beach to return the beach to a previously permitted designed condition. Specifically, the applicant plans to place sand on the beach above and below the high tide line for periodic beach maintenance and to replace lost material from hurricanes Harvey and Hanna. The applicant proposes to place 3.3 acres (5,296 cubic yards) of sand below the high tide line within waters; an additional ~6,000 cubic yards will be placed on dry land above the high-tide line. Beach quality sand is planned to be obtained from the Briggs Plant in Victoria, Texas. The only in-water work will be the placement and grading of sand at and below the high-tide line with heavy machinery. The applicant does not propose compensatory mitigation.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-1991-01789. 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: 24-1081-F1

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

TRD-202304566

Mark Havens

Chief Clerk

General Land Office

Filed: December 5, 2023

Texas Health and Human Services Commission

Public Notice: Change in Composition to the Drug Utilization Review Board

The Texas Health and Human Services Commission (HHSC) announces its intent to submit transmittal number 23-0040 to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act.

The proposed amendment requires a change in composition to the Drug Utilization Review Board (DURB). Changes include one additional managed care organization (MCO) representative, which will raise the number of MCO representatives from 2 to 3, as well as allowing MCO representatives to vote on changes. The proposed amendment implements House Bill 3286, 88th Texas Legislature, Regular Session, 2023. This change increases the total number of DURB members from 18 to 19. Texas covers travel expenses for DURB members and adding one more member may increase travel costs. The proposed amendment is effective March 1, 2024.

Texas covers travel expenses for DURB members and adding one more member will increase travel costs. The proposed amendment is estimated to result in an additional annual expenditure of \$6,667 for federal fiscal year (FFY) 2024, consisting of \$1,667 in federal funds and \$5,000 in state general revenue. For FFY 2025, the estimated additional annual expenditure is \$6,667 consisting of \$1,667 in federal funds and \$5,000 in state general revenue.

To obtain copies of the proposed amendment, interested parties may contact Nicole Hotchkiss, State Plan Coordinator, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-5035; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposal will also be made available for public review at the Access and Eligibility Services for local benefit offices.

TRD-202304513

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: December 4, 2023

Public Notice: House Bill 54 - Personal Needs Allowance (PNA)

The Texas Health and Human Services Commission (HHSC) announces its intent to submit transmittal number 23-0027 to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act.

The purpose of this amendment is to increase the minimum monthly personal needs allowance (PNA) for residents of a nursing facility (NF), assisted living facility, intermediate care facilities for individuals with intellectual disabilities (ICFs/IID), or other similar long-term care facility from \$60 to \$75 for individuals and from \$120 to \$150 for couples. The proposed amendment implements House Bill 54, 88th Texas Legislature, Regular Session, 2023. The proposed amendment is effective January 1, 2024.

The proposed amendment is estimated to result in an additional annual aggregate expenditure of \$2,109,043 million for federal fiscal year (FFY) 2024, consisting of \$688,923 in federal funds and \$1,420,120 million in state general revenue. For FFY 2025, the estimated additional annual expenditure is \$2,904,683, consisting of \$949,212 in federal funds and \$1,955,471 in state general revenue.

To obtain copies of the proposed amendment, interested parties may contact Nicole Hotchkiss, State Plan Coordinator, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-5035; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposal will also be made available for public review at the local Access and Eligibility Services for local benefit offices.

TRD-202304512

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: December 4, 2023

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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-202304571

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: December 6, 2023

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Texas Lottery Commission

Scratch Ticket Game Number 2546 "BONUS 7"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2546 is "BONUS 7". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2546 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2546.

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, 05, 06, 08, 09, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 7 SYMBOL, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$1,000 and \$30,000.

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. 2546 - 1.2D

| PLAY SYMBOL | CAPTION |
|-------------|---------|
| 01 | ONE |
| 02 | TWO |
| 03 | THR |
| 04 | FOR |
| 05 | FIV |
| 06 | SIX |
| 08 | EGT |
| 09 | NIN |
| 10 | TEN |
| 11 | ELV |
| 12 | TLV |
| 13 | TRN |
| 14 | FTN |
| 15 | FFN |
| 16 | SXN |
| 18 | ETN |
| 19 | NTN |
| 20 | TWY |
| 21 | TWON |
| 22 | TWTO |
| 23 | TWTH |
| 24 | TWFR |
| 25 | TWV |
| 26 | TWSX |
| 28 | TWET |
| 29 | TWNI |
| 30 | TRTY |

| | |
|----------|--------|
| 7 SYMBOL | WIN\$ |
| \$2.00 | TWO\$ |
| \$4.00 | FOR\$ |
| \$5.00 | FIV\$ |
| \$10.00 | TEN\$ |
| \$20.00 | TWY\$ |
| \$30.00 | TRTY\$ |
| \$50.00 | FFTY\$ |
| \$100 | ONHN |
| \$1,000 | ONTH |
| \$30,000 | 30TH |

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 (2546), 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: 2546-0000001-001.

H. Pack - A Pack of the "BONUS 7" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "BONUS 7" Scratch Ticket Game No. 2546.

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 "BONUS 7" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off

to expose twenty-three (23) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the PRIZE for that number. If the player reveals a "7" Play Symbol, the player wins the PRIZE for that symbol instantly! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly twenty-three (23) 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 twenty-three (23) 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 twenty-three (23) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twenty-three (23) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. Consecutive non-winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

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

C. A Ticket can win up to ten (10) times.

D. Each Pack of Tickets will not contain more than thirty-one (31) winners.

E. On winning and non-winning Tickets, the top cash PRIZES of \$1,000 and \$30,000 will each appear at least once, except on Tickets winning ten (10) times and with respect to other parameters, play action or prize structure.

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

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

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

I. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., \$2 and 02, \$4 and 04, \$5 and 05, \$10 and 10, \$20 and 20 and \$30 and 30).

J. On all Tickets, a Prize Symbol will not appear more than two (2) times, except as required by the prize structure to create multiple wins.

K. On non-winning Tickets, the WINNING NUMBERS Play Symbols will never match a YOUR NUMBERS Play Symbol.

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

M. The "7" (WINS) Play Symbol will win the PRIZE for that Play Symbol.

N. The "7" (WINS) Play Symbol will never appear more than once on a Ticket.

O. The "7" (WINS) Play Symbol will never appear on a non-winning Ticket.

P. The "7" (WINS) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "BONUS 7" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$8.00, \$10.00, \$20.00, \$30.00, \$50.00 or \$100, 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 or \$100 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 "BONUS 7" Scratch Ticket Game prize of \$1,000 or \$30,000, 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 "BONUS 7" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social

Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "BONUS 7" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "BONUS 7" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 9,120,000 Scratch Tickets in Scratch Ticket Game No. 2546. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2546 - 4.0

| Prize Amount | Approximate Number of Winners* | Approximate Odds are 1 in ** |
|--------------|--------------------------------|------------------------------|
| \$2.00 | 924,160 | 9.87 |
| \$4.00 | 535,040 | 17.05 |
| \$5.00 | 182,400 | 50.00 |
| \$8.00 | 206,720 | 44.12 |
| \$10.00 | 170,240 | 53.57 |
| \$20.00 | 72,960 | 125.00 |
| \$30.00 | 14,250 | 640.00 |
| \$50.00 | 15,010 | 607.59 |
| \$100 | 7,030 | 1,297.30 |
| \$1,000 | 20 | 456,000.00 |
| \$30,000 | 8 | 1,140,000.00 |

*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 4.29. 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. 2546 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. 2546, 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-202304574
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: December 6, 2023



Scratch Ticket Game Number 2547 "YEAR OF THE DRAGON"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2547 is "YEAR OF THE DRAGON". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2547 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2547.

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, 09, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 8 SYMBOL, 5X SYMBOL, 10X SYMBOL, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$500, \$1,000 and \$100,000.

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

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

Figure 1: GAME NO. 2547 - 1.2D

| PLAY SYMBOL | CAPTION |
|--------------------|----------------|
| 01 | ONE |
| 02 | TWO |
| 03 | THR |
| 04 | FOR |
| 06 | SIX |
| 07 | SVN |
| 09 | NIN |
| 11 | ELV |
| 12 | TLV |
| 13 | TRN |
| 14 | FTN |
| 15 | FFN |
| 16 | SXN |
| 17 | SVT |
| 19 | NTN |
| 20 | TWY |
| 21 | TWON |
| 22 | TWTO |
| 23 | TWTH |
| 24 | TWFR |
| 25 | TWV |
| 26 | TWSX |
| 27 | TWSV |
| 29 | TWNI |
| 30 | TRTY |
| 31 | TRON |
| 32 | TRTO |
| 33 | TRTH |
| 34 | TRFR |

| | |
|------------|--------|
| 35 | TRFV |
| 36 | TRSX |
| 37 | TRSV |
| 39 | TRNI |
| 40 | FRTY |
| 41 | FRON |
| 42 | FRT0 |
| 43 | FRTH |
| 44 | FRFR |
| 45 | FRFV |
| 46 | FRSX |
| 47 | FRSV |
| 49 | FRNI |
| 50 | FFTY |
| 51 | FFON |
| 52 | FFTO |
| 53 | FFTH |
| 54 | FFFR |
| 55 | FFFV |
| 8 SYMBOL | WIN\$ |
| 5X SYMBOL | WINX5 |
| 10X SYMBOL | WINX10 |
| \$5.00 | FIV\$ |
| \$10.00 | TEN\$ |
| \$25.00 | TW\$ |
| \$50.00 | FFTY\$ |
| \$100 | ONHN |
| \$500 | FVHN |
| \$1,000 | ONTH |
| \$100,000 | 100TH |

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2547), 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: 2547-0000001-001.

H. Pack - A Pack of the "YEAR OF THE DRAGON" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fan-folded 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 "YEAR OF THE DRAGON" Scratch Ticket Game No. 2547.

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 "YEAR OF THE DRAGON" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose fifty-two (52) Play Symbols. YEAR OF THE DRAGON: 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 an "8" Play Symbol, the player wins the prize for that symbol instantly. 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. BONUS: If the player reveals 2 matching prize amounts in the same BONUS, the player wins that amount. 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 fifty-two (52) 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 fifty-two (52) 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 fifty-two (52) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the fifty-two (52) 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: A Ticket can win up to twenty-two (22) times in accordance with the 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. KEY NUMBER MATCH: Each Ticket will have eight (8) different WINNING NUMBERS Play Symbols.

D. KEY NUMBER MATCH: Non-winning YOUR NUMBERS Play Symbols will all be different.

E. KEY NUMBER MATCH: Non-winning Prize Symbols will never appear more than four (4) times.

F. KEY NUMBER MATCH: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

G. KEY NUMBER MATCH: The "8" (WIN\$), "5X" (WINX5) and "10X" (WINX10) Play Symbols will never appear in the WINNING NUMBERS or BONUS Play Symbol spots.

H. KEY NUMBER MATCH: The "5X" (WINX5) and "10X" (WINX10) Play Symbols will only appear on winning Tickets as dictated by the prize structure.

I. KEY NUMBER MATCH: Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

J. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 50 and \$50).

K. BONUS: Matching Prize Symbols will only appear in a winning BONUS play area as dictated by the prize structure.

L. BONUS: A Ticket will not have matching non-winning Prize Symbols across the two (2) BONUS play areas.

M. BONUS: Non-winning Prize Symbols will not be the same as winning Prize Symbols across the two (2) BONUS play areas.

2.3 Procedure for Claiming Prizes.

A. To claim a "YEAR OF THE DRAGON" Scratch Ticket Game prize of \$5.00, \$10.00, \$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 "YEAR OF THE DRAGON" Scratch Ticket Game prize of \$1,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim

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

C. As an alternative method of claiming a "YEAR OF THE DRAGON" 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 "YEAR OF THE DRAGON" 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 "YEAR OF THE DRAGON" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the

Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 2547. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2547 - 4.0

| Prize Amount | Approximate Number of Winners* | Approximate Odds are 1 in ** |
|--------------|--------------------------------|------------------------------|
| \$5.00 | 768,000 | 9.38 |
| \$10.00 | 672,000 | 10.71 |
| \$25.00 | 192,000 | 37.50 |
| \$50.00 | 96,000 | 75.00 |
| \$100 | 25,200 | 285.71 |
| \$500 | 1,920 | 3,750.00 |
| \$1,000 | 240 | 30,000.00 |
| \$100,000 | 6 | 1,200,000.00 |

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

**The overall odds of winning a prize are 1 in 4.10. 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. 2547 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. 2547, 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-202304532
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: December 5, 2023



Scratch Ticket Game Number 2548 "LUXE"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2548 is "LUXE". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2548 shall be \$50.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2548.

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, 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, 2X SYMBOL, 5X SYMBOL, 10X SYMBOL, 20X SYMBOL, \$50.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$5,000,000.

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. 2548 - 1.2D

| PLAY SYMBOL | CAPTION |
|-------------|---------|
| 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 |
| 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 | FRT0 |
| 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 |
| 2X SYMBOL | DBL |
| 5X SYMBOL | WINX5 |
| 10X SYMBOL | WINX10 |
| 20X SYMBOL | WINX20 |
| \$50.00 | FFTY\$ |
| \$100 | ONHN |
| \$200 | TOHN |
| \$500 | FVHN |
| \$1,000 | ONTH |
| \$10,000 | 10TH |
| \$5,000,000 | TPPZ |

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 (2548), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 020 within each Pack. The format will be: 2548-0000001-001.

H. Pack - A Pack of the "LUXE" Scratch Ticket Game contains 020 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket back 001 and 020 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 "LUXE" Scratch Ticket Game No. 2548.

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 "LUXE" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose eighty-three (83) Play Symbols. BONUS PLAY INSTRUCTIONS: If a player reveals 2 matching prize amounts in the same BONUS, the player wins that amount. LUXE 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. If the player reveals a "20X" Play Symbol, the player wins 20 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 eighty-three (83) 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 eighty-three (83) 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 eighty-three (83) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the eighty-three (83) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

- A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
- B. GENERAL: A Ticket can win as indicated by the prize structure.
- C. GENERAL: A Ticket can win up to thirty-eight (38) times.
- D. GENERAL: The "2X" (DBL), "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) Play Symbols will never appear in any of the three (3) BONUS play areas.
- E. BONUS: A Ticket can win up to one (1) time in each of the three (3) BONUS play areas.
- F. BONUS: A Ticket will not have matching, non-winning Prize Symbols across the three (3) BONUS play areas.
- G. BONUS: Non-winning Prize Symbols in a BONUS play area will not be the same as winning Prize Symbols from another BONUS play area.
- H. BONUS: A non-winning BONUS play area will have two (2) different Prize Symbols.
- I. LUXE: A Ticket can win up to thirty (35) times in the main play area.
- J. LUXE: All non-winning YOUR NUMBERS Play Symbols will be different.
- K. LUXE: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.
- L. LUXE: All WINNING NUMBERS Play Symbols will be different.
- M. LUXE: Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.
- N. LUXE: On all Tickets, a Prize Symbol will not appear more than seven (7) times, except as required by the prize structure to create multiple wins.
- O. LUXE: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.
- P. LUXE: All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., \$50 and 50).
- Q. LUXE: On winning and Non-Winning Tickets, the top cash prizes of \$1,000, \$10,000 and \$5,000,000 will each appear at least once, except on Tickets winning thirty-eight (38) times and with respect to other parameters, play action or prize structure.
- R. LUXE: The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.
- S. LUXE: The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.
- T. LUXE: The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.
- U. LUXE: The "2X" (DBL) Play Symbol will never appear more than two (2) times on a Ticket.
- V. LUXE: The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.
- W. LUXE: The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.
- X. LUXE: The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.
- Y. LUXE: The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.
- Z. LUXE: The "10X" (WINX10) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.
- AA. LUXE: The "10X" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.
- BB. LUXE: The "10X" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.
- CC. LUXE: The "10X" (WINX10) Play Symbol will never appear more than one (1) time on a Ticket.
- DD. LUXE: The "20X" (WINX20) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.
- EE. LUXE: The "20X" (WINX20) Play Symbol will never appear on a Non-Winning Ticket.
- FF. LUXE: The "20X" (WINX20) Play Symbol will win 20 TIMES the prize for that Play Symbol and will win as per the prize structure.
- GG. LUXE: The "20X" (WINX20) Play Symbol will never appear more than one (1) time on a Ticket.
- HH. LUXE: The "2X" (DBL), "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) will never appear on the same Ticket, with the exception of the "5X" (WINX5) and "10X" (WINX10) which may appear on the same Ticket with each other as indicated by the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "LUXE" Scratch Ticket Game prize of \$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 \$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 "LUXE" Scratch Ticket Game prize of \$1,000 or \$10,000, 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. To claim a "LUXE" Scratch Ticket Game top level prize of \$5,000,000, the claimant must sign the winning Scratch Ticket and present it at Texas Lottery Commission headquarters in Austin, Texas. 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 and proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident

Aliens). 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.

D. As an alternative method of claiming a "LUXE" Scratch Ticket Game prize, with the exception of the top level prize of \$5,000,000, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed a 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.

E. 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.

F. 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 "LUXE" 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 "LUXE" 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 Ticket Prizes. There will be approximately 6,000,000 Scratch Tickets in Scratch Ticket Game No. 2548. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2548 - 4.0

| Prize Amount | Approximate Number of Winners* | Approximate Odds are 1 in ** |
|--------------|--------------------------------|------------------------------|
| \$50.00 | 750,000 | 8.00 |
| \$100 | 600,000 | 10.00 |
| \$200 | 250,000 | 24.00 |
| \$500 | 115,000 | 52.17 |
| \$1,000 | 7,500 | 800.00 |
| \$10,000 | 150 | 40,000.00 |
| \$5,000,000 | 4 | 1,500,000.00 |

*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 3.48. 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. 2548 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. 2548, 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-202304534
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: December 5, 2023



North Central Texas Council of Governments

Notice of Contract Award To Perform the North Oak Cliff Conceptual Engineering Study and Support the Upper Trinity River Transportation and Stormwater Infrastructure (TSI) Project

Pursuant to the provisions of Government Code, Chapter 2254, the North Central Texas Council of Governments publishes this notice of contract award. The request appeared in the February 3, 2023, issue of the *Texas Register* (48 TexReg 551). The selected entity will perform technical and professional work To Perform the North Oak Cliff Conceptual Engineering Study and Support the Upper Trinity River Transportation and Stormwater Infrastructure (TSI) Project.

The entity selected for this project is Halff Associates, Inc. 1201 N Bowser Road, Richardson, Texas 75081. The amount of the contract is not to exceed \$1,555,000.

Issued in Arlington, Texas on December 5, 2023.

TRD-202304575
 R. Michael Eastland
 Executive Director
 North Central Texas Council of Governments
 Filed: December 6, 2023



Request for Proposals for Engineering Services to support the Transportation and Stormwater Infrastructure (TSI) Hydrologic & Hydraulic Assessment

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from qualified firms to conduct hydrologic and hydraulic analysis to support flood risk reduction and environmental planning activities.

Proposals must be received no later than 5:00 p.m., Central Time, on **Friday, January 26, 2024**, to Kate Zielke, Environment & Development Program Supervisor, North Central Texas Council of Govern-

ments, 616 Six Flags Drive, Arlington, Texas 76011 and electronic submissions to TransRFPs@nctcog.org. The Request for Proposals will be available at www.nctcog.org/rfp by the close of business on Friday, December 15, 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-202304572
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: December 6, 2023

