

IN ADDITION

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

Texas State Affordable Housing Corporation

Public Comment Needed: 2016 Texas Foundations Fund

The 2016 Texas Foundations Fund Draft Guidelines are now available for public comment. A copy of the 2016 Texas Foundations Fund Draft Guidelines may be found on the Corporation's website at www.tsahc.org. Please submit public comment via email to Katie Clafin at kclafin@tsahc.org with the subject line "2016 Texas Foundations Fund Public Comment." Public comment must be submitted for consideration by March 11, 2016, at 5:00 p.m.

TRD-201600725

David Long

President

Texas State Affordable Housing Corporation

Filed: February 17, 2016



Texas Department of Agriculture

2016 Feral Hog Abatement Grant Program Request for Applications

Pursuant to the Texas Legislature, by the enactment of HB 1, 84th Regular Session, 2015 Article VI, Rider 12, the Texas Department of Agriculture (TDA) hereby requests proposals for the Feral Hog Abatement Grant Program to develop long-term feral hog abatement technologies and test control methods.

The Texas Department of Agriculture (TDA) is accepting applications for Feral Hog Abatement Grant Program (FHGP).

Eligibility

Responses will be accepted from Texas higher education institutions and Texas governmental agencies that have experience with developing long-term feral hog abatement technologies and testing control methods.

Funding Parameters, Award Information and Notification

Awards are subject to the availability of funds. If funds are not appropriated or collected for this purpose, Applicants will be informed accordingly.

Applications are limited to a maximum request of \$450,000; however, TDA may reduce the maximum award amount. The proposed budget must give an accurate assessment of all cost items and cost amounts that are deemed necessary and reasonable. It should be complete; that is, it should include all the costs of any personnel, supplies, and activities required by the project. The project needs to be feasible within the budget presented.

Projects may be funded at varying levels depending on the nature of the project.

Where more than one (1) proposal on an eligible topic is acceptable for funding, TDA may request cooperation between grantees or revision/adjustment to a proposal in order to avoid duplication and to realize the maximum benefit to the state.

TDA reserves the right to accept or reject any or all proposals submitted. TDA is under no legal or other obligation to execute a grant on the basis of a response submitted to this Request for Applications (RFA). TDA shall not pay for any costs incurred by any entity in responding to this RFA.

The public announcements and written notifications will be made to all applicants and their affiliated agencies, organizations, or institutions. Favorable decisions will indicate the amount of award, duration of the grant, and any special conditions associated with the project.

Submitting an Application. Application form and guidance documents are available on TDA's website at www.TexasAgriculture.gov.

Applications must be complete and have all required documentation to be considered. Applications without required documentation will be returned. TDA reserves the right to request additional information or documentation to determine eligibility. Applications must be signed by the applicant, and include all required supporting documentation.

Deadline for Submission of Responses

The complete application packet including the proposal with signatures must be RECEIVED by **5:00 p.m. (Central Time) on Tuesday, April 5, 2016**. It is the applicant's responsibility to submit all materials necessary for evaluation early enough to ensure timely delivery. *Late or incomplete proposals will not be accepted. Applicants may not supplement or amend the application after the deadline.*

The preferred method of submission is electronic. Complete proposal narrative and application with signature must be submitted to:

Email: Grants@TexasAgriculture.gov

Contact Information

Physical Address:

Texas Department of Agriculture

Trade & Business Development - Grants Office

1700 North Congress Avenue

Austin, Texas 78701

Mailing Address:

Texas Department of Agriculture

Trade & Business Development - Grants Office

P.O. Box 12847

Austin, Texas 78711

For questions regarding submission of the proposal and TDA documentation requirements, please contact Ms. Mindy Weth Fryer, Grants Specialist, at (512) 463-6908 or by email at Grants@TexasAgriculture.gov.

Texas Public Information Act. Once submitted, all applications shall be deemed to be the property of the TDA and are subject to the Texas Public Information Act, Texas Government Code, Chapter 552.

TRD-201600728

Jessica Escobar
Assistant General Counsel
Texas Department of Agriculture
Filed: February 17, 2016

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Capital Area Council of Governments

Request for Proposals - Older Americans Act Services

The Capital Area Council of Governments (CAPCOG)/Area Agency on Aging is requesting proposals from qualified providers for services and supports to persons age 60 and older for the period October 1, 2016 through September 30, 2019. Service categories include Congregate and Home Delivered Meals and Senior Center Operations. Proposals must address the area-wide needs of at least 1 of the 10 counties within CAPCOG's planning region (Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson). The RFP packet will be available 12:00 noon on Friday, February 19, 2016, at www.capcog.org - About CAPCOG - Doing Business with CAPCOG. Staff Contact: Jennifer Scott at jscott@capcog.org.

There will be a bidders conference call on Thursday, February 25, at 11:00 am (CST). Proposals must be received at CAPCOG (6800 Burlleson Road, Building 310, Suite 165, Austin, Texas 78744) by 3:00 pm (CDT) on Monday, April 11, 2016.

TRD-201600739
Sheila Jennings
CAPCOG Director of Administration
Capital Area Council of Governments
Filed: February 17, 2016

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Comptroller of Public Accounts

Notice of Contract Award

The Texas Comptroller of Public Accounts announces this notice of award for financial advisor services under Request for Proposals No. 213a. The RFP was published in the October 30, 2016, issue of the *Texas Register* (40 TexReg 7711).

Two (2) contracts were awarded to the following:

1. George K. Baum & Company, 8115 Preston Road, Suite 650, Dallas, Texas 75225. The total amount of the contract is not to exceed \$25,000.00. The term of the contract is January 29, 2016, through December 31, 2017, with option to renew for up to two (2) additional one-year periods.
2. Public Financial Management, Inc., 2 Logan Square, Suite 1600, Philadelphia, Pennsylvania 19103. The total amount of the contract is not to exceed \$25,000.00. The term of the contract is February 10, 2016, through December 31, 2017, with option to renew for up to two (2) additional one-year periods.

TRD-201600726
Jason C. Frizzell
Assistant General Counsel, Contracts
Comptroller of Public Accounts
Filed: February 17, 2016

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 02/22/16 - 02/28/16 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 02/22/16 - 02/28/16 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-201600731
Leslie Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: February 17, 2016

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Concho Valley Workforce Development Board

Public Notice

Request for Qualifications

The Concho Valley Workforce Development Board is issuing a Request for Qualifications (RFQ) for Evaluators of a Request for Proposal (RFP) for Workforce and Child Care Services. If interested, a copy of the RFQ is available at

<http://www.cvworkforce.org/Bids.aspx?CatID=17>.

TRD-201600718
Mike Buck
Executive Director
Concho Valley Workforce Development Board
Filed: February 16, 2016

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Credit Union Department

Application for a Merger or Consolidation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration:

An application was received from Texas Trust Credit Union (Mansfield) seeking approval to merge with TrustUS Federal Credit Union (Midlothian), with Texas Trust Credit Union being the surviving credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-201600733
Harold E. Feeney
Commissioner
Credit Union Department
Filed: February 17, 2016

Application to Amend Articles of Incorporation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration:

An application for a name change was received from Corpus Christi City Employees Credit Union, Corpus Christi, Texas. The credit union is proposing to change its name to Bridge Credit Union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-201600734
Harold E. Feeney
Commissioner
Credit Union Department
Filed: February 17, 2016



Applications to Expand Field of Membership

Notice is given that the following applications have been filed with the Credit Union Department (Department) and are under consideration:

An application was received from EECU Fort Worth, Texas to expand its field of membership. The proposal would permit Texas Residents who are members of America's Charities, to be eligible for membership in the credit union.

An application was received from First Service Credit Union, Houston, Texas to expand its field of membership. The proposal would permit persons who live, work, attend school or worship in Montgomery County, Texas, to be eligible for membership in the credit union.

An application was received from First Basin Credit Union, Odessa, Texas to expand its field of membership. The proposal would permit persons who live in, worship in, attend school in, or work in Lubbock County, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-201600732
Harold E. Feeney
Commissioner
Credit Union Department
Filed: February 17, 2016



Notice of Final Action Taken

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final action taken on the following applications:

Application to Expand Field of Membership - Approved

West Texas Educators Credit Union (#1), Odessa, Texas - See *Texas Register* issue dated December 25, 2015.

West Texas Educators Credit Union (#3), Odessa, Texas - See *Texas Register* issue dated December 25, 2015.

West Texas Educators Credit Union (#4), Odessa, Texas - See *Texas Register* issue dated December 25, 2015.

West Texas Educators Credit Union (#9), Odessa, Texas - See *Texas Register* issue dated December 25, 2015.

TRD-201600735
Harold E. Feeney
Commissioner
Credit Union Department
Filed: February 17, 2016



Texas Education Agency

Notice for Applications Concerning the High-Quality Prekindergarten Grant Program

Filing Authority. The availability of grant funds under Standard Application System (SAS) #PREKAA16 is authorized by the General Appropriations Act, Article IX, Section 18.32, 84th Texas Legislature, 2015.

Eligible Applicants. The Texas Education Agency (TEA) is requesting applications under SAS #PREKAA16 from public school districts and open-enrollment charter schools. Districts and charter schools may qualify for additional funding under the High-Quality Prekindergarten Grant Program only for students enrolled in the program who meet eligibility requirements under the Texas Education Code, §29.153(b), and are four years of age on September 1 of the year the student begins the program.

Description. The High-Quality Prekindergarten Grant Program will allow districts and charter schools to receive funding for qualifying prekindergarten students in addition to the half-day Foundation School Program funding that is already received for each eligible prekindergarten student. In order for a district or charter school to receive the grant funding, each must meet certain enhanced quality standards related to curriculum, teacher qualifications, academic performance, and family engagement. A school district or charter school that receives grant funding under this program may only use the funding to improve the quality of the school district's prekindergarten program.

Dates of Project. The High-Quality Prekindergarten Grant Program will be implemented in the 2016-2017 school year. Applicants should plan for a starting date of no earlier than August 22, 2016, and an ending date of no later than August 31, 2017.

Project Amount. Approximately \$56,097,464 is available for award in summer 2016 and approximately \$58,317,729 is available for award in fall 2016 for funding the High-Quality Prekindergarten Grant.

Selection Criteria. Grantees will be selected based on the reviewers' assessment of each applicant's ability to meet eligibility requirements. Reviewers will evaluate applications based on the applicant's plans to meet enhanced quality standards related to curriculum, teacher qualifications, academic performance, and family engagement. Applications

must address each requirement to be considered for funding. There will be no opportunity for negotiations once the application is submitted.

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

Obtaining the Application. The announcement letter, complete application, and support information and materials will be posted on the TEA Grant Opportunities website at <http://burlleson.tea.state.tx.us/GrantOpportunities/forms/GrantProgramSearch.aspx>.

Further Information. For clarifying information about the High-Quality Prekindergarten Grant, contact Howard Morrison, Statewide Coordinator for Early Childhood Education, Curriculum Division, Office of Standards and Programs, Texas Education Agency, (512) 463-9581.

Deadline for Receipt of Applications. Applications must be received by the Texas Education Agency by 5:00 p.m. (Central Time), April 8, 2016, to be considered for funding.

TRD-201600741

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: February 17, 2016



Notice of State Board of Education Resolution Regarding Local Instructional Materials Adoption Processes

The State Board of Education approved the following resolution regarding local instructional materials adoption processes at its July 17, 2015, meeting.

WHEREAS while recognizing the need for public transparency and access to local instructional materials adoption processes, the State Board of Education also recognizes and honors the value of limited state government which has been a historical part of the Texas philosophy; and

WHEREAS the State Board of Education holds fast to the rule of law, and understands that government closest to its citizens is more responsive to those citizens; and

WHEREAS Section 31.004(a) of the Texas Education Code states that "Each school district and open-enrollment charter school shall annually certify to the State Board of Education and the commissioner that, for each subject in the required curriculum under Section 28.002, other than physical education, and each grade level, the district provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the State Board of Education for that subject and grade level."; and

WHEREAS Section 11.151(b) of the Texas Education Code also states, "The trustees as a body corporate have the exclusive power and duty to govern and oversee the management of the public schools of the district. All powers and duties not specifically delegated by statute to the agency or to the State Board of Education are reserved for the trustees, and the agency may not substitute its judgment for the lawful exercise of those powers and duties by the trustees."; and

WHEREAS Section 26.006(a)(1) of the Texas Education Code states, "A parent is entitled to review all teaching materials, instructional materials, and other teaching aids used in the classroom of the parent's child";

and

WHEREAS Texas has more than 1,200 public school districts and charters, more than 8,500 campuses, and more than 7,000 locally elected school board members; and

WHEREAS school districts vary greatly in size from as few as nine students in rural Texas to as many as more than 200,000 in the state's urban centers; and

WHEREAS school districts also vary widely in resources, demographics and many other factors across the state; now, therefore, be it

RESOLVED, That the State Board of Education does hereby encourage local school boards and administrators to adopt policies, procedures and practices which guarantee transparency and public access by:

1. Providing public notice to parents of instructional materials under consideration certifying 100% TEKS coverage.
2. Providing access to parents who wish to review materials prior to being chosen, and to the extent possible, doing so through an avenue which gives interested parties access (including online if available) during a comment period.
3. Providing at least one public meeting that allows for public comment before materials used to certify 100% TEKS coverage are adopted by the board.

TRD-201600727

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: February 17, 2016



Texas Board of Professional Engineers

Policy Advisory Opinion Regarding On-Farm Energy Audits - EAOR 39

The Texas Board of Professional Engineers (Board) adopts EAOR 39, Policy Advisory Opinion Regarding On-Farm Energy Audits without changes to the posted draft as published in the December 11, 2015, issue of the *Texas Register* (40 TexReg 8961).

The Board received no comments on the posting of the policy advisory opinion draft. The Board voted to accept the EAOR 39, Policy Advisory Opinion Regarding On-Farm Energy Audits as proposed on February 11, 2016.

The final opinion is adopted pursuant to the Texas Engineering Practice Act (Act), Chapter 1001, of the Texas Occupations Code (Tex. Occ. Code), and Board Rules of Practice and Procedure, Title 22 of the Texas Administrative Code (TAC) and §131.107(l) requires the final opinion to be posted in summary form in the *Texas Register*.

EAOR 39, Policy Advisory Opinion Regarding

On-Farm Energy Audits

Request: The Texas Board of Professional Engineers (Board) received a request from the United States Department of Agriculture, Natural Resources Conservation Service that the Board consider whether On-Farm Energy Audits, as defined in the American Society of Agricultural and Biological Engineers Standard, ANSI/ASABE S612 Jul2009, Performing On-Farm Energy Audits (Standard), require the services of a Texas licensed professional engineer for Texas projects.

Background: The Standard defines a Type 1 and a Type 2 Audit. The Type 1 Audit is a report that provides a data summary of the farm energy use without addressing individual components or possible changes to individual activities that contribute to energy use. A Type 2 Audit

is a more detailed evaluation and report of the farm energy use that considers all major activities and components. The standard defines an Energy Auditor as "A licensed professional engineer or other technically qualified individual who will certify that the audit report provided to the farmer/rancher meets the requirements outlined in the..." Standard.

Analysis and Conclusion: The Standard's Annex A Commentary states that "There are certifications and licensing processes that do provide a level of assurance that an individual is qualified, if only ethically bound, to perform the audits ..., such as licensed engineers, Association of Energy Engineers (AEE)-Certified Energy Managers (CEM), ... Certified Energy Auditor (CEA), or a state certified/licensed farm energy auditors." Texas does not certify or license farm energy auditors.

The Board has gathered information from individuals who responded to a request for comments, as well as the requesting agency, and based on that input the Board has determined that the knowledge and skills required to perform an energy audit in accordance with the Standard is not unique to licensed professional engineers. Any present or future requirements of an energy audit that are found to be included in the practice of engineering as defined in the Board's statute §1001.003 would require that the person performing such work be licensed by the Board. The knowledge required to perform an energy audit is not necessarily the same as the knowledge required to analyze or design elements that may be necessary to implement recommendations resulting from an energy audit. Any engineering designs or analysis as defined by Texas Occupations Code §1001.003, that are included in or with an energy audit, or resulting from an energy audit, must be performed by a licensed Texas Professional Engineer. Qualified Texas licensed professional engineers who participate in such energy audits, or work ensuing from an energy audit, are subject to the professional oversight of the Board.

TRD-201600724
Lance Kinney, P.E.
Executive Director
Texas Board of Professional Engineers
Filed: February 17, 2016

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Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is March 28, 2016. 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 March 28, 2016. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission 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: 82L, LLC dba Tega Kid's Superplex; DOCKET NUMBER: 2015-1596-PWS-E; IDENTIFIER: RN108052325; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(K) and (N), by failing to provide the well with a casing vent that has an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well and failing to provide each well with a flow measuring device to measure production yields and provide for the accumulation of water production data; 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply to ensure that continuous and effective disinfection can be secured under all conditions for the purpose of microbiological control throughout the distribution system; 30 TAC §290.45(d)(2)(B)(v) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a minimum pressure tank capacity of 220 gallons with additional capacity, if necessary, based on a sanitary survey conducted by the executive director for systems serving 300 or more persons per day; 30 TAC §290.45(d)(2)(B)(ii) and THSC, §341.0315(c), by failing to provide a minimum ground storage capacity which is equal to 50% of the maximum daily demand for systems serving 300 or more persons per day; 30 TAC §290.46(e)(4)(A), by failing to operate the facility under the direct supervision of a licensed water works operator who holds a Class D or higher license; 30 TAC §290.41(c)(3)(O), by failing to protect the well with an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house; and 30 TAC §290.39(e)(1) and (h)(1) and THSC, §341.035(a), by failing to submit plans and specifications to the executive director for review and approval prior to the construction of a new public water; PENALTY: \$2,191; ENFORCEMENT COORDINATOR: Michaele Garza, (210) 403-4076; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(2) COMPANY: BEACH RV PARTNERSHIP, LIMITED; DOCKET NUMBER: 2015-1713-PWS-E; IDENTIFIER: RN100825074; LOCATION: Buchanan Dam, Llano County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(2) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level of ten milligrams per liter for nitrate; PENALTY: \$990; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(3) COMPANY: Chester Gipson dba 84 WEST WATER SUPPLY CORPORATION, Betty Rife dba 84 WEST WATER SUPPLY CORPORATION, Kennen Jackson dba 84 WEST WATER SUPPLY CORPORATION, and Mattie Smith dba 84 WEST WATER SUPPLY CORPORATION; DOCKET NUMBER: 2015-1788-PWS-E; IDENTIFIER: RN101200459; LOCATION: Mexia, Limestone County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.44(d) and §290.46(r), by failing to provide a minimum pressure of 35 pounds per square inch (psi) throughout the distribution

system under normal operating conditions and 20 psi during emergencies such as firefighting; PENALTY: \$257; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(4) COMPANY: City of Adrian; DOCKET NUMBER: 2015-1647-PWS-E; IDENTIFIER: RN101188621; LOCATION: Adrian, Oldham County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfectant Level Quarterly Operating Report to the executive director each quarter by the tenth day of the month following the end of each quarter for the third quarter of 2013 through the second quarter of 2015; and 30 TAC §§290.272, 290.273 and 290.274(a), by failing to meet the adequacy, availability, and/or content requirements for the Consumer Confidence Report for the year of 2013; PENALTY: \$697; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (325) 698-9674.

(5) COMPANY: City of Arp; DOCKET NUMBER: 2015-1768-PWS-E; IDENTIFIER: RN101209732; LOCATION: Arp, Smith County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.060 milligrams per liter for haloacetic acids, based on the locational running annual average; and 30 TAC §290.117(c)(2)(B) and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed at an approved laboratory and submit the results to the executive director for the January 1, 2015 - December 31, 2015 monitoring period; PENALTY: \$345; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(6) COMPANY: City of Donna; DOCKET NUMBER: 2015-1657-MWD-E; IDENTIFIER: RN102080751; LOCATION: Donna, Hidalgo County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010504001, Interim I and II, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$12,600; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(7) COMPANY: City of Hawk Cove; DOCKET NUMBER: 2014-0755-MWD-E; IDENTIFIER: RN104265848; LOCATION: Hawk Cove, Hunt County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.125(1) and (5) and Texas Pollutant Discharge Elimination System Permit Number (TPDES) WQ0014522001, Operational Requirements Number 4, by failing to maintain adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater; and 30 TAC §§305.125(1), 305.125(17) and 319.7(d), and TPDES Permit Number WQ0014522001, Monitoring and Reporting Requirements Number 1, by failing to submit a complete discharge monitoring report for the monitoring period ending May 31, 2013, by the 20th day of the following month; PENALTY: \$8,000; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(8) COMPANY: City of Kenedy; DOCKET NUMBER: 2015-1515-PWS-E; IDENTIFIER: RN101428274; LOCATION: Kenedy, Karnes

County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.121(a) and (b) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.a.ii., by failing to provide an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.46(f)(2) and (3)(E)(iv), and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.a.iii., by failing to provide facility records to Commission personnel at the time of the investigation; 30 TAC §290.46(m)(4) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.c.i., by failing to maintain all treatment units, storage and pressure maintenance facilities, distribution system lines and related appurtenances in a water-tight condition; 30 TAC §290.42(l) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.c.v., by failing to provide a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(u) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.g.i., by failing to plug and seal abandoned public water supply wells in accordance with 16 TAC Chapter 76 or submit the test results proving that the wells are in a non-deteriorated condition; 30 TAC §290.45(b)(1)(D)(iii) and Texas Health and Safety Code (THSC), §341.0315(c) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.g.ii., by failing to provide two or more service pumps having a total capacity of 2.0 gallons per minute per connection; 30 TAC §290.45(a)(6) and THSC, §341.0315(c) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.g.iii., by failing to provide treatment facility capacity that meets the required groundwater production rate; 30 TAC §290.46(j), by failing to complete a Customer Service Inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross connections or other potential contamination hazards exists, or after any material improvements, corrections, or additions to the private water distribution facilities; and 30 TAC §290.44(d) and §290.46(r) and TCEQ AO Docket Number 2013-1852-MLM-E, Ordering Provision Number 2.c.vi. and 2.e.ii., by failing to operate the facility to maintain a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions and a minimum pressure of 20 psi during emergencies such as fire fighting; PENALTY: \$18,758; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(9) COMPANY: City of Whiteface; DOCKET NUMBER: 2015-1557-MSW-E; IDENTIFIER: RN102121092; LOCATION: Whiteface, Cochran County; TYPE OF FACILITY: unauthorized, non-permitted landfill; RULE VIOLATED: 30 TAC §330.15(c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of municipal solid; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(10) COMPANY: CRACKER BARREL, INCORPORATED; DOCKET NUMBER: 2015-1603-PWS-E; IDENTIFIER: RN102883410; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: a convenience store and restaurant with a public water supply; RULES VIOLATED: 30 TAC §290.39(e)(1) and (h)(1) and Texas Health and Safety Code (THSC), §341.035(a), by failing to obtain written approval of plans and specifications prior to the construction of a new public water supply; 30 TAC §290.46(f)(2) and (3)(A)(i)(III) and §290.110(e)(4)(B), by failing to maintain and provide facility records to commission personnel upon request; 30

TAC §290.43(d)(2), by failing to provide the pressure tank with a pressure release device and an easily readable pressure gauge; 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days; 30 TAC §290.46(n)(3), by failing to maintain copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results and a chemical analysis report of a representative sample of water from the well; 30 TAC §290.45(d)(2)(A)(ii) and THSC, §341.0315(c), by failing to provide a minimum pressure tank capacity of 220 gallons; 30 TAC §290.41(c)(3)(K), by failing to provide a well casing vent with an opening that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated, and located as to minimize the drawing of contaminants into the well; and 30 TAC §§290.46(d)(2)(A), 290.46(m), and 290.110(b)(4) and THSC, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; PENALTY: \$1,604; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(11) COMPANY: CSD Group, Incorporated; DOCKET NUMBER: 2015-1625-DCL-E; IDENTIFIER: RN105205058; LOCATION: Allen, Dallas County; TYPE OF FACILITY: active solvent distributor; RULES VIOLATED: 30 TAC §337.4(b), by failing to prevent the sale, delivery, or distribution of any dry cleaning solvent to a facility that does not have a valid, current dry cleaning registration certificate; and 30 TAC §337.70(a) and §337.71, by failing to maintain dry cleaning records and make them available for examination; PENALTY: \$750; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(12) COMPANY: Donald S. Fletcher; DOCKET NUMBER: 2015-1226-WQ-E; IDENTIFIER: RN102672854; LOCATION: Stephenville, Erath County; TYPE OF FACILITY: mobile home park; RULE VIOLATED: TWC, §26.121(a)(1), by failing to prevent the unauthorized discharge of sewage into or adjacent to any water in the state; PENALTY: \$6,700; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(13) COMPANY: Fayette Water Supply Corporation; DOCKET NUMBER: 2015-1781-PWS-E; IDENTIFIER: RN101240729; LOCATION: La Grange, Fayette County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; and 30 TAC §291.76 and TWC, §5.702, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 10726 for calendar years 2008, 2012, and 2014; PENALTY: \$345; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(14) COMPANY: Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park; DOCKET NUMBER: 2015-1679-PWS-E; IDENTIFIER: RN102676681; LOCATION: Odessa, Ector County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.110(e)(4)(A) and (f)(3) and §290.122(c)(2)(A) and (f), by failing to submit a Disinfectant Level Quarterly Operating Report (DLQOR) to the executive director

each quarter by the tenth day of the month following the end of each quarter for the fourth quarter of 2014 through the second quarter of 2015, and failing to provide public notification regarding the failure to submit a DLQOR to the executive director and submit a copy of the public notice to the executive director for the first quarter of 2015; 30 TAC §290.117(c)(2)(B) and (i)(1), by failing to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the executive director for the 2013, 2014 and 2015 monitoring periods; and 30 TAC §290.117(c)(2)(C) and (i)(1), by failing to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the executive director for the January 1, 2010 - December 31, 2012 monitoring period; PENALTY: \$1,793; ENFORCEMENT COORDINATOR: Steven Hall, (512) 293-2569; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(15) COMPANY: GB Biosciences Corporation; DOCKET NUMBER: 2015-1553-AIR-E; IDENTIFIER: RN100238492; LOCATION: Houston, Harris County; TYPE OF FACILITY: fungicide manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Texas Health and Safety Code, §382.085(b), and Federal Operating Permit Number O2265, General Terms and Conditions and Special Terms and Conditions Number 11, by failing to submit a Permit Compliance Certification within 30 days after the end of the certification period; PENALTY: \$4,275; Supplemental Environmental Project offset amount of \$1,710; ENFORCEMENT COORDINATOR: Amancio R. Gutierrez, (512) 239-3921; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(16) COMPANY: H.E. LAKES DEVELOPMENT CORPORATION; DOCKET NUMBER: 2015-1550-MLM-E; IDENTIFIER: RN107710360; LOCATION: Magnolia, Montgomery County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater under a Texas Pollutant Discharge Elimination System General Permit associated with construction activities; and TWC, §11.121 and 30 TAC §297.11, by failing to obtain authorization prior to impounding, diverting, or using state water; PENALTY: \$1,938; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(17) COMPANY: I and U Incorporated dba Shop N Save; DOCKET NUMBER: 2015-1711-PST-E; IDENTIFIER: RN102408150; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank (UST) system; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs for releases at a frequency of at least once every month; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(18) COMPANY: IRA WATER SUPPLY CORPORATION; DOCKET NUMBER: 2015-1611-PWS-E; IDENTIFIER: RN101453991; LOCATION: Ira, Scurry County; TYPE OF FACILITY: public water supply; 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 of each year and failing to submit to the TCEQ by July 1st of 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 the compliance monitoring data for 2014; 30 TAC §290.110(e)(4)(A) and (f)(3) and §290.122(c)(2)(A)

and (f), by failing to submit a Disinfectant Level Quarterly Operating Report (DLQOR) to the executive director each quarter by the tenth day of the month following the end of each quarter for the first and second quarters of 2015 and failing to provide public notification regarding the failure to submit a DLQOR to the executive director and submit a copy of the public notice to the executive director for the first quarter of 2015; 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the executive director regarding the failure to submit DLQORs for the first and second quarters of 2013 and the first and second quarters of 2014, the failure to conduct repeat coliform monitoring for the month of March 2014, and the failure to conduct routine coliform monitoring for the month of April 2014; and 30 TAC §291.76 and TWC, §5.702, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 11012 for the calendar years 2013 and 2014; PENALTY: \$562; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(19) COMPANY: Jean Landess dba Landess Sand and Soil; DOCKET NUMBER: 2015-1412-WQ-E; IDENTIFIER: RN105637391; LOCATION: Seagoville, Dallas County; TYPE OF FACILITY: aggregate production operation (APO); RULE VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$10,000; ENFORCEMENT COORDINATOR: Jill Russell, (512) 239-4564; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: L and S Mart Incorporated dba C and G Grocery; DOCKET NUMBER: 2015-1764-PST-E; IDENTIFIER: RN102355666; LOCATION: Bastrop, Bastrop County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,504; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(21) COMPANY: LA BUSSOLA, INCORPORATED dba New C Store A; DOCKET NUMBER: 2015-1832-PST-E; IDENTIFIER: RN100764216; LOCATION: Arlington, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A), (d)(1)(B)(ii) and (iii)(l) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month, failing to conduct reconciliation of detailed inventory control records at least once each month, in a manner sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow-through for the month plus 130 gallons, and failing to record inventory volume measurement for regulated substance inputs, withdrawals, and the amount still remaining in the tank each operating day; and 30 TAC §334.45(c)(3)(A), by failing to install a secure anchor at the base of the dispenser in each pressurized delivery or product line; PENALTY: \$3,251; ENFORCEMENT COORDINATOR: James Baldwin, (512) 239-1337; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: Liberty Tire Recycling, LLC; DOCKET NUMBER: 2015-1470-MSW-E; IDENTIFIER: RN108717562; LOCATION: Abilene, Taylor County; TYPE OF FACILITY: unauthorized scrap tire facility; RULES VIOLATED: 30 TAC §328.60(a), by failing to obtain a scrap tire storage site 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 enclosed and lockable containers; and 30 TAC §328.61(g), by failing to maintain an adequate fire protection system using fire hydrants or a firewater storage pond or tank at the facility; PENALTY: \$22,500; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(23) COMPANY: Marc Roger Meeker; DOCKET NUMBER: 2015-1499-MWD-E; IDENTIFIER: RN101512291; LOCATION: Willis, Montgomery County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013601001, Monitoring Requirements Number 7.c, by failing to submit a noncompliance notification for any effluent violation which deviates from the permitted limitation by more than 40% in writing to the Houston Regional Office and the Enforcement Division within five working days of becoming aware of the non-compliance; TWC, §26.121(a)(1), 30 TAC §305.125(1), and TPDES Permit Number WQ0013601001, Effluent Limitations and Monitoring Requirements Number 6, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (5), and TPDES Permit Number WQ0013601001, Operational Requirements Number 1, by failing to ensure that the facility and all its systems of collection, treatment, and disposal are properly operated and maintained; and 30 TAC §305.125(1) and (5), and TPDES Permit Number WQ0013601001, Operational Requirements Number 1, by failing to ensure that the facility and all its systems of collection, treatment, and disposal are properly operated and maintained; PENALTY: \$21,920; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(24) COMPANY: Orange County Water Control and Improvement District Number 1; DOCKET NUMBER: 2015-1621-PWS-E; IDENTIFIER: RN101417541; LOCATION: Vidor, Orange County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$1,380; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(25) COMPANY: Preferred Petroleum Services Incorporated; DOCKET NUMBER: 2016-0076-PST-E; IDENTIFIER: RN108918665; LOCATION: Haltom City, Tarrant County and Rockwall, Rockwall County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to deposit a regulated substance into a regulated underground storage tank system that was covered by a valid, current TCEQ delivery certificate; PENALTY: \$4,606; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(26) COMPANY: SHIN-ETSU SILICONES OF AMERICA, INCORPORATED; DOCKET NUMBER: 2015-1726-PWS-E; IDENTIFIER: RN102877768; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$243; ENFORCEMENT COORDINATOR: Farhaud Abbaszadeh, (512) 239-0779; REGIONAL

OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(27) COMPANY: SNAPPY'S EXXPRESS MART, INCORPORATED; DOCKET NUMBER: 2015-1710-PST-E; IDENTIFIER: RN101727022; LOCATION: Bridge City, Orange County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.245(2) and Texas Health and Safety Code (THSC), §382.085(b), by failing to verify proper operation of the Stage II equipment at least once every 12 months or upon major system replacement or modification, whichever occurs first; 30 TAC §115.242(d)(3)(E) and THSC, §382.085(b), by failing to maintain the Stage II vapor recovery system in proper operating condition, as specified by the manufacturer and/or any applicable California Air Resources Board Executive Order, and free of defects that would impair the effectiveness of the system, including but not limited to absence or disconnection of any component that is part of the approved system; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank system for releases at a frequency of at least once every month; PENALTY: \$6,574; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(28) COMPANY: Tom Van Nguyen dba Lisa's Food Mart 3; DOCKET NUMBER: 2015-1814-PST-E; IDENTIFIER: RN105815740; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(29) COMPANY: United Telephone Company of Texas, Incorporated; DOCKET NUMBER: 2015-1602-PST-E; IDENTIFIER: RN102858263; LOCATION: Stephenville, Texas 76401, Erath County; TYPE OF FACILITY: office building and telephone center with an emergency generator; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(b), by failing to provide release detection for the suction piping associated with the underground storage tank (UST) system; 30 TAC §334.42(i) and §334.51(a)(6), by failing to inspect all sumps, manways, overfill containers or catchment basins associated with a UST at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid tight and free of any liquid or debris; and 30 TAC §334.49(b)(2) and TWC, §26.3475(d), by failing to protect from corrosion all components of an UST system which are designed to convey, contain, or store regulated substances by electrically isolating the components from the corrosive elements of the surrounding soil, backfill, groundwater, or any other water, and from other metallic components by installing the component in an open area where periodic visual inspection of all parts of the component for the presence of corrosion or released substances is practicable; PENALTY: \$6,685; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201600708

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: February 16, 2016



Enforcement Orders

An agreed order was entered regarding Barbara Brietzke dba Oak Hill Center, Docket No. 2012-2658-PST-E on February 2, 2016 assessing \$3,893 in administrative penalties with \$778 deferred.

Information concerning any aspect of this order may be obtained by contacting Christopher Bost, Enforcement Coordinator at (512) 239-4575, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Jeffrey H. Brennan dba P & B Water Corporation, Docket No. 2014-1873-PWS-E on February 2, 2016 assessing \$1,895 in administrative penalties with \$379 deferred.

Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, Enforcement Coordinator at (210) 403-4016, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Stephen F. Austin State University, Docket No. 2015-0453-MWD-E on February 2, 2016 assessing \$2,175 in administrative penalties with \$435 deferred.

Information concerning any aspect of this order may be obtained by contacting Jennifer Graves, Enforcement Coordinator at (956) 430-6023, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Smith County Municipal Utility District No. 1, Docket No. 2015-0530-MWD-E on February 2, 2016 assessing \$3,500 in administrative penalties with \$700 deferred.

Information concerning any aspect of this order may be obtained by contacting Had Darling, Enforcement Coordinator at (512) 239-2520, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding MARTIN MARIETTA MATERIALS SOUTHWEST, INC., Docket No. 2015-0539-PWS-E on February 2, 2016 assessing \$650 in administrative penalties with \$130 deferred.

Information concerning any aspect of this order may be obtained by contacting Michaelle Garza, Enforcement Coordinator at (210) 403-4076, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Edgewood, Docket No. 2015-0608-MWD-E on February 2, 2016 assessing \$6,500 in administrative penalties with \$6,500 deferred.

Information concerning any aspect of this order may be obtained by contacting Larry Butler, Enforcement Coordinator at (512) 239-2543, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding GREEN CREEK WATER SUPPLY CORPORATION, Docket No. 2015-0754-PWS-E on February 2, 2016 assessing \$165 in administrative penalties with \$165 deferred.

Information concerning any aspect of this order may be obtained by contacting Farhaud Abbaszadeh, Enforcement Coordinator at (512) 239-0779, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding INVISTA S.a.r.l., Docket No. 2015-0779-AIR-E on February 2, 2016 assessing \$6,563 in administrative penalties with \$1,312 deferred.

Information concerning any aspect of this order may be obtained by contacting Carol McGrath, Enforcement Coordinator at (210) 403-4063, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Sherri Peebles and William J. Lacoste dba Texas Grill and Restaurant, Docket No. 2015-0791-PWS-E on February 2, 2016 assessing \$200 in administrative penalties with \$40 deferred.

Information concerning any aspect of this order may be obtained by contacting Epifanio Villareal, Enforcement Coordinator at (361) 825-3425, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Town of Ponder, Docket No. 2015-0805-MWD-E on February 2, 2016 assessing \$6,000 in administrative penalties with \$1,200 deferred.

Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2601, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Cameo Homes, Inc., Docket No. 2015-0813-WQ-E on February 2, 2016 assessing \$4,659 in administrative penalties with \$931 deferred.

Information concerning any aspect of this order may be obtained by contacting Katelyn Samples, Enforcement Coordinator at (512) 239-4728, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding ALLEN LOGGINS & SON, INC., Docket No. 2015-0911-WQ-E on February 2, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Had Darling, Enforcement Coordinator at (512) 239-2520, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding ST Feed Mill, LLC, Docket No. 2015-0918-AIR-E on February 2, 2016 assessing \$2,700 in administrative penalties with \$540 deferred.

Information concerning any aspect of this order may be obtained by contacting Carol McGrath, Enforcement Coordinator at (210) 403-4063, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding R & S Stone, Inc., Docket No. 2015-0936-WQ-E on February 2, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator at (512) 239-2547, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Unger Texas Stone, LP, Docket No. 2015-0939-WQ-E on February 2, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2601, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Lion Elastomers LLC, Docket No. 2015-0945-AIR-E on February 2, 2016 assessing \$6,680 in administrative penalties with \$1,336 deferred.

Information concerning any aspect of this order may be obtained by contacting Jessica Schildwachter, Enforcement Coordinator at (512) 239-2617, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding CRAWDAD'S, INC. dba Crawdadd's 5 Port Arthur, Docket No. 2015-0951-PST-E on February 2, 2016 assessing \$4,213 in administrative penalties with \$842 deferred.

Information concerning any aspect of this order may be obtained by contacting Keith Frank, Enforcement Coordinator at (512) 239-1203, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Nizar Momin dba Nicks Grocery, Docket No. 2015-0974-PST-E on February 2, 2016 assessing \$4,457 in administrative penalties with \$891 deferred.

Information concerning any aspect of this order may be obtained by contacting Rebecca Boyett, Enforcement Coordinator at (512) 239-2503, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Aahil's investment Inc. dba Highland Food Store, Docket No. 2015-0975-PST-E on February 2, 2016 assessing \$5,226 in administrative penalties with \$1,045 deferred.

Information concerning any aspect of this order may be obtained by contacting John Duncan, Enforcement Coordinator at (512) 239-2720, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Pioneer Natural Resources USA, Inc., Docket No. 2015-0998-AIR-E on February 2, 2016 assessing \$1,313 in administrative penalties with \$262 deferred.

Information concerning any aspect of this order may be obtained by contacting Jessica Schildwachter, Enforcement Coordinator at (512) 239-2617, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding AMMAR, INC dba Michas Stop N Go II, Docket No. 2015-1032-PST-E on February 2, 2016 assessing \$5,456 in administrative penalties with \$1,091 deferred.

Information concerning any aspect of this order may be obtained by contacting James Baldwin, Enforcement Coordinator at (512) 239-1337, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding H K U F LLC dba Stop N Shop 1, Docket No. 2015-1046-PST-E on February 2, 2016 assessing \$2,937 in administrative penalties with \$587 deferred.

Information concerning any aspect of this order may be obtained by contacting Catherine Grutsch, Enforcement Coordinator at (512) 239-2607, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding BENTON CITY WATER SUPPLY CORPORATION, Docket No. 2015-1047-MWD-E on February 2, 2016 assessing \$2,250 in administrative penalties with \$450 deferred.

Information concerning any aspect of this order may be obtained by contacting Had Darling, Enforcement Coordinator at (512) 239-2520, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding B & J Excavating, Inc., Docket No. 2015-1063-WQ-E on February 2, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting James Boyle, Enforcement Coordinator at (512) 239-2527, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Linden, Docket No. 2015-1065-PWS-E on February 2, 2016 assessing \$361 in administrative penalties with \$72 deferred.

Information concerning any aspect of this order may be obtained by contacting Epifanio Villareal, Enforcement Coordinator at (361) 825-3425, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Robert Bowden, Docket No. 2015-1070-PST-E on February 2, 2016 assessing \$5,250 in administrative penalties with \$1,050 deferred.

Information concerning any aspect of this order may be obtained by contacting James Baldwin, Enforcement Coordinator at (512) 239-1337, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Aqua Utilities, Inc., Docket No. 2015-1080-PWS-E on February 2, 2016 assessing \$2,409 in administrative penalties with \$481 deferred.

Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (210) 403-4077, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding MAZIYAR LLC dba Speed Track Food Mart, Docket No. 2015-1101-PST-E on February 2, 2016 assessing \$6,000 in administrative penalties with \$1,200 deferred.

Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (817) 588-5856, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding PRECISION URETHANE & MACHINE INC., Docket No. 2015-1105-AIR-E on February 2, 2016 assessing \$1,337 in administrative penalties with \$267 deferred.

Information concerning any aspect of this order may be obtained by contacting Carol McGrath, Enforcement Coordinator at (210) 403-4063, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding CORPUS CHRISTI PEOPLE'S BAPTIST CHURCH, Docket No. 2015-1116-MWD-E on February 2, 2016 assessing \$2,500 in administrative penalties with \$500 deferred.

Information concerning any aspect of this order may be obtained by contacting Austin Henck, Enforcement Coordinator at (512) 239-6155, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Apache Stone Quarry, LLC, Docket No. 2015-1129-WQ-E on February 2, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2601, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding ONCAR INVESTMENT INC. dba Sunmart 133, Docket No. 2015-1132-PST-E on February 2, 2016 assessing \$4,500 in administrative penalties with \$900 deferred.

Information concerning any aspect of this order may be obtained by contacting Steven Van Landingham, Enforcement Coordinator at (512) 239-5717, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Big Lake, Docket No. 2015-1138-PWS-E on February 2, 2016 assessing \$839 in administrative penalties with \$167 deferred.

Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (210) 403-4077, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding PAYNE SPRINGS WATER SUPPLY CORPORATION, Docket No. 2015-1141-PWS-E on February 2, 2016 assessing \$630 in administrative penalties with \$126 deferred.

Information concerning any aspect of this order may be obtained by contacting Jim Fisher, Enforcement Coordinator at (512) 239-2537, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Brian Kwon dba 7 Station, Docket No. 2015-1142-PST-E on February 2, 2016 assessing \$3,504 in administrative penalties with \$700 deferred.

Information concerning any aspect of this order may be obtained by contacting Tom Greimel, Enforcement Coordinator at (512) 239-5690, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Lois Catherine Petty and Scarlett Annette Petty Johnson dba Petty Service Station & Petty Butane, Docket No. 2015-1146-PST-E on February 2, 2016 assessing \$3,375 in administrative penalties with \$675 deferred.

Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (817) 588-5856, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding HMR ENTERPRISES, INC. dba Bunny's Point, Docket No. 2015-1147-PST-E on February 2, 2016 assessing \$2,942 in administrative penalties with \$588 deferred.

Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (817) 588-5856, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Khalil Zoom In Market Inc. dba Zoom-In Market 6, Docket No. 2015-1168-PST-E on February 2, 2016 assessing \$4,500 in administrative penalties with \$900 deferred.

Information concerning any aspect of this order may be obtained by contacting Margarita Dennis, Enforcement Coordinator at (817) 588-5892, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding AWQ, LLC dba Big Jack's Grocery, Docket No. 2015-1176-PST-E on February 2, 2016 assessing \$5,813 in administrative penalties with \$1,162 deferred.

Information concerning any aspect of this order may be obtained by contacting John Fennell, Enforcement Coordinator at (512) 239-2616, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Basic Industries, LLC and Brace Integrated Services, Inc., Docket No. 2015-1185-AIR-E on February 2, 2016 assessing \$938 in administrative penalties with \$187 deferred.

Information concerning any aspect of this order may be obtained by contacting Raime Hayes-Falero, Enforcement Coordinator at (713)

767-3567, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Jon R. New, Docket No. 2015-1188-PWS-E on February 2, 2016 assessing \$50 in administrative penalties with \$10 deferred.

Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2571, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Needville, Docket No. 2015-1202-MWD-E on February 2, 2016 assessing \$7,500 in administrative penalties with \$1,500 deferred.

Information concerning any aspect of this order may be obtained by contacting James Boyle, Enforcement Coordinator at (512) 239-2527, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Cowtown Gas Processing Partners L.P., Docket No. 2015-1234-AIR-E on February 2, 2016 assessing \$3,450 in administrative penalties with \$690 deferred.

Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-0577, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding BDESH CORPORATION dba Shell Express Food, Docket No. 2015-1250-PST-E on February 2, 2016 assessing \$6,750 in administrative penalties with \$1,350 deferred.

Information concerning any aspect of this order may be obtained by contacting Steven Van Landingham, Enforcement Coordinator at (512) 239-5717, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Menard, Docket No. 2015-1284-MWD-E on February 2, 2016 assessing \$3,600 in administrative penalties with \$720 deferred.

Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator at (512) 239-2552, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Red Rock Recycling, LLC, Docket No. 2015-1294-MSW-E on February 2, 2016 assessing \$2,250 in administrative penalties with \$450 deferred.

Information concerning any aspect of this order may be obtained by contacting Rebecca Boyett, Enforcement Coordinator at (512) 239-2503, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding LNM CORPORATION dba Allison Food Mart, Docket No. 2015-1296-PST-E on February 2, 2016 assessing \$2,438 in administrative penalties with \$487 deferred.

Information concerning any aspect of this order may be obtained by contacting Tiffany Maurer, Enforcement Coordinator at (512) 239-2696, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding HAIFA ENTERPRISES, INC. dba Dallas Food Store, Docket No. 2015-1300-PST-E on February 2, 2016 assessing \$3,375 in administrative penalties with \$675 deferred.

Information concerning any aspect of this order may be obtained by contacting John Fennell, Enforcement Coordinator at (512) 239-2616,

Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Dupre Logistics LLC, Docket No. 2015-1303-PST-E on February 2, 2016 assessing \$5,107 in administrative penalties with \$1,021 deferred.

Information concerning any aspect of this order may be obtained by contacting Steven Van Landingham, Enforcement Coordinator at (512) 239-5717, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Gartner Coatings, Inc., Docket No. 2015-1314-AIR-E on February 2, 2016 assessing \$1,125 in administrative penalties with \$225 deferred.

Information concerning any aspect of this order may be obtained by contacting Raime Hayes-Falero, Enforcement Coordinator at (713) 767-3567, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Krum, Docket No. 2015-1324-PWS-E on February 2, 2016 assessing \$150 in administrative penalties with \$30 deferred.

Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2571, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Duval County Conservation and Reclamation District, Docket No. 2015-1327-PWS-E on February 2, 2016 assessing \$200 in administrative penalties with \$40 deferred.

Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2571, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Bastrop County Water Control and Improvement District No. 2, Docket No. 2015-1332-PWS-E on February 2, 2016 assessing \$660 in administrative penalties with \$132 deferred.

Information concerning any aspect of this order may be obtained by contacting Farhad Abbaszadeh, Enforcement Coordinator at (512) 239-0779, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding H2O UTILITIES, L.P., Docket No. 2015-1354-WOC-E on February 2, 2016 assessing \$450 in administrative penalties with \$90 deferred.

Information concerning any aspect of this order may be obtained by contacting Larry Butler, Enforcement Coordinator at (512) 239-2543, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding CROWN Cork & Seal USA, Inc., Docket No. 2015-1356-AIR-E on February 2, 2016 assessing \$4,500 in administrative penalties with \$900 deferred.

Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-0577, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Lakeside City, Docket No. 2015-1368-PWS-E on February 2, 2016 assessing \$655 in administrative penalties with \$131 deferred.

Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (210) 403-4077, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding RPM WATER SUPPLY CORPORATION, Docket No. 2015-1401-PWS-E on February 2, 2016 assessing \$52 in administrative penalties with \$10 deferred.

Information concerning any aspect of this order may be obtained by contacting Michaelle Garza, Enforcement Coordinator at (210) 403-4076, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Daniel R. Soto dba Daniel R. Soto Rock Crusher, Docket No. 2015-1411-WQ-E on February 2, 2016 assessing \$5,000 in administrative penalties with \$1,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator at (512) 239-2552, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of Bevil Oaks, Docket No. 2015-1415-MWD-E on February 2, 2016 assessing \$4,500 in administrative penalties with \$900 deferred.

Information concerning any aspect of this order may be obtained by contacting Austin Henck, Enforcement Coordinator at (512) 239-6155, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding Barringer Express, LLC dba Express Lane Food Mart, Docket No. 2015-1420-PST-E on February 2, 2016 assessing \$4,687 in administrative penalties with \$937 deferred.

Information concerning any aspect of this order may be obtained by contacting Tiffany Maurer, Enforcement Coordinator at (512) 239-2696, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding CLUBCORP NV V, LLC dba Prestonwood Golf Club Creek, Docket No. 2015-1437-PST-E on February 2, 2016 assessing \$2,376 in administrative penalties with \$475 deferred.

Information concerning any aspect of this order may be obtained by contacting Keith Frank, Enforcement Coordinator at (512) 239-1203, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding City of New Summerfield, Docket No. 2015-1451-PWS-E on February 2, 2016 assessing \$460 in administrative penalties with \$92 deferred.

Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2569, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding PRATISA INVESTMENT, LLC dba FM Beer Wine & Gas, Docket No. 2015-1469-PST-E on February 2, 2016 assessing \$3,375 in administrative penalties with \$675 deferred.

Information concerning any aspect of this order may be obtained by contacting Margarita Dennis, Enforcement Coordinator at (817) 588-5892, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding 242 BUSINESS INC. dba Time Mart 16, Docket No. 2015-1514-PWS-E on February 2, 2016 assessing \$114 in administrative penalties with \$22 deferred.

Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, Enforcement Coordinator at (210) 403-4016, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. A field citation was entered regarding F.H.W. Enterprises Inc, Docket No. 2015-1595-WQ-E on February 2, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Austin Henck, Enforcement Coordinator at (512) 239-6155, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. A field citation was entered regarding David K. Smith, Docket No. 2015-1649-WOC-E on February 2, 2016 assessing \$175 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator at (512) 239-2583, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. A field citation was entered regarding Lodgic Development, LLC, Docket No. 2015-1668-WQ-E on February 2, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. A field citation was entered regarding Anderson-Jenkins Signature Homes, Ltd., Docket No. 2015-1672-WQ-E on February 2, 2016 assessing \$875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jill Russell, Enforcement Coordinator at (512) 239-4564, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201600723

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: February 17, 2016



Notice of Correction to Agreed Order Number 20

In the February 5, 2016, issue of the *Texas Register* (41 TexReg 1005), the Texas Commission on Environmental Quality published notice of an Agreed Order, specifically item Number 20, for Smith Oil Company, Incorporated. The reference to location should be corrected to read: Hamilton, Hamilton County and Marshall, Harrison County.

For questions concerning this error, please contact Candy Garrett at (512) 239-1456.

TRD-201600709

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: February 16, 2016



Notice of Meeting on April 7, 2016, in Colorado City, Texas Concerning the Col-Tex Refinery State Superfund Site

The purpose of the meeting is to obtain public input and information concerning the proposed remedy for the Col-Tex Refinery State Superfund Site (site).

The executive director of the Texas Commission on Environmental Quality (TCEQ) is issuing this public notice of a proposed selection of remedy for the site. In accordance with 30 TAC §335.349(a) and Texas Health and Safety Code (THSC), §361.187, a public meeting regarding the TCEQ's selection of a proposed remedy for the site shall be held. The statute requires that the TCEQ publish notice of the meeting in the *Texas Register* and in a newspaper of general circulation in the county in which the facility is located at least 30 days before the date of the public meeting. This notice will also be published in the *Colorado City Record* newspaper, on March 3, 2016.

The site for which a remedy is being proposed was listed on the state Superfund registry in the January 25, 1994, issue of the Texas Register (19 TexReg 545). The site, including all land, structures, appurtenances, and other improvements, is located on 175 acres straddling Business Interstate 20 (United States Highway 80) immediately west of the Colorado River in Colorado City, Mitchell County, Texas. The site also includes any areas where hazardous substances have come to be located as a result, either directly or indirectly, of releases from the site.

The Col-Tex Refinery operated from 1924 to 1969. During the 1970s, the refinery was dismantled, except for one active above-ground storage tank on the bluff and three above-ground storage tanks adjacent to the Colorado River. The site remained vacant until the early 1990s, when site security and cleanup activities were initiated.

Since 1993, potentially responsible parties have conducted extensive soil, surface water, groundwater, and sediment sampling. All storage tanks and other structures have been removed; and all contaminated soil has been excavated, treated, and placed in an on-site containment cell. More than 7,000 tons of nonhazardous material was recycled into asphalt stabilized road base that was donated to Mitchell County to resurface seven miles of county roads. Under an agreement with state and federal natural resource trustees, the potentially responsible parties have constructed and maintained a wildlife preservation area adjacent to the site on the Colorado River.

The proposed remedial action consists of the operation and maintenance of the on-site containment cell, continued recovery of phase-separated hydrocarbons (PSH) from groundwater, and a Plume Management Zone with monitored natural attenuation of groundwater contamination.

A portion of the record for this site including documents pertinent to the proposed remedy is available for review during regular business hours at the Mitchell County Public Library, 340 Oak Street, Colorado City, Texas 79512, telephone number (325) 728-3968. Copies of the complete public record file may be obtained during business hours at the TCEQ's Central File Room, Building E, Room 103, First Floor, Records Customer Service, MC 213, 12100 Park 35 Circle, Austin, Texas 78753. Fees are charged for photocopying information. Parking for persons with disabilities is available on the east side of Building D, convenient to access ramps that are between Buildings D and E. Information is also available regarding the state Superfund program at <https://www.tceq.texas.gov/remediation/superfund/statesf>.

Public Meeting

The public meeting is scheduled for April 7, 2016, at 7:00 p.m., at the Colorado City Civic Center, located at, 157 West 2nd Street, Colorado City, Texas 79512. The public meeting is not a contested case hearing under the Texas Government Code, Chapter 2001.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the meeting should contact the TCEQ at (800) 633-9363 or (512) 239-5906. Requests should be made as far in advance as possible.

Comments

All persons desiring to make comments may do so prior to or at the public meeting. All comments submitted prior to the public meeting must be received by 5:00 p.m., on April 6, 2016 **and should be sent in writing** to Jeffrey E. Patterson, Project Manager, MC-136, TCEQ, Remediation Division, P.O. Box 13087, Austin, Texas 78711-3087, or by facsimile to (512) 239-2450. The public comment period for this action will end at the close of the public meeting on April 7, 2016.

For further information about this site or the public meeting, please call Crystal Taylor, TCEQ Community Relations Liaison, at 1-800-633-9363.

TRD-201600710

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: February 16, 2016



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 **March 28, 2016**. 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 March 28, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Benny's Mart, Inc.; DOCKET NUMBER: 2014-1186-PST-E; TCEQ ID NUMBER: RN102233541; LOCATION: 5249 Broadway Boulevard, Garland, Dallas County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (c)(5)(B)(ii), by failing to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; TWC, §26.3467(a) and 30 TAC §334.8(c)(5)(A)(i), by failing to make available to the common carrier

a valid, current TCEQ delivery certificate before accepting deliveries of a regulated substance into the USTs; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), (d)(1)(B)(ii), and (iii)(I), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring), by failing to conduct reconciliation of detailed inventory control records at least once per month, in a manner sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow-through for the month plus 130 gallons, and by failing to record inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank each operating day; 30 TAC §334.49(e), by failing to maintain corrosion protection records and make them immediately available for inspection upon request by agency personnel; and Texas Health and Safety Code, §382.085(b) and 30 TAC §115.242(d)(3)(J), by failing to maintain the Stage I system dry break in proper operating condition; PENALTY: \$7,463; STAFF ATTORNEY: Jacquelyn Boutwell, Litigation Division, MC 175, (512) 239-5846; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: CIPERCEN LLC dba Meineke 4156; DOCKET NUMBER: 2015-0293-PST-E; TCEQ ID NUMBER: RN100532290; LOCATION: 2712 West William Cannon Drive, Austin, Travis County; TYPE OF FACILITY: underground storage tank (UST) system and an oil change and lube facility; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a UST; TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the UST system; TWC, §26.3475(b) and (c)(1) and 30 TAC §334.50(b)(1)(A) and (b)(2), by failing to monitor the UST for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring) and by failing to provide release detection for the gravity piping associated with the UST system; 30 TAC §334.602(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator- Class A, B and C; and 30 TAC §334.7(d)(3), by failing to notify the agency of any change or additional information regarding the UST system within 30 days of the date of the occurrence of the change or addition; PENALTY: \$10,634; STAFF ATTORNEY: David A. Terry, Litigation Division, MC 175, (512) 239-0619; REGIONAL OFFICE: Austin Regional Office, 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(3) COMPANY: JR GROCERIES, INC. dba Handi Stop 8; DOCKET NUMBER: 2015-1201-PST-E; TCEQ ID NUMBER: RN102438496; LOCATION: 6116 Gulfton Street, Houston, Harris County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$3,750; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: NAYEB HOLDING, INC. dba Shop N Go #6; DOCKET NUMBER: 2015-0726-PST-E; TCEQ ID NUMBER: RN101636090; LOCATION: 101 Industrial Boulevard, McKinney, Collin County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to timely renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form

at least 30 days before the expiration date; and TWC, §26.3467(a) and 30 TAC §334.8(c)(5)(A)(i), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; PENALTY: \$9,985; STAFF ATTORNEY: Jake Marx, Litigation Division, MC 175, (512) 239-5111; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: New Jonathon Enterprise Incorporated dba Checkered Flag 11; DOCKET NUMBER: 2015-1293-PST-E; TCEQ ID NUMBER: RN101557999; LOCATION: 6100 Coit Road, Plano, Collin County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); and TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$6,129; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: RAI INVESTMENTS INC dba Deesway Grocery 126; DOCKET NUMBER: 2015-0656-PST-E; TCEQ ID NUMBER: RN101545853; LOCATION: 112 North Collet Avenue, Dallas, Dallas County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); and TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the UST system; PENALTY: \$9,000; STAFF ATTORNEY: J. Amber Ahmed, Litigation Division, MC 175, (512) 239-1204; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(7) COMPANY: TAHIR ENTERPRISES, INC. dba Buy N Bye Drive In; DOCKET NUMBER: 2015-0120-PST-E; TCEQ ID NUMBER: RN101782043; LOCATION: 1310 North Pine Street, Kountze, Hardin County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the UST system; TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the USTs; and 30 TAC §334.45(c)(3)(A), by failing to install an emergency shutoff valve (also known as shear or impact valve) on each pressurized delivery or product line and ensure that it is securely anchored at the base of the dispenser; PENALTY: \$9,755; STAFF ATTORNEY: Meaghan M. Bailey, Litigation Division, MC 175, (512) 239-0205; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-201600712

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: February 16, 2016



Notice of Opportunity to Comment on Default Order of Administrative Enforcement Action

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 an 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 **March 28, 2016**. 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 March 28, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DO and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Willis C. Aldridge; DOCKET NUMBER: 2015-0766-LII-E; TCEQ ID NUMBER: RN104137526; LOCATION: 102 North Shiloh Road, Suite 303, Garland, Dallas County; TYPE OF FACILITY: landscape irrigation business; RULES VIOLATED: 30 TAC §344.24(a), by failing to comply with local regulations by failing to obtain a permit prior to installing a landscape irrigation system; and 30 TAC §344.24(a) and §344.50(a), by failing to connect an irrigation system on a public water supply through an approved backflow prevention device; PENALTY: \$1,394; STAFF ATTORNEY: Jess Robinson, Litigation Division, MC 175, (512) 239-0455; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201600713

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: February 16, 2016



Public Notice - Shutdown/Default Order

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Order (S/DO). Texas Water Code (TWC), §26.3475 authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be noncompliant with release detection, spill and overflow prevention, and/or, after December

22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the release detection, spill and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an 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. In accordance with 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 **March 28, 2016**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/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 S/DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed S/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 S/DO shall be sent to the attorney designated for the S/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 March 28, 2016**. Written comments may also be sent by facsimile to the attorney at (512) 239-3434. The commission attorneys are available to discuss the S/DO and/or the comment procedure at the listed phone numbers; however, comments on the S/DO shall be submitted to the commission in **writing**.

(1) COMPANY: S & A OIL CO., INC. dba Handi Stop 91; DOCKET NUMBER: 2015-1085-PST-E; TCEQ ID NUMBER: RN103118550; LOCATION: 12150 Cypress North Houston Road, Cypress, Harris County; TYPE OF FACILITY: underground storage tank (UST) system and convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(d) and 30 TAC §334.49(c)(2)(C), by failing to inspect the impressed current cathodic protection system at least once every 60 days to ensure that the rectifier and other system components are operating properly; TWC, §26.3475(d) and 30 TAC §334.49(c)(4)(C), by failing to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years; 30 TAC §334.42(i), by failing to inspect all sumps, including dispenser sumps, manways, overspill containers, or catchment basins associated with the UST system at least once every 60 days to ensure that the sides, bottoms, and any penetration points are maintained liquid tight and free of debris and liquid; and TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$9,560; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201600711

Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: February 16, 2016

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Texas Facilities Commission

Request for Proposals #303-6-20516-A

The Texas Facilities Commission (TFC), on behalf of the Comptroller of Public Accounts (CPA), announces the issuance of Request for Proposals (RFP) #303-6-20516-A. TFC seeks a five (5) or ten (10) year lease of approximately 4,764 square feet of office space in the City of Friendswood, La Porte, Pasadena, or Clear Lake, Texas.

The deadline for questions is March 7, 2016 and the deadline for proposals is March 14, 2016 at 3:00 p.m. The award date is April 20, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=122733.

TRD-201600660
Kay Molina
General Counsel
Texas Facilities Commission
Filed: February 11, 2016

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Request for Proposals #303-6-20546

The Texas Facilities Commission (TFC), on behalf of the Comptroller of Public Accounts - Enforcement (CPA), announces the issuance of Request for Proposals (RFP) #303-6-20546. TFC seeks a five (5) or ten (10) year lease of approximately 4,764 square feet of office space in Katy, Texas.

The deadline for questions is March 7, 2016 and the deadline for proposals is March 14, 2016 at 3:00 p.m. The award date is April 20, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=122734.

TRD-201600661
Kay Molina
General Counsel
Texas Facilities Commission
Filed: February 11, 2016

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Texas Board of Professional Geoscientists

Advisory Opinion - AOR #13 (2015)

Is Texas P.G. licensure and/or firm registration required if a P.G. licensed in another state physically moves his or her firm to Texas and engages in the following activities?

1. Establishes a Texas LLC (is a Texas corp. for at least some tax purposes).
2. Solicits and engages in work solely within his/her original state of practice and residence, except for the fact that the office-based portion of the work (report preparation, administration, etc.) is done in the new Texas LLC's office.
3. Maintains current licensure in the original state.
4. The LLC advertises that services are offered only in the original state of licensure.

Opinion: If the firm solicits and engages in work solely within another state, except for the office-based portion of the work (report compilation, administration, etc.); maintains licensure in the other state; and the LLC advertises that services are offered only in the state of licensure, the firm is exempt from TBPG registration.

TRD-201600648
Charles Horton
Executive Director
Texas Board of Professional Geoscientists
Filed: February 10, 2016

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Texas Health and Human Services Commission

Public Notice - Amendment to the Texas Healthcare Transformation Quality Improvement Program

The Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) for an amendment to the Texas Healthcare Transformation Quality Improvement Program (THTQIP) waiver under section 1115 of the Social Security Act. CMS has approved this waiver through September 30, 2016.

HHSC is proposing three changes in this amendment request:

- 1) mandate enrollment in a STAR Kids Managed Care Organization (MCO) for Medicaid recipients under the age of 21 who receive Supplemental Security Income (SSI), disability-related Medicaid, or who are served through one of the Medicaid 1915(c) waivers with an effective date of November 1, 2016 (note: managed care enrollment remains optional for members of federally-recognized tribes and tribal organizations);
- 2) amend the 1115 waiver to end the current NorthSTAR behavioral health Medicaid carve-out program effective January 1, 2017; and
- 3) amend the 1115 Waiver to apply the spell of illness (SOI) exemption only for members who are admitted specifically due to a diagnosis of Serious and Persistent Mental Illness (SPMI) effective September 1, 2016.

STAR Kids Managed Care Organization

Senate Bill 7 (83rd Legislature, Regular Session, 2013) directs HHSC to establish a mandatory, capitated STAR Kids managed care program tailored to provide Medicaid benefits to individuals with disabilities under the age of 21. Texas seeks to establish a fully-integrated managed care model tailored to meet the diverse and unique needs of Medicaid clients under the age of 21 with disabilities. The proposed STAR Kids model will provide children a full continuum of services, including acute care, behavioral health, and Medicaid 1905(a) state plan long-term services and supports. It will also provide Medically Dependent Children Program (MDCP) services for qualified members. STAR

Kids MCOs will provide all members service coordination of State Plan services and Home and Community Based Services (HCBS) provided within or outside of the managed care delivery system. All STAR Kids members will have a choice of at least two MCOs and the option to request a change in MCOs at any time.

HHSC proposes to mandate enrollment in a STAR Kids MCO for Medicaid recipients under the age of 21 who receive SSI, disability-related Medicaid, or who are served through one of the Medicaid 1915(c) waivers. The two exceptions are members of federally-recognized tribes and tribal organizations, and children in foster care. Children and young adults who are members of federally-recognized tribes and tribal organizations, and who have SSI or disability-related Medicaid or who are served through one of the 1915(c) waivers, will be able to voluntarily enroll in STAR Kids or opt to remain in traditional fee-for-service Medicaid. Children and young adults in foster care who have SSI or disability-related Medicaid or who are served through one of the 1915(c) waivers will continue to be served in STAR Health after the implementation of STAR Kids.

Medicaid-enrolled children and young adults under the age of 21 with disabilities are currently served in multiple Medicaid delivery models. This waiver amendment will change the delivery system for this population as follows:

- Through the STAR Kids Medicaid managed care model, children and young adults under age 21 with SSI or disability-related Medicaid who are not served by a 1915(c) waiver will receive 1905(a) state plan acute care, behavioral health, and long-term services and supports, as well as service coordination through a STAR Kids MCO.
- Individuals served by the Medically Dependent Children Program (MDCP) 1915(c) waiver will receive the full range of 1905(a) state plan acute care, behavioral health, and long-term services and supports, MDCP 1915(c) waiver services, as well as service coordination through a STAR Kids MCO.
- Individuals under the age of 21 receiving HCBS through 1915(c) waivers listed below will receive 1905(a) state plan acute care, behavioral health and long term services and supports, and service coordination through a STAR Kids MCO, but will continue to receive HCBS through their current 1915(c) provider in the HCBS delivery system:

1. Community Living Assistance and Support Services (CLASS),
2. Deaf Blind Multiple Disabilities (DBMD),
3. Home and Community Services (HCS),
4. Texas Home Living (TxHmL), and
5. Youth Empowerment Services (YES).

NorthSTAR Termination

Consistent with S.B. 200 (84th Legislature, Regular Session, 2015), HHSC proposes to amend the 1115 waiver to end the current NorthSTAR behavioral health Medicaid carve-out program effective January 1, 2017. Medicaid services previously provided through the NorthSTAR blended funding model and delivered through a behavioral health organization will now be included within Medicaid managed care STAR, STAR+PLUS, and STAR Kids capitation. Under the NorthSTAR transition, Medicaid benefits will not change. Medicaid enrollees will receive Medicaid behavioral health services through their MCO or Fee for Service (FFS) as appropriate rather than NorthSTAR. For members enrolled in STAR Kids, these services will be available through the MCOs beginning November 1, 2016.

Spell of Illness Limitation

In STAR+PLUS, adult members are subject to a spell of illness (SOI) limitation. The policy places a limit on inpatient hospital stays for adults 21 years and older. SOI is defined as 30 days of inpatient hospital care, which may be consecutive or cumulative. After 30 days of inpatient care is provided, coverage for additional inpatient care is not covered until the member has been out of an acute care facility for 60 consecutive days. HHSC currently has an exemption to the SOI limitation for members in STAR+PLUS who have severe and persistent mental illness (SPMI). This exemption currently applies regardless of the reason for admission into an inpatient facility. HHSC proposes to amend the 1115 Waiver to apply the SOI exemption only for STAR+PLUS members who are admitted specifically due to a diagnosis of SPMI.

To obtain copies of the proposed waiver amendment, interested parties may contact Micah Erwin by mail at Texas Health and Human Services Commission, P.O. Box 13247, Mail Code H-370, Austin, Texas 78711-3247, phone (512) 424-6549, fax (512) 730-7472, or by email at TX_Medicaid_Waivers@hhsc.state.tx.us.

TRD-201600703

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: February 12, 2016

Texas Department of Insurance

Fiscal Year 2016 Research Agenda

Workers' Compensation Research and Evaluation Group

The commissioner of insurance considers the proposed Fiscal Year (FY) 2016 Research Agenda for the Workers' Compensation Research and Evaluation Group (REG) at the Texas Department of Insurance. Labor Code §405.0025 authorizes the REG to conduct professional studies and research related to the delivery of benefits; litigation and controversy related to workers' compensation; insurance rates and ratemaking procedures; rehabilitation and reemployment of injured employees; the quality and cost of medical benefits; employer participation in the workers' compensation system; employment health and safety issues; and other matters relevant to the cost, quality, and operational effectiveness of the workers' compensation system.

Insurance Code §1305.502 requires the REG to develop and issue an annual informational report card that identifies and compares, on an objective basis, the quality, costs, health care provider availability, and other analogous factors of workers' compensation health care networks operating under the workers' compensation system of this state with each other and with medical care provided outside of networks. Labor Code §405.0026 requires the REG to prepare and publish annually in the *Texas Register* a proposed workers' compensation research agenda for the commissioner's review and approval.

In October 2015, the REG posted an informal request for suggestions for its FY 2016 research agenda on the TDI website to get input from stakeholders and the general public. The REG also asked legislative offices for input. The REG received one suggestion from a member of the public to conduct an analysis of Supplemental Income Benefits, which are paid to permanently impaired injured employees for ongoing disability after the expiration of Impairment Income Benefits. Subsequent to the informal posting of the research agenda, the Speaker of the House of Representatives assigned an interim charge to the House Business and Industry Committee that focuses on the adequacy of Lifetime Income Benefits and Death Benefits for injured employees and their beneficiaries who receive those benefits. In response, the REG added project #7 to the FY 2016 Research Agenda to address the in-

terim charge, and as resources permit, will review the feasibility of obtaining data on access to SIBs benefits for injured employees in Texas.

TDI published a proposed research agenda in the December 11, 2015, issue of the *Texas Register* (40 TexReg 8974) for public review and comment. TDI received no comments or requests for a public hearing.

The commissioner adopts the following FY 2016 Research Agenda for the Workers' Compensation Research and Evaluation Group at the Texas Department of Insurance.

1. Completion and publication of the 10th edition of the Workers' Compensation Health Care Network Report Card (required under Insurance Code §1305.502(a)-(d) and Labor Code §405.0025(b)).

2. An update of the 2014 Setting the Standard biennial report on the impact of the HB 7 (2005) legislative reforms of the Texas workers' compensation system. The report presents results on the affordability and availability of workers' compensation insurance for Texas employers and the impact of certified workers' compensation health care networks on return-to-work outcomes, medical costs, quality-of-care issues, and medical dispute resolution (required by Insurance Code §2053.012 and Labor Code §405.0025(a)-(c)).

3. An update of the 2014 biennial study to estimate employer participation in the Texas workers' compensation system (required by Insurance Code §2053.012(a) and Labor Code §405.0025(a)(6)).

4. An analysis of designated doctor examinations in the Texas workers' compensation system.

5. An annual update of medical costs and utilization in the Texas workers' compensation system, with additional attention on the cost and utilization of office visits and physical medicine services.

6. An updated analysis of the impact of the pharmacy closed formulary on the utilization and cost patterns in pharmacy prescriptions for new and legacy claims, with special focus on the preliminary impact of federal reclassification of hydrocodone-combination drugs, as well as post-formulary trends in the utilization of physical medicine in the Texas workers' compensation system.

7. Examine the adequacy of Lifetime Income Benefits and Death Benefits for injured employees and their beneficiaries who receive those benefits, and related issues cited in the House of Representatives Interim Charges to the 84th Legislature for the House Business and Industry Committee.

The commissioner approves and adopts the FY 2016 Research Agenda for the Workers' Compensation Research and Evaluation Group at the Texas Department of Insurance, as specified above, effective immediately.

TRD-201600730
Norma Garcia
General Counsel
Texas Department of Insurance
Filed: February 17, 2016

Panhandle Regional Planning Commission

Legal Notice

The Panhandle Regional Planning Commission (PRPC) is seeking proposals from qualified organizations with demonstrated competence, knowledge, qualifications, successful performance, and reasonable fees to provide fiscal monitoring services for the workforce development programs administered in the Panhandle Workforce Development Area (PWDA). The purpose of this solicitation is to enable PRPC to

evaluate and select an entity capable of performing these services and to enter into negotiation for a contract at a fair and reasonable price.

Interested proposers may obtain a copy of the solicitation packet by contacting Leslie Hardin, at (806) 372-3381/(800) 477-4562 or lhardin@theprpc.org. The proposals must be submitted to PRPC no later than March 18, 2016.

TRD-201600707
Leslie Hardin
WFD Contracts Coordinator
Panhandle Regional Planning Commission
Filed: February 16, 2016

Texas Parks and Wildlife Department

Notice of Hearing and Opportunity for Public Comment

This is a notice of an opportunity for public comment and a public hearing on a Town of Highland Park application for a Texas Parks and Wildlife Department (TPWD) permit to dredge sand and gravel from Turtle Creek, approximately 2,100 feet downstream of the Beverly Drive crossing and approximately 1,250 feet upstream of the Armstrong Avenue crossing in Highland Park, Dallas County.

The hearing will be held at 11:00 a.m. on March 18, 2016, at TPWD headquarters, located at 4200 Smith School Road, Austin, Texas 78744. The hearing is not a contested case hearing under the Administrative Procedure Act.

Written comments must be submitted within 30 days of the publication of this notice in the *Texas Register* or the newspaper, whichever is later, or at the public hearing. Submit written comments, questions, or requests to review the application to: Tom Heger, TPWD, by mail: 4200 Smith School Road, Austin, Texas 78744; fax (512) 389-4405; e-mail tom.heger@tpwd.texas.gov; or phone (512) 389-4583.

TRD-201600678
Ann Bright
General Counsel
Texas Parks and Wildlife Department
Filed: February 11, 2016

Public Utility Commission of Texas

Notice of Application to Amend a Service Provider Certificate of Operating Authority

On February 9, 2016, XO Communications Services, Inc. filed an application with the Public Utility Commission of Texas (commission) to amend service provider certificate of operating authority (SPCOA) Number 60173. Applicant requests approval of a name change.

Docket Style and Number: Application of XO Communications Services, Inc. to amend a Service Provider Certificate of Operating Authority, Docket Number 45595.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas, 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477 no later than March 4, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45595.

TRD-201600684

Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 11, 2016



Notice of Application to Amend a Service Provider Certificate of Operating Authority

On February 9, 2016, Nextlink Wireless, Inc. filed an application with the Public Utility Commission of Texas (commission) to amend service provider certificate of operating authority (SPCOA) Number 60745. Applicant requests approval of a name change.

Docket Style and Number: Application of Nextlink Wireless, Inc. to amend a Service Provider Certificate of Operating Authority, Docket Number 45597.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas, 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477 no later than March 4, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45597.

TRD-201600685
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 11, 2016



Notice of Application to Amend Water and Sewer Certificates of Convenience and Necessity

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) to amend water and sewer certificates of convenience and necessity (CCN) in Montgomery County.

Docket Style and Number: Application of Aqua Texas, Inc. d/b/a Aqua Texas to Amend its Certificates of Convenience and Necessity in Montgomery County (Black Oak), Docket Number 45586.

The Application: Aqua Texas, Inc. d/b/a Aqua Texas filed an application with the Public Utility Commission of Texas to amend water CCN No. 13203 and sewer CCN No. 21065 in Montgomery County.

Persons wishing to intervene or comment on the application should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline to intervene in this proceeding will be established. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 45586.

TRD-201600650
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 10, 2016



Notice of Filing to Withdraw Services Pursuant to 16 TAC §26.208(h)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) to withdraw services pursuant to 16 Texas Administrative Code §26.208(h) (TAC).

Docket Title and Number: Application of Hill Country Telephone Cooperative, Inc. to Withdraw Services Pursuant to 16 Tex. Admin. Code § 26.208(h) - Docket Number 45563.

The Application: On February 1, 2016, pursuant to 16 TAC §26.208(h), Hill Country Telephone Cooperative, Inc. (HCTC) filed an application with the Commission to withdraw certain services from its Long Distance Message Telecommunications Service Tariff. HCTC proposes to discontinue Line Status Verification and Busy Interrupt services. HCTC seeks to withdraw the services based on lack of customer demand. HCTC explained that existing customers will continue to have access to operator services and emergency services which serve as a sufficient alternative to the services proposed to be discontinued. The proceedings were docketed and suspended on February 4, 2016, to allow adequate time for review and intervention.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. The deadline to file comments on the application or to intervene in this docket is March 28, 2016. All inquiries should reference Docket Number 45563.

TRD-201600704
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 12, 2016



Notice of Filing to Withdraw Services Pursuant to 16 TAC §26.208(h)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) to withdraw services pursuant to 16 Texas Administrative Code §26.208(h) (TAC).

Docket Title and Number: Application of Industry Telephone Company to Withdraw Services Pursuant to 16 Tex. Admin. Code §26.208(h) - Docket Number 45564.

The Application: On February 1, 2016, pursuant to 16 TAC §26.208(h), Industry Telephone Company (ITC) filed an application with the Commission to withdraw certain services from its Member Services Tariff. ITC proposes to discontinue Line Status Verification and Busy Interrupt services. ITC seeks to withdraw the services based on lack of customer demand. ITC explained that existing customers will continue to have access to operator services and emergency services which serve as a sufficient alternative to the services proposed to be discontinued. The proceedings were docketed and suspended on February 4, 2016, to allow adequate time for review and intervention.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. The deadline to file comments on the application or to intervene in this docket is March 28, 2016. All inquiries should reference Docket Number 45564.

TRD-201600705

Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 12, 2016



Notice of Filing to Withdraw Services Pursuant to 16 TAC §26.208(h)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) to withdraw services pursuant to 16 Texas Administrative Code §26.208(h) (TAC).

Docket Title and Number: Application of Brazoria Telephone Company to Withdraw Services Pursuant to 16 Texas Administrative Code §26.208(h) - Docket Number 45565.

The Application: On February 1, 2016, pursuant to 16 TAC §26.208(h), Brazoria Telephone Company (BTC) filed an application with the Commission to withdraw certain services from its Long Distance Message Telecommunications Service Tariff. BTC proposes to discontinue Collect Calls, Bill to a Third Number, Bill to Credit Card, Line Status Verification, Busy Interrupt and Person-to-Person services. BTC seeks to withdraw the services based on lack of customer demand. BTC explained that existing customers will continue to have access to operator services and emergency services which serve as a sufficient alternative to the services proposed to be discontinued. The proceedings were docketed and suspended on February 4, 2016, to allow adequate time for review and intervention.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. The deadline to file comments on the application or to intervene in this docket is March 28, 2016. All inquiries should reference Docket Number 45565.

TRD-201600706
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 12, 2016



Request for Comments

On February 4, 2016, ERCOT filed in the above-referenced project a stakeholder-produced white paper, an ERCOT backcast analysis, and a set of stakeholder position papers. Certain position papers advocated modifying Operating Reserve Demand Curve (ORDC) parameters, while others advocated maintaining the current design of the ORDC. Public Utility Commission of Texas (commission) Staff invites interested parties to submit reply comments addressing the proposals described in the position papers. Staff particularly seeks input from parties who have not yet commented on what, if any, changes to the ORDC are appropriate at this time.

Comments may be filed by submitting ten copies to the commission's Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, Austin, Texas 78711-3326, by March 11, 2016. All comments should reference Project No. 45572 and be limited to 20 pages. Commenters are encouraged to respond to previously filed proposals, rather than restate their initial positions. Questions concerning this notice should be referred to Julia Harvey, Competitive Markets Division, (512) 936-7371, or Jason Haas, Legal Division, (512) 936-7295. Hear-

ing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1.

TRD-201600736
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: February 17, 2016



Rio Grande Council of Governments

Far West Texas Water Planning Group (Region E) - Request for Statement of Qualifications

The Rio Grande Council of Governments is soliciting applications from a qualified Consultant to prepare a Regional Water Plan for Region E Water Group as defined by Title 31 TAC Chapters 355, 357, 358. To obtain a copy of the Statement of Qualifications (SOQ,) visit RGCOG at www.riocog.org/Notices/RFQ.htm.

TRD-201600719
Annette Gutierrez
RGCOG Executive Director
Rio Grande Council of Governments
Filed: February 17, 2016



Texas Water Development Board

Applications for February 2016

Pursuant to Texas Water Code §6.195, the Texas Water Development Board provides notice of the following applications:

Project ID #62686, a request from the Town of Opdyke West, P.O. Box 1179, Levelland, Texas 79336-1179, received September 23, 2015, for \$200,000 in loan forgiveness from the Drinking Water State Revolving Fund, to finance the planning, design, and construction of a filtration system to remove arsenic and fluoride from its public water system.

Project ID #73723, a request from the City of Arlington, P.O. Box 90231, MS 01-0200, Arlington, Texas 76004, received October 21, 2015, for financial assistance of \$2,439,700 consisting of a \$2,080,000 loan and \$359,700 in loan forgiveness from the Clean Water State Revolving Fund to finance the construction of wastewater improvements.

Project ID #62692, a request from the City of Tioga, P.O. Box 206, Tioga, Texas 76271-0206, received November 12, 2015, for financial assistance of \$1,250,000 consisting of a \$1,050,000 loan and \$200,000 in loan forgiveness from the Drinking Water State Revolving Fund to finance the planning, design, and construction of a new water well and transmission main.

Project ID #73719, a request from the City of Houston, 611 Walker, Houston, Texas 77002, received September 16, 2015, for a \$65,750,000 loan from the Clean Water State Revolving Fund to finance the construction of citywide sanitary sewer collection system rehabilitation.

Project ID #73721, a request from the North Fort Bend Regional Water Authority, 10777 Westheimer; Ste. 400, Houston, Texas 77042, received October 1, 2015, for financial assistance of \$11,052,000 consisting of a \$9,420,000 loan and \$1,632,000 in loan forgiveness from the Clean Water State Revolving Fund to finance the construction of improvements to the Grand Lakes Regional Wastewater Treatment Plant.

Project ID #62669, a request from Lee County Fresh Water Supply District No. 1, P.O. Box 74, Dime Box, Texas 77853-0074, received

September 22, 2015, for financial assistance of \$725,000, consisting of a \$525,000 loan and \$200,000 in loan forgiveness from the Drinking Water State Revolving Fund to finance the construction of new storage tanks and pump station.

TRD-201600646
Les Trobman
General Counsel
Texas Water Development Board
Filed: February 10, 2016

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West Central Texas Council of Governments

Request for Proposals

The West Central Texas Council of Governments (WCTCOG) is seeking proposals from qualified entities to provide Title III-C Nutrition Services congregate and/or home-delivered meals to eligible seniors residing in the 19 county WCTCOG service area. Proposals may be submitted for providing either congregate or home delivered meals or both, as part of this Request for Proposals (RFP). In addition, proposals may include providing senior nutrition services to eligible seniors residing in any or all of the 19 counties making up the WCTCOG service

area. This RFP is issued under the authority of the Texas Government Code, Chapter 2254, Subchapter B, which delineates the statutory requirements governing invitations for proposals and request for offers by state Proposers.

WCTCOG will conduct a Bidder's Conference Thursday, February 19, 2016, at 1:00 p.m. in the WCTCOG Main Conference Room, located at 3702 Loop 322, Abilene. Potential respondents are encouraged, but not required, to attend the bidder's conference. Questions may be received until 5:00 p.m., Wednesday, February 17, 2016, via email at wctcog@westcentraltexas.org.

Proposal packets can be found at wctcog@westcentraltexas.org or may be obtained by contacting Ami Polston at apolston@westcentraltexas.org.

TRD-201600701
Tom K. Smith
Executive Director
West Central Texas Council of Governments
Filed: February 12, 2016

