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ADDITION

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

Office of the Attorney General

Notice of Contract Award

RFP No. 302-16-LBC001

Pursuant to Texas Government Code, Chapter 2254, Subchapter B, the Office of the Attorney General (OAG) has awarded OAG Contract #1666676-00 for RFP No. 302-16-LBC001, Indirect Cost Allocation Plan and Legal Billing Rates Consultant services which has been posted on the following Electronic State Business Daily (ESBD) website:

http://esbd.cpa.state.tx.us/award_show.cfm?proc_id=302-16-LBC001%20&ag_num=302

Pursuant to Texas Government Code §2254.030, the following information is hereby provided:

Contract #1666676-00 was awarded to MGT of America, Inc. in the amount of \$80,000.00 for the period of April 21, 2016 through August 31, 2017. The Consultant will prepare an Indirect Cost Allocation Plan

based upon actual expenditures as presented in the OAG's Annual Financial Report (AFR) for FY 2015 and resulting in federally approved fixed FY 2017 Indirect Cost Allocation Rates. Consultant will prepare an Indirect Cost Allocation Plan based upon actual expenditures as presented in the OAG's Annual Financial Report (AFR) for FY 2016 and resulting in federally approved fixed FY 2018 Indirect Cost Allocation Rates. Consultant will prepare FY 2017 billing rates for legal services and reconcile FY 2015 legal billing rates with actual costs of legal services. Consultant will prepare FY 2018 billing rates for legal services and reconcile FY 2016 legal billing rates with actual costs of legal services. The FY 2017 and the FY 2018 billing rates for legal services will be used to directly bill state agencies and other users of the legal services of the OAG.

The schedule for performance of services and deliverables by the contractor is as follows:

Deliverable	Completion Date
Providing a draft ICRP to the OAG for review and comment	June 17, 2016
Providing a final JCRP to the OAG	July 15, 2016
Submitting the ICRP to DHHS for negotiation and approval	July 15, 2016
Negotiating approval of the ICAP and FY 2017 indirect cost rates with the DHHS	August 31, 2016 (or as quickly thereafter as DHHS schedule allows.)
Providing support on indirect cost recovery	through August 31, 2017 or the term of the contract, whichever is longer.
Providing the OAG with draft legal services billing rate schedules based on FY 2015 actual costs and FY 2017 budgeted costs	July 15, 2016
Providing a final, formalized legal services rate schedule with billing rates for use in billing agencies for services during FY 2017 to the OAG.	August 31, 2016
Providing support to the OAG and other state agencies on the methodology and the application of billing rates	through August 31, 2017 or the term of the contract, whichever is longer.
Providing a draft JCRP to the OAG for review and comment	To Be Determined
Providing a final ICRP to the OAG	To Be Determined
Submitting the ICRP to DHHS for negotiation and approval	To Be Determined
Negotiating approval of the ICAP and FY 2018 indirect cost rates with the OHHS	August 31, 2017 (or as quickly thereafter as DHHS' schedule allows.)
Providing support on indirect cost recovery	through August 31, 2018 or the term of the contract, whichever is longer.
Providing the OAG with draft legal services billing rate schedules based on FY 2016 actual costs and FY 2018 budgeted costs	To Be Determined
Providing a final, formalized legal services rate schedule with billing rates for use in billing agencies for services during FY 2018 to the OAG	August 31, 2017
Providing support to the OAG and other state agencies on the methodology and the application of billing rates/	through August 31, 2018 or the term of the contract, whichever is longer.

TRD-201602307
Amanda Crawford
General Counsel
Office of the Attorney General
Filed: May 11, 2016

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Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - April 2016

The Comptroller of Public Accounts, administering agency for the collection of the Crude Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of crude oil for reporting period April 2016 is \$24.13 per barrel for the three-month period beginning on January 1, 2016, and ending March 31, 2016. Therefore, pursuant to Tax Code, §202.058, crude oil produced during the

month of April 2016, from a qualified low-producing oil lease, is eligible for a 50% credit on the crude oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period April 2016 is \$1.14 per mcf for the three-month period beginning on January 1, 2016, and ending March 31, 2016. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of April 2016, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of April 2016 is \$41.12 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of April 2016, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of April 2016 is \$2.01 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of April 2016, from a qualified low-producing gas well.

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

TRD-201602293

Don Neal

Chief Deputy General Counsel

Comptroller of Public Accounts

Filed: May 10, 2016



Notice of Amendment

Pursuant to Chapter 403 and Chapter 2254, Subchapter B, Texas Government Code, and Chapter 54, Texas Education Code, the Texas Comptroller of Public Accounts ("Comptroller"), on behalf of the Texas Prepaid Higher Education Tuition Board ("Board"), announces this notice of amendment of an existing major consulting services contract with Aon Hewitt Investment Consulting, Inc., formerly known as Hewitt Ennis Knupp, Inc., located at 10 South Riverside Drive, Suite 1600, Chicago, Illinois 60606.

The contract was awarded under Request for Proposals No. 203a, published in the January 13, 2012, issue of *Texas Register* (37 TexReg 132), for the provision of consulting and technical advice and assistance to the Comptroller and the Board in the ongoing administration of the Texas Guaranteed Tuition Plan, the Texas Tuition Promise Fund®, the Texas College Savings Plan®, and the LoanStar 529 Plan®. The term of the contract is September 1, 2012 through August 31, 2016. The amendment adds consulting services related to the Texas Achieving a Better Life Experience ("ABLE") Program and adds \$12,500.00 to the total amount of the contract for a new total maximum amount of \$312,500.00 per annum.

TRD-201602173

Jason C. Frizzell

Assistant General Counsel, Contracts

Comptroller of Public Accounts

Filed: May 5, 2016



Notice of Contract Award

The Texas Comptroller of Public Accounts announces this notice of award for public finance legal counsel services under Request for Proposals No. 213b ("RFP"). The RFP was published in the October 30, 2016, issue of the *Texas Register* (40 TexReg 7712).

Three (3) contracts were awarded to the following:

1. Andrews Kurth LLP, 111 Congress Avenue, Suite 1700, Austin, Texas 78701. The total amount of the contract is not to exceed \$25,000.00. The term of the contract is March 9, 2016 through March 31, 2017, with option to renew for one (1) additional one-year period.

2. Locke Lord LLP, 2200 Ross Avenue, Suite 2800, Dallas, Texas 75201. The total amount of the contract is not to exceed \$25,000.00. The term of the contract is March 23, 2016 through March 31, 2017, with option to renew for one (1) additional one-year period.

3. Norton Rose Fulbright US LLP, 1301 McKinney, Suite 5100, Houston, Texas 77010. The total amount of the contract is not to exceed \$25,000.00. The term of the contract is April 22, 2016 through March 31, 2017, with option to renew for one (1) additional one-year period.

TRD-201602174

Jason C. Frizzell

Assistant General Counsel, Contracts

Comptroller of Public Accounts

Filed: May 5, 2016



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 05/16/16 - 05/22/16 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 05/16/16 - 05/22/16 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-201602298

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: May 10, 2016



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 Wa-

ter 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 June 20, 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 June 20, 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: City of Baird; DOCKET NUMBER: 2016-0258-PWS-E; IDENTIFIER: RN101387462; LOCATION: Baird, Callahan County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.110(e)(2) and (6) and §290.111(h)(2)(B) and (9), by failing to submit a Surface Water Monthly Operating Report with the required turbidity and disinfectant residual data to the executive director (ED) by the tenth day of the month following the end of the reporting period for October and November 2015; and 30 TAC §290.117(c)(2)(B), (h), and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the ED for the 2015 monitoring period; PENALTY: \$690; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(2) COMPANY: City of Houston; DOCKET NUMBER: 2016-0205-AIR-E; IDENTIFIER: RN100217603; LOCATION: Houston, Harris County; TYPE OF FACILITY: municipal waste water treatment plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Texas Health and Safety Code (THSC), §382.085(b), and Federal Operating Permit (FOP) Number O1586, General Terms and Conditions, by failing to submit a permit compliance certification within 30 days after the end of the certification period; 30 TAC §§106.454(1), 115.412(1)(C), and 122.143(4), THSC, §382.085(b), and FOP Number O1586, Special Terms and Conditions Number 8, by failing to post a permanent label summarizing the operating requirements for the degreaser located in the maintenance building; PENALTY: \$8,888; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(3) COMPANY: City of Katy; DOCKET NUMBER: 2015-1786-WQ-E; IDENTIFIER: RN105475503; LOCATION: Katy, Fort Bend, Harris and Waller Counties; TYPE OF FACILITY: small municipal separate storm sewer system; RULE VIOLATED: 30 TAC §305.125(1) and Texas Pollution Discharge Elimination System

General Permit Number TXR040009, Part IV.B.2, by failing to submit a concise annual report to the executive director within 90 days of the end of the reporting year; PENALTY: \$813; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(4) COMPANY: City of Krum; DOCKET NUMBER: 2016-0014-WQ-E; IDENTIFIER: RN105484729; LOCATION: Krum, Denton County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §305.125(1), 40 Code of Federal Regulations (CFR) §122.34(g)(3), and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR040061, Part IV.B.2., by failing to submit a concise annual report to the executive director by March 31, 2015; and 30 TAC §305.125(1), 40 CFR §122.34(g)(3), and TPDES General Permit Number TXR040061, Part II.E.5., by failing to submit a Notice of Change for the revisions to the established timetable for the Best Management Practices identified in the Stormwater Management Program; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: City of Parker; DOCKET NUMBER: 2015-1815-WQ-E; IDENTIFIER: RN105474654; LOCATION: Parker, Collin County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations (CFR) §122.26(a)(9)(i)(A), by failing to maintain authorization to discharge stormwater associated with Texas Pollutant Discharge Elimination System (TPDES) General Permit for small municipal separate storm sewer systems; 30 TAC §281.25(b)(5), 40 CFR §122.34(g)(3), and TPDES General Permit Number TXR040580 Part IV, Section B.2., by failing to submit a concise annual report to the executive director (ED) within 90 days of the end of the reporting year; and TPDES General Permit Number TXR040580 Part II, Section E.5. Notice of Change (NOC), by failing to submit a NOC to the ED within 30 days from the time the permittee becomes aware of any change; PENALTY: \$7,125; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5886; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: City of Pearland; DOCKET NUMBER: 2015-0915-MWD-E; IDENTIFIER: RN101613446; LOCATION: Pearland, Brazoria County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010134002, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limits; PENALTY: \$10,500; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(7) COMPANY: City of Poteet; DOCKET NUMBER: 2016-0103-MWD-E; IDENTIFIER: RN102078417; LOCATION: Poteet, Atascosa County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: 30 TAC §305.125(1) and (5) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013630001, Operational Requirements Number 1, by failing to properly operate and maintain the facility and all of its systems of collection, treatment and disposal; 30 TAC §305.125(1) and TPDES Permit Number WQ0013630001, Monitoring and Reporting Requirements Number 7.c, by failing to submit written notification to the San Antonio Regional Office and the Enforcement Division within five working days of becoming aware of an effluent violation which deviates from the permitted effluent limitation by more than 40; 30 TAC §305.125(1) and §319.9(c) and TPDES Permit Number

WQ0013630001, Effluent Limitations and Monitoring Requirements Number 1, by failing to properly collect effluent samples; TWC, §26.121(a)(1), 30 TAC §305.125(1) and (4), and TPDES Permit Number WQ0013630001, Permit Conditions Number 2.g, by failing to prevent the unauthorized discharge of wastewater into or adjacent to any water in the state; and 30 TAC §305.125(1) and TPDES Permit Number WQ0013630001, Monitoring and Reporting Requirements Number 7.b.i, by failing to submit written notification to the San Antonio Regional Office and the Enforcement Division within five working days of becoming aware of an unauthorized discharge; PENALTY: \$10,063; ENFORCEMENT COORDINATOR: Jill Russell, (512) 239-4564; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(8) COMPANY: Dustin Martinez dba Martinez Ranch Subdivision; DOCKET NUMBER: 2015-1480-MLM-E; IDENTIFIER: RN106539547; LOCATION: Uvalde, Uvalde County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(j), by failing to provide a completed customer service inspection certificate prior to providing continuous water service to new construction, or to any existing service either when the water purveyor has reason to believe that cross-connections or other potential contaminant hazards exist; 30 TAC §290.42(l), by failing to provide a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(f)(2), (3)(A)(i)(III), (ii)(III), and (B)(iii), by failing to maintain water works operation and maintenance records and make them available for review by the executive director; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.46(m)(1)(A), by failing to conduct an annual inspection of the facility's ground storage tank; 30 TAC §290.45(b)(1)(C)(iv) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a minimum pressure tank capacity of 20 gallons per connection; 30 TAC §290.45(b)(1)(C)(ii) and THSC, §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.46(e)(4)(A) and THSC, §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds a Class D or higher license; 30 TAC §290.46(d)(2)(A) and §290.110(b)(2) and (4) and THSC, §341.0315(c), by failing to maintain a minimum disinfectant residual of 0.2 milligrams per liter free chlorine in the water entering the distribution system and throughout the distribution system at all times; and 30 TAC §288.20(a) and §288.30(5)(B) and TWC, §11.1272(c), by failing to adopt a Drought Contingency Plan which includes all elements for municipal use by a retail public water supplier; PENALTY: \$1,360; ENFORCEMENT COORDINATOR: Jim Fisher, (512) 239-2537; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(9) COMPANY: Harris County Fresh Water Supply District Number 61; DOCKET NUMBER: 2016-0053-MWD-E; IDENTIFIER: RN102183530; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010876002, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$34,125; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717;

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

(10) COMPANY: HEART O' TEXAS COUNCIL OF THE BOY SCOUTS OF AMERICA; DOCKET NUMBER: 2016-0257-PWS-E; IDENTIFIER: RN101285245; LOCATION: Runaway Bay, Wise County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of the public notification to the executive director regarding the failure to submit Surface Water Monthly Operating Reports for the months of August 2014 - May 2015; PENALTY: \$725; ENFORCEMENT COORDINATOR: Jason Fraley, (512) 239-2552; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: LAMESA ENTERPRISES, INCORPORATED; DOCKET NUMBER: 2016-0023-PWS-E; IDENTIFIER: RN104580758; LOCATION: Midland, Midland 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 10 milligrams per liter for nitrate; PENALTY: \$660; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(12) COMPANY: Llano West Mobile Home Park and Golf Course, Limited; DOCKET NUMBER: 2016-0171-PWS-E; IDENTIFIER: RN102692456; LOCATION: Mercedes, Hidalgo 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: \$172; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(13) COMPANY: Lucite International, Incorporated; DOCKET NUMBER: 2016-0270-AIR-E; IDENTIFIER: RN102736089; LOCATION: Nederland, Jefferson County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), Federal Operating Permit Number O1959, Special Terms and Conditions Number 14, New Source Review Permit Numbers 19005 and PSDTX753, Special Conditions Number 1, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$6,563; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(14) COMPANY: MF and JR Investments, LLC; DOCKET NUMBER: 2016-0254-PWS-E; IDENTIFIER: RN108806217; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: public water supply (PWS); RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; 30 TAC §290.39(m), by failing to provide written notification of the startup of a new PWS system; 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 PWS; 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's three public drinking water wells into service; and 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; PENALTY: \$518; ENFORCEMENT

COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(15) COMPANY: One Stop Restoration LLC dba Iron Horse Ranch Yorktown Lodge; DOCKET NUMBER: 2016-0060-PWS-E; IDENTIFIER: RN106507957; LOCATION: Yorktown, DeWitt County; TYPE OF FACILITY: public water supply (PWS); RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; and 30 TAC §290.39(e)(1), (h)(1), and (m) 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 PWS and failed to provide written notification of the startup of a new PWS system; PENALTY: \$500; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(16) COMPANY: Owens Corning Roofing and Asphalt, LLC; DOCKET NUMBER: 2015-0742-AIR-E; IDENTIFIER: RN100225291; LOCATION: Irving, Dallas County; TYPE OF FACILITY: shingle and roofing material manufacturer; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c), New Source Review Permit Number 81011, Special Conditions Number 1, and Texas Health and Safety Code, §382.085(b), by failing to comply with the maximum allowable emissions rate of 0.04 pound per hour of particulate matter from the Lam Line Regenerative Thermal Oxidizer Stack, Emissions Point Number 325, for the time period of November 19, 2013 - December 31, 2013; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(17) COMPANY: Patrick Mireles, Arnold Mireles, and Total Commitment Construction Company, LLC; DOCKET NUMBER: 2016-0365-MSW-E; IDENTIFIER: RN108955626; LOCATION: Falfurrias, Brooks County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) site; RULE VIOLATED: 30 TAC §330.15(c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of MSW; PENALTY: \$1,875; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(18) COMPANY: Pedro A. Noboa; DOCKET NUMBER: 2016-0118-LII-E; IDENTIFIER: RN105089411; LOCATION: Katy, Fort Bend County and Victoria, Victoria County; TYPE OF FACILITY: landscaping business; RULES VIOLATED: 30 TAC §344.63(1)-(2), and (4), by failing to comply with the requirements for a completed installation of an irrigation system; 30 TAC §344.52(c), by failing to ensure backflow prevention devices are tested prior to being put into service; and 30 TAC §344.38, by failing to make all records of landscape irrigation services available within 10 business days of request; PENALTY: \$3,440; ENFORCEMENT COORDINATOR: Eduardo Heras, (512) 239-2422; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(19) COMPANY: PEVETO COMPANIES, LIMITED; DOCKET NUMBER: 2016-0278-EAQ-E; IDENTIFIER: RN109030825; LOCATION: Cedar Park, Williamson County; TYPE OF FACILITY: auto repair facility; RULES VIOLATED: 30 TAC §213.23(a)(1), by failing to obtain approval of a Contributing Zone Plan prior to commencing a regulated activity over the Edwards Aquifer; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Claudia Corrales, (512) 239-4935; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(20) COMPANY: Phillips 66 Company; DOCKET NUMBER: 2016-0090-AIR-E; IDENTIFIER: RN100229319; LOCATION: Mont Belvieu, Chambers County; TYPE OF FACILITY: natural gas liquids fractionation plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), Texas Health and Safety Code (THSC), §382.085(b), Federal Operating Permit (FOP) Number O831, Special Terms and Conditions (STC) Number 8, and New Source Review (NSR) Permit Number 21593, Special Conditions (SC) Number 8.B., by failing to comply with the nitrogen oxide (NOx) and carbon monoxide (CO) emissions limits of 0.01 pound per million British thermal units (lb/MMBtu) and 0.08 lb/MMBtu, respectively, on an hourly average; and 30 TAC §116.115(c) and §122.143(4), THSC, §382.085(b), FOP Number O831, STC Number 8, and NSR Permit Number 21593, SC Number 8.G., by failing to comply with the NOx emissions limit of 0.01 lb/MMBtu and CO concentration limit of 50 parts per million by volume, dry at 3% oxygen on an hourly average; PENALTY: \$26,250; ENFORCEMENT COORDINATOR: Eduardo Heras, (512) 239-2422; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(21) COMPANY: SAM RAYBURN WATER, INCORPORATED; DOCKET NUMBER: 2016-0087-PWS-E; IDENTIFIER: RN101189736; LOCATION: Pineland, San Augustine County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and §290.122(b)(3)(A) and (f) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.060 milligrams per liter (mg/L) for haloacetic acids (HAA5), based on the locational running annual average, and failing to provide public notification and submit a copy of the public notification to the executive director (ED) regarding the failure to comply with the MCL for HAA5; 30 TAC §290.115(f)(1) and §290.122(b)(3)(A) and (f) and THSC, §341.0315(c), by failing to comply with the MCL of 0.080 mg/L for total trihalomethanes (TTHM), based on the locational running annual average, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to comply with the MCL for TTHM; 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 ED regarding the failure to collect lead and copper samples for the January 1, 2014 - December 31, 2014 and January 1, 2015 - June 30, 2015, monitoring periods; 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay Public Health Service fees and associated late fees for TCEQ Financial Administration Account Number 92030006 for Fiscal Year 2015; 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 11707 for the calendar years 2012 and 2014; PENALTY: \$1,260; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(22) COMPANY: Suncot Gin, LLC; DOCKET NUMBER: 2016-0010-AIR-E; IDENTIFIER: RN102213063; LOCATION: Denver City, Yoakum County; TYPE OF FACILITY: cotton gin; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance dust conditions from impacting off property receptors; PENALTY: \$1,125; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(23) COMPANY: TPC Group LLC; DOCKET NUMBER: 2016-0298-AIR-E; IDENTIFIER: RN104964267; LOCATION: Port Neches, Jefferson County; TYPE OF FACILITY: petrochemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), Texas Health and Safety Code, §382.085(b), Federal Op-

erating Permit Number O1327, Special Terms and Conditions Number 19, and New Source Review Permit Number 20485, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$7,125; ENFORCEMENT COORDINATOR: Eduardo Heras, (512) 239-2422; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(24) COMPANY: Trinity Tank Car, Incorporated; DOCKET NUMBER: 2016-0355-AIR-E; IDENTIFIER: RN100224435; LOCATION: Longview, Harrison County; TYPE OF FACILITY: railroad tank car manufacturing plant; RULES VIOLATED: 30 TAC §122.145(2)(C) and §122.143(4), Federal Operating Permit Number O1648, General Terms and Conditions, and Texas Health and Safety Code, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of the reporting period; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(25) COMPANY: UTILITIES INVESTMENT COMPANY, INCORPORATED; DOCKET NUMBER: 2016-0150-PWS-E; IDENTIFIER: RN101257590; LOCATION: Riverside, Walker 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 §290.117(i)(5) and (k), by failing to deliver the public education materials in the event of an exceedance of the lead action level and to continue the delivery of the public education materials at least quarterly for as long as the lead action level was not met; PENALTY: \$526; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

TRD-201602294

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 10, 2016



Enforcement Orders

An agreed order was adopted regarding City of Sonora, Docket No. 2014-1438-MWD-E on May 11, 2016 assessing \$18,203 in administrative penalties with \$3,640 deferred.

Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Gordon R. Morris dba Space Estates Mobile Home Park and Leslie Morris dba Space Estates Mobile Home Park, Docket No. 2014-1847-PWS-E on May 11, 2016 assessing \$2,229 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting J. Amber Ahmed, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kenneth Patrick Whittlesey and WKP ENTERPRISES, INC., Docket No. 2015-0095-EAQ-E on May 11, 2016 assessing \$45,900 in administrative penalties with \$9,180 deferred.

Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Cleburne, Docket No. 2015-0284-MWD-E on May 11, 2016 assessing \$5,625 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Had Darling, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Hernandez Rock, Inc., Docket No. 2015-0582-WQ-E on May 11, 2016 assessing \$8,750 in administrative penalties with \$1,750 deferred.

Information concerning any aspect of this order may be obtained by contacting Farhau Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Earth Haulers, Inc., Docket No. 2015-0583-WQ-E on May 11, 2016 assessing \$8,750 in administrative penalties with \$1,750 deferred.

Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Binh Pham, Docket No. 2015-0660-WQ-E on May 11, 2016 assessing \$8,263 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Jim Sallans, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding D. TRAN, INC. dba Manns Chevron 2, Docket No. 2015-0700-PST-E on May 11, 2016 assessing \$13,628 in administrative penalties with \$2,725 deferred.

Information concerning any aspect of this order may be obtained by contacting John Duncan, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SCHMIDT LAND SERVICES, INC., Docket No. 2015-0784-WQ-E on May 11, 2016 assessing \$1,312 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Elizabeth Lieberknecht, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding DCP Midstream, LP, Docket No. 2015-0874-AIR-E on May 11, 2016 assessing \$20,017 in administrative penalties with \$4,003 deferred.

Information concerning any aspect of this order may be obtained by contacting Carol McGrath, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Miramont Management Company, LLC, Docket No. 2015-0937-WQ-E on May 11, 2016 assessing \$6,105 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Austin Henck, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Selma, Docket No. 2015-1049-WQ-E on May 11, 2016 assessing \$14,625 in administrative penalties with \$2,925 deferred.

Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding D.R. Horton - Texas, Ltd., Docket No. 2015-1180-WQ-E on May 11, 2016 assessing \$9,000 in administrative penalties with \$1,800 deferred.

Information concerning any aspect of this order may be obtained by contacting Christopher Bost, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Upper Padre Partners, LP dba Schlitterbahn NP Water Resort, Docket No. 2015-1238-MLM-E on May 11, 2016 assessing \$12,105 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting David A. Terry, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Phillips 66 Company, Docket No. 2015-1243-AIR-E on May 11, 2016 assessing \$14,250 in administrative penalties with \$2,850 deferred.

Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Nash, Docket No. 2015-1255-WQ-E on May 11, 2016 assessing \$18,750 in administrative penalties with \$3,750 deferred.

Information concerning any aspect of this order may be obtained by contacting Ross Luedtke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding TexRock Industries, LLC, Docket No. 2015-1270-WQ-E on May 11, 2016 assessing \$10,000 in administrative penalties with \$2,000 deferred.

Information concerning any aspect of this order may be obtained by contacting Farhaudd Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Alcomat, LLC dba Allied Concrete Plant No Three, Docket No. 2015-1291-PWS-E on May 11, 2016 assessing \$1,871 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding At the Tower RV & Boat Storage LLC, Docket No. 2015-1323-MLM-E on May 11, 2016 assessing \$15,875 in administrative penalties with \$3,175 deferred.

Information concerning any aspect of this order may be obtained by contacting Austin Henck, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Shell Oil Company, Docket No. 2015-1367-AIR-E on May 11, 2016 assessing \$13,125 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding KENNARD'S THOMAS CORNER, LLC dba Thomas Corner Fine Fina, Docket No. 2015-1405-PST-E on May 11, 2016 assessing \$5,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding KBR INVESTMENT INC. dba Super Stop 22, Docket No. 2015-1539-PST-E on May 11, 2016 assessing \$9,000 in administrative penalties with \$1,800 deferred.

Information concerning any aspect of this order may be obtained by contacting Tiffany Maurer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Robinson, Docket No. 2015-1620-WQ-E on May 11, 2016 assessing \$21,250 in administrative penalties with \$4,250 deferred.

Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SAHAR ENTERPRISES, INC. dba Amber Food Mart, Docket No. 2015-1622-PST-E on May 11, 2016 assessing \$24,330 in administrative penalties with \$4,866 deferred.

Information concerning any aspect of this order may be obtained by contacting John Fennell, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201602313
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 11, 2016



Notice of District Petition

Notices issued March 24, 2016 through April 28, 2016

TCEQ Internal Control No. D-01122016-015; Big Sky Trails Ltd., (Petitioner) filed a petition for creation of Big Sky Municipal Utility District of Denton County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Texas Constitution; Chapters 49 and 54 of the Texas Water Code; Title 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner is the owner of a majority in value of the land to be

included in the proposed District; (2) there are two lienholders, First National Bank of Weatherford and Lone Star Land Bank, FLCA, on the property to be included in the proposed District; (3) the proposed District will contain approximately 417.1 acres located within Denton County, Texas; and (4) all of the land within the proposed District is within Denton County, Texas, and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city, town or village in Texas. The petition further states that the proposed District will: (1) purchase, construct, acquire, provide, operate, maintain, repair, improve or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial and commercial purposes; (2) collect, transport, process, dispose of and control domestic, industrial and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; and (4) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from such information available at this time, that the cost of said project will be approximately \$34,080,000.

TCEQ Internal Control No. D-02082016-004; Dianne Elizabeth Doggett, Martha L. Burt and Reynolds Reserve, Ltd., (Petitioners) filed a petition for creation of Montgomery County Municipal Utility District No. 108 (District) with the TCEQ. The petition was filed pursuant to Article XVI, Section 59 of the Texas Constitution; Chapters 49 and 54 of the Texas Water Code; Title 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners are the owners of a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 107.715 acres located within Denton County, Texas; and (4) all of the land within the proposed District is within the corporate limits of the City of Magnolia (City), Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. Prior to the creation, the District will be annexed into the corporate boundaries of the City. By Ordinance No. 2016-003, effective January 12, 2016, the City of Magnolia, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, and operate an adequate and efficient waterworks and sanitary sewer system primarily for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) to control, abate, and amend local storm waters or other harmful excesses of water, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition; (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with any or all of the purposes for which the proposed District is created, including roads, park and recreational facilities. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from such information available at this time, that the cost of said project will be approximately \$8,900,000 (\$6,500,000 for utility, plus \$1,400,000 for recreational, plus \$1,000,000 for road).

REVISED; TCEQ Internal Control No. D-02082016-004; Dianne Elizabeth Doggett, Martha L. Burt and Reynolds Reserve, Ltd., (Petitioners) filed a petition for creation of Montgomery County Municipal Utility District No. 108 (District) with the TCEQ. The petition was filed pursuant to Article XVI, Section 59 of the Texas Constitution; Chapters 49 and 54 of the Texas Water Code; Title 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners are the owners of a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 107.715 acres located within Montgomery County, Texas; and (4) all of the land within the proposed District is within the corporate limits of the City of Magnolia (City), Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. Prior to the creation, the District will be annexed into the corporate boundaries of the City. By Ordinance No. O-2016-003, effective January 12, 2016, the City of Magnolia, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, and operate an adequate and efficient waterworks and sanitary sewer system primarily for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) to control, abate, and amend local storm waters or other harmful excesses of water, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition; (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with any or all of the purposes for which the proposed District is created, including roads, park and recreational facilities. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from such information available at this time, that the cost of said project will be approximately \$8,900,000 (\$6,500,000 for utility, plus \$1,400,000 for recreational, plus \$1,000,000 for road).

TCEQ Internal Control No. D-03112016-012; Mountain City 150, LP, (Petitioner) filed a petition for creation of Anthem Municipal Utility District of Hays County (District) with the TCEQ. The petition was filed pursuant to Article XVI, Section 59 of the Texas Constitution; Chapters 49 and 54 of the Texas Water Code; Title 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner is the owner of a majority in value of the land to be included in the proposed District; (2) there is only one lienholder, PlainsCapital Bank, on the property to be included in the proposed District and the before mentioned entity has consented to the petition; (3) the proposed District will contain approximately 673.272 acres located within Hays County, Texas; and (4) the proposed District is within the extraterritorial jurisdiction of the City of Mountain City, Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By Ordinance No. 121514C, passed and approved December 15, 2014, the City of Mountain City gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016.

The petition further states that the proposed District will: (1) purchase, construct, acquire, provide, operate, maintain, repair, improve or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial and commercial purposes; (2) collect, transport, process, dispose of and

control domestic, industrial and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) construct, maintain, improve and operate graveled or paved road or turnpikes that serve or are intended to serve as an arterial or main feeder roads, or works, facilitates, or improvement in aid of those road or turnpikes inside or outside the boundaries of the District to the extent authorized by Article III, Section 52 of the Texas Constitution; and (5) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$70,940,000 (\$63,140,000 for utilities plus \$7,800,000 for roads).

TCEQ Internal Control No. D-02292016-046; McAlister Opportunity Fund 2012, L.P. and McAlister Opportunity Fund 2014, L.P. (Petitioners) filed a petition for creation of Harris County Municipal Utility District No. 547 (District) with the TCEQ. The petition was filed pursuant to Article XVI, §59 of the Constitution of the state of Texas; Chapters 49 and 54 of the Texas Water Code; Title 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners are the owners of a majority in value of the land to be included in the proposed District; (2) There are no lienholders on the property in the proposed District; (3) the proposed District will contain approximately 634.84 acres located within Harris County, Texas; and (4) the proposed District is within the extraterritorial jurisdiction of the City of Houston, Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By Ordinance No. 2015-876, passed and adopted on September 16, 2015, the City of Houston, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016 and authorized the Petitioners to initiate proceedings to create this political subdivision within its jurisdiction. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain and operate a waterworks and sanitary sewer system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of water, road facilities and parks and recreational facilities, all as more particularly described in an engineer's report filed simultaneously with the filing of the petition; and (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, and enterprises, as shall be consistent with all of the purposes for which the District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$89,490,000 (\$76,430,000 for utilities plus \$9,230,000 for roads plus \$3,830,000 for park and recreational facilities).

TCEQ Internal Control No. D-11122015-056; Franklin Meyer, Deloris Meyer, Terry Meyer, and Vicky Lynn Meyer Graves (Petitioners) filed a petition for creation of Meyer Ranch Municipal Utility District of Comal County (District) with the TCEQ. The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners holds title to all of the land to be

included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 691.451 acres located within Comal County, Texas; and (4) no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. The petition further states that the proposed District will: (1) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial and commercial purposes; (2) collect, transport, process, dispose of and control domestic, industrial and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the proposed District; (4) construct, maintain, improve and operate graveled or paved roads or turnpikes that serve or are intended to serve as an arterial or main feeder roads, or works, facilitates, or improvements in aid of those roads or turnpikes inside or outside the boundaries of the proposed District to the extent authorized by Article III, §52 of the Texas Constitution; and (5) purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this petition. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$54,100,000 (\$52,050,000 for utilities plus \$2,050,000 for roads).

INFORMATION SECTION

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

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

(512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

TRD-201602309

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 10, 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 **June 20, 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 June 20, 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: Blue Flamingo IV, d/b/a Montana Vista Mobile Home Park; DOCKET NUMBER: 2014-1595-MWD-E; TCEQ ID NUMBER: RN107149056; LOCATION: 13999 Montana Avenue, El Paso, El Paso County; TYPE OF FACILITY: mobile home park; RULES VIOLATED: TWC, §26.121(a) and 30 TAC §305.42(a), by failing to obtain proper authorization for the treatment and disposal of domestic wastewater; PENALTY: \$1,312; STAFF ATTORNEY: David A. Terry, Litigation Division, MC 175, (512) 239-0619; REGIONAL OFFICE: El Paso Regional Office, 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

(2) COMPANY: Charanjit S Khattria d/b/a Food Fast 1006; DOCKET NUMBER: 2015-1389-PST-E; TCEQ ID NUMBER: RN101840601; LOCATION: 503 East End Boulevard South, Marshall, Harrison 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(a) and 30 TAC §334.50(b)(2), by failing to provide

release detection for the pressurized piping associated with the UST system; PENALTY: \$3,504; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(3) COMPANY: Complete Lube N Repair Inc. d/b/a Econo Lube N Tune and Brakes; DOCKET NUMBER: 2015-0776-PST-E; TCEQ ID NUMBER: RN102041910; LOCATION: 9003 Huebner Road, San Antonio, Bexar County; TYPE OF FACILITY: underground storage tank (UST) and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of the petroleum UST; and 30 TAC §334.602(a), by failing to designate, train, and certify at least one individual for each class of operator - Class A, B, and C at the facility; PENALTY: \$3,506; STAFF ATTORNEY: Meaghan M. Bailey, Litigation Division, MC 175, (512) 239-0205; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(4) COMPANY: Darrell Hall; DOCKET NUMBER: 2015-1155-PWS-E; TCEQ ID NUMBER: RN103018818; LOCATION: County Road 227, west of Farm-to-Market Road 2620, eight miles south of Bedia, Grimes County; TYPE OF FACILITY: public water system; RULES VIOLATED: Texas Health and Safety Code, §341.0315(c) and 30 TAC §290.45(b)(1)(A)(i), by failing to provide a well capacity of 1.5 gallons per minute per connection; 30 TAC §290.46(t), by failing to post a legible sign at the facility's production, treatment and storage facilities that contains the name of the facility and emergency telephone numbers where a responsible official can be contacted; 30 TAC §290.46(f)(2) and (3)(A)(ii)(III), by failing to provide facility records to commission personnel at the time of an investigation; and 30 TAC §290.42(e)(3)(D), by failing to provide facilities for determining the amount of disinfectant used daily as well as the amount of disinfectant remaining for use; PENALTY: \$890; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(5) COMPANY: Hub City Convenience Stores, Inc. dba Chisum 35; DOCKET NUMBER: 2015-0904-PST-E; TCEQ ID NUMBER: RN103154621; LOCATION: 110 Arnett Street, Ropesville, Hockley County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(2) and 30 TAC §334.51(a)(6), by failing to ensure that all spill and overflow prevention devices are maintained in good operating condition; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74(3), by failing to file a release determination report with the commission within 45 days after a suspected release has occurred; PENALTY: \$10,420; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(6) COMPANY: Legacy Metals LLC; DOCKET NUMBER: 2015-0298-IHW-E; TCEQ ID NUMBER: RN101618031; LOCATION: 1491 Farm-to-Market Road 1011, Liberty, Liberty County; TYPE OF FACILITY: unauthorized waste disposal site; RULE VIOLATED: 30 TAC §335.4, by causing, suffering, allowing, or permitting the unauthorized disposal of industrial hazardous waste; PENALTY: \$7,875; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE:

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

(7) COMPANY: Margarito Mendez; DOCKET NUMBER: 2015-1161-MSW-E; TCEQ ID NUMBER: RN106668684; LOCATIONS: 1911 and 1913 Goldsberry Street, Nacogdoches, Nacogdoches County; TYPE OF FACILITY: unauthorized disposal site; RULES VIOLATED: 30 TAC §330.15(c) and TCEQ AO Docket Number 2013-1064-MSW-E, Ordering Provision Number 2.b., by causing, suffering, allowing, or permitting the unauthorized disposal of municipal solid waste; PENALTY: \$6,000; STAFF ATTORNEY: J. Amber Ahmed, Litigation Division, MC 175, (512) 239-1204; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(8) COMPANY: RANGER UTILITY COMPANY; DOCKET NUMBER: 2015-0820-PWS-E; TCEQ ID NUMBER: RN101249910; LOCATION: 0.25 mile south of the intersection of Brookway and Bauer Hockley road near Houston, Harris County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.109(c)(4)(B), by failing to collect raw groundwater source *Escherichia coli* samples from all active sources within 24 hours of notification of a distribution total coliform-positive result on a routine sample during the month of April 2011; Texas Health and Safety Code, §341.031(a) and 30 TAC §290.109(f)(3), by failing to comply with the maximum containment level for total coliform during the month of April 2015; and 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 the Disinfection Level Quarterly Operating Reports for the first and second quarters of 2014; PENALTY: \$659; STAFF ATTORNEY: Meaghan M. Bailey, Litigation Division, MC 175, (512) 239-0205; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: Servando Rivera; DOCKET NUMBER: 2015-0150-MLM-E; TCEQ ID NUMBER: RN106177249; LOCATION: 4918 North Terry Road, Edinburg, Hidalgo County; TYPE OF FACILITY: unauthorized disposal site; RULES VIOLATED: Texas Health and Safety Code, §382.085(b) and 30 TAC §111.201, by causing, suffering, allowing, or permitting outdoor burning within the State of Texas; and 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized disposal of municipal solid waste; PENALTY: \$34,071; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

TRD-201602297

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 10, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent 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 **June 20, 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 each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on June 20, 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 DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Devine Convenience LLC dba Super Mart; DOCKET NUMBER: 2015-0803-PST-E; TCEQ ID NUMBER: RN101856219; LOCATION: 500 West Hondo Avenue, Devine, Medina 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)(2), by failing to ensure the corrosion protection system was operated and maintained in a manner that will ensure corrosion protection is continuously provided to the UST system; 30 TAC §334.48(c) and §334.50(d)(1)(B), by failing to conduct effective inventory control procedures for the UST system; and 30 TAC §334.602(a), by failing to identify and designate for the UST system at least one named individual for each class of operator- Class A, B, and C; PENALTY: \$8,750; STAFF ATTORNEY: Meaghan M. Bailey, Litigation Division, MC 175, (512) 239-0205; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(2) COMPANY: Eddie Douglas; DOCKET NUMBER: 2015-1551-PWS-E; TCEQ ID NUMBER: RN108091729; LOCATION: 7420 82nd Street, Lubbock, Lubbock County; TYPE OF FACILITY: public water system; RULES VIOLATED: Texas Health and Safety Code (THSC), §341.035(a) and 30 TAC §290.39(e)(1) and (h)(1), by failing to submit plans and specifications to the executive director for review and approval prior to the construction of a new public water supply; 30 TAC §290.41(c)(3)(N), by failing to provide a flow measuring device for the well 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; THSC, §341.0315(c) and 30 TAC §290.45(d)(2)(A)(ii), by failing to provide a minimum pressure tank capacity of 220 gallons; and 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; PENALTY: \$2,202; STAFF ATTORNEY: Ryan Rutledge, Litigation Division,

MC 175, (512) 239-0630; REGIONAL OFFICE: Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(3) COMPANY: James L. Oxford, Trustee of Country Villa Trust dba Country Villa Mobile Home Park; DOCKET NUMBER: 2015-0666-PWS-E; TCEQ ID NUMBER: RN101441764; LOCATION: north side of State Highway 202, three east miles of Beeville, Bee County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement for all land within 150 feet of the well; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.46(f)(2), (3)(A)(i)(III), and (D)(ii), by failing to make water works operation and maintenance records available for review by commission personnel during the investigation; 30 TAC §290.43(c)(3), by failing to provide a ground storage tank which is designed, fabricated, erected, tested, and disinfected in strict accordance with current American Water Works Association standards; 30 TAC §290.43(c)(4), by failing to equip all water storage tanks with an appropriate liquid level indicator located at the tank site; Texas Health and Safety Code (THSC), §341.0315(c) and 30 TAC §290.45(b)(1)(F)(iii), by failing to provide two or more service pumps with a total capacity of 2.0 gallons per minute per connection; THSC, §341.0315(c) and 30 TAC §290.45(b)(1)(F)(iv), by failing to provide a minimum pressure tank capacity of 20 gallons per connection; and 30 TAC §290.44(d) and §290.46(r), 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 20 psi during emergencies such as fire fighting; PENALTY: \$794; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(4) COMPANY: LASS WATER COMPANY INC; DOCKET NUMBER: 2015-1450-MLM-E; TCEQ ID NUMBER: RN104487335; LOCATION: approximately 0.25 miles west southwest of 238 Preston Club Drive, Grayson County; TYPE OF FACILITY: public water system; RULES VIOLATED: TWC, §11.1272(c) and 30 TAC §288.20(a) and §288.30(5)(B), by failing to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier; Texas Health and Safety Code (THSC), §341.033(a) and 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 §290.46(q)(1) and (2), by failing to issue a boil water notification to the customers of the facility within 24 hours of a low pressure event or water outage using the prescribed format in 30 TAC §290.47(c); THSC, §341.0315(c) and 30 TAC §290.45(b)(1)(C)(i), by failing to provide a well capacity of 0.6 gallons per minute per connection; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.46(q)(1) and §290.122(f), by failing to provide a copy of a boil water notification to the executive director within ten days of its distribution; 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement that covers the land within 150 feet of the facility's active well; 30 TAC §290.41(c)(3)(O), by failing to ensure the wellhouse is locked during periods of darkness and when the facility is unattended; 30 TAC §290.41(c)(3)(P), by failing to provide an all-weather access road to the facility's active well site; 30 TAC §290.42(a)(3), by failing to ensure that the facility's water treatment plant is located at a site that is accessible by an all-weather access road; 30 TAC §290.42(e)(4)(A), by failing to provide a full-face

self-contained breathing apparatus or supplied air respirator that meets Occupational Safety and Health Administration standards for construction and operation, and a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily accessible outside the chlorinator room and immediately available to the operator in the event of an emergency; 30 TAC §290.42(e)(4)(B), by failing to maintain housing for gas chlorination equipment and cylinders of chlorine in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine; 30 TAC §290.42(e)(4)(C), by failing to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed; 30 TAC §290.42(I), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.43(d)(1), by failing to provide a pressure tank of 1,000 gallons or larger that meets American Society of Mechanical Engineers (ASME) Section VIII, Division 1 Codes and Construction Regulations, and which is provided with the required ASME name plate; 30 TAC §290.43(d)(3), by failing to provide a device to readily determine air-water-volume for the pressure tank; 30 TAC §290.42(m) and §290.43(e), by failing to ensure the water treatment plant and all appurtenances thereof are enclosed by an intruder-resistant fence and by failing to ensure that the pressure tank is installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates; 30 TAC §290.46(f)(2), (3)(A)(i)(III), (ii)(III), (iii), (vi), (B)(iii), (iv), (D)(i), (ii), (vii), (E)(ii), (iv), and (F), by failing to maintain water works operation and maintenance records and make them readily available for review by the executive director upon request; 30 TAC §290.46(h), by failing to maintain a supply of calcium hypochlorite on hand for use when making repairs; 30 TAC §290.46(i), by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(m)(4), by failing to maintain all distribution system lines, storage and pressure maintenance facilities, water treatment units, and all related appurtenances in a watertight condition; 30 TAC §290.46(m)(6), by failing to maintain all pumps, motors, valves, and other mechanical devices in good working condition; 30 TAC §290.46(n)(1), by failing to provide accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tank, pressure tank, and service pumps; 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 for as long as the well remains in service; 30 TAC §290.44(d) and §290.46(r), by failing twice 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 fire fighting; 30 TAC §290.46(t), by failing to post a legible sign at the facility's production, treatment, and storage facilities that contains the name of the facility and emergency telephone numbers where a responsible official can be contacted; 30 TAC §290.46(u), by failing to plug an abandoned public water supply well owned by the system with cement according to 16 TAC Chapter 76; 30 TAC §290.46(v), by failing to ensure that the electrical wiring is securely installed in compliance with a local or national electrical code; and 30 TAC §290.46(l), by failing to flush all dead-end mains at monthly intervals; PENALTY: \$8,884; 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.

(5) COMPANY: Randall & Spencer, LLC dba 2 Cousins Gas & Grocery; DOCKET NUMBER: 2015-1383-PWS-E; TCEQ ID NUMBER: RN106852346; LOCATION: 7700 Farm-to-Market Road 2210 East near Perrin, Jack County; TYPE OF FACILITY: public water system; RULES VIOLATED: 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 §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing a public drinking water well into service; 30 TAC §290.46(n)(1), by failing to provide accurate and up-to-date detailed as-built plans or record drawings and specifications for the storage tanks, pressure tank, and service pump; 30 TAC §290.41(c)(3)(N), by failing to provide the well with a flow measuring device to measure production yields and provide for the accumulation of water production data; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.41(c)(3)(K), 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 30 TAC §290.46(f)(2) and (3)(E)(ii), by failing to maintain water works operation and maintenance records and make them readily available for review by commission personnel upon request; PENALTY: \$550; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(6) COMPANY: SUPERIOR LUBRICANTS TRANSPORT, INC. dba Superior Transport; DOCKET NUMBER: 2015-1056-PST-E; TCEQ ID NUMBER: RN103026993; LOCATION: 3312 Dooling Street, Fort Worth, Tarrant County; TYPE OF FACILITY: common carrier; RULES VIOLATED: TWC, §26.3467(d) and 30 TAC §334.5(b)(1)(A), by depositing a regulated substance into a regulated underground storage tank system located at 1330 Woodhaven Boulevard in Fort Worth, Tarrant County, that was not covered by a valid, current TCEQ delivery certificate; PENALTY: \$3,607; STAFF ATTORNEY: Tracy Chandler, Litigation Division, MC 175, (512) 239-0629; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201602295

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 10, 2016



Notice of Opportunity to Comment on Shutdown/Default Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed 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 **June 20, 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 June 20, 2016**. Written comments may also be sent by facsimile machine 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: D & D INTERNATIONAL, INC. dba Handi Stop 72; DOCKET NUMBER: 2015-1374-PST-E; TCEQ ID NUMBER: RN102471661; LOCATION: 331 South Avenue A, Freeport, Brazoria County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: Texas Health and Safety Code (THSC), §382.085(b) and 30 TAC §115.241(b)(3)(H) and (K), by failing to perform and complete all Stage II vapor recovery system decommissioning activities; 30 TAC §334.7(d)(3) and §334.54(e)(2), by failing to notify the agency of any change or additional information regarding the USTs within 30 days of the occurrence of the change or addition; 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); TWC, §26.3475(a) and 30 TAC §334.50(b)(2)(A)(i)(III), by failing to provide release detection for the pressurized piping associated with the UST system; TWC, §26.3475(c)(1) and 30 TAC §334.50(d)(1)(B)(ii), by 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; TWC, §26.3475(c)(1) and 30 TAC §334.50(d)(1)(B)(iii)(I), 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 §334.54(b)(2), by failing to maintain all piping, pumps, manways, tank access points and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons; 30 TAC §334.72, by

failing to report a suspected release to the TCEQ within 24 hours of discovery; 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery; 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; THSC, §382.085(b) and 30 TAC §115.241(b)(4), by failing to submit the Stage II decommissioning completion notice no later than ten calendar days after completion of all Stage II decommissioning activities; 30 TAC §334.45(c)(3)(A), by failing to properly install/secure emergency shutoff valves (also called shear or impact valves) at the base of all dispensers; and 30 TAC §334.42(i), by failing to inspect all sumps, including dispenser sumps, manways, overspill containers or catchment basins associated with a UST system 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; PENALTY: \$23,585; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201602296
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: May 10, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of Beechnut Food Stores, Inc.

SOAH Docket No. 582-16-3915

TCEQ Docket No. 2015-1267-PST-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing at:

10:00 a.m. - June 9, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's First Amended Report and Petition mailed February 12, 2016 concerning assessing administrative penalties against and requiring certain actions of Beechnut Food Stores, Inc., for violations in Harris County, Texas, of: Tex. Water Code §26.3475(a) and (d), Tex. Health and Safety Code §382.085(b), and 30 Tex. Admin. Code §§115.245(2), 334.49(a)(1), and 334.50(b)(2).

The hearing will allow Beechnut Food Stores, Inc., the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Beechnut Food Stores, Inc., the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of Beechnut Food Stores, Inc. to appear at the preliminary hearing or evidentiary**

hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's First Amended Report and Petition, attached hereto and incorporated herein for all purposes. Beechnut Food Stores, Inc., the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. R. Civ. P. 190; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §70.108 and §70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

Further information regarding this hearing may be obtained by contacting Amanda Patel, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Vic McWherter, Public Interest Counsel, Mail Code 103, at the same P. O. Box address given above, or by telephone at (512) 239-6363.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at <http://www.tceq.texas.gov/goto/eFilings> or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: May 9, 2016

TRD-201602314

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 11, 2016



Notice of Public Meeting for TPDES Permit for Municipal Wastewater Renewal Permit Number WQ0013633001

APPLICATION. City of Alamo, 420 North Tower Road, Alamo, Texas 78516, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0013633001, which authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 2,000,000 gallons per day.

The facility is located approximately 14,000 feet south along South Tower Road from the intersection of Tower Road and U.S. 83 Business Highway or approximately 17,000 feet south from the intersection of South Tower Road with U.S. 83 Expressway in Hidalgo County, Texas 78516. The treated effluent is discharged to Hidalgo County Drainage Ditch #2; thence to the Arroyo Colorado Above Tidal in Segment No. 2202 of the Nueces-Rio Grande Basin. The unclassified receiving water use is minimal aquatic life use for Hidalgo County Drainage #2. The designated uses for Segment No. 2202 are intermediate aquatic life use and primary contact recreation. This link to an electronic map

of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.147222&lng=-98.116388&zoom=13&type=r>

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

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

The Public Meeting is to be held: Thursday, June 16, 2016, at 7:00 p.m., City of Alamo City Hall, 420 North Tower Road, Alamo, Texas 78516

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the City of Alamo City Hall, City Hall Building, 420 North Tower Road, Alamo, Texas. Further information may also be obtained from City of Alamo at the address stated above or by calling Mr. Luciano Ozuna, Jr., City Manager, City of Alamo, at (956) 787-0006.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or 1-800-RELAY-TX (TDD) at least one week prior to the meeting.

Issued: May 3, 2016

TRD-201602315

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 11, 2016



Notice of Public Meeting for TPDES Permit for Municipal Wastewater Permit Number WQ0011404002

APPLICATION. Dowdell Public Utility District, c/o Smith Murdaugh, Little & Bonham, L.L.P., 2727 Allen Parkway, Suite 1100, Houston, Texas 77019, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0011404002, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 900,000 gallons per day.

The facility will be located west of Lozar Drive, approximately 750 feet northwest of the intersection of Lozar Drive and Avalon Aqua Way, in Harris County, Texas 77379. The treated effluent will be discharged to a detention pond system; thence to a 48-inch storm sewer pipe; thence to Harris County Flood Control District (HCFCD) ditch M114-00-00; thence to Willow Creek; thence to Spring Creek in Segment No. 1008 of the San Jacinto River Basin. The unclassified receiving water uses are minimal aquatic life use for the detention pond system, limited aquatic life use for HCFCD ditch M114-00-00, and high aquatic life use for Willow Creek. The designated uses for Segment No. 1008 are high aquatic life use, public water supply, and primary contact recreation. In accordance with 30 Texas Administrative Code §307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Willow Creek, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.0796&lng=-95.5377&zoom=13&type=r>.

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

PUBLIC COMMENT/PUBLIC MEETING. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal

Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application. The Public Meeting is to be held: Tuesday, June 14, 2016,

at 7:00 PM Klein Multipurpose Center, 7500 FM 2920, Klein, Texas 77379

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

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Harris County Public Library, Barbara Bush Branch Library at Cypress Creek Branch, 6817 Cypresswood Drive, Spring, Texas. Further information may also be obtained from Dowdell Public Utility District at the address stated above or by calling Mr. Jeffrey W. Vogler, P.E., Van De Wiele & Vogler, Inc., at (713) 782-0042.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or 1-800-RELAY-TX (TDD) at least one week prior to the meeting.

Issued: May 3, 2016

TRD-201602316

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 11, 2016



Notice of Water Rights Application

Notices issued May 4, 2016 through May 6, 2016

APPLICATION NO. 12995; SUGARTREE, INC., 251 Sugar Tree Drive, Lipan, Texas 76462, Applicant, seeks authorization to maintain eight existing dams and reservoirs on unnamed tributaries and Rocky Run Creek, Brazos River Basin, and to maintain four existing off-channel reservoirs for recreational purposes. Applicant also seeks authorization to use the bed and banks of the unnamed tributaries and Rocky Run Creek to convey contract water for storage and subsequent diversion and use for agricultural purposes to irrigate land in Parker County. The application does not request a new appropriation of water. The application and partial fees were received on February 27, 2013. Additional information and fees were received on September 30, 2015, January 27, and April 4, 2016. The application was declared administratively complete and filed with the Office of the Chief Clerk on April 5, 2016. The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, the maintenance of the System Water Availability Agreement between the Applicant and the Brazos River Authority. The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F, Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

APPLICATION NO. 14-1767A; DLH Family LLC, 301 W. Beauregard, Suite 203, San Angelo, Texas 76903, Applicant, has applied to amend Certificate of Adjudication No. 14-1767 to change the diversion point to a point on the San Saba River, Colorado River Basin, in Menard

County. Notice is being given pursuant to 30 TAC §295.158(b)(6) to the interjacent and upstream water right holders of record from new proposed diversion point. The application and a portion of the fees were received on October 15, 2013. Additional information and partial fees were received on July 23, 25, and August 26, 2014. The application was declared administratively complete and filed with the Office of the Chief Clerk on September 11, 2014. The TCEQ Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to, recommendation to install screens on diversion structures. The application and Executive Director's draft amendment are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Building F, Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by May 20, 2016.

INFORMATION SECTION

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

A public meeting is intended for the taking of public comment, and is not a contested case hearing.

The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement (I/we) request a contested case hearing; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested application which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Texas Commission on Environmental Quality (TCEQ) Office of the Chief Clerk at the address provided in the information section below.

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

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

Issued in Austin, Texas on May 10, 2016

TRD-201602310

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 11, 2016



Request for Nominations for Appointment to Serve on the Irrigator Advisory Council

The Texas Commission on Environmental Quality (TCEQ) is requesting nominations for four individuals to serve on the Irrigator Advisory Council (council). Two of the individuals must be an irrigator licensed to work in Texas, and two individuals represent the public. To be eligible to be a "public member", the person or person's spouse may not be licensed by an occupational regulatory agency in the field of irrigation. The person or the person's spouse may not be employed by, participate in the management of, or have, other than as a consumer, a financial interest in a business entity or other organization related to the field of irrigation. Council members will be asked to serve a six-year term beginning in 2017.

The Texas Occupations Code, Chapter 1903, Subchapter D (see also 30 TAC §344.80) provides the structure of the nine-member council appointed by the TCEQ. The council is comprised of nine members appointed by the TCEQ: six licensed irrigators, who are residents of Texas, experienced in the irrigation business, and familiar with irrigation methods and techniques; and three public members.

The council provides advice to the TCEQ and TCEQ Staff concerning matters relating to irrigation. It is grounds for removal from the council if a council member misses three consecutive regularly scheduled meetings or more than half of all the regularly scheduled meetings in a one-year period. The council members generally meet for one day in Austin in February, May, August, and November of each year. Council members are not paid for their services, but are eligible for reimbursement of travel expenses at state rates as appropriated by the legislature.

To nominate an individual: 1) ensure that the individual is qualified for the position for which he/she is being considered; 2) submit a brief résumé which includes relevant work experience; and 3) provide the nominee a copy of the nomination. The nominee must submit a letter indicating his/her agreement to serve, if appointed. A person may nominate themselves by: 1) ensuring that he/she is qualified for the position; 2) submitting a brief résumé which includes relevant work experience; and 3) submitting a letter indicating his/her agreement to serve, if appointed.

Written nominations and letters from nominees must be received by 5:00 p.m. on July 8, 2016. The appointment will be considered by the TCEQ at a future agenda. Please mail all correspondence to Melissa Keller, Texas Commission on Environmental Quality, Program Support Section, MC-235, P.O. Box 13087, Austin, Texas 78711-3087 or fax to (512) 239-2249. Questions regarding the council may be directed to Ms. Keller at (512) 239-1768 or e-mail: melissa.keller@tceq.texas.gov. Additional information regarding the council is available on the Web site: https://www.tceq.texas.gov/licensing/irrigation/irr_advisory.html.

TRD-201602299

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: May 10, 2016

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Texas Health and Human Services Commission

Public Notice: Amendment to Reimbursement Methodology for Program for All-Inclusive Care for the Elderly (PACE)

The Texas Health and Human Services Commission announces its intent to submit transmittal number 16-0006 to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act.

The purpose of this amendment is to align State Plan language with the shift from a fee-for-service payment system to a managed care payment system by adjusting the underlying methodology and data sources for

determining PACE reimbursement. The proposed amendment also implements new requirements for reimbursement methodology set out in House Bill 3823, 84th Texas Legislature, Regular Session, which is codified at Texas Human Resources Code §§32.0532 through 32.0534. The requested effective date for the proposed amendment is October 1, 2016.

The proposed amendment is estimated to have no fiscal impact.

To obtain copies of the proposed amendment, interested parties may contact J.R. Top, State Plan Coordinator, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 462-6397; by facsimile at (512) 730-7472; or by e-mail at jr.top@hhsc.state.tx.us. Copies of the proposal will also be made available for public review at the local offices of the Texas Department of Aging and Disability Services.

TRD-201602308

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: May 10, 2016

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Public Notice: State Plan Attachment Administrative Correction

The Texas Health and Human Services Commission announces its intent to submit transmittal number 16-0014 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act.

The purpose of this amendment is to correct the Texas Medicaid State Plan Attachments to show current Texas Medicaid administration. The proposed amendment is effective June 1, 2016.

The proposed amendment is estimated to have no fiscal impact. The amendment does not change or modify allowable coverage or benefits.

To obtain copies of the proposed amendment, interested parties may contact J.R. Top, State Plan Coordinator, by mail at the Health and Human Services Commission, PO Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 462-6397; by facsimile at (512) 730-7472; or by e-mail at jr.top@hhsc.state.tx.us. Copies of the proposal will also be made available for public review at the local offices of the Texas Department of Aging and Disability Services.

TRD-201602317

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: May 11, 2016

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Texas Department of Housing and Community Affairs

Notice of Public Hearing - Multifamily Housing Revenue Bonds (Mercantile Apartments)

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the Haltom City Public Library, 4809 Haltom Road, Haltom City, Texas 76117 at 6:00 p.m. on June 7, 2016. The hearing is regarding an issue of tax-exempt multifamily residential rental development revenue bonds in an aggregate principal amount not to exceed \$30,225,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The proceeds of the Bonds will be loaned to Mercantile Apartments Ltd., a Texas limited

partnership, or a related person or affiliate thereof (the "Borrower"), to finance a portion of the costs of acquiring and constructing a multifamily housing development. The housing development is described as follows: an approximately 324-unit multifamily housing development to be located at the northwest quadrant of Northern Cross Boulevard and Endicott Avenue, Fort Worth, Tarrant County, Texas 76137 (the "Development"). Upon the issuance of the Bonds, the Development will be owned by the Borrower.

All interested parties are invited to attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Shannon Roth at the Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941; (512) 475-3929; and/or shannon.roth@tdhca.state.tx.us.

Persons who intend to appear at the hearing and express their views are invited to contact Shannon Roth in writing in advance of the hearing. Any interested persons unable to attend the hearing may submit their views in writing to Shannon Roth prior to the date scheduled for the hearing. Individuals who require a language interpreter for the public hearing should contact Elena Peinado at (512) 475-3814 at least five days prior to the hearing date so that appropriate arrangements can be made. Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado al siguiente número (512) 475-3814 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

Individuals who require auxiliary aids in order to attend this hearing should contact Gina Esteves, ADA Responsible Employee, at (512) 475-3943 or Relay Texas at (800) 735-2989 at least five days before the hearing so that appropriate arrangements can be made.

This notice is published and the hearing is to be held in satisfaction of the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

<http://www.tdhca.state.tx.us/multifamily/communities.htm>

TRD-201602312

Timothy K. Irvine

Executive Director

Texas Department of Housing and Community Affairs

Filed: May 11, 2016



University of Houston System

Notice of Request for Proposal

The University of Houston System announces a Request for Proposal (RFP) for consultant services pursuant to Government Code, Chapter 2254, Subchapter B.

RFP783-16007, Advancing Federal Initiatives

Purpose:

The UH University of Houston System ("UHS") is seeking competitive responses to a Request for Proposal ("RFP") for Advancing Federal Initiatives for UHS. UHS is seeking the services of a federal representative to advise and advocate on legislative, regulatory, research and policy issues under consideration by the U.S. Congress and federal agencies. The selected representative will assist the System in monitoring and advocating on legislative and regulatory measures that have potential impact on all System interests.

Eligible Applicants:

Consulting firms with related knowledge and experience in:

- Firms that have expertise with issues of importance to UHS, including higher education, energy, health, technology, and aerospace.

- Has existing relationships with members of the Texas congressional delegation and congressional committees of importance to a research university.

- Has experience assisting public entities with securing federal funding.

- Can provide potential collaborative opportunities between their existing client base and UHS.

Services to be performed:

UHS invites proposals from qualified firms to assist the System in advancing its federal research initiatives. This proposal should identify how the vendor would (1) work with UHS faculty and staff to identify UHS's federal priorities; (2) develop and implement a plan for assisting UHS with obtaining federal funding for research activities; (3) advise UHS regarding federal requirements and compliance related to grants; (4) monitor and report on grant opportunities and developments regarding laws and policies that may impact UHS; and (5) raise the visibility of UHS in Washington with lawmakers and federal departments and agencies. (6) UHS also will require 10 hours of pro bono legal services annually at the direction of UHS General Counsel.

Finding by Chief Executive Officer, Renu Khator:

After reviewing the current status and discussing this matter with the staff, the evaluation of these services can only be conducted by a firm considered expert in federal legislative matters, the holistic expertise for this service is not part of the competencies of employees at the University. Thus, it is necessary for the University to engage a consultant to advise on federal legislative matters, and make recommendations, as appropriate.

Review and Award Criteria:

All proposals will be evaluated by appointed representatives of the University in accordance with the following procedures:

1. Purchasing will receive and review each RFP proposal to ensure it meets the requirements of the RFP. Qualified proposals will be given to the selection committee.

2. Each member of the selection committee will independently evaluate the qualified proposals according to the criteria in section IX of the RFP, except for price, and send their evaluations to Purchasing. Price will be evaluated by Purchasing.

3. Purchasing will combine the committee's scores to determine which proposal received the highest combined score.

4. Purchasing will notify the respondent with the highest score that the University intends to contract with them.

Deadlines: UH must receive proposals according to instructions in the RFP package on or before Monday, June 20, 2016 at 1:00 p.m. CDT.

Obtaining a copy of the RFP: Copies will be available on the Electronic State Business Daily (ESBD) at <http://esbd.cpa.state.tx.us/>.

The sole point of contact for inquiries concerning RFP is:

Jack Tenner (Director of Purchasing)

UH Purchasing

5000 Gulf Freeway, ERP 1, Room 204

Houston, Texas 77204-5015

Phone: (713) 743-5671

Email: jdtenner@central.uh.edu

TRD-201602318
Dr. Renu Khator
President
University of Houston System
Filed: May 11, 2016

◆ ◆ ◆
Texas Department of Insurance

Company Licensing

Application for admission in the State of Texas by NORMANDY INSURANCE COMPANY, a foreign fire and/or casualty company. The home office is in Deerfield Beach, Florida.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register* publication, addressed to the attention of Jeff Hunt, 333 Guadalupe Street, MC 305-2C, Austin, Texas 78701.

TRD-201602311
Norma Garcia
General Counsel
Texas Department of Insurance
Filed: May 11, 2016

◆ ◆ ◆
Notice of Application by a Small Employer Issuer to be a Risk-Assuming Issuer

Notice is given to the public of the application of the listed small employer health benefit plan issuer to be a risk-assuming health benefit plan issuer under Insurance Code §1501.312. A small employer health benefit plan issuer is defined by Insurance Code §1501.002(16) as a health benefit plan issuer offering, delivering, issuing for delivery, or renewing health benefit plans subject to Insurance Code Chapter 1501, Subchapters C - H. A risk-assuming health benefit plan issuer is defined by Insurance Code §1501.301(4) as a small employer health benefit plan issuer that does not participate in the Texas Health Reinsurance System. The following small employer health benefit plan issuer has applied to be a risk-assuming health benefit plan issuer:

The Scott and White Health Plan

The issuer's application is available for public inspection at the Texas Department of Insurance, Legal Services, Office of Policy Development Counsel. To inspect the application, contact Jennifer Soldano, Staff Attorney, William P. Hobby Jr. Building, 333 Guadalupe, Tower I, Room 920B, Austin, Texas.

If you wish to comment on the application from the Scott and White Health Plan to be a risk-assuming issuer, you must submit your written comments within 60 days after publication of this notice in the *Texas Register* to the Office of the Chief Clerk, Mail Code 113-2A, Texas Department of Insurance, P. O. Box 149104, Austin, Texas 78714-9104. On consideration of the application, if the commissioner is satisfied that all requirements of law have been met, the commissioner or the commissioner's designee may take action to approve the Scott and White Health Plan's application to be a risk-assuming issuer.

TRD-201602194
Norma Garcia
General Counsel
Texas Department of Insurance
Filed: May 5, 2016

Public Utility Commission of Texas

Announcement of Application for State-Issued Certificate of Franchise Authority

The Public Utility Commission of Texas received an application on May 4, 2016, for a state-issued certificate of franchise authority (SICFA), pursuant to Public Utility Regulatory Act (PURA) §§66.001 - 66.016.

Project Title and Number: Application of Accordant Communications, LLC for a State-Issued Certificate of Franchise Authority, Project Number 45924.

The requested SICFA service area consists of Johnson, Hill, Ellis and Galveston Counties.

Information on the application may be obtained by contacting the commission 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. All inquiries should reference Project Number 45924.

TRD-201602196
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 5, 2016

◆ ◆ ◆
Notice of Application for a Name Change Amendment to a Certificate of Convenience and Necessity

Notice is given to the public of an application filed on May 5, 2016, with the Public Utility Commission of Texas (commission) for a name change amendment to a certificate of convenience and necessity (CCN).

Docket Style and Number: Application of Frontier Southwest Incorporated d/b/a Frontier Communications of Texas for an Amendment to its Certificate of Convenience and Necessity, Docket Number 45932.

The Application: Frontier Southwest Incorporated d/b/a Frontier Communications of Texas (Frontier) filed an application for a name change amendment to CCN No. 40037 held in the name of Verizon Southwest. Ownership and control of CCN No. 40037 was transferred to Frontier on April 1, 2016 from Verizon Communications Inc. The company would like to change the name to its assumed name Frontier Southwest Incorporated d/b/a Frontier Communications of Texas, under which it prefers to transact business.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the commission as soon as possible as an intervention deadline will be imposed. A comment or request to intervene should be mailed to P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the commission's Office of Customer Protection at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Docket Number 45932.

TRD-201602254
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 9, 2016

Notice of Application for Sale, Transfer, or Merger

Notice is given to the public of an application filed with the Public Utility Commission of Texas on May 9, 2016, pursuant to the Texas Water Code.

Docket Style and Number: Application of Swea Gardens Estate Utility, Inc. and Municipal Operations, LLC for Sale, Transfer, or Merger of Facilities and Certificate Rights in Harris County, Docket Number 45942.

The Application: Swea Gardens Estate Utility, Inc. and Municipal Operations, LLC (applicants) filed an application for sale, transfer, or merger of facilities and certificate rights in Harris County. Municipal Operations, LLC seeks approval to acquire all of the water assets and certificate rights of Swea Gardens. The application requests transfer of Swea Gardens' water certificate of convenience and necessity (CCN) No. 11872 to Municipal Operations. This application affects approximately 2 acres and 495 current customers.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the Commission as soon as possible as an intervention deadline will be imposed. A comment or request to intervene should be mailed to Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the commission's Office of Customer Protection at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Docket Number 45942.

TRD-201602305
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 10, 2016



Notice of Application to Amend a Certificate of Operating Authority

On May 5, 2016, Frontier Southwest Incorporated d/b/a Frontier Communications of Texas filed an application with the Public Utility Commission of Texas for a name change amendment to certificate of operating authority number 50028.

Docket Style and Number: Application of Frontier Southwest Incorporated d/b/a Frontier Communications of Texas for an Amendment to a Certificate of Operating Authority, Docket Number 45933.

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 1-888-782-8477 no later than May 20, 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 45933.

TRD-201602290
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 9, 2016



Notice of Application to Amend a Sewer Certificate of Convenience and Necessity

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application to amend a sewer certificate of convenience and necessity (CCN) No. 21057.

Docket Style and Number: Application of City of Princeton to Amend a Sewer Certificate of Convenience and Necessity, Docket Number 45919.

The Application: The City of Princeton filed an application to amend its sewer CCN No. 21057 to include the city limits and extra territorial jurisdiction of the City of Lowry Crossing. The citizens of Lowry Crossing have proposed this amendment in order to open up their city to new developments requiring sewer service. Currently residents are served via individual private septic systems.

Persons wishing to intervene or comment on the action sought should contact the commission 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 for intervention 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 45919.

TRD-201602193
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 5, 2016



Notice of Intent to Implement a Minor Rate Change Pursuant to 16 TAC §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on May 2, 2016, to implement a minor rate change pursuant to 16 TAC §26.171.

Tariff Control Title and Number: Notice of La Ward Telephone Company, Inc. for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 45931.

The Application: La Ward Telephone Company, Inc. (La Ward) filed an application with the commission for revisions to its General Exchange Tariff. The estimated revenue increase to be recognized by La Ward is \$13,192.00 in gross annual intrastate revenues. La Ward has 689 access lines in service in the state of Texas.

If the commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by May 27, 2016, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the commission by May 27, 2016. Requests to intervene should be filed with the commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326 or you may call the commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 45931.

TRD-201602195

Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 5, 2016



Notice of Intent to Implement a Minor Rate Change Pursuant to 16 TAC §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 6, 2016, to implement a minor rate change pursuant to 16 Tex. Admin. Code §26.171.

Tariff Control Title and Number: Notice of Central Texas Telephone Cooperative, Inc. for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 45938.

The Application: Central Texas Telephone Cooperative, Inc. (CTTC) filed an application with the Commission for revisions to its General Exchange Tariff to increase local exchange access line rates for residential and business customers in the San Saba, Richland Springs, Bend, Big Valley, Cherokee, Doole/Millersview, Eola, Evant, Locker, Lohn, Melvin, Mercury, Mullin, Priddy, Rochelle, Star and Voca Exchanges. CTTC proposed an effective date of June 1, 2016. The estimated revenue increase to be recognized by the Applicant is \$138,600.48 in gross annual intrastate revenues. The Applicant has 5,628 access lines (residence and business) in service in the state of Texas.

If the Commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by May 31, 2016, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the Commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the Public Utility Commission of Texas by May 31, 2016. Requests to intervene should be filed with the Commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326, or you may call the Commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 45938.

TRD-201602300
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 10, 2016



Notice of Intent to Implement a Minor Rate Change Pursuant to 16 TAC §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 6, 2016, to implement a minor rate change pursuant to 16 TAC §26.171.

Tariff Control Title and Number: Notice of Wes-Tex Telephone Cooperative, Inc. for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 45939.

The Application: Wes-Tex Telephone Cooperative, Inc. (Wes-Tex) filed an application with the Commission for revisions to its Member Services Tariff to increase basic local exchange access line rates

for residential and business customers; include Expanded Local Calling Service (ELCS) fees in the base rate for residential and business customers in the Garden City, Lenorah, Lomax, Saint Lawrence, Vincent and West Stanton Exchanges; and introduce mandatory two-way toll-free extended local calling between all customers throughout its exchanges. Wes-Tex proposed an effective date of June 1, 2016. The estimated revenue increase to be recognized by the Applicant is \$32,043 in gross annual intrastate revenues. The Applicant has 2,001 access lines (residence and business) in service in the state of Texas.

If the Commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by May 28, 2016, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the Commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the Public Utility Commission of Texas by May 28, 2016. Requests to intervene should be filed with the Commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326 or you may call the Commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 45939.

TRD-201602301
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 10, 2016



Notice of Intent to Implement a Minor Rate Change Pursuant to 16 TAC §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 6, 2016, to implement a minor rate change pursuant to 16 TAC §26.171.

Tariff Control Title and Number: Notice of Taylor Telephone Cooperative, Inc. for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 45940.

The Application: Taylor Telephone Cooperative, Inc. (Taylor) filed an application with the Commission for revisions to its Member Services Tariff to increase the single-line residential and business access line rates, as well as Key/PBX rates by \$0.50 - \$2.00. Taylor also seeks approval to include its current Expanded Local Calling Service fees in the base rate for both residential and business customers. Taylor proposed an effective date of June 1, 2016. The estimated revenue increase to be recognized by the Applicant is \$82,098 in gross annual intrastate revenues. The Applicant has 5,786 access lines (residence and business) in service in the state of Texas.

If the Commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by May 31, 2016, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the Commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the Public Utility Commission of Texas by May 31, 2016. Requests to intervene should be filed with the Commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326 or you may call the Commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-im-

paired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 45940.

TRD-201602302
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 10, 2016

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Notice of Intent to Implement a Minor Rate Change Pursuant to 16 TAC §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 6, 2016, to implement a minor rate change pursuant to 16 TAC §26.171.

Tariff Control Title and Number: Notice of South Plains Telephone Cooperative, Inc. for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 45941.

The Application: South Plains Telephone Cooperative, Inc. (South Plains) filed an application with the Commission for revisions to its Member Services Tariff to increase its single-line residential and business access line rates. South Plains proposed an effective date of June 1, 2016. The estimated revenue increase to be recognized by the Applicant is \$86,668 in gross annual intrastate revenues. The Applicant has 3,810 access lines (residence and business) in service in the state of Texas.

If the Commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by May 31, 2016, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the Commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the Public Utility Commission of Texas by May 31, 2016. Requests to intervene should be filed with the Commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326 or you may call the Commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 45941.

TRD-201602303
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 10, 2016

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Notice of Intent to Implement a Minor Rate Change Pursuant to 16 TAC §26.171

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 9, 2016, to implement a minor rate change pursuant to 16 TAC §26.171.

Tariff Control Title and Number: Notice of E.N.M.R. Telephone Cooperative for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 45946.

The Application: E.N.M.R. Telephone Cooperative (E.N.M.R.) filed an application with the Commission for revisions to its Local Exchange Tariff to increase its Residence Monthly Exchange Service rates from \$16.00 to \$18.00 in all exchanges. E.N.M.R. also proposed to increase its Business Monthly Local Exchange Service rates from \$16.50 to \$19.50 in the Bell View Exchange and from \$17.50 to \$19.50 in the East Glen Frio, Farwell and Pleasant Hill Exchanges. E.N.M.R. proposed an effective date of June 1, 2016. The estimated revenue increase to be recognized by the Applicant is \$11,856 in gross annual intrastate revenues. The Applicant has 494 access lines (residence and business) in service in the state of Texas.

If the Commission receives a complaint(s) relating to this application signed by 5% of the affected local service customers to which this application applies by June 3, 2016, the application will be docketed. The 5% limitation will be calculated based upon the total number of customers of record as of the calendar month preceding the Commission's receipt of the complaint(s).

Persons wishing to comment on this application should contact the Public Utility Commission of Texas by June 3, 2016. Requests to intervene should be filed with the Commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326 or you may call the Commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 45946.

TRD-201602304
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: May 10, 2016