

IN ADDITION

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

Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - May 2023

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period May 2023 is \$48.94 per barrel for the three-month period beginning on February 1, 2023, and ending April 30, 2023. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of May 2023, from a qualified low-producing oil lease, is not eligible for credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period May 2023 is \$1.32 per mcf for the three-month period beginning on February 1, 2023, and ending April 30, 2023. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of May 2023, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of May 2023 is \$71.62 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 May 2023, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of May 2023 is \$2.30 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 May 2023, from a qualified low-producing gas well.

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

Issued in Austin, Texas, on June 26, 2023.

TRD-202302274

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Filed: June 26, 2023

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/03/23 - 07/09/23 is 18% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/03/23 - 07/09/23 is 18% for commercial² credit.

¹ Credit for personal, family or household use.

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

TRD-202302326

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: June 27, 2023

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **August 7, 2023**. 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 **August 7, 2023**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Camo Chemical LLC; DOCKET NUMBER: 2022-0024-AIR-E; IDENTIFIER: RN100880400; LOCATION: Houston, Harris County; TYPE OF FACILITY: chemical blending facility; RULES VIOLATED: 30 TAC §101.201(f) and Texas Health

and Safety Code (THSC), §382.085(b), by failing to provide additional or more detailed information regarding the emissions event when requested by the Executive Director within the time established in the request; and 30 TAC §116.115(c), New Source Review Permit Number 72848, Special Conditions Number 1, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$12,875; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: City of Hedley; DOCKET NUMBER: 2022-1348-UTL-E; IDENTIFIER: RN101215770; LOCATION: Hedley, Donley County; TYPE OF FACILITY: retail public utility, exempt utility, or provider or conveyor of potable or raw water service ; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to the TCEQ for approval an emergency preparedness plan that demonstrates the facility's ability to provide emergency operations; PENALTY: \$450; ENFORCEMENT COORDINATOR: Ronica Rodriguez-Scott, (361) 881-6990; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(3) COMPANY: City of La Feria dba La Feria City Shop; DOCKET NUMBER: 2021-1204-PST-E; IDENTIFIER: RN102449063; LOCATION: La Feria, Cameron County; TYPE OF FACILITY: fleet refueling; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued underground storage tank (UST) delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; and 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; PENALTY: \$12,000; ENFORCEMENT COORDINATOR: Karolyn Kent, (512) 239-2536; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(4) COMPANY: Clariant Corporation; DOCKET NUMBER: 2023-0025-AIR-E; IDENTIFIER: RN105499420; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c), New Source Review Permit Number 22872, Special Conditions Number 1, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$3,375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$1,350; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: GULF COAST FIBER SERVICES LLC; DOCKET NUMBER: 2023-0777-WR-E; IDENTIFIER: RN103182952; LOCATION: Livingston, Polk County; TYPE OF FACILITY: operator; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to appropriating any state water or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$350; ENFORCEMENT COORDINATOR: John Thibodeaux, (409) 899-8753; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(6) COMPANY: KINNEY COUNTY; DOCKET NUMBER: 2023-0287-WR-E; IDENTIFIER: RN106125495; LOCATION: Brackettville, Kinney County; TYPE OF FACILITY: operator; RULES VIOLATED: 30 TAC §297.11 and TWC, §11.081 and §11.121, by failing to obtain authorization prior to diverting, storing, impounding, taking, or using state water, or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(7) COMPANY: MVP Players, LLC; DOCKET NUMBER: 2022-0190-WR-E; IDENTIFIER: RN11149233; LOCATION: Midlothian, Ellis County; TYPE OF FACILITY: golf course; RULES VIOLATED: 30 TAC §297.11 and TWC, §11.081 and §11.121 , by failing to obtain authorization prior to diverting, impounding, storing, taking, or using state water; PENALTY: \$450; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(8) COMPANY: Phillips 66 Company; DOCKET NUMBER: 2021-0897-AIR-E; IDENTIFIER: RN101619179; LOCATION: Old Ocean, Brazoria County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 111.111(a)(1)(B), 116.115(c), and 122.143(4), New Source Review Permit Numbers 5920A, 7467A, 22086, 30513, and PSDTX103M4, Special Conditions Number 1, Federal Operating Permit Number O1626, General Terms and Conditions and Special Terms and Conditions Number 29, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$45,850; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$22,925; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: PURE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-0275-PWS-E; IDENTIFIER: RN102674850; LOCATION: Waco, McLennan County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §§290.41(c)(3)(O), 290.42(m) and 290.43(e), by failing to provide an intruder-resistant fence or well house around each water treatment plant, well unit, potable water storage tank, pressure maintenance facility, and related appurtenances that remains locked during periods of darkness and when the facility is unattended; 30 TAC §290.43(c)(1), by failing to provide the ground storage tank with a gooseneck roof vent or a roof ventilator designed by an engineer and installed in strict accordance with American Water Works Association standards and equipped with a corrosion-resistant 16-mesh or finer screen; 30 TAC §290.46(f)(2) and (3)(A)(i)(II), (ii) and (iv), (B)(iii), (iv), and (v), and (D)(i), 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(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(j), by failing to complete a Customer Service Inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvements, corrections, or additions to the private water distribution facilities; 30 TAC §290.46(m)(1)(B), by failing to inspect the interior of the facility's pressure tanks at least once every five years; 30 TAC §290.46(n)(2), by failing to make available an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; and 30 TAC §290.121(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; PENALTY: \$5,800; ENFORCEMENT COORDINATOR: Ronica Rodriguez-Scott, (361) 881-6990; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(10) COMPANY: W4-A HOLDINGS LLC; DOCKET NUMBER: 2023-0762-WQ-E; IDENTIFIER: RN111628103; LOCATION:

Whitehouse, Smith County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$875; ENFORCEMENT COORDINATOR: Monica Larina, (512) 239-0184; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202302320

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 27, 2023



Enforcement Orders

An agreed order was adopted regarding ETC Texas Pipeline, Ltd., Docket No. 2017-0562-AIR-E on June 28, 2023 assessing \$209,510 in administrative penalties with \$41,902 deferred. Information concerning any aspect of this order may be obtained by contacting Amanda Diaz, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Skipper Beverage Company, LLC dba Circle K Store 2742069, Docket No. 2019-0563-PST-E on June 28, 2023 assessing \$19,901 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cynthia Sirois, 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 U.S. Minerals, Inc., Docket No. 2020-0060-AIR-E on June 28, 2023 assessing \$26,135 in administrative penalties with \$5,227 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default and shutdown order was adopted regarding Jamal Jafari dba J & K Food Store, Docket No. 2021-0083-PST-E on June 28, 2023 assessing \$18,356 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Benjamin Pence, 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 EAS OIL, LLC dba Stagecoach Stop, Docket No. 2020-0103-PST-E on June 28, 2023 assessing \$67,875 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Marilyn Norrod, 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 TEXAS CONCRETE SAND AND GRAVEL ENTERPRISE INC, Docket No. 2021-0362-WQ-E on June 28, 2023 assessing \$8,751 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan L. Grace, 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 Targa Midstream Services LLC, Docket No. 2021-0412-AIR-E on June 28, 2023 assessing \$6,975 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Enterprise Products Operating LLC, Docket No. 2021-0460-AIR-E on June 28, 2023 assessing

\$40,188 in administrative penalties with \$1,637 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Arkema Inc., Docket No. 2021-0461-AIR-E on June 28, 2023 assessing \$18,871 in administrative penalties with \$3,774 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ambers Construction, LLC, Docket No. 2021-0518-MLM-E on June 28, 2023 assessing \$10,945 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, 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 SI Group, Inc., Docket No. 2021-0747-AIR-E on June 28, 2023 assessing \$11,050 in administrative penalties with \$2,210 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Braskem America, Inc., Docket No. 2021-0874-AIR-E on June 28, 2023 assessing \$74,536 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Adrian Gutierrez, Docket No. 2021-0903-LII-E on June 28, 2023 assessing \$11,400 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cynthia Sirois, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Sixto Delafuente and Martiza Delafuente, Docket No. 2021-0939-OSS-E on June 28, 2023 assessing \$1,312 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cynthia Sirois, 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 WOODLAKE-JOSSERAND WATER SUPPLY CORPORATION, Docket No. 2021-0979-PWS-E on June 28, 2023 assessing \$14,415 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Miles Wehner, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding INEOS Styrolution America LLC, Docket No. 2021-1127-AIR-E on June 28, 2023 assessing \$38,125 in administrative penalties with \$7,625 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, 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 Plano, Docket No. 2021-1491-WQ-E on June 28, 2023 assessing \$18,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator

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

An agreed order was adopted regarding FOUNDATION ENERGY MANAGEMENT, L.L.C., Docket No. 2021-1622-AIR-E on June 28, 2023 assessing \$16,375 in administrative penalties with \$3,275 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding G. P. Transport, Inc., Docket No. 2022-0439-WQ-E on June 28, 2023 assessing \$12,500 in administrative penalties with \$2,500 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.

TRD-202302342

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 28, 2023



Notice of Correction to Agreed Order Number 3

In the April 21, 2023, issue of the *Texas Register* (48 TexReg 2149), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 3, for Ben Adams dba Old Town Water Supply Corporation, Terry Adams dba Old Town Water Supply Corporation, and David Hicks dba Old Town Water Supply Corporation; Docket Number 2022-1512-UTL-E. The error is as submitted by the commission.

The reference to the company should be corrected to read: "Old Town Water Supply Corporation, Ben Adams dba Old Town Water Supply Corporation, Terry Adams dba Old Town Water Supply Corporation, and David Hicks dba Old Town Water Supply Corporation."

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

TRD-202302321

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 27, 2023



Notice of District Petition

Notice issued June 21, 2023

TCEQ Internal Control No. D-01272023-036; Maxwell Special Utility District of Hays County (the "District") filed an application with the Texas Commission on Environmental Quality (TCEQ) for authority to levy a revised impact fee of \$12,940 per standard residential connection within the District's service area. The District files this application under the authority of Chapter 395 of the Local Government Code, 30 Texas Administrative Code Chapter 293, and the procedural rules of the TCEQ. The purpose of impact fees is to generate revenue to recover the costs of capital improvements or facility expansions made necessary by and attributable to serving new development in the District's service area. At the direction of the District, a registered engineer has prepared a capital improvements plan for the system that identifies the capital improvements or facility expansions and their costs for which the impact fees will be assessed. The impact fee application and

supporting information are available for inspection and copying during regular business hours in the Districts Section of the Water Supply Division, Third Floor of Building F (in the TCEQ Park 35 Office Complex located between Yager and Braker lanes on North IH-35), 12100 Park 35 Circle, Austin, Texas 78753. A copy of the impact fee application and supporting information, as well as the capital improvements plan, is available for inspection and copying at the District's office during regular business hours.

INFORMATION SECTION

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

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

TRD-202302335

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 28, 2023



Notice of District Petition

Notice issued June 22, 2023

TCEQ Internal Control No. D-05102023-022; BGM Land Investments, Ltd., a Texas limited partnership, (Petitioner) filed a petition for creation of Harris County Municipal Utility District No. 583 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ.

The petition states that: (1) the Petitioner holds title to 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 323.023 acres located within Harris County, Texas; and (4) the land within the proposed District is within the extraterritorial jurisdiction of the City of Houston. By Ordinance No. 2022-873, passed and approved on November 9, 2022, the City of Houston, 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, own, operate, repair, improve and extend 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; and (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, including road facilities, park and recreation facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed 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 that the cost of said project will be approximately \$111,950,000 (\$67,790,000 for water, wastewater, and drainage, \$38,580,000 for roads, and \$5,580,000 for recreational).

INFORMATION SECTION

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

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

TRD-202302336

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: June 28, 2023



Notice of District Petition

Notice issued June 28, 2023

TCEQ Internal Control No. D-04282023-042; Lawman, LLC, a Texas Limited Liability Company, (Petitioner) filed a petition for creation of Burks Ranch Municipal Utility District No. 1 of Grayson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 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 Petitioner holds title to 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 510 acres of land located within Grayson County, Texas; and (4) the Property to be included in the proposed district is not within the corporate boundaries or extraterritorial jurisdiction of any municipality. The petition further states that the proposed District will purchase, construct, acquire, 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, and commercial purposes; to collect, transport, process, dispose of and control domestic, and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; to design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and to purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with 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 Petitioner, from the information available at this time, that the cost of said project will be approximately \$93,055,000 (including \$63,715,000 for water, wastewater, and drainage and \$29,340,000 for road improvements).

INFORMATION SECTION

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

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition un-

less 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-202302340

Laurie Gharis
Chief Clerk

Texas Commission on Environmental Quality

Filed: June 28, 2023



Notice of Intent to Reissue General Permit TXG530000 Authorizing the Discharge of Wastewater

The Texas Commission on Environmental Quality (TCEQ) is proposing to reissue Texas Pollutant Discharge Elimination System General Permit Number TXG530000 which authorizes the discharge of wastewater from on-site treatment systems connected to single family residences located in Harris County, Texas. The draft general permit applies to the entire state of Texas. General permits are authorized by Texas Water Code, §26.040.

The existing general permit is scheduled to expire on January 30, 2024. This notice is being published to comply with 30 TAC §205.5(d), which requires the TCEQ to propose reissuance of an existing general permit at least 90 days prior to expiration. The existing general permit will remain in effect for dischargers authorized under the general permit until the date the commission takes final action on the revised draft general permit. However, no new notices of intent will be accepted or authorizations issued under the existing general permit after January 20, 2024. TCEQ will provide the additional public notice required by 30 TAC §205.3 following the United States Environmental Protection Agency approval of the revised draft general permit.

INFORMATION. If you need more information about this general permit or the permitting process, please call the TCEQ Office of Public Assistance, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at: <http://www.tceq.texas.gov>.

Further information may also be obtained by calling the TCEQ's Water Quality Division, Municipal Permits Team, at (512) 239-4671.

Si desea información en español, puede llamar (800) 687-4040.

TRD-202302333

Guy Henry

Acting Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality

Filed: June 27, 2023



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **August 7, 2023**. 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 August 7, 2023**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Ashton Holdings, Inc.; DOCKET NUMBER: 2020-0218-WQ-E; TCEQ ID NUMBER: RN109765495; LOCATION: northeast of Liberty School Road and Sandy Beach Road, Pelican Bay, Tarrant County; TYPE OF FACILITY: construction site; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §281.25(a)(4), and 40 Code of Federal Regulations §122.26(c), by failing to maintain authorization to discharge stormwater associated with construction activities; PENALTY: \$8,362; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: EliteCurb & Concrete, LLC; DOCKET NUMBER: 2021-1603-AIR-E; TCEQ ID NUMBER: RN111364568; LOCATION: 6615 Farm-to-Market Road 482, New Braunfels, Comal County; TYPE OF FACILITY: concrete materials storage site; RULES VIOLATED: Texas Health and Safety Code, §382.0518(a) and §382.085(b) and 30 TAC §116.110(a), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; PENALTY: \$1,875; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-202302322

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 27, 2023



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **August 7, 2023**. 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 August 7, 2023**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Advanced Powder Solutions Inc.; DOCKET NUMBER: 2020-0565-MLM-E; TCEQ ID NUMBER: RN100652312; LOCATION: 12245 Farm-to-Market Road 529, Suite H, Houston, Harris County; TYPE OF FACILITY: metal component fabrication center; RULES VIOLATED: 30 TAC §335.2(b), by causing, suffering, allowing, or permitting the unauthorized storage and/or disposal of industrial hazardous waste at an unauthorized facility; 30 TAC §335.503 and §335.504, and 40 Code of Federal Regulations (CFR) §262.11, by failing to conduct hazardous waste determinations and waste classifications at the point of generation; Texas Health and Safety Code, §382.0518 and §382.085(b), and 30 TAC §116.110(a), by failing to obtain authorization prior to constructing or modifying a facility; and 30 TAC §324.6 and 40 CFR §279.22(c)(1), by failing to label or clearly mark used oil storage containers with the words "Used Oil"; PENALTY: \$88,325; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: SAM RAYBURN WATER, INC.; DOCKET NUMBER: 2022-1352-UTL-E; TCEQ ID NUMBER: RN101256949; LOCATION: the end of Farm-to-Market Road 1751, San Augustine, San Augustine County; TYPE OF FACILITY: water utility; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to TCEQ for approval an emergency preparedness plan that demonstrates the utility's ability to provide emergency operations; PENALTY: \$510; STAFF ATTORNEY: Megan L. Grace, Litigation, MC 175, (512) 239-3334; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(3) COMPANY: Village Creek Church of Christ, Inc.; DOCKET NUMBER: 2021-1209-PWS-E; TCEQ ID NUMBER: RN111296455; LOCATION: 10786 Highway 69 North near Kountze, Hardin County; TYPE OF FACILITY: public water system (PWS); RULES VIOLATED: 30 TAC §290.42(b)(1) and (e)(3), by failing to provide disinfection facilities for the groundwater supply for the purpose of microbiological control and distribution protection; 30 TAC §290.46(n)(1), by failing to maintain at the PWS accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; PENALTY: \$2,500; STAFF ATTORNEY: Megan L. Grace, Litigation, MC 175, (512) 239-3334; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202302323

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 27, 2023



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of ABRAXAS CORPORATION SOAH Docket No. 582-23-21632 TCEQ Docket No. 2021-0206-MWD-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 via Zoom videoconference at:

10:00 a.m. - July 27, 2023

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed May 5, 2022, concerning assessing administrative penalties against and requiring certain actions of ABRAXAS CORPORATION, for violations in Parker County, Texas, of: 30 Texas Administrative Code §§30.350(d), 217.33(c)(1)(B), 217.63(c), and 305.125(1) and (5); and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0015010001 Monitoring and Reporting Requirement No. 7.c., Operational Requirement No. 1, and Other Requirement No. 1.

The hearing will allow ABRAXAS CORPORATION, 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, af-

ford ABRAXAS CORPORATION, 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 ABRAXAS CORPORATION 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 Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** ABRAXAS CORPORATION, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code § 7.054, Tex. Water Code chs. 7, 26, and 37, and 30 Texas Administrative Code chs. 30, 70, 217, and 305; 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 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting Megan L. Grace, 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 Sheldon Wayne, Staff Attorney, Office of 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 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.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

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: June 27, 2023

TRD-202302341

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 28, 2023



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions on ANITRIO, INC. DBA Mr Discount SOAH Docket No. 582-23-22138 TCEQ Docket No. 2021-0873-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 via Zoom videoconference at:

10:00 a.m. - July 27, 2023

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed February 9, 2022 concerning assessing administrative penalties against and requiring certain actions of ANITRIO, INC. dba Mr Discount, for violations in Ellis County, Texas, of: Tex. Water Code § 26.3475(c)(1), Tex. Health & Safety Code § 382.085(b), and 30 Texas Administrative Code §§115.225, 334.45(c)(3)(A), 334.50(b)(1)(A) and (d)(9)(A)(v), 334.72 and 334.74.

The hearing will allow ANITRIO, INC. dba Mr Discount, 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 ANITRIO, INC. dba Mr Discount, 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 ANITRIO, INC. dba Mr Discount 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 Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** ANITRIO, INC. dba Mr Discount, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code § 7.054, Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code ch. 382 and 30 Texas Administrative Code chs. 70, 115 and 334; 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 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting Megan L. Grace, 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 Garrett T. Arthur, 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 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.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

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: June 27, 2023

TRD-202302339

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 28, 2023



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of JOHARSKY MOTORS LLC dba Pro Auto Fix SOAH Docket No. 582-23-22292 TCEQ Docket No. 2021-1014-AIR-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 via Zoom videoconference at:

10:00 a.m. - July 27, 2023

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

Meeting ID: 161 984 0712

Password: TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

Meeting ID: 161 984 0712

Password: 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed January 5, 2023 concerning assessing administrative penalties against and requiring certain actions of JOHARSKY MOTORS LLC dba Pro Auto Fix, for violations in Dallas County, Texas, of: Texas Health & Safety Code §§ 382.0518(a) and 382.085(b) and 30 Texas Administrative Code §116.110(a).

The hearing will allow JOHARSKY MOTORS LLC dba Pro Auto Fix, 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 JOHARSKY MOTORS LLC dba Pro Auto Fix, 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 JOHARSKY MOTORS LLC dba Pro Auto Fix 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 Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** JOHARSKY MOTORS LLC dba Pro Auto Fix, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Texas Water Code § 7.054, Texas Water Code ch. 7, Texas Health & Safety Code ch. 382, and 30 Texas Administrative Code chs. 70 and 116; Texas 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 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting Erandi Ratnayake, 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 Sheldon Wayne, Staff Attorney, Office of 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 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.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

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: June 27, 2023

TRD-202302338

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 28, 2023



Water Rights Notices

Notices Issued June 23, 2023

NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 12-4226A

Kerwin B. Stephens, 515 4th Street, Graham, Texas 76450, Applicant, seeks to amend Certificate of Adjudication No. 12-4226 to change the three currently authorized diversion points to four new diversion reaches on the Clear Fork Brazos River and add a place of use for agricultural purposes in Young and Stephens counties. More information on the application and how to participate in the permitting process is given below.

The application and partial fees were received on October 7, 2020. Additional information and fees were received on December 1, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 30, 2020. Additional information was received on December 1, 2022.

The Executive Director completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would include special conditions including, but not limited to stream-flow restrictions. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

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 July 10, 2023. A public meeting is intended for the taking of public comment, and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by July 10, 2023. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by July 10, 2023.

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;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. 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.

If a hearing request is filed, the Executive Director will not issue the permit and will 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 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 4226 in the search field. 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 o por el internet al <http://www.tceq.texas.gov>.

APPLICATION NO. 10-3959C

The Woodlands Land Development Company, L.P., 1790 Hughes Landing Blvd., Suite 600, The Woodlands, Texas, 77380-1691, (Owner/Applicant), seeks to amend its portion of Certificate of Adjudication No. 10-3959 to add a diversion point on the perimeter of Lake Woodlands and to store its diverted water in two additional off-channel reservoirs in the San Jacinto River Basin, Montgomery County. More information on the application and how to participate in the permitting process is given below.

The application and fees were received on December 23, 2020. The application was declared administratively complete and filed with the Office of the Chief Clerk on March 12, 2021.

The Executive Director 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, maintaining a measurement device. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps.

Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

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 July 10, 2023. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by July 10, 2023. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by July 10, 2023.

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;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. 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.

If a hearing request is filed, the Executive Director will not issue the permit and will 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 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 3959 in the search field. 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 <http://www.tceq.texas.gov/>. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov/>.

TRD-202302337

Laurie Gharis
Chief Clerk

Texas Commission on Environmental Quality
Filed: June 28, 2023



Texas Ethics Commission

List of Delinquent Filers

LIST OF LATE FILERS

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

Deadline: Monthly Report due December 7, 2020

Grant R. Cottingham, Frisco Police Officers Association Political Action Committee, 5212 Briarwood Drive, McKinney, Texas 75071

Devin D. Tutor, Deputy Sheriff's Association of Bexar County Political Action Committee, 1539 Sandalwood Lane, San Antonio, Texas 78209

Deadline: Monthly Report due October 5, 2021

Devin D. Tutor, Deputy Sheriff's Association of Bexar County Political Action Committee, 1539 Sandalwood Lane, San Antonio, Texas 78209

Deadline: Monthly Report due February 7, 2022

Stephen Foster, CURO Financial Technologies Corp Political Action Committee, 3615 N. Ridge Road, Wichita, Kansas 67205

Deadline: Monthly Report due June 6, 2022

Stephen Foster, CURO Financial Technologies Corp Political Action Committee, 3615 N. Ridge Road, Wichita, Kansas 67205

Deadline: Monthly Report due July 5, 2022

Stephen Foster, CURO Financial Technologies Corp Political Action Committee, 3615 N. Ridge Road, Wichita, Kansas 67205

Sally A. McFeron, Better Together Project, P.O. Box 722, Liberty Hill, Texas 78642

Steve Oglesby, Bowie County Patriots, P.O. Box 55, Nash, Texas 75569

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Deadline: Monthly Report due August 5, 2022

Sally A. McFeron, Better Together Project, P.O. Box 722, Liberty Hill, Texas 78642

Steve Oglesby, Bowie County Patriots, P.O. Box 55, Nash, Texas 75569

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Deadline: Monthly Report due September 6, 2022

Sally A. McFeron, Better Together Project, P.O. Box 722, Liberty Hill, Texas 78642

Steve Oglesby, Bowie County Patriots, P.O. Box 55, Nash, Texas 75569

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Deadline: Monthly Report due October 5, 2022

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

Sally A. McFeron, Better Together Project, P.O. Box 722, Liberty Hill, Texas 78642

Steve Oglesby, Bowie County Patriots, P.O. Box 55, Nash, Texas 75569

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Deadline: Monthly Report due November 7, 2022

Stephen Foster, CURO Financial Technologies Corp Political Action Committee, 3615 N. Ridge Road, Wichita, Kansas 67205

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

John R. Clay Jr., TX Bitcoin PAC, 401 W. 15th St., Suite 870, Austin, Texas 78701

Sally A. McFeron, Better Together Project, P.O. Box 722, Liberty Hill, Texas 78642

Steve Oglesby, Bowie County Patriots, P.O. Box 55, Nash, Texas 75569

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Deadline: Monthly Report due December 5, 2022

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

Grant R. Cottingham, Frisco Police Officers Association Political Action Committee, 5212 Briarwood Drive, McKinney, Texas 75071

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

John R. Clay Jr., TX Bitcoin PAC, 401 W. 15th St., Suite 870, Austin, Texas 78701

Melissa Hernandez, Friends of GPISD, P.O. Box 712, Portland, Texas 78374

Joy Miller, Save Corpus Christi Bay for the Greater Good, 413 Waco St., Corpus Christi, Texas 78401

Deadline: Monthly Report due January 5, 2023

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

Grant R. Cottingham, Frisco Police Officers Association Political Action Committee, 5212 Briarwood Drive, McKinney, Texas 75071

John R. Clay Jr., TX Bitcoin PAC, 401 W. 15th St., Suite 870, Austin, Texas 78701

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

John R. Clay Jr., Texas Early Childcare PAC, 401 W. 15th Street, Suite 870, Austin, Texas 78701

Melissa Hernandez, Friends of GPISD, P.O. Box 712, Portland, Texas 78374

Joy Miller, Save Corpus Christi Bay for the Greater Good, 413 Waco St., Corpus Christi, Texas 78401

Deadline: Monthly Report due February 7, 2023

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

Grant R. Cottingham, Frisco Police Officers Association Political Action Committee, 5212 Briarwood Drive, McKinney, Texas 75071

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Melissa Hernandez, Friends of GPISD, P.O. Box 712, Portland, Texas 78374

Joy Miller, Save Corpus Christi Bay for the Greater Good, 413 Waco St., Corpus Christi, Texas 78401

Deadline: Monthly Report due March 6, 2023

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

Grant R. Cottingham, Frisco Police Officers Association Political Action Committee, 5212 Briarwood Drive, McKinney, Texas 75071

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

John R. Clay Jr., Texas Early Childcare PAC, 401 W. 15th Street, Suite 870, Austin, Texas 78701

Devin D. Tutor, Deputy Sheriff's Association of Bexar County Political Action Committee, 1539 Sandalwood Lane, San Antonio, Texas 78209

Melissa Hernandez, Friends of GPISD, P.O. Box 712, Portland, Texas 78374

Deadline Monthly Report due April 5, 2023

Eugene H. Soslow, Park Cities / Central Dallas Democrats, 3982 Dunhaven Rd., Dallas, Texas 75220

Grant R. Cottingham, Frisco Police Officers Association Political Action Committee, 5212 Briarwood Drive, McKinney, Texas 75071

Blake C. Bearden, Round Rock Police Officers Association Political Action Committee, P.O. Box 6273, Round Rock, Texas 78683

Melissa Hernandez, Friends of GPISD, P.O. Box 712, Portland, Texas 78374

TRD-202302312

Aidan Shaughnessy

Program Specialist

Texas Ethics Commission

Filed: June 26, 2023



General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 -

1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of June 19, 2023 to June 23, 2023. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.25, 30.32, and 30.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, June 30, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, July 30, 2023.

FEDERAL AGENCY ACTIONS:

Applicant: Epic Crude Terminal

Location: The project site is located in the Inner Harbor of the Corpus Christi Ship Channel, within the Epic Crude Terminal at the intersection of Lantana Street and Up River Road, in Corpus Christi, Nueces County, Texas.

Latitude and Longitude: 27.816600, -97.470351

Project Description: The applicant proposes improvements at the EPIC West Dock - Dock Slip Improvements project (Project) will consist of the installation of six new mooring structures with 30-inch steel piles, two new breasting structures installed with 30-inch steel piles, and a new 35-foot by 20-foot platform to support equipment to transfer bulk liquids to/from an existing ship dock facility within the Corpus Christi Ship Channel (CCSC). The breasting and mooring structures will be constructed with steel monopiles. The new platform will be constructed with approximately eight 24-inch steel pipe piles will be installed with a single strike impact hammer. Work will be performed with barge mounted equipment. The applicant will also perform maintenance dredging of the previously existing basin.

The applicant has stated that they have avoided and minimized the environmental impacts with use of best management practices which will be employed during construction to minimize potential sedimentation into adjacent waterways from dredged material placement area. Decreasing the frequency of dredging events will reduce overall environmental impacts. By performing silt blading within the slip will reduce the amount of dredge material that will be removed for maintenance dredging. The applicant will also install turbidity curtains during the installation of the 30-inch steel pipes for the proposed mooring facility. The applicant has not proposed to mitigate for the proposed impacts.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-1991-01796. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

CMP Project No: 23-1305-F1

Applicant: Port of Galveston

Location: The project site is located in Galveston Bay/Harbor, at various locations between Galveston Island and Pelican Island, in Galveston County, Texas.

Latitude and Longitude: 29.312325, -94.798677

Project Description: The applicant requesting to modify and expand existing structures and is not seeking an extension of time for permitted work set to expire 31 December 2026. The proposed work includes the following:

Pier 22:

- Installation of a new 28-foot mooring dolphin platform

- Installation of one, 200 metric ton (MT) bollard
 - Installation of four, 48-inch-diameter typical (TYP) steel pipe piles
- Repair and Replacement of Existing Structures at Piers 23-25:
- Remove 10 existing bollards
 - Installation of four, 150 MT bollards
 - Installation of two, 100 MT bollards
 - Installation of new decking to bring back-set areas approximately 20' 7" x 10' and 12' 9" x 96' 11" in line with the existing pier face
 - Installation of twenty-nine, 36-inch-diameter steel pipe piles (TYP)
 - Installation of ten, 24-inch-diameter steel pipe piles (TYP)
 - Installation of 3 new fenders
 - Removal of approximately 224' x 50.5' of existing decking and installation of new decking
 - Below deck removal
 - Cut existing pile (approximately 100)
 - Replace with new 18-inch-diameter steel piles (approximately 52)

The applicant has stated that they have avoided and minimized the environmental impacts by situating a work platform or barge below the construction area to catch any falling debris, as well as deploy safety netting, silt fences, and booms to capture falling debris and fine particulates in areas where the barge is not able to access. The applicant is not proposing mitigation as the project only requires the modification and expansion of existing structures with no 404 impacts and no impacts to special aquatic sites.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2011-00162. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899.

CMP Project No: 23-1306-F1

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

TRD-202302313

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: June 26, 2023



Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Updates to Medicaid Reimbursement Rules Related to Inpatient Hospital Reimbursement, Outpatient Hospital Reimbursement, Ambulatory Surgical Centers Reimbursement and Renal Dialysis Reimbursement

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 19, 2023, from 10:00 a.m. to noon to receive public comments on proposed rule amendments to 1 Texas Administrative Code §§355.8052, 355.8061, 355.8121, 355.8610, and

355.8660. This hearing will be conducted online only. There is no physical location for this hearing.

To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link:

<https://register.gotowebinar.com/register/8884898809325909082>

After registering, you will receive a confirmation email containing information about joining the hearing. You can also dial in using your phone by calling +1 (415) 655-0060.

If you are new to GoToWebinar, please download the GoToMeeting app at <https://global.gotomeeting.com/install/626873213> before the hearing starts.

A recording of the hearing will be archived and can be accessed on-demand at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>.

Proposal. HHSC proposes rule amendments to the following: §355.8052 concerning Inpatient Hospital Reimbursement effective September 1, 2023, and §355.8061 concerning Outpatient Hospital Reimbursement, §355.8121 concerning Ambulatory Surgical Centers Reimbursement, §355.8610 concerning Reimbursement for Clinical Laboratory Services, and §355.8660 concerning Renal Dialysis Reimbursement, effective the date that the modernized Medicaid Management Information System becomes operational.

Briefing Packet: Interested parties may obtain a copy of the proposed preambles and rule amendments in the June 23, 2023, and the July 7, 2023, issues of the *Texas Register* at <https://www.sos.texas.gov/texreg/index.shtml> or by contacting HHSC Provider Finance by telephone at (737) 867-7817, by fax at (512) 730-7475, or by email at PFH_hospitals@hhsc.state.tx.us.

Written Comments. Written comments regarding the proposed amendments may be submitted instead of, or in addition to, oral testimony until 5:00 p.m. on July 28, 2023, for the Inpatient Hospital Reimbursement and July 24, 2023, for all other rules listed in this notice. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by email to pfh_hospitals@hhsc.state.tx.us. In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 W. Guadalupe St., Austin, Texas 78751.

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact the HHSC Provider Finance Department by calling (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202302332

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 27, 2023



Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Medically Dependent Children Program (MDCP) program. HHSC administers the MDCP Program under the authority of Section 1915(c) of the Social Security Act. The proposed effective date for this amendment is September 1, 2023.

The amendment request proposes to make the changes described below based on the 2024-2025 General Appropriations Act, House Bill 1, 88th Legislature, Regular Session, 2023, (Article II, HHSC Rider 30(a)) which appropriated funding to increase attendant base wages in the MDCP program.

Appendix J

HHSC revised the calculations for the overall projected cost of waiver services (Factor D) for waiver years two (9/1/23-8/31/24) through five (9/1/27-8/31/27). The updated projections in Appendix J account for rate increases for the following services provided by the waiver provider and through the consumer directed services option: Flexible Family Support Services and Respite.

A public rate hearing will be held on July 11, 2023, at 9:00 a.m. in Austin, Texas. The hearing will be held in the HHSC, John H Winters Building, Public Hearing Room 125, First Floor, 701 W. 51st Street, Austin, Texas 78751. Members of the public may attend the rate hearing in person. HHSC will also broadcast the public hearing; the broadcast can be accessed at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. The broadcast will be archived and accessible on demand at the same website.

The proposed amendment is estimated to result in an annual aggregate expenditure of \$1,359,403 for federal fiscal year (FFY) 2023, consisting of \$817,409 in federal funds and \$541,994 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$16,312,841 consisting of \$9,808,911 in federal funds and \$6,503,930 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$17,226,578 consisting of \$10,361,786 in federal funds and \$6,864,792 in state general revenue.

The MDCP waiver provides home and community-based services to medically fragile individuals from birth through age 20 who, without the waiver, would require institutionalization in a nursing facility. Services in the MDCP waiver include respite, adaptive aids, minor home modifications, employment assistance, supported employment, financial management services, transition assistance services, and flexible family support services. Texas uses the MDCP waiver to provide services to Texans in the least restrictive environment possible. These environments include the individual's or a family member's home, or a Child Protective Services foster care home which can meet the individual's complex medical needs.

Written Comments. Written comments regarding the proposed payment rates may be submitted instead of, or in addition to, oral testimony until 5:00 p.m. on the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by email to PFD-LTSS@hhs.texas.gov. In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 W. Guadalupe St., Austin, Texas 78751.

The HHSC local offices of social services will post this notice for 30 days and will have copies of the proposed changes available for review.

To obtain a free copy of the proposed changes, ask questions, or obtain additional information, please contact Julyya Alvarez by U.S. mail, telephone, fax, or email at the addresses and numbers below.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Julyya Alvarez, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4321

Fax

Attention: Julyya Alvarez, Waiver Coordinator at (512) 323-1905

Email

TX_Medicaid_Waivers@hhs.texas.gov

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

TRD-202302345

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 28, 2023



Public Notice: Texas State Plan for Medical Assistance Amendment

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

The purpose of the amendment is to update the rate methodology and payment rates for Nursing Facilities (NF). HHSC is making these changes in accordance with the 2024-25 General Appropriations Act, House Bill 1, 88th Texas Legislature, Regular Session, 2023 (Article II, HHSC, Rider 24), which requires HHSC to implement NF reimbursement rate changes to increase the wages and benefits of direct care staff and ensure that at least 90 percent of appropriated funds are expended for the benefit of direct care staff wages and benefits. The proposed amendment also revises the initial cost report database to calculate the direct care cost component to be the most recent Texas Medicaid NF Cost Report database. The proposed amendment is effective September 1, 2023.

The proposed amendment is estimated to result in an annual aggregate fee-for-service expenditure of \$6,437,477 for federal fiscal year 2023, consisting of \$4,015,055 in federal funds and \$2,422,423 in state general revenue. For federal fiscal year 2024, the estimated annual aggregate fee-for-service expenditure is \$87,657,130, consisting of \$52,725,764 in federal funds and \$34,931,366 in state general revenue. For federal fiscal year 2025, the estimated annual aggregate fee-for-service expenditure is \$91,350,441, consisting of \$54,947,290 in federal funds and \$36,403,151 in state general revenue.

Further detail on specific reimbursement rate changes is available on the HHSC Provider Finance Department (PFD) website under the proposed effective date at <http://pfd.hhs.texas.gov/rate-packets>.

A rate hearing will be held on July 11, 2023, at 9:00 a.m. in Austin, Texas. Information about the proposed rate change and the hearing can be found in the June 16, 2023, issue of the *Texas Register* (48 TexReg 3342) at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment(s). To obtain copies of the proposed amendment, interested parties may contact Nicole Hotchkiss, State

Plan Coordinator, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-5035; by facsimile at (512) 730-7472; or by email at medicaid_chip_spa_inquiries@hhsc.state.tx.us. Copies of the proposal will also be made available for public review at the local offices of the Texas Health and Human Services Commission.

Written Comments. Written comments and requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance, Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance, Mail Code H-400

North Austin Complex

4601 West Guadalupe Street

Austin, Texas 78751

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

Fax

Attention: Provider Finance at (512) 730-7475

Email

PFID-LTSS@hhs.texas.gov

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202302275

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 26, 2023



Public Notice - Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The proposed amendments will be effective September 1, 2023. The purpose of the proposed amendments is to modify the definition of rural hospitals to reflect the population updates in the 2020 U.S. Census, and to increase the minimum payment for the labor and delivery add-on rural hospitals as well as implement increases to outpatient reimbursement for rural hospitals. The modifications are to comply with House Bill 1 (H.B. 1) Rider 8 and Rider 16, 88th Legislature, Regular Session 2023.

The proposed amendment to Inpatient Hospital Reimbursement is estimated to result in an increased annual aggregate expenditure of \$558,804 for federal fiscal year (FFY) 2023, consisting of \$348,526 in federal funds and \$210,278 in state general revenue. For FFY 2024,

the estimated annual aggregate expenditure is \$6,705,643 consisting of \$2,646,717 in federal funds and \$4,058,926 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$6,705,643 consisting of \$4,033,444 in federal funds and \$2,672,199 in state general revenue.

The proposed amendment to Outpatient Hospital Reimbursement is estimated to result in an increased annual aggregate expenditure of \$75,044 for federal fiscal year (FFY) 2023, consisting of \$46,805 in federal funds and \$28,239 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$900,532 consisting of \$545,092 in federal funds and \$355,440 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$990,585 consisting of \$595,837 in federal funds and \$394,748 in state general revenue.

Public Hearing

A public hearing to receive comments on the proposal will be held July 11, 2023, at the HHSC through a webinar. The meeting date and time will be posted on the HHSC Communications and Events Website at <https://hhs.texas.gov/about-hhs/communications-events> and on the HHSC Provider Finance Hospitals website at <https://pfd.hhs.texas.gov/provider-finance-communications>.

Copy of Proposed Amendment.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Kenneth Anzaldúa, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, TX 78711; by telephone at (512) 438-4326; by facsimile at (512) 323-1905; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendment will be available for review at the local county offices of HHSC, formerly the local offices of the Texas Department of Aging and Disability Services.

Written Comments.

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

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 W. Guadalupe St.

Austin, Texas 78751

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

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

Email pfd_hospitals@hhsc.state.tx.us

Preferred Communication.

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

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact the HHSC Provider Finance Department by calling (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202302343

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 28, 2023



Public Notice - The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Home and Community-based Services (HCS) program.

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Home and Community-based Services (HCS) program. HHSC administers the HCS Program under the authority of Section 1915(c) of the Social Security Act. The proposed effective date for this amendment is September 1, 2023.

The amendment request proposes to make the changes described below based on the 2024-2025 General Appropriations Act, House Bill 1, 88th Legislature, Regular Session, 2023, (Article II, HHSC Rider 30(a)) which appropriated funding to increase attendant base wages in the HCS program.

Appendix J

HHSC revised the calculations for the overall projected cost of waiver services (Factor D) for waiver years one (9/1/23-8/31/24) through five (9/1/27-8/31/28). The updated projections in Appendix J account for rate increases for the following services provided by the waiver provider: Respite, Residential Support, Supervised Living, and Supported Home Living; and the following services delivered through the consumer directed services option: Respite and Supported Home Living.

A public rate hearing will be held on July 11, 2023, at 9:00 a.m. in Austin, Texas. The hearing will be held in the HHSC, John H Winters Building, Public Hearing Room 125, First Floor, 701 W. 51st Street, Austin, Texas 78751. Members of the public may attend the rate hearing in person. HHSC will also broadcast the public hearing; the broadcast can be accessed at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. The broadcast will be archived and accessible on demand at the same website.

The proposed amendment is estimated to result in an annual aggregate expenditure of \$3,203,747 for federal fiscal year (FFY) 2023, consisting of \$1,929,280 in federal funds and \$1,274,468 in state general revenue. For FFY 2024, the estimated annual aggregate expenditure is \$38,444,968 consisting of \$23,151,357 in federal funds and \$15,293,611 in state general revenue. For FFY 2025, the estimated annual aggregate expenditure is \$38,423,120 consisting of \$23,145,885 in federal funds and \$15,277,235 in state general revenue.

The HCS waiver program provides services and supports to individuals with intellectual disabilities who live in their own homes, in the home of a family member, or another community setting such as a three-person or four-person residence operated by an HCS program provider. Services and supports are intended to enhance quality of

life, functional independence, and health and well-being in continued community-based living and to supplement, rather than replace, existing informal or formal supports and resources. Services in the HCS waiver program include respite, supported employment, adaptive aids, audiology, occupational therapy, physical therapy, prescribed drugs, speech and language pathology, financial management services, support consultation, behavioral support, cognitive rehabilitation therapy, dental treatment, dietary services, employment assistance, individualized skills and socialization, minor home modifications, nursing, residential assistance, social work, supporting home living, and transition assistance services.

Written Comments. Written comments regarding the proposed payment rates may be submitted instead of, or in addition to, oral testimony until 5:00 p.m. on the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by email to PF-DLTSS@hhs.texas.gov. In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 W. Guadalupe St., Austin, Texas 78751.

The HHSC local offices of social services will post this notice for 30 days and will have copies of the proposed changes available for review.

To obtain a free copy of the proposed changes, ask questions, or obtain additional information, please contact Julyya Alvarez by U.S. mail, telephone, fax, or email at the addresses and numbers below.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Julyya Alvarez, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4321

Fax

Attention: Julyya Alvarez, Waiver Coordinator at (512) 323-1905

Email

TX_Medicaid_Waivers@hhs.texas.gov

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

TRD-202302344

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 28, 2023



Department of State Health Services

Order Placing Brorphine and Eutylone in Schedule I

The Drug Enforcement Administration issued a final order permanently placing brorphine (1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2H-benzo[d]imidazol-2-one), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts is possible within the specific chemical designation, in schedule I of the Controlled Substances Act. This final order was published on April 5, 2023, in the *Federal Register*, Volume 88, Number 43, pages 13692-13694. This action was taken based on the following:

1. Brorphine has a pharmacological profile similar to fentanyl (schedule II) and other schedule I and II synthetic opioids;
2. The use of brorphine presents a high risk of abuse and has negatively affected users and communities;
3. Brorphine has no currently accepted medical use in treatment in the United States;
4. There is a lack of accepted safety for use of brorphine under medical supervision; and,
5. This scheduling action discharges the United States' obligations under the Single Convention on Narcotic Drugs (1961).

The Drug Enforcement Administration issued a final rule establishing a specific listing for eutylone (Other names: 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one; bk-EBDB) in schedule I of the Controlled Substances Act with its own unique drug code. This final rule was published on April 10, 2023, in the *Federal Register*, Volume 88, Number 68, pages 21101-21102. This action is taken based on the following:

1. Eutylone has been controlled in the United States as a positional isomer of pentylone, a schedule I hallucinogen. This action establishes a specific listing for eutylone with its own unique drug code; and,
2. Placement of eutylone in schedule I enables the United States to meet its obligations under the 1971 Convention on Psychotropic Substances.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at

least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*. In the capacity as Commissioner of the Texas Department of State Health Services, Jennifer Shuford, M.D., does hereby order that the substances broprhine and eutylone be placed in schedule I.

-Schedule I opiates

The following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts are possible within the specific chemical designation:

- (1) Acetyl- α -methylfentanyl (*N*-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-*N*-phenylacetamide);
- (2) Acetylmethadol;
- (3) Acetyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- (4) Acryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide) (Other name: acryloylfentanyl);
- (5) AH-7921 (3,4-dichloro-*N*-[1-(dimethylamino)cyclohexymethyl]benzamide);
- (6) Allylprodine;
- (7) Alphacetylmethadol (except levo- α -cetylmethadol, levo- α -acetylmethadol, levomethadyl acetate, or LAAM);
- (8) α -Methylfentanyl or any other derivative of fentanyl;
- (9) α -Methylthiofentanyl (*N*-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl] *N*-phenylpropanamide);
- (10) Benzethidine;
- (11) β -Hydroxyfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-*N*-phenylpropanamide);
- (12) β -Hydroxy-3-methylfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-*N*-phenylpropanamide);
- (13) β -hydroxythiofentanyl (Other names: *N*-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-*N*-phenylpropionamide; *N*-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidnyl]-*N*-phenylpropanamide);

- (14) β -Methyl fentanyl (*N*-phenyl-*N*-(1-(2-phenylpropyl)piperidin-4-yl)propionamide);
- (15) β' -Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide) (Other name: 3-phenylpropanoyl fentanyl);
- (16) Betaprodine;
- *(17) Brorphine (1-(1-(1-(4-bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2*H*-benzo[*d*]imidazol-2-one);
- (18) Butyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);
- (19) Clonitazene;
- (20) Crotonyl fentanyl (Other name: (6-2-5) (E)-*N*-(1-Phenethylpiperidin-4-yl)-*N*-phenylbut-2-enamide);
- (21) Cyclopentyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-Phenylcyclopentanecarboxamide);
- (22) Cyclopropyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide);
- (23) Diampromide;
- (24) Diethylthiambutene;
- (25) Difenoxy;
- (26) Dimenoxadol;
- (27) Dimethylthiambutene;
- (28) Dioxaphetyl butyrate;
- (29) Dipipanone;
- (30) Ethylmethylthiambutene;
- (31) Etonitazene;
- (32) Etoxeridine;
- (32) Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate);
- (34) 4-Fluoroisobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide) (Other name: *p*-fluoroisobutyryl fentanyl);
- (35) 2'-Fluoro *o*-fluorofentanyl (*N*-(1-(2-fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide (Other name: 2'-fluoro 2-fluorofentanyl);
- (36) Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-2-carboxamide);
- (37) Furethidine;
- (38) Hydroxypethidine;
- (39) Isobutyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide);
- (40) Isotonitazene (*N,N*-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine);

- (41) Ketobemidone;
- (42) Levophenacymorphan;
- (43) Meprodine;
- (44) Methadol;
- (45) Methoxyacetyl fentanyl (2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- (46) 4'-Methyl acetyl fentanyl (*N*-(1-(4-methylphenethyl)piperidin-4-yl)-*N*-phenylacetamide);
- (47) 3-Methylfentanyl (*N*-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-*N*-phenylpropanamide);
- (48) 3-Methylthiofentanyl (*N*-[3-methyl-1-(2-thienyl)ethyl-4-piperidiny]-*N*-phenylpropanamide);
- (49) Moramide;
- (50) Morpheridine;
- (51) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (52) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
- (53) Noracymethadol;
- (54) Norlevorphanol;
- (55) Normethadone;
- (56) Norpipanone;
- (57) Ocfentanil (*N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide);
- (58) *o*-Fluoroacryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)acrylamide);
- (59) *o*-Fluorobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide (Other name: 2-fluorobutyryl fentanyl));
- (60) *o*-Fluorofentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl);
- (61) *o*-Fluoroisobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (62) *o*-Methyl acetylfentanyl (*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (Other name: 2-methyl acetylfentanyl));
- (63) *o*-Methyl methoxyacetyl fentanyl (2-methoxy-*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (Other name: 2-methyl methoxyacetyl fentanyl));
- (64) *p*-Chloroisobutyryl fentanyl (*N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (65) *p*-Fluorobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
- (66) *p*-Fluorofentanyl (*N*-(4-fluorophenyl)-*N*-[1-(2-phenethyl)-4 piperidiny]propanamide);

- (67) *p*-Fluoro furanyl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);
 - (68) *p*-Methoxybutyryl fentanyl (*N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
 - (69) *p*-Methylfentanyl (*N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide (Other name: 4-methylfentanyl);
 - (70) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
 - (71) Phenadoxone;
 - (72) Phenampromide;
 - (73) Phencyclidine;
 - (74) Phenomorphan;
 - (75) Phenoperidine;
 - (76) Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbenzamide (Other name: benzoyl fentanyl);
 - (77) Piritramide;
 - (78) Proheptazine;
 - (79) Properidine;
 - (80) Propiram;
 - (81) Tetrahydrofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide);
 - (82) Thiofentanyl (*N*-phenyl-*N*-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
 - (83) Thiofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (Other names: 2-thiofuranyl fentanyl; thiophene fentanyl);
 - (84) Tilidine;
 - (85) Trimeperidine;
 - (86) U-47700 (3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-*N*-methylbenzamide;
 - (87) Valeryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide);
- and,
- (88) Zipeprol (1-methoxy-3-[4-(2-methoxy-2-phenylethyl)piperazin-1-yl]-1-phenylpropan-2-ol).

-Schedule I temporarily listed substances subject to emergency scheduling by the U.S. Drug Enforcement Administration.

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances or that contains any of the substance's isomers, esters, ethers, salts and salts of isomers, esters, and ethers if the existence of the

salts, esters, ethers isomers, and salts of isomers, esters, ethers is possible within the specific chemical designation:

(1) Fentanyl-related substances.

(1-1) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under Section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355], that is structurally related to fentanyl by one or more of the following modifications:

(1-1-1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle,

(1-1-2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups,

(1-1-3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups,

(1-1-4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle, and/or

(1-1-5) Replacement of the *N*-propionyl group by another acyl group.

(1-2) This definition includes, but is not limited to, the following substances:

(1-2-1) *N*-(1-(2-Fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide (Other name: 2'-fluoro-*o*-fluorofentanyl);

(1-2-2) *N*-(2-Methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (Other name: *o*-methyl acetylfentanyl);

(1-2-3) *N*-(1-Phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide (Other names: β' -phenyl fentanyl; hydrocinnamoyl fentanyl); and,

(1-2-4) *N*-(1-Phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (Other name: thiofuranyl fentanyl).

*(2) 1-(1-(1-(4-Bromophenyl)ethyl)piperidin-4-yl)-1,3-dihydro-2*H*-benzo[d]imidazol-2-one (Other names: bromphine; 1-[1-[1-(4-bromophenyl)ethyl]-4-piperidinyl]-1,3-dihydro-2*H*-benzimidazol-2-one);

(3) 2-(2-(4-Butoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (Other name: butonitazene);

(4) 2-(2-(4-Ethoxybenzyl)-1*H*-benzimidazol-1-yl)-*N,N*-diethylethan-1-amine (Other names: etodesnitazene; etazene);

- (5) *N,N*-Diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: flunitazene);
 - (6) *N,N*-Diethyl-2-(2-(4-methoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: metodesnitazene);
 - (7) *N,N*-Diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: metonitazene);
 - (8) 2-(4-Ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1*H*-benzimidazole (Other names: *N*-pyrrolidino etonitazene; etonitazepyne);
- and,
- (9) *N,N*-Diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1*H*-benzimidazol-1-yl)ethan-1-amine (Other name: protonitazene).

-Schedule I hallucinogenic substances

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, position, and geometric isomers):

- (1) α -Ethyltryptamine (Other names: etryptamine; Monase; α -ethyl-1*H*-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; AET);
- (2) 4-Bromo-2,5-dimethoxyamphetamine (Other names: 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA);
- (3) 4-Bromo-2,5-dimethoxyphenethylamine (Other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; α -desmethyl DOB);
- (4) 2,5-Dimethoxyamphetamine (Other names: 2,5-dimethoxy- α -methylphenethylamine; 2,5-DMA);
- (5) 2,5-Dimethoxy-4-ethylamphetamine (Other name: DOET);
- (6) 2,5-Dimethoxy-4-(*n*)-propylthiophenethylamine, its optical isomers, salts and salts of isomers (Other name: 2C-T-7);
- (7) 4-Methoxyamphetamine (Other names: 4-methoxy- α -methylphenethylamine; paramethoxyamphetamine; PMA);
- (8) 5-Methoxy-3,4-methylenedioxyamphetamine (Other name: MMDA);
- (9) 4-Methyl-2,5-dimethoxyamphetamine (Other names: 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; "STP");
- (10) 3,4-Methylenedioxyamphetamine (Other names: MDA; Love Drug);

- (11) 3,4-Methylenedioxyamphetamine (Other names: MDMA; MDM; Ecstasy; XTC);
- (12) 3,4-Methylenedioxy-*N*-ethylamphetamine (Other names: *N*-ethyl- α -methyl-3,4(methylenedioxy)phenethylamine; *N*-ethyl MDA; MDE; MDEA);
- (13) *N*-Hydroxy-3,4-methylenedioxyamphetamine (Other name: *N*-hydroxy MDA);
- (14) 3,4,5-Trimethoxyamphetamine (Other name: TMA);
- (15) 5-Methoxy-*N,N*-dimethyltryptamine (Other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole; 5-MeO-DMT);
- (16) α -Methyltryptamine (Other name: AMT);
- (17) Bufotenine (Other names: 3- β -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; *N,N*-dimethylserotonin; 5-hydroxy-*N,N*-dimethyltryptamine; mappine);
- (18) Diethyltryptamine (Other names: *N,N*-Diethyltryptamine; DET);
- (19) Dimethyltryptamine (Other name: DMT);
- (20) 5-Methoxy-*N,N*-diisopropyltryptamine, its isomers, salts, and salts of isomers (Other name: 5-MeO-DIPT);
- (21) Ibogaine (Other names: 7-Ethyl-6,6- β -7,8,9,10,12,13-octhydro-2-methoxy-6,9-methano-5*H*-pyrido[1',2':1,2] azepino [5,4-b] indole; *Tabernanthe iboga*);
- (22) Lysergic acid diethylamide;
- (23) Marihuana, the term marihuana does not include hemp, as defined in Title 5, Agriculture Code, Chapter 121;
- (24) Mescaline;
- (25) Parahexyl (Other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6*H*-dibenzo[b,d]pyran; Synhexyl);
- (26) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora williamsii* *Lemaire*, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;
- (27) *N*-ethyl-3-piperidyl benzilate;
- (28) *N*-methyl-3-piperidyl benzilate;
- (29) Psilocybin;
- (30) Psilocyn;
- (31) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (*cannabis* plant), except for tetrahydrocannabinols in hemp (as defined under Section 297A(1) of the Agricultural Marketing Act of 1946), as well as synthetic equivalents of the substances contained in the *cannabis* plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with

similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:

- 1 cis or trans tetrahydrocannabinol, and their optical isomers;
- 6 cis or trans tetrahydrocannabinol, and their optical isomers;
- 3,4 cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

- (32) Ethylamine analog of phencyclidine (Other names: *N*-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; *N*-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);
- (33) Pyrrolidine analog of phencyclidine (Other names: 1-(1 phenylcyclohexyl)-pyrrolidine; PCPy; PHP; rolicyclidine);
- (34) Thiophene analog of phencyclidine (Other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TCP; TCP);
- (35) 1-[1-(2-Thienyl)cyclohexyl]pyrrolidine (Other name: TCPy);
- (36) 4-Methylmethcathinone (Other names: 4-methyl-*N*-methylcathinone; mephedrone);
- (37) 3,4-Methylenedioxypropylvalerone (Other name: MDPV);
- (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (Other name: 2C-E);
- (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (Other name: 2C-D);
- (40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (Other name: 2C-C);
- (41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (Other name: 2C-I);
- (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (Other name: 2C-T-2);
- (43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (Other name: 2C-T-4);
- (44) 2-(2,5-Dimethoxyphenyl)ethanamine (Other name: 2C-H);
- (45) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (Other name: 2C-N);
- (46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (Other name: 2C-P);
- (47) 3,4-Methylenedioxy-*N*-methylcathinone (Other name: Methylone);

- (48) (1-Pentyl-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144; 1-pentyl-3-(2,2,3,3-tetramethylcyclopropoyl)indole);
- (49) [1-(5-Fluoro-pentyl)-1*H*-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144; 5-F-UR-144; XLR11; (5-flouro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole);
- (50) *N*-(1-Adamantyl)-1-pentyl-1*H*-indazole-3-carboxamide (Other names: APINACA; AKB48);
- (51) Quinolin-8-yl 1-pentyl-1*H*-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: PB-22; QUPIC);
- (52) Quinolin-8-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate, its optical, positional, and geometric isomers, salts and salts of isomers (Other names: 5-fluoro-PB-22; 5F-PB-22);
- (53) *N*-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide, its optical, positional, and geometric isomers, salts and salts of isomers (Other name: AB-FUBINACA);
- (54) *N*-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide (Other name: ADB-PINACA);
- (55) 2-(4-Iodo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2CI-NBOMe; 25I; Cimbi-5);
- (56) 2-(4-Chloro-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);
- (57) 2-(4-Bromo-2,5-dimethoxyphenyl)-*N*-(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);
- (58) Marijuana extract, meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus *Cannabis*, other than separated resin (whether crude or purified) obtained from the plant;
- (59) 4-Methyl-*N*-ethylcathinone (Other name: 4-MEC);
- (60) 4-Methyl- α -pyrrolidinopropiophenone (Other name: 4-MePPP);
- (61) α -Pyrrolidinopentiophenone (Other name: [α]-PVP);
- (62) 1-(1,3-Benzodioxol-5-yl)-2-(methylamino)butan-1-one (Other names: butylone; bk-MBDB);
- (63) 2-(Methylamino)-1-phenylpentan-1-one (Other name: pentedrone);
- (64) 1-(1,3-Benzodioxol-5-yl)-2-(methylamino)pentan-1-one (Other names: pentylone; bk-MBDP);

- (65) 4-Fluoro-*N*-methylcathinone (Other names: 4-FMC; flephedrone);
- (66) 3-Fluoro-*N*-methylcathinone (Other name: 3-FMC);
- (67) 1-(Naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (Other name: naphyrone);
- (68) α -Pyrrolidinobutiophenone (Other name: α -PBP);
- (69) *N*-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-carboxamide (Other name: AB-CHMINACA);
- (70) *N*-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1*H*-indazole-3-carboxamide (Other name: AB-PINACA);
- (71) [1-(5-Fluoropentyl)-1*H*-indazol-3-yl](naphthalen-1-yl)methanone (Other name: THJ-2201);
- (72) 1-Methyl-4-phenyl-1,2,5,6-tetrahydro-pyridine (Other name: MPTP);
- (73) *N*-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-carboxamide (Other names: MAB-CHMINACA; ABD-CHMINACA);
- (74) Methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA);
- (75) Methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate (Other name: 5F-AMB);
- (76) *N*-(Adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other names: 5F-APINACA; 5F-AKB48);
- (77) *N*-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (Other name: ADB-FUBINACA);
- (78) Methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-CHMICA; MMB-CHMINACA);
- (79) Methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other name: MDMB-FUBINACA);
- (80) Methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate (Other names: FUB-AMB; MMB-FUBINACA; AMB-FUBINACA);
- (81) Naphthalen-1-yl-1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (Other names: NM2201; CBL2201);
- (82) *N*-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other name: 5F-AB-PINACA);
- (83) 1-(4-Cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (Other names: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYL-BINACA; CUMYL-4CN-BINACA; SGT-78);
- (84) Methyl 2-(1-(Cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate (Other names: MMB-CHMICA; AMB-CHMICA);

- (85) 1-(5-Fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-*b*]pyridine-3-carboxamide (Other name: 5F-CUMYL-P7AICA);
- (86) 1-(1,3-Benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (Other names: *N*-ethylpentylone; ephylone);
- (87) Methyl 2-(1-(4-fluorobutyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 4F-MDMB-BINACA; 4F-MDMB-BUTINACA);
- (88) 1-(4-Methoxyphenyl)-*N*-methylpropan-2-amine (Other names: *p*-methoxymethamphetamine; PMMA);
- (89) Ethyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other name: 5F-EDMB-PINACA);
- (90) Methyl 2-(1-(5-fluoropentyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-MDMB-PICA; 5F-MDMB-2201);
- (91) *N*-(Adamantan-1-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (Other names: FUB-AKB48; FUB-APINACA; AKB48 *N*-(4-fluorobenzyl));
- (92) 1-(5-Fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (Other names: 5F-CUMYL-PINACA; SGT-25);
- (93) (1-(4-Fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other name: FUB-144);
- (94) *N*-Ethylhexedrone (Other name: 2-(ethylamino)-1-phenylhexan-1-one);
- (95) α -Pyrrolidinohexanophenone (Other names: α -PHP; α -pyrrolidinohexiophenone; 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one);
- (96) 4-Methyl- α -ethylaminopentiophenone (Other names: 4-MEAP; 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one);
- (97) 4'-Methyl- α -pyrrolidinohexiophenone (Other names: MPHP; 4'-methyl- α -pyrrolidinohexanophenone; 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);
- (98) α -Pyrrolidinoheptaphenone (Other names: PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one),
- (99) 4'-Chloro- α -pyrrolidinovalerophenone (Other names: 4-chloro- α -PVP; 4'-chloro- α -pyrrolidinopentiophenone; 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one);
- (100) 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one (Other names: methoxetamine; MXE); and,
- *(101) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)butan-1-one (Other names: eutylone; bk-EBDB).

Changes are marked by an asterisk(*)

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Texas Higher Education Coordinating Board

Notice of Intent to Engage in Negotiated Rulemaking--Research Funds Implementation (Texas Public Universities and Health-Related Institutions)

The 88th Texas Legislature, Regular Session, passed House Bill 1595 and House Joint Resolution 3 (HJR 3), which redesignates the National Research University Fund as the Texas University Fund, or TUF. The bill adjusts the requirements for receipt of the Texas Comprehensive Research Fund (TCRF) and the Core Research Support Fund (CRSF), which would also be redesignated as the National Research Support Fund (NRSF). Contingent on passage of HJR 3, the vote for which would take place November 7, the provisions of the bill go into effect on January 1, 2024.

In preparation for implementation of this legislation, rules must be adopted to govern the distribution of funding and applicable performance metrics. New distribution criteria would be based on federal and private research expenditures for all three programs and on the number of doctoral degrees for TUF and NRSF.

The Texas Higher Education Coordinating Board ("THECB") intends to engage in negotiated rulemaking to develop these rules for Texas public universities and health-related institutions. This is in accordance with the provisions of Senate Bill 215 passed by the 83rd Texas Legislature, Regular Session.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via GovDelivery to all chancellors and presidents at Texas public universities and health-related institutions soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their system/institution.

From this effort 14 individuals responded (out of approximately 61 affected entities) and expressed an interest to participate or nominate a representative from their system/institution to participate on the negotiated rulemaking committee for research funds implementation. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee for the research funds implementation:

1. Public universities;
2. Public health-related institutions; and
3. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following 13 individuals to the negotiated rulemaking committee for research funds implementation to represent affected parties and the agency:

Public Health-Related Institutions

Amy L. Hazen, Director, Research Planning, Support, and Collaboration, The University of Texas Health Science Center at Houston (The University of Texas System)

Public Universities

Can (John) Saygin, Senior Vice President, Research, The University of Texas Rio Grande Valley (The University of Texas System)

Cris Milligan, Assistant Vice President, Research Administration, University of Houston (University of Houston System)

Diane Stearns, Provost and Executive Vice President, Academic Affairs, Tarleton State University (Texas A&M University System)

Emily Dearthoff, Associate Vice Chancellor, Government Relations, University of North Texas System

Holly Hansen-Thomas, Vice Provost, Research, Innovation, and Corporate Engagement, Texas Woman's University System

Janet Donaldson, Associate Vice President, Research and Innovation, Texas A&M University-Corpus Christi (Texas A&M University System)

Kaaren Downey, Contract Manager, Sponsored Research, West Texas A&M University (Texas A&M University System)

Kimberly Andrews Espy, Provost and Senior Vice President, Academic Affairs, The University of Texas at San Antonio (The University of Texas System)

Kouider Mokhtari, Associate Vice President, Research, The University of Texas at Tyler (The University of Texas System)

Lorenzo M. Smith, Provost and Executive Vice President, Academic Affairs, Stephen F. Austin State University

Michael Blanda, Associate Vice President, Research and Federal Regulations, Texas State University (Texas State University System)

Texas Higher Education Coordinating Board

Emily Cormier, Assistant Commissioner, Funding and Resource Planning

Meetings will be open to the public. If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for research funds implementation. Comments and applications for membership on the committee must be submitted by July 16, 2023, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email at Laurie.Frederick@highered.texas.gov.

TRD-202302324



Notice of Intent to Engage in Negotiated Rulemaking--Texas Educational Opportunity Grant (TEOG) (Texas Public Community Colleges, State Colleges, and Technical Colleges)

The Texas Higher Education Coordinating Board ("THECB") intends to engage in negotiated rulemaking to amend Chapter 22, Subchapter M, §§22.254-22.261 rules for the Texas Educational Opportunity Grant (TEOG) allocation methodology for Texas public community colleges, state colleges, and technical colleges. This is in accordance with the provisions of Senate Bill 215 passed by the 83rd Texas Legislature, Regular Session.

In identifying persons likely affected by the proposed rules, the Convener of Negotiated Rulemaking sent a memo via GovDelivery to all chancellors and presidents at Texas public community colleges, state colleges, and technical colleges soliciting their interest and willingness to participate in the negotiated rulemaking process or nominate a representative from their institution.

From this effort 21 individuals responded (out of approximately 93 affected entities) and expressed an interest to participate or nominate a representative from their institution to participate on the negotiated rulemaking committee for TEOG. The positions held by the volunteers and nominees indicate a probable willingness and authority of the affected interests to negotiate in good faith and a reasonable probability that a negotiated rulemaking process can result in a unanimous or, if the committee so chooses, a suitable general consensus on the proposed rule.

The following is a list of the stakeholders who are significantly affected by this rule and will be represented on the negotiated rulemaking committee for the TEOG:

1. Public community colleges;
2. Public state colleges;
3. Public technical colleges; and
4. Texas Higher Education Coordinating Board.

The THECB proposes to appoint the following 13 individuals to the negotiated rulemaking committee for TEOG to represent affected parties and the agency:

Public Community Colleges

- Alan Pixley, Director, Financial Aid, Collin College
Bob Austin, Vice President, Enrollment Management, Amarillo College
Danny Bacot, Director, Continuing Education, Wharton County Junior College
Jason Smith, President, Texarkana College
Jeanne Ballard, Director, Financial Aid, Vernon College
Jennifer Kent, President, Victoria College
Ron Clinton, President, Northeast Texas Community College
Sandi Jones, Director, Financial Aid, McLennan Community College
Tevian Sides, Director, Financial Aid, Western Texas College

Thomas Ronk, Associate Vice Chancellor, Workforce Program Research and Development, Houston Community College

Yesenia M. Garcia, Coordinator of State and 3rd Party Programs, South Texas College

Public State Colleges

Linda Korns, Assistant Dean, Financial Aid and Compliance, Lamar Institute of Technology

Texas Higher Education Coordinating Board

Charles Contero-Puls, Assistant Commissioner, Student Financial Aid Programs

Meetings will be open to the public. If there are persons who are significantly affected by these proposed rules and are not represented by the persons named above, those persons may apply to the agency for membership on the negotiated rulemaking committee or nominate another person to represent their interests. Application for membership must be made in writing and include the following information:

1. Name and contact information of the person submitting the application;
2. Description of how the person is significantly affected by the rule and how their interests are different than those represented by the persons named above;
3. Name and contact information of the person being nominated for membership; and
4. Description of the qualifications of the nominee to represent the person's interests.

The THECB requests comments on the Notice of Intent to engage in negotiated rulemaking and on the membership of the negotiated rulemaking committee for TEOG. Comments and applications for membership on the committee must be submitted by July 16, 2023, to Laurie A. Frederick, Convener, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email at Laurie.Frederick@highered.texas.gov.

TRD-202302325
Nichole Bunker-Henderson
General Counsel
Texas Higher Education Coordinating Board
Filed: June 27, 2023



Texas Lottery Commission

Scratch Ticket Game Number 2480 "\$20,000,000 CASH SPECTACULAR!"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2480 is "\$20,000,000 CASH SPECTACULAR!". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2480 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2480.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, MONEY BAG SYMBOL, \$50 BILL SYMBOL, \$100 BILL SYMBOL, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000 and \$100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2480 - 1.2D

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

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
MONEY BAG SYMBOL	DBL
\$50 BILL SYMBOL	WIN\$50
\$100 BILL SYMBOL	WIN\$100
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$25.00	TWV\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$5,000	FVTH
\$100,000	100TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The

Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2480), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2480-0000001-001.

H. Pack - A Pack of the "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game No. 2480.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-five (45) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "Money Bag" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "\$50 Bill" Play Symbol, the player wins \$50 instantly. If the player reveals a "\$100 Bill" Play Symbol, the player wins \$100 instantly. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly forty-five (45) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

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

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

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

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

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

13. The Scratch Ticket must be complete and not miscut, and have exactly forty-five (45) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the forty-five (45) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-five (45) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure. B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols. C. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 05 and \$5). D. KEY NUMBER MATCH: There will be no

matching non-winning YOUR NUMBERS Play Symbols on a Ticket. E. KEY NUMBER MATCH: There will be no matching WINNING NUMBERS Play Symbols on a Ticket. F. KEY NUMBER MATCH: A non-winning Prize Symbol will never match a winning Prize Symbol. G. KEY NUMBER MATCH: A Ticket may have up to two (2) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure. H. KEY NUMBER MATCH: The "MONEY BAG" (DBL) Play Symbol will only appear on intended winning Tickets, as dictated by the prize structure. I. KEY NUMBER MATCH: The "\$50 BILL" (WIN\$50) Play Symbol will only appear on intended winning Tickets and will only appear with the \$50 Prize Symbol. J. The "\$100 BILL" (WIN\$100) Play Symbol will only appear on intended winning Tickets and will only appear with the \$100 Prize Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$25.00, \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game prize of \$1,000, \$5,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$20,000,000 CASH SPECTACULAR!" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 7,080,000 Scratch Tickets in Scratch Ticket Game No. 2480. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2480 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	802,400	8.82
\$10.00	566,400	12.50
\$20.00	141,600	50.00
\$25.00	94,400	75.00
\$50.00	94,400	75.00
\$100	23,010	307.69
\$200	2,950	2,400.00
\$500	1,475	4,800.00
\$1,000	180	39,333.33
\$5,000	15	472,000.00
\$100,000	6	1,180,000.00

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

**The overall odds of winning a prize are 1 in 4.10. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2480 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2480, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202302348

Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: June 28, 2023



Scratch Ticket Game Number 2490 "\$1,000,000 GOLD RUSH"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2490 is "\$1,000,000 GOLD RUSH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2490 shall be \$20.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2490.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: SAILBOAT SYMBOL, LEMON SYMBOL, HORSESHOE SYMBOL, MOON SYMBOL, PIGGY BANK SYMBOL, RING SYMBOL, STAR SYMBOL, LIGHTNING BOLT SYMBOL, CHERRY SYMBOL, SUN SYMBOL, HEART SYMBOL, HAT SYMBOL, RAINBOW SYMBOL, MELON SYMBOL, DICE SYMBOL, BELL SYMBOL, WISHBONE SYMBOL, CACTUS SYMBOL, HORSE SYMBOL,

UMBRELLA SYMBOL, BOOT SYMBOL, ANCHOR SYMBOL, PINEAPPLE SYMBOL, DAISY SYMBOL, SAFE SYMBOL, POT OF GOLD SYMBOL, TREASURE CHEST SYMBOL, 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, \$20.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$20,000 and \$1,000,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2490 - 1.2D

PLAY SYMBOL	CAPTION
SAILBOAT SYMBOL	BOAT
LEMON SYMBOL	LEMON
HORSESHOE SYMBOL	HRSHOE
MOON SYMBOL	MOON
PIGGY BANK SYMBOL	PIGBNK
RING SYMBOL	RING
STAR SYMBOL	STAR
LIGHTNING BOLT SYMBOL	BOLT
CHERRY SYMBOL	CHERRY
SUN SYMBOL	SUN
HEART SYMBOL	HEART
HAT SYMBOL	HAT
RAINBOW SYMBOL	RNBOW
MELON SYMBOL	MELON
DICE SYMBOL	DICE
BELL SYMBOL	BELL
WISHBONE SYMBOL	WISHBN
CACTUS SYMBOL	CACTUS
HORSE SYMBOL	HORSE
UMBRELLA SYMBOL	UMBRLA
BOOT SYMBOL	BOOT
ANCHOR SYMBOL	ANCHOR
PINEAPPLE SYMBOL	PNAPLE
DAISY SYMBOL	DAISY
SAFE SYMBOL	WIN\$
POT OF GOLD SYMBOL	WINX10
TREASURE CHEST SYMBOL	WINX20

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

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

59	FFNI
60	SXTY
\$20.00	TWY\$
\$50.00	FFTY\$
\$75.00	SVFV\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$20,000	20TH
\$1,000,000	TPPZ

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2490), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 025 within each Pack. The format will be: 2490-0000001-001.

H. Pack - A Pack of the "\$1,000,000 GOLD RUSH" Scratch Ticket Game contains 025 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). The front of Ticket 001 will be shown on the front of the Pack; the back of Ticket 025 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 025 will be shown on the back of the Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$1,000,000 GOLD RUSH" Scratch Ticket Game No. 2490.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules,

these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$1,000,000 GOLD RUSH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose seventy-two (72) Play Symbols. \$50 BONUS PLAY AREA: If a player reveals 2 matching Play Symbols in the \$50 BONUS, the player wins \$50. \$100 BONUS PLAY AREA: If the player reveals 2 matching Play Symbols in the \$100 BONUS, the player wins \$100. \$200 BONUS PLAY AREA: If the player reveals 2 matching Play Symbols in the \$200 BONUS, the player wins \$200. \$1,000,000 GOLD RUSH PLAY AREA: If the player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "SAFE" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a "POT OF GOLD" Play Symbol, the player wins 10 TIMES the prize for that symbol. If the player reveals a "TREASURE CHEST" Play Symbol, the player wins 20 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly seventy-two (72) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;

6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly seventy-two (72) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the seventy-two (72) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the seventy-two (72) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

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

2.2 Programmed Game Parameters.

- A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
- B. GENERAL: A Ticket can win as indicated by the prize structure.
- C. GENERAL: A Ticket can win up to thirty-three (33) times.
- D. GENERAL: The "SAFE" (WIN\$), "POT OF GOLD" (WINX10) and "TREASURE CHEST" (WINX20) Play Symbols will never appear in the \$50 BONUS, \$100 BONUS or \$200 BONUS play areas.
- E. \$50 BONUS: A non-winning \$50 BONUS play area will have two (2) different Play Symbols.
- F. \$50 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$50 BONUS play area and will win \$50.
- G. \$100 BONUS: A non-winning \$100 BONUS play area will have two (2) different Play Symbols.
- H. \$100 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$100 BONUS play area and will win \$100.
- I. \$200 BONUS: A non-winning \$200 BONUS play area will have two (2) different Play Symbols.
- J. \$200 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$200 BONUS play area and will win \$200.
- K. \$1,000,000 GOLD RUSH: No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.
- L. \$1,000,000 GOLD RUSH: A non-winning Prize Symbol will never match a winning Prize Symbol.
- M. \$1,000,000 GOLD RUSH: On winning and Non-Winning Tickets, the top cash prizes of \$1,000, \$20,000 and \$1,000,000 will each appear at least once, except on Tickets winning thirty-three (33) times and with respect to other parameters, play action or prize structure.
- N. \$1,000,000 GOLD RUSH: Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.
- O. \$1,000,000 GOLD RUSH: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.
- P. \$1,000,000 GOLD RUSH: All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., \$20 and 20 and \$50 and 50).
- Q. \$1,000,000 GOLD RUSH: On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.
- R. \$1,000,000 GOLD RUSH: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.
- S. \$1,000,000 GOLD RUSH: The "SAFE" (WIN\$) Play Symbol will never appear on the same Ticket as the "POT OF GOLD" (WINX10) or "TREASURE CHEST" (WINX20) Play Symbols.
- T. \$1,000,000 GOLD RUSH: The "POT OF GOLD" (WINX10) Play Symbol will never appear more than once on a Ticket.
- U. \$1,000,000 GOLD RUSH: The "POT OF GOLD" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.
- V. \$1,000,000 GOLD RUSH: The "POT OF GOLD" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.

W. \$1,000,000 GOLD RUSH: The "POT OF GOLD" (WINX10) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

X. \$1,000,000 GOLD RUSH: The "TREASURE CHEST" (WINX20) Play Symbol will never appear more than once on a Ticket.

Y. \$1,000,000 GOLD RUSH: The "TREASURE CHEST" (WINX20) Play Symbol will win 20 TIMES the prize for that Play Symbol and will win as per the prize structure.

Z. \$1,000,000 GOLD RUSH: The "TREASURE CHEST" (WINX20) Play Symbol will never appear on a Non-Winning Ticket.

AA. \$1,000,000 GOLD RUSH: The "TREASURE CHEST" (WINX20) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

BB. \$1,000,000 GOLD RUSH: The "POT OF GOLD" (WINX10) and "TREASURE CHEST" (WINX20) Play Symbols can appear on the same Ticket as per the prize structure.

CC. \$1,000,000 GOLD RUSH: The "SAFE" (WIN\$) Play Symbol will win the prize for that Play Symbol.

DD. \$1,000,000 GOLD RUSH: The "SAFE" (WIN\$) Play Symbol will never appear more than once on a Ticket.

EE. \$1,000,000 GOLD RUSH: The "SAFE" (WIN\$) Play Symbol will never appear on a Non-Winning Ticket.

FF. \$1,000,000 GOLD RUSH: The "SAFE" (WIN\$) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$1,000,000 GOLD RUSH" Scratch Ticket Game prize of \$20.00, \$50.00, \$75.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$75.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$1,000,000 GOLD RUSH" Scratch Ticket Game prize of \$1,000, \$20,000 or \$1,000,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$1,000,000 GOLD RUSH" Scratch Ticket Game prize the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S.

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

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

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

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

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$1,000,000 GOLD RUSH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$1,000,000 GOLD RUSH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Prizes. There will be approximately 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2490. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2490 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$20.00	771,840	10.42
\$50.00	643,200	12.50
\$75.00	128,640	62.50
\$100	385,920	20.83
\$200	87,167	92.24
\$500	5,360	1,500.00
\$1,000	268	30,000.00
\$20,000	20	402,000.00
\$1,000,000	4	2,010,000.00

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

**The overall odds of winning a prize are 1 in 3.98. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2490 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2490, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

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 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: June 27, 2023



Scratch Ticket Game Number 2492 "VETERANS CASH"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2492 is "VETERANS CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2492 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2492.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except

for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, \$\$ SYMBOL, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$1,000 and \$30,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2492 - 1.2D

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

28	TWET
29	TWNI
30	TRTY
\$\$ SYMBOL	DBL
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2492), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2492-0000001-001.

H. Pack - A Pack of the "VETERANS CASH" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. Please note the Packs will be in an A, B, C and D configuration.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "VETERANS CASH" Scratch Ticket Game No. 2492.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these

Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "VETERANS CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-three (23) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "\$\$" Play Symbol, the player wins DOUBLE the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly twenty-three (23) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

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

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

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

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

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

13. The Scratch Ticket must be complete and not miscut, and have exactly twenty-three (23) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

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

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

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

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

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

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

2.2 Programmed Game Parameters.

A. A Ticket can win up to ten (10) times in accordance with the approved prize structure.

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

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

D. Each Ticket will have three (3) different WINNING NUMBERS Play Symbols.

E. Non-winning YOUR NUMBERS Play Symbols will all be different.

F. Non-winning Prize Symbols will never appear more than two (2) times.

G. The "\$\$" (DBL) Play Symbol will never appear in the WINNING NUMBERS Play Symbol spots.

H. The "\$\$" (DBL) Play Symbol will only appear on winning Tickets as dictated by the approved prize structure.

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

J. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 02 and \$2).

2.3 Procedure for Claiming Prizes.

A. To claim a "VETERANS CASH" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00 or \$100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "VETERANS CASH" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 6,000,000 Scratch Tickets in Scratch Ticket Game No. 2492. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2492 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	624,000	9.62
\$4.00	480,000	12.50
\$5.00	96,000	62.50
\$10.00	72,000	83.33
\$20.00	48,000	125.00
\$50.00	40,000	150.00
\$100	2,725	2,201.83
\$1,000	50	120,000.00
\$30,000	5	1,200,000.00

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

**The overall odds of winning a prize are 1 in 4.40. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2492 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2492, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

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 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: June 27, 2023



Scratch Ticket Game Number 2500 "COWBOYS"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2500 is "COWBOYS". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. Tickets for Scratch Ticket Game No. 2500 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2500.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, FOOTBALL SYMBOL, TD SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$500, \$5,000 and \$100,000.

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

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

Figure 1: GAME NO. 2500 - 1.2D

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

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
FOOTBALL SYMBOL	WIN\$
TD SYMBOL	WINALL
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$

\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$5,000	FVTH
\$100,000	100TH

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

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2500), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2500-0000001-001.

H. Pack - A Pack of "COWBOYS" Scratch Ticket Game contains 075 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse; i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - A Texas Lottery "COWBOYS" Scratch Ticket Game No. 2500.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "COWBOYS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-five (45) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "FOOTBALL" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a Touchdown "TD" Play Symbol, the player WINS ALL 20 PRIZES INSTANTLY! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly forty-five (45) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly forty-five (45) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the forty-five (45) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the forty-five (45) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers

must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

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

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

C. A Ticket can win up to twenty (20) times.

D. On winning and Non-Winning Tickets, the top cash prizes \$5,000 and \$100,000 will each appear at least once, except on Tickets winning more than fifteen (15) times, with respect to other parameters, play action or prize structure.

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

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

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

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

I. The "TD" (WINALL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

J. The "TD" (WINALL) Play Symbol will instantly win all twenty (20) prize amounts and will win only as per the prize structure.

K. The "TD" (WINALL) Play Symbol will never appear more than once on a Ticket.

L. The "TD" (WINALL) Play Symbol will never appear on a Non-Winning Ticket.

M. On Tickets winning with the "TD" (WINALL) Play Symbol, the YOUR NUMBERS Play Symbols will not match any of the WINNING NUMBERS Play Symbols.

N. The "FOOTBALL" (WIN\$) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

O. The "FOOTBALL" (WIN\$) Play Symbol will win the prize for that Play Symbol.

P. The "FOOTBALL" (WIN\$) Play Symbol will never appear more than once on a Ticket.

Q. The "FOOTBALL" (WIN\$) Play Symbol will never appear on a Non-Winning Ticket.

R. The "TD" (WINALL) Play Symbol and the "FOOTBALL" (WIN\$) Play Symbol will never appear on the same Ticket.

S. On Tickets winning with the "FOOTBALL" (WIN\$) Play Symbol, the YOUR NUMBERS Play Symbols will not match any of the WINNING NUMBERS Play Symbols.

T. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 5 and \$5, 10 and \$10, 15 and \$15, 20 and \$20 and 50 and \$50).

U. On all Tickets, a Prize Symbol will not appear more than four (4) times, except as required by the prize structure to create multiple wins.

V. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "COWBOYS" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

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

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

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

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

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

F. If a person is indebted or owes delinquent taxes to the State, and is selected as a winner in a promotional second-chance drawing, the debt to the State must be paid within 14 days of notification or the prize will be awarded to an Alternate.

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

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

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

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

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

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

2.9 Promotional Second-Chance Drawings. Any Non-Winning "COWBOYS" Scratch Ticket may be entered into one (1) of five (5) promotional drawings for a chance to win a promotional second-chance drawing prize. See instructions on the back of the Scratch Ticket for information on eligibility and entry requirements.

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 9,720,000 Scratch Tickets in the Scratch Ticket Game No. 2500. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2500 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	1,209,600	8.04
\$10.00	496,800	19.57
\$15.00	388,800	25.00
\$20.00	388,800	25.00
\$50.00	75,600	128.57
\$100	7,560	1,285.71
\$500	378	25,714.29
\$5,000	27	360,000.00
\$100,000	4	2,430,000.00

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

**The overall odds of winning a prize are 1 in 3.79. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2500 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket Game closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2500, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202302330
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: June 27, 2023



Scratch Ticket Game Number 2530 "JUST 1 BUCK"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2530 is "JUST 1 BUCK". The play style is "find symbol".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2530 shall be \$1.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2530.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: BELL SYMBOL, BOW SYMBOL, CANDLE SYMBOL, CANDY SYMBOL, CANE SYMBOL, CARD SYMBOL, COCOA SYMBOL, DRUM SYMBOL, GIFT SYMBOL, MITTEN SYMBOL, ORNAMENT SYMBOL, SNOWMAN SYMBOL, WREATH SYMBOL, STAR SYMBOL, SNOWFLAKE SYMBOL, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00, \$100 and \$500.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2530 - 1.2D

PLAY SYMBOL	CAPTION
BELL SYMBOL	BELL
BOW SYMBOL	BOW
CANDLE SYMBOL	CANDLE
CANDY SYMBOL	CANDY
CANE SYMBOL	CANE
CARD SYMBOL	CARD
COCOA SYMBOL	COCOA
DRUM SYMBOL	DRUM
GIFT SYMBOL	GIFT
MITTEN SYMBOL	MITTEN
ORNAMENT SYMBOL	ORNMT
SNOWMAN SYMBOL	SNOMAN
WREATH SYMBOL	WREATH
STAR SYMBOL	WIN\$
SNOWFLAKE SYMBOL	WIN\$10
\$1.00	ONE\$
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$40.00	FRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The

Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

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

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2530), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 150 within each Pack. The format will be: 2530-0000001-001.

H. Pack - A Pack of the "JUST 1 BUCK" Scratch Ticket Game contains 150 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of five (5). Tickets 001 to 005 will be on the top page; Tickets 006 to 010 on the next page; etc.; and Tickets 146 to 150 will be on the last page with backs exposed. Ticket 001 will be folded over so the front of Ticket 001 and 010 will be exposed.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "JUST 1 BUCK" Scratch Ticket Game No. 2530.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "JUST 1 BUCK" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twelve (12) Play Symbols. If a player reveals a "STAR" Play Symbol, the player wins the prize for that symbol. If the player reveals a "SNOWFLAKE" Play Symbol, the player wins \$10 instantly! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly twelve (12) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;

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

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

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

13. The Scratch Ticket must be complete and not miscut, and have exactly twelve (12) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the twelve (12) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twelve (12) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. A Ticket can win up to six (6) times in accordance with the approved prize structure.

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

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

D. The "STAR" (WIN\$) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

E. The "STAR" (WIN\$) Play Symbol may appear multiple times on winning Tickets, unless restricted by other parameters, play action or prize structure.

F. The "SNOWFLAKE" (WIN\$10) Play Symbol will only appear on winning Tickets as dictated by the prize structure and will always appear with the \$10 Prize Symbol.

G. Non-winning Play Symbols will be different.

H. Non-winning Prize Symbols will never appear more than one (1) time.

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

2.3 Procedure for Claiming Prizes.

A. To claim a "JUST 1 BUCK" Scratch Ticket Game prize of \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$40.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$40.00, \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

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

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

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

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

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "JUST 1 BUCK" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "JUST 1 BUCK" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 11,040,000 Scratch Tickets in Scratch Ticket Game No. 2530. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2530 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$1.00	1,251,200	8.82
\$2.00	662,400	16.67
\$4.00	294,400	37.50
\$5.00	110,400	100.00
\$10.00	110,400	100.00
\$20.00	36,800	300.00
\$40.00	4,140	2,666.67
\$50.00	1,656	6,666.67
\$100	1,840	6,000.00
\$500	92	120,000.00

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

**The overall odds of winning a prize are 1 in 4.46. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2530 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2530, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-202302329
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: June 27, 2023



Texas Parks and Wildlife Department

Notice of an Extension to the Public Comment Period on an Application for a Sand and Gravel Permit

Bill Lane (Flat Rock Creek Ranch LLC) has applied to the Texas Parks and Wildlife Department (TPWD) for a General Permit pursuant to Texas Parks and Wildlife Code, Chapter 86, to disturb up to 65 cubic yards of sedimentary material within Flat Rock Creek in Kerr County. The purpose of the disturbance is to construct a dam and low water crossing. The location is approximately 1,400 feet upstream of the confluence of Flat Rock Creek with the North Fork Guadalupe River and 3.24 miles upstream of the FM 1340 crossing of the North Fork Guadalupe River near MO Ranch. This notice is being published and mailed pursuant to 31 TAC §69.105(d).

TPWD originally provided notice of a public comment hearing regarding the application in the June 2, 2023, issue of the *Texas Register* (48 TexReg 2911). That hearing took place at 11:00 a.m. on Friday, June 23, 2023, at TPWD headquarters. The publication of that notice began a 30-day public comment period which is set to expire on July 2, 2023. In response to requests from the public, TPWD is now extending the public comment period for an additional 45 days until August 16, 2023.

Written comments may be submitted directly to TPWD and must be received no later than August 16, 2023. A written request for a

contested case hearing from an applicant or a person with a justiciable interest may also be submitted and must be received by TPWD prior to the close of the public comment period. Timely hearing requests shall be referred to the State Office of Administrative Hearings. Submit written comments, questions, requests to review the application, or requests for a contested case hearing to: Tom Heger, TPWD, by mail: 4200 Smith School Road, Austin, Texas 78744; or e-mail tom.heger@tpwd.texas.gov.

TRD-202302346
James Murphy
General Counsel
Texas Parks and Wildlife Department
Filed: June 28, 2023

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Public Utility Commission of Texas

Notice of Application to Adjust High Cost Support Under 16 TAC §26.407(h)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on June 21, 2023, to adjust the high-cost support it receives from the Small and Rural Incumbent Local Exchange Company Universal Service Plan without effect to its current rates.

Docket Title and Number: Application of Cumby Telephone Cooperative, Inc. to Adjust High Cost Support under 16 Texas Administrative Code § 26.407(h), Docket Number 55165.

Cumby Telephone Cooperative, Inc. requests a high-cost support adjustment from its current level of \$434,267 by an additional \$156,039 to a total of \$590,306 in annual high cost support. The requested adjustment complies with the cap of 140% of the annualized support the provider received in the previous 12 months, as required by 16 Texas Administrative Code §26.407(g)(1).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 55165.

TRD-202302259
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: June 22, 2023

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Notice of Application to Relinquish Designation as an Eligible Telecommunications Carrier

Notice is given to the public of an application filed with the Public Utility Commission of Texas on June 20, 2023, to relinquish designation as an eligible telecommunications carrier under 16 Texas Administrative Code §26.418.

Docket Title and Number: Application of Cebridge Telecom TX, LP dba Optimum to Relinquish its Eligible Telecommunications Carrier Designation, Docket Number 55158.

The Application: Cebridge Telecom TX, LP dba Optimum requests to relinquish its eligible telecommunications carrier (ETC) designation in Texas.

Persons who wish to file a motion to intervene or comments on the application should contact the commission 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, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 55158.

TRD-202302256
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: June 21, 2023

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Texas Racing Commission

Notice of Application Period for Class 2 Racetrack License in Jefferson County, Texas

The Texas Racing Commission hereby designates an application period for a Class 2 racetrack license in Jefferson County, Texas, in accordance with 16 TAC §309.3. The application period begins August 1, 2023, and ends August 31, 2023. Applications may be submitted to the Texas Racing Commission at 1801 N. Congress Ave., Ste. 7.600, Austin, Texas 78701 and received no later than 5:00 p.m. on September 29, 2023.

TRD-202302269
Virginia Fields
General Counsel
Texas Racing Commission
Filed: June 26, 2023

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Texas Department of Transportation

Public Hearing Notice - Unified Transportation Program

The Texas Department of Transportation (department) will hold a virtual public hearing on Tuesday, July 25, 2023 at 2:00 p.m. Central Standard Time (CST) via electronic means. Instructions for accessing the hearing will be published on the department's website at: <https://www.txdot.gov/inside-txdot/get-involved/unified-transportation-program.html>. The purpose of the hearing is to receive public input on the proposed funding adjustments to certain fiscal year 2023 projects in the 2023 UTP, and the development of the 2024 Unified Transportation Program (UTP), including the highway project selection process related to the UTP.

Transportation Code, §201.991 provides that the department shall develop a UTP covering a period of 10 years to guide the development and authorize construction of transportation projects. Transportation Code, §201.602 requires the Texas Transportation Commission (commission) to annually conduct a hearing on its highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions. The commission has adopted rules located in Title 43, Texas Administrative Code, Chapter 16, governing the planning and development of transportation projects, which include guidance regarding public involvement related to the project selection process and the development of the UTP.

Information regarding the proposed funding adjustments to certain fiscal year 2023 projects in the 2023 UTP, the 2024 UTP and highway project selection process will be available on the department's web-

site at: <https://www.txdot.gov/inside-txdot/get-involved/unified-transportation-program.html>.

Persons wishing to speak at the hearing may register in advance by notifying the Transportation Planning and Programming Division at (800) 687-8108 no later than Friday, July 21, 2023. Speakers will be taken in the order registered and will be limited to three minutes. Speakers who do not register in advance will be taken at the end of the hearing. Any interested person may offer comments or testimony; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only one speaker. Speakers are requested to refrain from repeating previously presented testimony.

The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to participate are encouraged to contact the Transportation Planning and Programming Division at (800) 687-8108. Requests should be made at least three working days prior to the public hearing. Every reasonable effort will be made to accommodate these needs.

Interested parties who are unable to participate may submit written comments regarding either the proposed funding adjustments to certain fiscal year 2023 projects in the 2023 UTP or the proposed 2024 UTP to the Texas Department of Transportation, Attention: TPP-UTP, 125 E 11th Street, Austin, Texas 78701. Interested parties may also submit comments by e-mail to UTP-PublicComments@txdot.gov, phone at (800) 325-4463, or through the online options that will be available on the department's website at: <https://www.txdot.gov/inside-txdot/get-involved/unified-transportation-program.html>. In order to be considered, comments must be received by 4:00 p.m. CST on Monday, August 7, 2023.

TRD-202302257

Leonard Reese
Senior General Counsel
Texas Department of Transportation
Filed: June 21, 2023

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Workforce Solutions North Texas

RFP 2023-009 WSNT Program Monitoring Services

Workforce Resource, Inc. dba Workforce Solutions North Texas Board (WSNT) is soliciting proposals from qualified entities to perform program monitoring services of its contractors to satisfy Board's contract obligations with the Texas Workforce Commission (TWC) and the U.S. Department of Labor (DOL). Monitoring shall be consistent with the requirements set forth in the TWC Financial Manual for Grants and Contracts and Texas Administrative Code Chapter 802. Specifically, the RFP is soliciting entities who will monitor the following programs: Child Care, WIOA programs, TANF/Choices, SNAP and Trade Adjustment Act (TAA). The Respondent must be willing to monitor other applicable programs. If programs are added additional costs will be negotiated. The Board's case file system is completely paperless. Nearly all, if not all, monitoring could be accomplished remotely. WSNT serves the Texas Counties of Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, and Young. The RFP can be found on website at <https://ntxworksolutions.org/business-opportunities/>. Deadline for questions is July 7, 2023, by 5 p.m. Proposals are due no later than 4:00 p.m. (CDT) Friday, August 4, 2023, to email wsb@ntxworksolutions.org.

TRD-202302258
Sharon Hulcy
Board Contract Manager
Workforce Solutions North Texas
Filed: June 22, 2023

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