

IN ADDITION

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

Texas Animal Health Commission

Renewal Notice of Award

In accordance with Government Code, Chapter 2254, Subchapter B, the Texas Animal Health Commission (TAHC) publishes this notice of a consultant contract award for the Field Program Specialist Consultant, #554-6-441r1. The notice for request for proposals was published in the December 25, 2015, issue of the *Texas Register* (40 TexReg 9787).

The consultant will continue assisting in completing epidemiological investigation reports on affected Tuberculosis (TB) herds detailing possible sources of infection, methods employed to eliminate TB, and trace-outs of exposed animals. These reports will be reviewed by the State Epidemiologist and USDA-APHIS-VS officials. In addition to TB work, the contractor may be asked to assist with the Texas Cattle Fever Tick outbreak in south Texas and ongoing Brucellosis eradication work while TAHC is dedicating much of its time and resources to the recent incursion of Chronic Wasting Disease in the state.

The contract renewal has been awarded to Mr. Robert M. Meyer, 1600 Scarborough Drive, Fort Collins, CO 80526. The total value of the contract is \$25,000. The contract work period will be effective on September 1, 2016, and will continue through August 31, 2017.

TRD-201604198

Gene Snelson

General Counsel

Texas Animal Health Commission

Filed: August 16, 2016

Comptroller of Public Accounts

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

The Comptroller of Public Accounts, administering agency for the collection of the Crude Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of crude oil for reporting period July 2016 is \$32.24 per barrel for the three-month period beginning on April 1, 2016, and ending June 30, 2016. Therefore, pursuant to Tax Code, §202.058, crude oil produced during the month of July 2016 from a qualified low-producing oil lease is not eligible for a credit on the crude oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period July 2016 is \$1.29 per mcf for the three-month period beginning on April 1, 2016, and ending June 30, 2016. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of July 2016 from a qualified low-producing well is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code,

§171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of July 2016 is \$44.80 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 July 2016 from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of July 2016 is \$2.76 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 July 2016 from a qualified low-producing gas well.

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

TRD-201604160

Lita Gonzalez

General Counsel

Comptroller of Public Accounts

Filed: August 15, 2016

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/22/16 - 08/28/16 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/22/16 - 08/28/16 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-201604193

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: August 16, 2016

Credit Union Department

Notice of Final Action Taken

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

Application to Expand Field of Membership - Denied

EECU, Fort Worth, Texas - See *Texas Register* issue dated April 29, 2016.

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Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is September 26, 2016. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on September 26, 2016. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: 410 WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-0346-PWS-E; IDENTIFIER: RN101439347; LOCATION: Detroit, Red River County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.060 milligrams per liter for haloacetic acids based on the locational running annual average; PENALTY: \$175; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: Acme Brick Company; DOCKET NUMBER: 2016-0694-AIR-E; IDENTIFIER: RN100210046; LOCATION: Denton, Denton County; TYPE OF FACILITY: brick manufacturing plant; RULES VIOLATED: 30 TAC §101.211(a) and §122.143(4), Texas Health and Safety Code (THSC), §382.085(b), Federal Operating Permit (FOP) Number O1605, Special Terms and Conditions (STC) Number 2.G, by failing to notify the commission at least ten days prior to any scheduled maintenance, startup, or shutdown activity that is expected to cause an unauthorized emission that equals or exceeds the reportable quantity; and 30 TAC §116.115(b)(2)(F) and (c) and

§122.143(4), THSC, §382.085(b), FOP Number O1605, STC Number 9, New Source Review Permit Number 56094, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$8,438; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: Biruwa Incorporated dba Everest Food Mart; DOCKET NUMBER: 2016-0653-PST-E; IDENTIFIER: RN101444859; LOCATION: Benbrook, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: City of Bellmead; DOCKET NUMBER: 2016-0265-WQ-E; IDENTIFIER: RN105594980; LOCATION: Bellmead, McLennan County; TYPE OF FACILITY: small municipal separate storm sewer system (MS4); RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(a)(9)(i)(A), by failing to maintain authorization to discharge stormwater associated with Texas Pollutant Discharge Elimination System General Permit for small MS4; PENALTY: \$25,000; Supplemental Environmental Project offset amount of \$20,000; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(5) COMPANY: City of Granite Shoals; DOCKET NUMBER: 2016-0491-PWS-E; IDENTIFIER: RN101262186; LOCATION: Granite Shoals, Burnet County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(c)(2)(A), (h), and (i)(1) and §290.122(c)(2)(A) and (f) and 40 Code of Federal Regulations (CFR) §141.86 and §141.90(a), by failing to collect lead and copper tap samples at the required 20 sample sites for two consecutive six-month monitoring periods (January 1, 2015 - June 30, 2015, and July 1, 2015 - December 31, 2015) following the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the executive director (ED); and by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect lead and copper tap samples for the January 1, 2015 - June 30, 2015, monitoring period; 30 TAC §290.117(i)(5) and (k) and §290.122(b)(2)(A) and (f) and 40 CFR §141.85(a) and (b) and §141.90(f)(1), by failing to deliver the public education materials following the lead action level exceedance that occurred during the January 1, 2012 - December 31, 2014, monitoring period and failing to provide the ED with copies of the public education materials and certification that distribution of said materials is being conducted in a manner consistent with TCEQ requirements and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to deliver the public education materials; 30 TAC §290.117(e)(2), (h), and (i)(3) and §290.122(c)(2)(A) and (f) and 40 CFR §141.87 and §141.90(a), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites for two consecutive six-month periods (January 1, 2015 - June 30, 2015, and July 1, 2015 - December 31, 2015) following the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to conduct all of the required water quality parameter sampling during the January 1, 2015 - June 30, 2015, monitoring period; 30 TAC §290.117(d)(2)(A), (h), and (i)(2)

and §290.122(c)(2)(A) and (f) and 40 CFR §141.88 and §141.90(b), by failing to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the sample analyzed, and report the results to the ED and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period; 30 TAC §290.117(f)(3)(A) and §290.122(b)(2)(A) and (f) and 40 CFR §§141.81(e)(1), 141.82(a), and 141.90(c)(2), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for optimal corrosion control treatment; and 30 TAC §290.117(g)(2)(A) and §290.122(b)(2)(A) and (f) and 40 CFR §141.83 and §141.90(d)(1), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for source water treatment; PENALTY: \$1,170; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753 (512) 339-2929.

(6) COMPANY: City of La Grulla; DOCKET NUMBER: 2016-0940-MSW-E; IDENTIFIER: RN102213402; LOCATION: La Grulla, Starr County; TYPE OF FACILITY: municipal solid waste disposal site; RULES VIOLATED: 30 TAC §37.8001 and §330.125(b)(7), by failing to maintain a copy of any and all cost estimates and financial assurance documentation relating to financial assurance for closure and post-closure of the site; PENALTY: \$1,250; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(7) COMPANY: City of Springtown; DOCKET NUMBER: 2016-0686-PWS-E; IDENTIFIER: RN101392397; LOCATION: Springtown, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.06 milligrams per liter (mg/L) for haloacetic acids and 0.080 mg/L for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.110(e)(2) and (6) and §290.111(h)(2)(B) and (9), by failing to submit Surface Water Monthly Operating Reports with the required turbidity and disinfectant residual data to the executive director by the tenth day of the month following the end of the reporting periods for January and February 2016; PENALTY: \$1,137; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5886; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(8) COMPANY: City of Throckmorton; DOCKET NUMBER: 2015-1740-MWD-E; IDENTIFIER: RN103138111; LOCATION: Throckmorton, Throckmorton County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010469002, Interim Effluent Limitations and Monitoring Requirements Numbers 1 and 6, by failing to comply with permitted effluent limitations; 30 TAC §305.125(1) and (9)(A), and TPDES Permit Number WQ0010469002, Monitoring and Reporting Requirements Number 7.c., by failing to report any

effluent violation which deviates from the permitted limitation by more than 40% in writing to the Abilene Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance; 30 TAC §305.125(1) and (17) and §319.7(d), and TPDES Permit Number WQ0010469002, Monitoring and Reporting Requirements Numbers 1 and 3.b., by failing to timely submit effluent monitoring results at the intervals specified in the permit and failing to retain at the facility, or make readily available for review by a TCEQ representative, monitoring and reporting records; 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0010469002, Sludge Provisions, by failing to submit the annual sludge report for the monitoring period ending July 31, 2014; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0010469002, Operational Requirements Number 1., by failing to ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0010469002, Other Requirements, by failing to provide pond liner certifications; 30 TAC §305.125(1) and TPDES Permit Number WQ0010469002, Monitoring and Reporting Requirements Number 5, by failing to accurately calibrate all automatic flow measuring or recording devices; and 30 TAC §305.125(1) and TPDES Permit Number WQ0010469002, Other Requirements Number 4, by failing to submit the scheduled quarterly progress reports for October 1, 2014, and January 1, 2015, no later than 14 days following each scheduled date; PENALTY: \$18,975; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(9) COMPANY: City of Uvalde; DOCKET NUMBER: 2016-0206-MSW-E; IDENTIFIER: RN102803921; LOCATION: Uvalde, Uvalde County; TYPE OF FACILITY: Type 1 municipal solid waste (MSW) landfill; RULES VIOLATED: 30 TAC §328.54(c), by failing to obtain approval prior to storing more than 500 used or scrap tires (or weight equivalent tire pieces or any combination thereof) on the ground; 30 TAC §328.56(c), by failing to use manifests, work orders, invoices, or other records to document the removal and management of all scrap tires generated at the facility; 30 TAC §328.56(d)(4), by failing to monitor tires stored outside for vectors and to utilize appropriate vector control measures at least once every two weeks; 30 TAC §330.301, by failing to submit an application to modify the site development plan within 180 days to comply with the 2006 revisions to 30 TAC Chapter 330, Subchapter G; 30 TAC §330.159 and §330.371(g), by failing to monitor landfill gases in accordance with a landfill gas management plan (LGMP) in accordance with 30 TAC Chapter 330, Subchapter I; 30 TAC §330.371(b)(2), (i), and (j), and MSW Permit Number 1725, LGMP, BL-1. General and BL-5. Sampling Equipment, by failing to implement a routine methane monitoring program including, but not limited to: quarterly monitoring, monitoring of on-site structures where potential gas build up would be of concern, and sampling of all probes and on-site structures; 30 TAC §330.121(a) and MSW Permit Number 1725, LGMP, BL-3. Probe and Vent Placement, BL-4. Gas Monitoring Probe Design and Installation, BL-5. Sampling Equipment, and BL-5. Monitoring Procedures, by failing to operate in accordance with the facility's LGMP; 30 TAC §330.165(a) and MSW Permit Number 1725, Site Operating Plan (SOP), C-25, by failing to apply six inches of well-compacted earthen material not previously mixed with garbage, rubbish, or other solid waste at the end of each operating day; 30 TAC §330.165(h) and MSW Permit Number 1725, SOP, C-26, by failing to maintain a cover application record on site readily available for inspection upon request by agency personnel; 30 TAC §330.139 and MSW Permit Number 1725, SOP, C-19, by failing to maintain and operate the working face in a manner to control windblown solid waste; 30 TAC §330.151 and MSW Permit Number 1725, SOP, C-23, by failing to control on-site populations of disease vectors using proper compaction and daily cover procedures; 30 TAC §330.163 and MSW Per-

mit Number 1725, SOP, C-25, by failing to spread and compact solid waste by repeated passages of compaction equipment such that each layer of solid waste is thoroughly compacted; 30 TAC §330.167 and MSW Permit Number 1725, SOP, C-26, by failing to prevent ponding of water over waste on a landfill and failing to fill in and regrade any area in which ponding occurs within seven days of the occurrence; 30 TAC §330.121(a) and §330.129, and MSW Permit Number 1725, SOP, C-13, by failing to operate in accordance with the fire protection plan outlined in the facility's SOP; 30 TAC §330.125(e) and §335.586(d) and (e), and MSW Permit Number 1725, SOP, C-3, by failing to maintain training records; 30 TAC §330.143(a), (b)(1)(D), (E), and (6), and MSW Permit Number 1725, SOP, C-20, by failing to maintain the visibility of all required landfill markers and to maintain soil liner or geomembrane liner area markers; 30 TAC §330.121(a) and §330.133(a), and MSW Permit Number 1725, SOP, C-17, by failing to maintain the size of the working face in accordance with the facility's SOP; 30 TAC §330.15(e)(4), 330.127(5)(A) and (C), and 330.133(c), and MSW Permit Number 1725, SOP, C-17 and C-10, by failing to ensure prohibited wastes unloaded at the facility are returned immediately to the transporter or generator or otherwise properly managed by the landfill and failing to implement procedures for the detection and prevention of the disposal of prohibited waste; 30 TAC §330.143(b)(5), by failing to install a landfill grid system; and 30 TAC §324.1 and 40 Code of Federal Regulations §279.22(c)(1), by failing to label or clearly mark used oil storage containers with the words 'Used Oil'; PENALTY: \$72,875; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(10) COMPANY: Copano Field Services/South Texas LLC; DOCKET NUMBER: 2016-0423-AIR-E; IDENTIFIER: RN106561525; LOCATION: Runge, Karnes County; TYPE OF FACILITY: compressor station; RULES VIOLATED: 30 TAC §116.615(2) and §116.620(10), Standard Permit Registration Number 107180, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(11) COMPANY: GREENS MART INCORPORATED; DOCKET NUMBER: 2016-0938-PST-E; IDENTIFIER: RN102019874; LOCATION: Houston, Harris County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.245(2) and Texas Health and Safety Code, §382.085(b), by failing to verify proper operation of the Stage II equipment at least once every 12 months; PENALTY: \$2,974; ENFORCEMENT COORDINATOR: James Baldwin, (512) 239-1337; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: Hale Center Coop Supply; DOCKET NUMBER: 2016-0642-PST-E; IDENTIFIER: RN101854800; LOCATION: Hale Center, Hale County; TYPE OF FACILITY: retail convenience facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(13) COMPANY: Hamby Water Supply Corporation; DOCKET NUMBER: 2016-0741-PWS-E; IDENTIFIER: RN101179877; LOCATION: Abilene, Taylor County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for

total trihalomethanes, based on the locational running annual average; PENALTY: \$172; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5886; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(14) COMPANY: Jahangir Alam dba Super Food Mart; DOCKET NUMBER: 2016-0541-PST-E; IDENTIFIER: RN101533263; LOCATION: Denton, Denton County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank (UST) system; and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$3,382; ENFORCEMENT COORDINATOR: Thomas Greimel, (512) 239-5690; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(15) COMPANY: Kinder Morgan Petcoke, Limited Partnership; DOCKET NUMBER: 2016-0908-IWD-E; IDENTIFIER: RN101610376; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0002659000, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$2,750; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(16) COMPANY: KOLKHORST PETROLEUM COMPANY; DOCKET NUMBER: 2014-0730-PST-E; IDENTIFIER: RN102010899; LOCATION: Navasota, Grimes County; TYPE OF FACILITY: retail fuel station; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; 30 TAC §334.72, by failing to report a suspected release to the agency within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate a suspected release of regulated substance within 30 days of discovery; PENALTY: \$46,975; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(17) COMPANY: LUBBOCK INVESTMENTS, LLC, A Nevada Corporation dba Pecan Grove Mobile Home Park; DOCKET NUMBER: 2015-0894-MLM-E; IDENTIFIER: RN102692167; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: mobile home park with a public water supply; RULES VIOLATED: 30 TAC §290.46(m)(1)(A), by failing to conduct an annual inspection of the facility's ground storage tank (GST); 30 TAC §290.46(m)(1)(B), by failing to conduct an annual inspection of the facility's pressure tank; 30 TAC §290.41(c)(1)(C) and §330.15(c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of municipal solid waste; 30 TAC §290.46(e)(4)(A) and Texas Health and Safety Code (THSC), §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds a Class D or higher license; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement for all land within 150 feet of the well; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.43(c)(1), by

failing to provide the GST with a gooseneck vent or roof ventilator with an opening protected by a 16-mesh or finer corrosion resistant screen to prevent entry of animals, birds, insects, and heavy air contaminants; 30 TAC §290.43(c)(3), by failing to provide an overflow on the facility's GST that is designed in strict accordance with American Water Works Association standards; 30 TAC §290.43(c)(4), by failing to equip the GST with a proper water level indicator; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and THSC, §341.0315(c), by failing to operate the disinfection equipment to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; 30 TAC §290.41(c)(3)(K), by failing to properly seal the wellhead with a gasket or sealing compound; and 30 TAC §290.42(i) and §305.42(a) and TWC, §26.121(a), by failing to obtain authorization from the commission prior to any discharge of wastewater; PENALTY: \$7,181; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(18) COMPANY: Lucite International, Incorporated; DOCKET NUMBER: 2016-0348-IWD-E; IDENTIFIER: RN102736089; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: petrochemical plant complex; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0000473000, Effluent Limitations and Monitoring Requirements Number 1 - Tier 4, Outfall Number 001; Effluent Limitations and Monitoring Requirements Number 2, Outfall Numbers 002 and 011; and Interim Effluent Limitations and Monitoring Requirements Number 1, Outfall Number 101, by failing to comply with permitted effluent limits; and 30 TAC §305.125(1) and (11)(A) and §§319.1, 319.4, and 319.5(b), and TPDES Permit Number WQ0000473000, Monitoring and Reporting Requirements Number 1 and Effluent Limitations and Monitoring Requirements Number 2, Outfall Number 021, by failing to collect and analyze effluent samples at the intervals specified in the permit; PENALTY: \$56,010; Supplemental Environmental Project offset amount of \$22,404; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(19) COMPANY: Mahajan Shah, LLC dba Deep Food Mart; DOCKET NUMBER: 2016-0657-PST-E; IDENTIFIER: RN102653128; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$6,900; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(20) COMPANY: Maynard F. Ewton; DOCKET NUMBER: 2016-0601-WR-E; IDENTIFIER: RN106278336; LOCATION: Dallas, Palo Pinto County; TYPE OF FACILITY: a property; RULES VIOLATED: 30 TAC §297.82 and §297.83, by failing to inform the executive director (ED) of a transfer of a water right for Certificate of Adjudication Number 12-4001 and failed to submit a completed Change of Ownership Form to the ED; PENALTY: \$250; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(21) COMPANY: MP PATEL GROUP, INCORPORATED dba Mr. Watauga Quick Stop; DOCKET NUMBER: 2016-0560-PST-E; IDENTIFIER: RN101433480; LOCATION: Watauga, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gaso-

line; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; 30 TAC §334.51(b)(2)(C) and TWC, §26.3475(c)(2), by failing to equip each tank with a valve or other device designed to automatically shut off the flow of regulated substances into the tank when the liquid level in the tank reaches no higher than 95% capacity; and 30 TAC §334.10(b) and §334.12(c)(1), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: Thomas Greimel, (512) 239-5690; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: Nat's Quick Stop Incorporated dba Quick Stop; DOCKET NUMBER: 2016-0987-PST-E; IDENTIFIER: RN102061546; LOCATION: Cumby, Hopkins County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(23) COMPANY: Oxy Vinyls, LP; DOCKET NUMBER: 2016-0536-AIR-E; IDENTIFIER: RN100224674; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULE VIOLATED: Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent unauthorized emissions; PENALTY: \$6,550; Supplemental Environmental Project offset amount of \$2,620; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(24) COMPANY: Pendleton Harbor Water Supply Corporation; DOCKET NUMBER: 2016-0364-PWS-E; IDENTIFIER: RN104097068; LOCATION: Milam, Sabine County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter (mg/L) for total trihalomethanes, based on the locational running annual average; 30 TAC §290.115(f)(1) and THSC, §341.0315(c), by failing to comply with the MCL of 0.060 mg/L for haloacetic acids, based on the locational running annual average; and 30 TAC §291.76 and TWC, §5.702, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 10737 for calendar years 2013 - 2015; PENALTY: \$351; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(25) COMPANY: Quail Valley Utility District; DOCKET NUMBER: 2016-0781-PST-E; IDENTIFIER: RN102822640; LOCATION: Missouri City, Fort Bend County; TYPE OF FACILITY: motor vehicle fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Thomas Greimel, (512) 239-5690; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(26) COMPANY: Rajvir Petroleum Incorporated dba One Star Exxon; DOCKET NUMBER: 2016-0731-PST-E; IDENTIFIER: RN103077590; LOCATION: Tom Bean, Grayson County; TYPE OF

FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(27) COMPANY: Sherman/Grayson Hospital, LLC dba Wilson N Jones Regional Medical Center; DOCKET NUMBER: 2016-0857-PST-E; IDENTIFIER: RN100570753; LOCATION: Sherman, Grayson County; TYPE OF FACILITY: underground storage tank (UST) system with emergency generator; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2)(B) and TWC, §26.3475(c)(1), by failing to monitor the UST for releases at a frequency of at least once every month and failing to provide release detection for the gravity flow piping associated with the UST system; 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to the common carrier a valid, current TCEQ delivery certificate before accepting deliveries of a regulated substance into the USTs; and 30 TAC §334.42(i) and TWC, §26.3475(c)(2), by failing to inspect all sumps including dispenser sumps, manways, overspill containers or catchment basins associated with the UST system at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid-tight and free of any liquid or debris; PENALTY: \$5,468; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(28) COMPANY: Simpson Crushed Stone, L.L.C.; DOCKET NUMBER: 2016-0911-WQ-E; IDENTIFIER: RN107392532; LOCATION: Nemo, Johnson County; TYPE OF FACILITY: aggregate production operation (APO); RULE VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(29) COMPANY: Southwest Convenience Stores, LLC dba 7 Eleven 57819; DOCKET NUMBER: 2016-0802-PST-E; IDENTIFIER: RN102410065; LOCATION: Midland, Midland County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.72, by failing to report a suspected release to TCEQ within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery; PENALTY: \$9,481; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(30) COMPANY: Strip Property Land and Water, LLC; DOCKET NUMBER: 2016-0822-PWS-E; IDENTIFIER: RN102315165; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(e)(4)(A), by failing to operate the water system under the direct supervision of a water works operator who holds a Class D or higher license; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.109(c)(1)(A), by failing to collect routine

distribution coliform samples at active service connections which are representative of water quality throughout the distribution system; 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days; 30 TAC §290.46(n)(2), by failing to provide 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 §290.46(u), by failing to test every five years or as required by the executive director to prove that the well is in a non-deteriorated condition or plug the well with cement according to 16 TAC Chapter 76 (Water Well Drillers and Water Well Pump Installers); PENALTY: \$748; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(31) COMPANY: TICONA POLYMERS, INCORPORATED; DOCKET NUMBER: 2016-0725-WDW-E; IDENTIFIER: RN101625721; LOCATION: Bishop, Nueces County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §331.63(e), 40 Code of Federal Regulations §146.67(c), and Underground Injection Control Permit Number Waste Disposal Well (WDW) 211, Permit Provision VII.F, by failing to maintain a positive pressure of 100 pounds per square inch gauge over tubing injection pressure in the tubing-casing annulus in WDW 211 without dropping below this pressure differential for greater than 15 minutes; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Thomas Greimel, (512) 239-5690; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(32) COMPANY: Union Water Supply Corporation; DOCKET NUMBER: 2015-1177-MWD-E; IDENTIFIER: RN102915501; LOCATION: Garciasville, Starr County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: TWC, §26.121(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0014313001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; 30 TAC §305.125(17) and TPDES Permit Number WQ0014313001, Monitoring and Reporting Requirements Number 1, by failing to submit a complete discharge monitoring report for the monitoring period ending February 28, 2015; PENALTY: \$3,850; Supplemental Environmental Project offset amount of \$1,540; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(33) COMPANY: UNITED RENTALS, INCORPORATED; DOCKET NUMBER: 2016-0637-PST-E; IDENTIFIER: RN106067440; LOCATION: Laredo, Webb County; TYPE OF FACILITY: equipment rental facility; 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; 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 UST; 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the UST for releases at a frequency of at least once every month and failing to provide release detection for the pressurized piping associated with the UST system; and 30 TAC §334.602(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator - Class A, Class B, and Class C; PENALTY: \$9,855; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(34) COMPANY: Young Men's Christian Association of the Greater Houston Area; DOCKET NUMBER: 2015-1493-MWD-E; IDENTIFIER: RN101279412; LOCATION: Trinity, Trinity County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and (11)(B) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0011644001, Monitoring and Reporting Requirements Number 3.b and Other Requirements Number 6, by failing to ensure all records pertaining to the permit are maintained and made readily available for review at the facility; 30 TAC §305.125(1) and TPDES Permit Number WQ0011644001, Sludge Provisions, by failing to submit a complete and accurate annual sludge report by September 30, 2014, for the monitoring period ending August 31, 2014; 30 TAC §305.125(1) and (5) and TPDES Permit Number WQ0011644001, Operational Requirements Number 1, by failing to properly operate and maintain the facility and all of its systems of collection, treatment, and disposal; 30 TAC §305.125(1) and TPDES Permit Number WQ0011644001, Operational Requirements Number 3.b, by failing to submit a closure plan for review to the Municipal Permits Team, Wastewater Permitting Section of the Water Quality Division for any closure activity at least 90 days prior to conducting such activity; 30 TAC §30.350(n), §305.125(1) and (5), and TPDES Permit Number WQ0011644001, Operational Requirements Number 1, by failing to ensure that the facility and all its systems of collection, treatment, and disposal are properly operated and maintained; TWC, §26.121(a)(1), 30 TAC §305.125(1) and (4), and TPDES Permit Number WQ0011644001, Permit Conditions Number 2.d and Effluent Limitations and Monitoring Requirements Number 4, by failing to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment; and 30 TAC §305.125(1) and §319.7(a)(1) and TPDES Permit Number WQ0011644001, Monitoring and Reporting Requirements Number 3.c.i, by failing to maintain complete and accurate records of monitoring activities; PENALTY: \$15,790; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

TRD-201604192

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: August 16, 2016



Enforcement Orders

An agreed order was adopted regarding C.R. Poldrack, Inc., Docket No. 2014-0162-WQ-E on August 16, 2016, assessing \$5,625 in administrative penalties with \$1,125 deferred. Information concerning any aspect of this order may be obtained by contacting Claudia Corrales, 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 YGRIEGA ENVIRONMENTAL SERVICES, LLC, Docket No. 2014-1887-MSW-E on August 16, 2016, assessing \$6,833 in administrative penalties with \$1,366 deferred. Information concerning any aspect of this order may be obtained by contacting Tom Greimel, 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 MJR TRUCK LINES INC., Docket No. 2015-0501-MLM-E on August 16, 2016, assessing \$3,285 in administrative penalties with \$657 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 City of Groveton, Docket No. 2015-1153-MWD-E on August 16, 2016, assessing \$4,876 in administrative penalties with \$975 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Wilks Construction Company, LLC, Docket No. 2015-1572-WQ-E on August 16, 2016, assessing \$3,625 in administrative penalties with \$725 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Galo Equipment & Construction, LLC, Docket No. 2015-1841-MLM-E on August 16, 2016, assessing \$5,937 in administrative penalties with \$1,187 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Bartlett, Docket No. 2016-0066-MWD-E on August 16, 2016, assessing \$6,332 in administrative penalties with \$1,266 deferred. Information concerning any aspect of this order may be obtained by contacting Farhaud Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MARUTI INTERNATIONAL, L.L.C. dba TS Holiday Market, Docket No. 2016-0168-PST-E on August 16, 2016, assessing \$3,975 in administrative penalties with \$795 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Maurer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding WKND CORPORATION dba Mercado Sabadomingo, Docket No. 2016-0172-PWS-E on August 16, 2016, assessing \$662 in administrative penalties with \$132 deferred. Information concerning any aspect of this order may be obtained by contacting Michaelle Garza, 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 Tim A. Duncan dba Miller Mobile Home Park and Karen Duncan dba Miller Mobile Home Park, Docket No. 2016-0176-PWS-E on August 16, 2016, assessing \$429 in administrative penalties with \$85 deferred. Information concerning any aspect of this order may be obtained by contacting James Fisher, 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 Hal S. Zaltsberg dba Outskirtz Grill, Docket No. 2016-0214-PWS-E on August 16, 2016, assessing \$110 in administrative penalties with \$22 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 MAPLE WATER SUPPLY CORPORATION, Docket No. 2016-0234-MLM-E on August 16, 2016, assessing \$169 in administrative penalties with \$33 deferred. Information concerning any aspect of this order may be obtained by

contacting Steven Hall, 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 Rose City, Docket No. 2016-0255-PWS-E on August 16, 2016, assessing \$310 in administrative penalties with \$62 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer, 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 KIDS MIRACLE VENTURE, INC. dba Brownies, Docket No. 2016-0383-PST-E on August 16, 2016, assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Abigail Lindsey, 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 SHIVAM ENTERPRISE LLC dba Velasco Shell, Docket No. 2016-0386-PST-E on August 16, 2016, assessing \$7,232 in administrative penalties with \$1,446 deferred. Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, 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 Hwy 300 LLC, Docket No. 2016-0403-MWD-E on August 16, 2016, assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Cibolo, Docket No. 2016-0414-WQ-E on August 16, 2016, assessing \$2,625 in administrative penalties with \$525 deferred. Information concerning any aspect of this order may be obtained by contacting Larry Butler, 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 Twin Lakes Club, Inc., Docket No. 2016-0452-PWS-E on August 16, 2016, assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Amancio Gutierrez, 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 7-ELEVEN, INC. dba 7-Eleven 36304, Docket No. 2016-0493-PST-E on August 16, 2016, assessing \$5,625 in administrative penalties with \$1,125 deferred. Information concerning any aspect of this order may be obtained by contacting Jessica Bland, 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 Woodville, Docket No. 2016-0563-PWS-E on August 16, 2016, assessing \$1,289 in administrative penalties with \$257 deferred. Information concerning any aspect of this order may be obtained by contacting Carol Mcgrath, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ONE WORLD A TO Z CONSULTANTS, LLC dba HANDY FOODS, Docket No. 2016-0611-PST-E on August 16, 2016, assessing \$2,567 in administrative penalties with \$513 deferred. Information concerning any aspect of this order may be obtained by contacting James Baldwin,

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 CBS Foods, LLC dba Center Food Mart, Docket No. 2016-0615-PST-E on August 16, 2016, assessing \$4,312 in administrative penalties with \$862 deferred. Information concerning any aspect of this order may be obtained by contacting James Baldwin, 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 AMAL SERVICES LLC, Docket No. 2016-0619-PST-E on August 16, 2016, assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding W. Douglass Distributing, Ltd., Docket No. 2016-0677-PST-E on August 16, 2016, assessing \$1,106 in administrative penalties with \$221 deferred. Information concerning any aspect of this order may be obtained by contacting James Baldwin, 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 DOUGLASS DISTRIBUTING COMPANY dba Happy Stop, Docket No. 2016-0710-PST-E on August 16, 2016, assessing \$7,125 in administrative penalties with \$1,425 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.

A field citation was adopted regarding Billy W. Sensat, Sr., Docket No. 2016-0960-OSS-E on August 16, 2016, assessing \$175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jill Hoglund, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Andrew B. Rocha, Docket No. 2016-0982-WOC-E on August 16, 2016, assessing \$175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201604211
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 17, 2016



Notice of Hearing

BENEFICIAL LAND MANAGEMENT, L.L.C.

SOAH Docket No. 582-16-5474

TCEQ Docket No. 2016-0665-IWD

Permit No. WQ0004666000

APPLICATION.

Beneficial Land Management, L.L.C., P.O. Box 6870, San Antonio, Texas 78209, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal with changes of TCEQ Permit No.

WQ0004666000, which authorizes the land application of Class B sewage sludge from a domestic wastewater treatment plant for beneficial use on 726.1 acres. The draft permit does not include an authorization for land application of sewage sludge mixed with grease and grit trap wasted as requested by the applicant. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on December 5, 2011.

The sewage sludge land application site is located ten miles northwest of the City of Inez, on Farm-to-Market Road 444 and 2.5 miles northeast of the intersection of Karnes Road and Farm-to-Market Road 444, in Victoria County, Texas 77968. The sewage sludge land application site is located within the drainage basin of Lavaca Bay and Chocolate Bay in Segment No. 2453 of the Lavaca-Guadalupe Coastal Basin.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Victoria County Courthouse, Count Clerk's Office, 115 North Bridge, Victoria, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=28.9875&lng=-96.843055&zoom=13&type=r>. For the exact location, refer to the application.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

10:00 a.m. - September 27, 2016

Victoria County Courthouse

Commissioner's Courtroom - 2nd Floor

115 North Bridge Street

Victoria, Texas 77901

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on July 13, 2016. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, 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 from Beneficial Land Management, L.L.C. at the address stated above or by calling Mr. Carter Mayfield at (210) 422-4249.

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

Issued: August 12, 2016

TRD-201604212

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 17, 2016



Notice of Hearing

Clean Harbors San Leon, Inc.

SOAH Docket No. 582-16-5475

TCEQ Docket No. 2016-0666-IWD

Permit No. WQ0004086000

APPLICATION.

Clean Harbors San Leon, Inc., 2700 Avenue S, San Leon, Texas 77539, which operates the Clean Harbors Recycling Facility, a recycling and storage facility that handles oily waste from the petroleum refining and petrochemical industries, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004086000 to authorize the discharge of treated process wastewater and treated contaminated stormwater at a daily average flow not to exceed 105,000 gallons per day via proposed internal Outfall 101. The draft permit authorizes the discharge of stormwater associated with industrial activity and previously monitored effluent (from internal Outfall 101) on an intermittent and flow-variable basis via Outfall 001. The TCEQ received this application on May 21, 2015.

The facility is located at 2700 Avenue S, near the intersection of 27th Street and Avenue S, approximately 3/4 mile east of State Highway 146 at Dickinson Bayou, in San Leon, Galveston County, Texas 77539. The effluent is discharged to a drainage ditch; thence to an unnamed tidal tributary of Dickinson Bayou Tidal; thence to Dickinson Bayou Tidal in Segment No. 1103 of the San Jacinto-Brazos Coastal Basin. The unclassified receiving waters have minimal aquatic life use for the unnamed ditch and high aquatic life use for the unnamed tidal tributary. The designated uses for Segment No. 1103 are high aquatic life use and primary contact recreation.

In accordance with Title 30 Texas Administrative Code (TAC) §307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the unnamed tidal tributary or Dickinson Bayou, which have been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Dickinson Public Library, 4411 Highway 3, Dickinson, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.469722&lng=-94.966666&zoom=13&type=r>. For the exact location, refer to the application.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:

10:00 a.m. - October 25, 2016

State Office of Administrative Hearings

The Preserve at North Loop

2020 North Loop West, Suite 111

Houston, Texas 77018

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on July 13, 2016. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, 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 from Clean Harbors San Leon, Inc. at the address stated above or by calling Ms. Tia Gattas-Hamman, General Manager, at (281) 339-6406.

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

Issued: August 16, 2016

TRD-201604213

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 17, 2016



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

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the 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 **September 26, 2016**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on September 26, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Fuel Centers Environmental Management, LLC d/b/a Fuel Center of Legacy; DOCKET NUMBER: 2015-1311-PST-E; TCEQ ID NUMBER: RN101564391; LOCATION: 301 Legacy Drive, Plano, Collin County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.7(d)(3) and §334.8(c)(4)(C) and (5)(A), by failing to obtain a UST delivery certificate by submitting a properly completed UST registration and self-certification form and by failing to notify the agency of any changes; TWC §26.3467(a) and 30 TAC §334.8(c)(5)(A)(i), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); TWC, §26.3475(c)(2) and 30 TAC §334.51(a)(6), by failing to assure that all spill and overfill prevention devices are maintained in good operating condition; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours; and 30 TAC §334.602(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator - Class A, B, and C; PENALTY: \$10,758; STAFF ATTORNEY: Jess Robinson, Litigation Division, MC 175, (512) 239-0455; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: SPEEDEXX ENTERPRISE INC. d/b/a Speedexx Food Store; DOCKET NUMBER: 2015-1222-PST-E; TCEQ ID NUMBER: RN101804599; LOCATION: 211 West Crosstimbers Street, Houston, Harris County; TYPE OF FACILITY: underground storage tank system and a convenience store with retail sales of

gasoline; RULES VIOLATED: 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery; PENALTY: \$24,106; STAFF ATTORNEY: Jess Robinson, Litigation Division, MC 175, (512) 239-0455; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201604190
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: August 16, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **September 26, 2016**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on September 26, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Donald and Rebecca Rancher; DOCKET NUMBER: 2015-0996-SLG-E; TCEQ ID NUMBER: RN103162954; LOCATION: 1400 Beach Airport Road and 11000 Rose Road, Conroe, Montgomery County; TYPE OF FACILITY: unregistered sludge transporter business; RULES VIOLATED: 30 TAC §312.142(a) and (d), by failing to submit an application to renew an existing TCEQ Sludge Transporter Registration by June 15th of the year in which the registration expired; and 30 TAC §312.143, by failing to deposit wastes at an authorized facility; PENALTY: \$43,727; STAFF ATTOR-

NEY: Tracy Chandler, Litigation Division, MC 175, (512) 239-0629; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: R&K Fabricating Inc.; DOCKET NUMBER: 2015-0982-MLM-E; TCEQ ID NUMBER: RN104085956; LOCATION: 3183 Highway 146, Dayton, Liberty County; TYPE OF FACILITY: storage container fabricating plant; RULES VIOLATED: Texas Health and Safety Code (THSC), §382.085(b), 30 TAC §101.20(2) and §113.1505, and 40 Code of Federal Regulations (CFR) §63.11519(a)(1), by failing to submit an initial notification, as specified by 40 CFR Part 63, Subpart XXXXXX; THSC, §382.085(b), 30 TAC §101.20(2) and §113.1505, and 40 CFR §63.11519(a)(2), by failing to submit a notification of compliance status, as specified by 40 CFR Part 63, Subpart XXXXXX; THSC, §382.085(b) and 30 TAC §111.201, by causing, suffering, allowing, or permitting unauthorized outdoor burning within the State of Texas; and 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized disposal of municipal solid waste; PENALTY: \$5,047; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: RASSO'S LYTLE CORPORATION d/b/a Lytle Exxon Food Mart; DOCKET NUMBER: 2015-1728-PST-E; TCEQ ID NUMBER: RN102278314; LOCATION: 15058 Main Street, Lytle, Atascosa County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (c)(5)(B)(ii), by failing to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; TWC, §26.3467(a) and 30 TAC §334.8(c)(5)(A)(i), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the UST; 30 TAC §334.8(c)(5)(C), by failing to ensure that a legible tag, label, or marking with the UST identification number is permanently applied upon or affixed to either the top of the fill tube or to a nonremovable point in the immediate area of the fill tube according to the UST registration and self-certification form; 30 TAC §334.42(i), by failing to inspect all sumps, including dispenser sumps, manways, overspill containers, or catchment basins associated with a UST system at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid tight and free of any liquid or debris; and 30 TAC §§334.602(a), 334.603(b), and 334.605(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator - Class A, B, and C, and failing to ensure that a certified Class A and B operator is re-trained within three years of their last training date; PENALTY: \$7,006; STAFF ATTORNEY: Amanda Patel, Litigation Division, MC 175, (512) 239-3990; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-201604191
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: August 16, 2016



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

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Orders (S/DOs). Texas Water

Code (TWC), §26.3475 authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be non-compliant with release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the release detection, spill and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations, the proposed penalty, the proposed technical requirements necessary to bring the entity back into compliance, and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. In accordance with TWC, §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **September 26, 2016**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed S/DO is not required to be published if those changes are made in response to written comments.

Copies of each of the proposed S/DOs are available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the S/DO shall be sent to the attorney designated for the S/DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on September 26, 2016**. Written comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission attorneys are available to discuss the S/DOs and/or the comment procedure at the listed phone numbers; however, comments on the S/DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Batesville One Stop Inc d/b/a Batesville Foodmart; DOCKET NUMBER: 2014-1237-PST-E; TCEQ ID NUMBER: RN102779774; LOCATION: 14404 Highway 57 East, Batesville, Zavala County; TYPE OF FACILITY: Underground storage tank system and convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$3,750; STAFF ATTORNEY: Jake Marx, Litigation Division, MC 175, (512) 239-5111; REGIONAL OFFICE: Laredo Regional Office, 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(2) COMPANY: Myung Cha Cha d/b/a Youngs Mart 3; DOCKET NUMBER: 2015-0713-PST-E; TCEQ ID NUMBER: RN102048444; LOCATION: 400 North Johnson Street, Alice, Jim Wells County; TYPE OF FACILITY: underground storage tank (UST) system and convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a petroleum UST; TWC, §26.3475(d) and 30 TAC §334.49(c)(2)(C), by failing to inspect

the impressed current cathodic protection system at least once every 60 days to ensure the rectifier and other system components are operating properly; TWC, §26.3475(d) and 30 TAC §334.49(c)(4), by failing to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years by failing to conduct the triennial testing of the corrosion protection system; TWC, §26.3475(c)(1), and 30 TAC §334.48(c) and §334.50(d)(1)(B)(ii) and (iii)(I), by failing to conduct effective manual or automatic inventory control procedures for the USTs at the facility; 30 TAC §334.42(i), by failing to inspect all sumps, manways, overflow containers, or catchment basins associated with a UST system at least once every 60 days to assure their sides, bottoms, and any penetration points are maintained liquid tight; and 30 TAC §334.602(a) and §334.603(b)(2), by failing to identify and designate for each UST facility at least one named individual for each class of operator (Class A, B, and C); PENALTY: \$19,387; STAFF ATTORNEY: Jess Robinson, Litigation Division, MC 175, (512) 239-0455; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(3) COMPANY: SARVODAY ENTERPRISES LLC d/b/a Times Market; DOCKET NUMBER: 2016-0165-PST-E; TCEQ ID NUMBER: RN101811081; LOCATION: 6104 Montgomery Drive, Windcrest, Bexar County; TYPE OF FACILITY: UST system and convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.602(a), by failing to designate at least one Class A, B, and C operator for the facility; 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; TWC, §26.3475(d) and 30 TAC §334.49(a)(4), by failing to provide corrosion protection for all underground and/or totally or partially submerged metal components of any existing or new UST system; 30 TAC §334.72, by failing to report a suspected release to TCEQ within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery; PENALTY: \$85,600; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-201604189
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: August 16, 2016

General Land Office

Notice of Request for Proposal for Consulting Services

The Texas General Land Office (GLO), on behalf of the Veterans Land Board (VLB), is seeking a consultant to provide services related to marketing research to determine what percent of VLB's target market is aware of its products and services. The selected Contractor shall also recommend actions to increase overall brand aware and product adoption. The GLO intends to issue a single contract for the marketing research over the specified period. The co-sourced contractor will provide specialized skills, industry and subject matter knowledge in marketing research to assist the VLB.

Pursuant to §2254.029 and §2254.031 of the Texas Government Code, the GLO is seeking to contract for consulting services relating to the marketing research and recommendations to GLO's VLB beginning November 1, 2016, through August 31, 2017.

Persons interested in a copy of the Request for Proposal No. X0010188-SK should contact Shelia Kirk, Procurement Division, Texas General Land Office at (512) 463-5186 or shelia.kirk@glo.texas.gov to request a copy. The closing date for receipt of proposals is September 14, 2016. The date of award is anticipated to be on or before September 30, 2016.

Further information may be obtained by contacting Crystal Nelson, Texas General Land Office, 1700 N. Congress Avenue, Austin, Texas 78701-1495, telephone (512) 463-5053.

TRD-201604207

Anne L. Idsal

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: August 17, 2016



Texas Health and Human Services Commission

Public Notice - Health and Human Services Office of Ombudsman Notification

Section 531.0171, Government Code, which was added by §2.06 of SB 200, 84th Legislature, Regular Session, 2015, established the Health and Human Services Commission's (HHSC) office of ombudsman with authority and responsibility over the health and human services (HHS) system in providing dispute resolution services for the HHS system; performing consumer protection and advocacy functions related to HHS, including assisting a consumer or other interested person with raising a matter within the HHS system that the person feels is being ignored and obtaining written information regarding a filed complaint; and collecting relevant inquiry and complaint data.

As part of the HHS system transformation, §2.06 of SB 200 creates a consolidated office of HHS ombudsman by abolishing, except as specifically exempted, each office of ombudsman as follows:

An existing office performing ombudsman duties for the Department of Assistive and Rehabilitative Services (DARS), the Department of Aging and Disability Services (DADS) or other entity is abolished on the same date the agency or entity is abolished in accordance with SB 200.

An existing office performing ombudsman duties for the Department of Family and Protective Services (DFPS) or the Department of State Health Services (DSHS) is abolished on the date specified in the HHS System Transition Plan.

SB 200 specifically exempts from abolishment the Office of Independent Ombudsman for State Supported Living Centers, the Office of State Long-term Care Ombudsman, and any other ombudsman office serving all or part of the HHS system that is required by federal law.

In 2015, an HHS interagency workgroup analyzed activities across the HHS system to identify ombudsman-related functions appropriate for consolidation into HHSC, administrative attachment to HHSC or abolishment as directed by SB 200. While certain functions have been identified as described in the update to the HHS Transition Plan posted on the HHSC website on July 22, 2016 and in the *Texas Register* on August 19, 2016, the only specific office identified at the other HHS agencies is the DFPS Office of Consumer Affairs (OCA). To preserve the OCA's critical role with DFPS programs on behalf of consumers, HHSC, under authority conferred by Section 531.0171(a), Government Code, will work with DFPS to implement the transfer of OCA personnel to HHSC by September 1, 2017.

The HHS Executive Commissioner therefore certifies that the DFPS Office of Consumer Affairs will be abolished on September 1, 2017

and the staff within this office will perform ombudsman services on behalf of DFPS consumers within the HHSC ombudsman structure. The HHS Executive Commissioner further certifies that there are no additional offices to exempt from abolition beyond the Office of Independent Ombudsman for State Supported Living Centers and the Office of State Long-term Care Ombudsman.

For additional information, please contact Jimmy Charney, HHSC Office of Ombudsman, at (512) 706-7221 or jimmy.charney@hhsc.state.tx.us.

TRD-201604092

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 12, 2016



Public Notice - Notice of Hearing on Proposed Nursing Facility Payment Rates for State Veterans Homes - Correction

Hearing. The Health and Human Services Commission (HHSC) will conduct a public hearing on September 2, 2016, at 8 a.m., to receive public comment on proposed payment rates for the state-owned veterans nursing facilities. These nursing facilities are in the nursing facility program operated by Department of Aging and Disabilities. These payment rates are proposed to be effective March 1, 2016.

The hearing will be held in compliance with Texas Human Resources Code §32.0282 and Title 1 of the Texas Administrative Code (1 TAC), §355.7103(a)(2), which require that public hearings be held on proposed reimbursement rates before such rates are approved by HHSC.

The public hearing will be held in Room 5155 of the Brown Heatly Building, located at 4900 North Lamar Blvd., Austin, Texas 78751. Entry is through Security at the front of the building facing Lamar Blvd. Persons requiring Americans with Disabilities Act (ADA) accommodation or auxiliary aids or services should contact Rate Analysis by calling (512) 730-7401, at least 72 hours prior to the hearing so appropriate arrangements can be made.

Proposal. HHSC proposes the following interim per day payment rates for the state-owned veterans nursing facilities effective September 1, 2016: Amarillo, \$143.00; Big Spring, \$143.00; Bonham, \$143.00; Floresville, \$143.00; Temple, \$143.00; McAllen, \$143.00; El Paso, \$143.00; and Tyler, \$234.00. The proposed rates for each home are based upon the state veterans home semi-private basic daily rate in effect on the first day of the rate period in accordance with the rate setting methodologies listed below under Methodology and Justification. These rates will be reconciled retrospectively based on actual costs in accordance with 1 TAC §355.311(j).

Methodology and Justification. The proposed rates were determined in accordance with the rate reimbursement setting methodology at 1 TAC §355.311(d).

Briefing Package. A briefing package describing the proposed payment rates will be available at <http://www.hhsc.state.tx.us/rad/rate-packets.shtml> on August 19, 2016. Interested parties may obtain a copy of the briefing package before the hearing by contacting Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by email at RAD-LTSS@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

Written Comments. Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services

Commission, Rate Analysis Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Rate Analysis at (512) 730-7475; or by email to LTSS@hhsc.state.tx.us. In addition, written comment may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Rate Analysis Department, Mail Code H-400, Brown-Heatly Building, 4900 North Lamar Blvd., Austin, Texas 78751-2316.

TRD-201604034

Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: August 11, 2016



Public Notice - September 7, 2016 STAR Kids Client Information Session

The Texas Health and Human Services Commission (HHSC) will hold a client information session at the Brown-Heatly Building, Public Hearing Room, 4900 North Lamar Blvd., Austin, Texas 78751 on September 7, 2016, from 9 a.m. to 11 a.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

- Medically Dependent Children Program
- Home and Community-based Services
- Community Living Assistance and Support Services
- Deaf Blind with Multiple Disabilities
- Texas Home Living
- Youth Empowerment Services

Because this new program may change the way providers and other services are accessed, HHSC invites those who may be impacted by this new program to join us for an information session to learn more. Information sessions will provide details on STAR Kids, as well as provide the opportunity for attendees to ask questions pertaining to this new managed care program. Separate sessions will be held for families and providers.

Questions regarding content or meeting arrangements should be directed to Heather Kuhlman, Communications Specialist, Health and Human Services Commission, (512) 438-6356, Heather.Kuhlman@hhsc.state.tx.us.

This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact Charles Bredwell, Program Specialist, at (512) 462-6337 at least 72 hours before the meeting so appropriate arrangements can be made.

TRD-201604180

Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: August 15, 2016



Public Notice - September 7, 2016 STAR Kids Client Information Session

The Texas Health and Human Services Commission (HHSC) will hold a client information session at the Brown-Heatly Building, Public Hearing Room, 4900 North Lamar Blvd., Austin, Texas 78751 on September 7, 2016, from 6 p.m. to 8 p.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

- Medically Dependent Children Program
- Home and Community-based Services
- Community Living Assistance and Support Services
- Deaf Blind with Multiple Disabilities
- Texas Home Living
- Youth Empowerment Services

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Questions regarding content or meeting arrangements should be directed to Heather Kuhlman, Communications Specialist, Health and Human Services Commission, 512-438-6356, Heather.Kuhlman@hhsc.state.tx.us.

This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact Charles Bredwell, Program Specialist, at (512) 462-6337 at least 72 hours before the meeting so appropriate arrangements can be made.

TRD-201604181

Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: August 15, 2016



Public Notice - September 7, 2016 STAR Kids Provider Information Session

The Texas Health and Human Services Commission (HHSC) will hold a provider information session at the Brown-Heatly Building, Pub-

lic Hearing Room, 4900 North Lamar Blvd., Austin, Texas 78751 on September 7, 2016, from 2 p.m. to 4 p.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

- Medically Dependent Children Program
- Home and Community-based Services
- Community Living Assistance and Support Services
- Deaf Blind with Multiple Disabilities
- Texas Home Living
- Youth Empowerment Services

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This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

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TRD-201604182
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: August 15, 2016



Public Notice - September 9, 2016 STAR Kids Client Information Session

The Texas Health and Human Services Commission (HHSC) will hold a client information session at The University of North Texas at Dallas, Founders Hall, Room 138, 7300 University Hills Blvd., Dallas, Texas 75241 on September 9, 2016, from 11 a.m. to 1 p.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

- Medically Dependent Children Program
- Home and Community-based Services
- Community Living Assistance and Support Services
- Deaf Blind with Multiple Disabilities
- Texas Home Living
- Youth Empowerment Services

Because this new program may change the way providers and other services are accessed, HHSC invites those who may be impacted by this new program to join us for an information session to learn more. Information sessions will provide details on STAR Kids, as well as provide the opportunity for attendees to ask questions pertaining to this new managed care program. Separate sessions will be held for families and providers.

Questions regarding content or meeting arrangements should be directed to Heather Kuhlman, Communications Specialist, Health and Human Services Commission, (512) 438-6356, Heather.Kuhlman@hhsc.state.tx.us.

This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact Charles Bredwell, Program Specialist, at (512) 462-6337 at least 72 hours before the meeting so appropriate arrangements can be made.

TRD-201604186
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: August 15, 2016



Public Notice - September 9, 2016 STAR Kids Provider Information Session

The Texas Health and Human Services Commission (HHSC) will hold a provider information session at The University of North Texas at Dallas, Founders Hall, Room 138, 7300 University Hills Blvd., Dallas, Texas 75241 on September 9, 2016, from 2 p.m. to 4 p.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

- Medically Dependent Children Program
- Home and Community-based Services
- Community Living Assistance and Support Services
- Deaf Blind with Multiple Disabilities
- Texas Home Living
- Youth Empowerment Services

Because this new program may change the way providers and other services are accessed, HHSC invites those who may be impacted by this new program to join us for an information session to learn more.

Information sessions will provide details on STAR Kids, as well as provide the opportunity for attendees to ask questions pertaining to this new managed care program. Separate sessions will be held for families and providers.

Questions regarding content or meeting arrangements should be directed to Heather Kuhlman, Communications Specialist, Health and Human Services Commission, (512) 438-6356, Heather.Kuhlman@hhsc.state.tx.us.

This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact Charles Bredwell, Program Specialist, at (512) 462-6337 at least 72 hours before the meeting so appropriate arrangements can be made.

TRD-201604185

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 15, 2016



Public Notice - September 10, 2016 STAR Kids Client Information Session

The Texas Health and Human Services Commission (HHSC) will hold a client information session at The University of North Dallas, Founders Hall, 7400 Building, Room 138, 7300 University Hills Boulevard, Dallas, Texas 75241 on September 10, 2016, from 1 p.m. to 3 p.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

Medically Dependent Children Program

Home and Community-based Services

Community Living Assistance and Support Services

Deaf Blind with Multiple Disabilities

Texas Home Living

Youth Empowerment Services

Because this new program may change the way providers and other services are accessed, HHSC invites those who may be impacted by this new program to join us for an information session to learn more. Information sessions will provide details on STAR Kids, as well as provide the opportunity for attendees to ask questions pertaining to this new managed care program. Separate sessions will be held for families and providers.

Questions regarding content or meeting arrangements should be directed to Heather Kuhlman, Communications Specialist, Health and Human Services Commission, (512) 438-6356, Heather.Kuhlman@hhsc.state.tx.us.

This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact Charles Bredwell, Program Specialist, at (512) 462-6337 at least 72 hours before the meeting so appropriate arrangements can be made.

TRD-201604183

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 15, 2016



Public Notice - September 10, 2016 STAR Kids Client Information Session

The Texas Health and Human Services Commission (HHSC) will hold a client information session at The University of North Dallas, Founders Hall, 7400 Building, Room 138, 7300 University Hills Boulevard, Dallas, Texas 75241 on September 10, 2016, from 9 a.m. to 11 a.m. This information session is related to the transition of various Medicaid services to the STAR Kids managed care program. Beginning November 1, 2016, the STAR Kids managed care program will provide Medicaid benefits to individuals with disabilities 20 years of age and younger who receive Supplemental Security Income Medicaid or Supplemental Security Income and Medicare, receive services through the Medicaid Buy-in for Children, live in a community-based intermediate care facility for individuals with an intellectual disability or related condition (ICF/IID) or nursing facility, or are enrolled in home and community-based services waiver programs, including:

Medically Dependent Children Program

Home and Community-based Services

Community Living Assistance and Support Services

Deaf Blind with Multiple Disabilities

Texas Home Living

Youth Empowerment Services

Because this new program may change the way providers and other services are accessed, HHSC invites those who may be impacted by this new program to join us for an information session to learn more. Information sessions will provide details on STAR Kids, as well as provide the opportunity for attendees to ask questions pertaining to this new managed care program. Separate sessions will be held for families and providers.

Questions regarding content or meeting arrangements should be directed to Heather Kuhlman, Communications Specialist, Health and Human Services Commission, (512) 438-6356, Heather.Kuhlman@hhsc.state.tx.us.

This meeting is open to the public. No reservations are required, and there is no cost to attend this meeting.

People with disabilities who wish to attend the meeting and require auxiliary aids or services should contact Charles Bredwell, Program Specialist, at (512) 462-6337 at least 72 hours before the meeting so appropriate arrangements can be made.

TRD-201604184

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 15, 2016



Department of State Health Services

Notice of Public Hearing on Proposed Rules Concerning Emergency Medical Services (EMS)

The Department of State Health Services (DSHS) Office of EMS/Trauma Systems Coordination will hold a public hearing, regarding proposed EMS rules at:

DSHS Central Campus

Lecture Hall K-100

1100 West 49th Street

Austin, Texas 78756

Friday, September 9, 2016 at 10:00 a.m.

Purpose of the hearing is to accept public comment on proposed EMS rules concerning the amendments to 25 Texas Administrative Code Chapter 157, §§157.2, 157.5, 157.11 - 157.14, 157.16, 157.32 - 157.34, 157.36, 157.38, 157.43, and 157.44; the repeal of §157.3 and new §157.3.

The public hearing will be structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. There will be no open discussion during the public hearing. Comment time for each individual will be determined by the total number of persons registered to speak.

DSHS is not extending the public comment period for these proposed rules, which were published in the *Texas Register* on August 12, 2016, however, DSHS will regard the comments received at the public hearing as part of the formal public comments received for the proposed rules.

For additional information, contact State EMS Director Joseph Schmider at (512) 834-6737 or Joseph.Schmider@dshs.state.tx.us or Robert Friedrich at Robert.Friedrich@dshs.state.tx.us or (512) 834-6752.

TRD-201604217

Lisa Hernandez

General Counsel

Department of State Health Services

Filed: August 17, 2016



Public Utility Commission of Texas

Announcement of Application for Amendment to a State-Issued Certificate of Franchise Authority

The Public Utility Commission of Texas (commission) received an application on August 12, 2016, to amend a state-issued certificate of franchise authority, pursuant to Public Utility Regulatory Act §§66.001 - 66.016.

Project Title and Number: Application of Time Warner Cable Texas, LLC for Amendment to its State-Issued Certificate of Franchise Authority, Project Number 46283.

The requested amendment is to expand the service area footprint to include the incorporated areas, excluding any federal properties, in the cities of Hackberry, Rose City and Castroville, Texas.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888)

782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Project Number 46283.

TRD-201604161

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: August 15, 2016



Notice of Application to Amend Water Certificates of Convenience and Necessity

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

Docket Style and Number: Joint Application of the City of College Station and Wellborn Special Utility District to Amend Certificates of Convenience and Necessity and for Approval of a Water Service Agreement in Denton County, Docket Number 46280.

The Application: The City of College Station and Wellborn Special Utility District filed an application, pursuant to Texas Water Code (TWC) §13.248, for approval of an agreement that would amend their water certificates of convenience and necessity (CCN). The City holds water CCN no. 10169 and Wellborn holds water CCN no. 11340 in Brazos County. The City and Wellborn have agreed to amend their respective water CCNs to transfer certain certificated service areas within the City's corporate limits currently served by Wellborn and that Wellborn will provide service to certain areas outside of the City's corporate limits currently served by the City. The application includes a legal description of the service areas, surveys of the property, proposed notice, a map depicting the existing certificated areas of applicants, and digital data for the area being transferred between the applicants' certificates of convenience and necessity.

Persons wishing to intervene or 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. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46280.

TRD-201604194

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: August 16, 2016



Notice of Application to Decertify Area from Certificate of Convenience and Necessity

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application to amend a sewer certificate of convenience and necessity (CCN) and to decertify a portion of San Antonio Water System's CCN No. 20285 in Comal County.

Docket Style and Number: Application of South Central Water Company to amend a sewer CCN and to decertify a portion of San Antonio Water System's CCN No. 20285 in Comal County, Docket Number 46279.

The Application: South Central Water Company seeks to amend its sewer CCN and to decertify 394 acres from San Antonio Water System's CCN No. 20285 in Comal County.

Persons wishing to intervene or comment on the action sought should contact the Commission by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephones (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46279.

TRD-201604188
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: August 15, 2016

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Texas Veterans Commission

Request for Applications Concerning the Texas Veterans Commission Fund for Veterans' Assistance, General Assistance Grant Program

Filing Authority. The availability of grant funds is authorized by Texas Government Code, §434.017.

Eligible Applicants. The Texas Veterans Commission (TVC) is requesting applications from organizations eligible to apply for grant funding. Eligible Applicants are units of local government, IRS Code §501(c)(19) posts or organizations of past or present members of the Armed Forces, IRS Code §501(c)(3) private nonprofit corporations authorized to conduct business in Texas, Texas chapters of IRS Code §501(c)(4) veterans service organizations, and nonprofit organizations authorized to do business in Texas with experience providing services to veterans.

Description. The purpose of this Request for Applications (RFA) is to seek grant applications from Eligible Applicants for General Assistance reimbursement grants using funds from the Fund for Veterans' Assistance (FVA). The TVC is authorized to award grants to Eligible Applicants addressing the needs of Texas veterans and their families. These needs include, but are not limited to: emergency financial assistance; transportation services; legal services, excluding criminal defense; family, child, and supportive services; employment, training/job placement assistance; and development of professional services networks.

The Texas Veterans Commission has currently established the following priorities: widespread distribution of grants across the state; encourage a diversity of services within geographic regions; outstanding grant applications; and the service categories of financial assistance and supportive services. The priorities for this 2017-2018 General Assistance Grant will be outlined in the RFA.

Grant Funding Period. Grants awarded will begin on July 1, 2017, and end on June 30, 2018. All grants are reimbursement grants. Reimbursement will only be made for those expenses that occur within the term of this grant. No pre-award spending is allowed. TVC shall disburse 10% of the awarded grant amount upon execution of the Notice of Grant Award (NOGA).

Grant Amounts. For this solicitation, the minimum grant award will be \$5,000. The maximum grant award for regional projects will be \$300,000. The maximum grant award for statewide projects will be \$500,000.

Number of Grants to be Awarded and Total Available. The anticipated total amount of grant funding available for this award is \$9,000,000. The number of awards made will be contingent upon the amount of funding requested and awarded to Eligible Applicants. This total amount of grant funding is subject to change due to availability of funds.

Selection Criteria. TVC staff will use an eligibility checklist and evaluation rubric to review all applications. All eligible applications will be evaluated and forwarded to the FVA Advisory Committee for its review and consideration. The FVA Advisory Committee will prepare a funding recommendation to be presented to the Commission for action. The Commission makes the final funding decisions based upon the FVA Advisory Committee's funding recommendation. Applications must address all requirements of the RFA to be considered for funding.

TVC is not obligated to approve an application, provide funds, or endorse any application submitted in response to this solicitation. There is no expectation of continued funding. This issuance does not obligate TVC to award a grant or pay any costs incurred in preparing a response.

Requesting the Materials Needed to Complete an Application. All information needed to respond to this solicitation will be posted to the TVC website at <http://tvc.texas.gov/Apply-For-A-Grant.aspx> on or about Monday, August 29, 2016. All applications must be submitted both electronically and in hard copy, as per the posted solicitation guidelines.

Further Information. In order to assure that no prospective applicant may obtain a competitive advantage because of acquisition of information unknown to other prospective applicants; all questions must be submitted via email to grants@tvc.texas.gov. All questions and the written answers will be posted on the TVC website as per the RFA.

Deadline for Receipt of an Application. Applications must be received by TVC by 5:00 p.m. on Thursday, October 27, 2016, at the Stephen F. Austin Building, 1700 N. Congress Avenue, Suite 800, Austin, Texas 78701 to be considered for funding.

TRD-201604202
Charles Catoe
Director, Fund for Veterans' Assistance
Texas Veterans Commission
Filed: August 17, 2016

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Request for Applications Concerning the Texas Veterans Commission Fund for Veterans' Assistance, Housing 4 Texas Heroes Grant Program

Filing Authority. The availability of grant funds is authorized by Texas Government Code, §434.017.

Eligible Applicants. The Texas Veterans Commission (TVC) is requesting applications from organizations eligible to apply for grant funding. Eligible Applicants are units of local government, IRS Code §501(c)(19) posts or organizations of past or present members of the Armed Forces, IRS Code §501(c)(3) private nonprofit corporations authorized to conduct business in Texas, Texas chapters of IRS Code §501(c)(4) veterans service organizations, and nonprofit organizations authorized to do business in Texas with experience providing services to veterans.

Description. The purpose of this Request for Applications (RFA) is to seek grant applications from Eligible Applicants for Housing 4 Texas Heroes reimbursement grants using funds from the Fund for Veterans' Assistance (FVA). The TVC is authorized to award grants to Eligible

Applicants addressing the needs of Texas veterans and their families. These needs include, but are not limited to: homeless Veteran support, Veteran homelessness prevention, temporary assistance to families of Veterans undergoing treatment at Texas medical facilities, and home modification assistance.

The Texas Veterans Commission has currently established the following priorities: widespread distribution of grants across the state; encourage a diversity of services within geographic regions; outstanding grant applications; and the service category of Home Modification Assistance. The priorities for this 2017-2018 Housing 4 Texas Heroes Grant will be outlined in the RFA.

Grant Funding Period. Grants awarded will begin on July 1, 2017, and end on June 30, 2018. All grants are reimbursement grants. Reimbursement will only be made for those expenses that occur within the term of this grant. No pre-award spending is allowed. TVC shall disburse 10% of the awarded grant amount upon execution of the Notice of Grant Award (NOGA).

Grant Amounts. For this solicitation, the minimum grant award will be \$5,000. The maximum grant award will be \$500,000.

Number of Grants to be Awarded and Total Available. The anticipated total amount of grant funding available for this award is \$4,500,000. The number of awards made will be contingent upon the amount of funding requested and awarded to Eligible Applicants. This total amount of grant funding is subject to change due to availability of funds.

Selection Criteria. TVC staff will use an eligibility checklist and evaluation rubric to review all applications. All eligible applications will be evaluated and forwarded to the FVA Advisory Committee for its review and consideration. The FVA Advisory Committee will prepare a funding recommendation to be presented to the Commission for action. The Commission makes the final funding decisions based upon the FVA Advisory Committee's funding recommendation. Applications must address all requirements of the RFA to be considered for funding.

TVC is not obligated to approve an application, provide funds, or endorse any application submitted in response to this solicitation. There is no expectation of continued funding. This issuance does not obligate TVC to award a grant or pay any costs incurred in preparing a response.

Requesting the Materials Needed to Complete an Application. All information needed to respond to this solicitation will be posted to the TVC website at <http://tvc.texas.gov/Apply-For-A-Grant.aspx> on or about Friday, August 29, 2016. All applications must be submitted both electronically and in hard-copy, as per the posted solicitation guidelines.

Further Information. In order to assure that no prospective applicant may obtain a competitive advantage because of acquisition of information unknown to other prospective applicants; all questions must be submitted via email to grants@tvc.texas.gov. All questions and the written answers will be posted on the TVC website as per the RFA.

Deadline for Receipt of an Application. Applications must be received by TVC by 5:00 p.m. on Thursday, November 3, 2016, at the Stephen F. Austin Building, 1700 N. Congress Avenue, Suite 800, Austin, Texas 78701 to be considered for funding.

TRD-201604203

Charles Catoe

Director, Fund for Veterans' Assistance

Texas Veterans Commission

Filed: August 17, 2016

◆ ◆ ◆
Request for Applications Concerning the Texas Veterans Commission Fund for Veterans' Assistance, Veterans Mental Health Grant Program

Filing Authority. The availability of grant funds is authorized by Texas Government Code, §434.017.

Eligible Applicants. The Texas Veterans Commission (TVC) is requesting applications from organizations eligible to apply for grant funding. Eligible Applicants are units of local government, IRS Code §501(c)(19) posts or organizations of past or present members of the Armed Forces, IRS Code §501(c)(3) private nonprofit corporations authorized to conduct business in Texas, Texas chapters of IRS Code §501(c)(4) veterans service organizations, and nonprofit organizations authorized to do business in Texas with experience providing services to veterans.

Description. The purpose of this Request for Applications (RFA) is to seek grant applications from Eligible Applicants for Veterans Mental Health reimbursement grants using funds from the Fund for Veterans' Assistance (FVA). The TVC is authorized to award grants to Eligible Applicants addressing the needs of Texas veterans and their families. These needs include, but are not limited to: clinical counseling services, peer-delivered services, and non-clinical support services.

The Texas Veterans Commission has currently established the following priorities: widespread distribution of grants across the state; encourage a diversity of services within geographic regions; and outstanding grant applications. The priorities for this 2017-2018 Veterans Mental Health Grant will be outlined in the RFA.

Grant Funding Period. Grants awarded will begin on July 1, 2017, and end on June 30, 2018. All grants are reimbursement grants. Reimbursement will only be made for those expenses that occur within the term of this grant. No pre-award spending is allowed. TVC shall disburse 10% of the awarded grant amount upon execution of the Notice of Grant Award (NOGA).

Grant Amounts. For this solicitation, the minimum grant award will be \$5,000. The maximum grant award will be \$500,000.

Number of Grants to be Awarded and Total Available. The anticipated total amount of grant funding available for this award is \$2,000,000. The number of awards made will be contingent upon the amount of funding requested and awarded to Eligible Applicants. This total amount of grant funding is subject to change due to availability of funds.

Selection Criteria. TVC staff will use an eligibility checklist and evaluation rubric to review all applications. All eligible applications will be evaluated and forwarded to the FVA Advisory Committee for its review and consideration. The FVA Advisory Committee will prepare a funding recommendation to be presented to the Commission for action. The Commission makes the final funding decisions based upon the FVA Advisory Committee's funding recommendation. Applications must address all requirements of the RFA to be considered for funding.

TVC is not obligated to approve an application, provide funds, or endorse any application submitted in response to this solicitation. There is no expectation of continued funding. This issuance does not obligate TVC to award a grant or pay any costs incurred in preparing a response.

Requesting the Materials Needed to Complete an Application. All information needed to respond to this solicitation will be posted to the TVC website at <http://tvc.texas.gov/Apply-For-A-Grant.aspx> on or about Friday, August 29, 2016. All applications must be submitted both

electronically and in hard-copy, as per the posted solicitation guidelines.

Further Information. In order to assure that no prospective applicant may obtain a competitive advantage because of acquisition of information unknown to other prospective applicants; all questions must be submitted via email to grants@tvc.texas.gov. All questions and the written answers will be posted on the TVC website as per the RFA.

Deadline for Receipt of an Application. Applications must be received by TVC by 5:00 p.m. on Thursday, November 3, 2016 at the Stephen F. Austin Building, 1700 N. Congress Avenue, Suite 800, Austin, Texas 78701 to be considered for funding.

TRD-201604204

Charles Catoe

Director, Fund for Veterans' Assistance

Texas Veterans Commission

Filed: August 17, 2016



Request for Applications Concerning the Texas Veterans Commission Fund for Veterans' Assistance, Veterans Treatment Court Grant Program

Filing Authority. The availability of grant funds is authorized by Texas Government Code, Section 434.017.

Eligible Applicants. The Texas Veterans Commission (TVC) is requesting applications from units of local government to apply for grant funding. Only units of local government will be considered eligible applicants for this grant.

Description. The purpose of this Request for Applications (RFA) is to seek grant applications from Eligible Applicants for Veterans Treatment Court reimbursement grants using funds from the Fund for Veterans' Assistance (FVA). The TVC is authorized to award grants to Eligible Applicants addressing the needs of Texas veterans and their families.

The Texas Veterans Commission has currently established the following priorities: widespread distribution of grants across the state; encourage a diversity of services within geographic regions; and outstanding grant applications. The priorities for this 2017 - 2018 Veterans Treatment Court Grant will be outlined in the RFA.

Grant Funding Period. Grants awarded will begin on July 1, 2017, and end on June 30, 2018. All grants are reimbursement grants. Reimbursement will only be made for those expenses that occur within the term of this grant. No pre-award spending is allowed. TVC shall disburse 10% of the awarded grant amount upon execution of the Notice of Grant Award (NOGA).

Grant Amounts. For this solicitation, the minimum grant award will be \$5,000. The maximum grant award will be \$500,000.

Number of Grants to be Awarded and Total Available. The anticipated total amount of grant funding available for this award is \$1,500,000. The number of awards made will be contingent upon the amount of funding requested and awarded to Eligible Applicants. This total amount of grant funding is subject to change due to availability of funds.

Selection Criteria. TVC staff will use an eligibility checklist and evaluation rubric to review all applications. All eligible applications will be evaluated and forwarded to the FVA Advisory Committee for its review and consideration. The FVA Advisory Committee will prepare a funding recommendation to be presented to the Commission for action. The Commission makes the final funding decisions based upon

the FVA Advisory Committee's funding recommendation. Applications must address all requirements of the RFA to be considered for funding.

TVC is not obligated to approve an application, provide funds, or endorse any application submitted in response to this solicitation. There is no expectation of continued funding. This issuance does not obligate TVC to award a grant or pay any costs incurred in preparing a response.

Requesting the Materials Needed to Complete an Application. All information needed to respond to this solicitation will be posted to the TVC website at <http://tvc.texas.gov/Apply-For-A-Grant.aspx> on or about Monday, August 29, 2016. All applications must be submitted both electronically and in hard-copy, as per the posted solicitation guidelines.

Further Information. In order to assure that no prospective applicant may obtain a competitive advantage because of acquisition of information unknown to other prospective applicants, all questions must be submitted via email to grants@tvc.texas.gov. All questions and the written answers will be posted on the TVC website as per the RFA.

Deadline for Receipt of an Application. Applications must be received by TVC by 5:00 p.m. on Thursday, November 3, 2016, at the Stephen F. Austin Building, 1700 N. Congress Avenue, Suite 800, Austin, Texas 78701 to be considered for funding.

TRD-201604205

Charles Catoe

Director, Fund for Veterans' Assistance

Texas Veterans Commission

Filed: August 17, 2016



Texas Workforce Investment Council

Executive Committee Public Hearing

September 8, 2016

2:00 p.m.

Senate Finance Committee Room

Room Number E1.012

Texas State Capitol

100 Congress Avenue

Austin, Texas 78701

Wes Jurey, Chair

AGENDA

Pursuant to the responsibilities specified in Texas Government Code, §2308.101(3) and the procedures required by Texas Administrative Code, Title 40, Chapter 901.1, the Executive Committee of the Texas Workforce Investment Council will convene to receive public comment on the proposed redesignation of McMullen County from the Coastal Bend Workforce Development Area to the Alamo Workforce Development Area.

Note:

Testimony will be limited to three minutes. An individual providing oral comments must fill out a witness form prior to the start of the hearing and should therefore arrive early. The Council encourages individuals who provide oral comments to also provide written comments to supplement their testimony. An individual who wishes to register his or her opinion but does not want to provide oral testimony should fill

out a witness form, indicating for or against the proposed redesignation. Written testimony may also be submitted with a witness form.

Staff of the Texas Workforce Investment Council will be on hand to assist members of the public and to collect witness forms and written testimony.

TRD-201604225

Lee Rector

Director

Texas Workforce Investment Council

Filed: August 17, 2016



Workforce Solutions Deep East Texas

Request for Proposals - Independent Auditing Services

The Deep East Texas Local Workforce Development Board, Inc. dba Workforce Solutions Deep East Texas is seeking a qualified entity to provide financial audit services of Federal funds received in the 12-county Deep East Texas region. Anyone interested in submitting a proposal should obtain a copy of the Request for Proposal #16-344 at www.detwork.org or you can request a copy by contacting:

Terry Campbell

Finance Director

539 S. Chestnut, Suite 300

Lufkin, Texas 75901

(936) 639-8898

(936) 633-7491 Fax

Email: tcampbell@detwork.org

Web: www.detwork.org

Deadline for submission of proposal: September 2, 2016 no later than 4:00 p.m.

As a condition of an award under Title I of WIA, the Proposer assures that it will comply fully with the nondiscrimination and equal opportunity provisions as defined by 29 CFR 37.20.

TRD-201604133

Terry Campbell

Finance Director

Workforce Solutions Deep East Texas

Filed: August 12, 2016

