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ADDITION

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

State Office of Administrative Hearings

Notice of Public Hearing

Notice of Public Hearing on Proposed Amendments to 1 TAC Chapter 159, Rules of Procedure for Administrative License Suspension Hearings

The State Office of Administrative Hearings will conduct a public hearing to receive comments from interested persons concerning proposed amendments to 1 Texas Administrative Code Chapter 159, Rules of Procedure for Administrative License Suspension Hearings.

The hearing is scheduled for October 7, 2016, at 10:00 a.m., in Room 404 of the William P. Clements State Office Building, 300 West 15th Street, Austin, Texas 78701.

Any interested person may appear and offer comments or statements, either orally or in writing. Organizations, associations, or groups are encouraged to present their commonly held views or similar comments through a representative member when possible.

Persons who have special communication or other accommodation needs who plan to attend the hearing should contact Susan Gage, Docketing Manager, at (512) 936-0735 or at susan.gage@soah.texas.gov. Requests should be made as far in advance as possible so that appropriate arrangements can be made.

TRD-201604810

Thomas H. Walston

General Counsel

State Office of Administrative Hearings

Filed: September 15, 2016



Texas State Affordable Housing Corporation

Notice of the Implementation of a 2016 Qualified Mortgage Credit Certificate Program by Texas State Affordable Housing Corporation

The Texas State Affordable Housing Corporation (the "Corporation"), a nonprofit corporation organized under the laws of the State of Texas (the "Program Area"), is implementing a qualified mortgage credit certificate program (the "Program") within the Program Area to assist eligible purchasers. A Mortgage Credit Certificate ("MCC") is an instrument designed to assist persons better afford home ownership. The MCC Program allows first-time homebuyers an annual federal income tax credit equal to the lesser of \$2,000 or the credit rate for the MCC multiplied by the amount of interest paid by the holder on a home mortgage loan during each year that they occupy the home as their principal residence.

An eligible purchaser of a residence located within a Program Area may apply to the Corporation for an MCC through a participating lender of his or her choice at the time of purchasing a principal residence and obtaining a mortgage loan from a participating lender.

To be an eligible purchaser to receive an MCC, a purchaser must meet the following criteria:

(1) Be one of the following:

(a) A person living in Texas whose annual household income does not exceed 80% Area Median Family Income (AMFI); or

(b) A full-time Texas classroom teacher, teacher's aide, school librarian, school nurse, school counselor, or an allied health or nursing faculty member whose annual family income does not exceed 100% of AMFI (for families of two persons or less) or 115% of AMFI (for families of three or more persons); or

(c) A full-time paid fire fighter, peace officer, corrections officer, juvenile corrections officer, county jailer, EMS personnel, veteran, or public security officer, working in the State of Texas whose annual family income does not exceed 100% of AMFI (for families of two persons or less) or 115% of AMFI (for families of three or more persons).

Visit www.tsahc.org for a more complete description of the maximum income limits.

(2) The applicant for the MCC cannot have had an ownership interest in his or her principal residence during the three-year period ending on the date the mortgage loan is obtained.

(3) The applicant must intend to occupy the residence with respect to which the MCC is obtained as his or her principal residence within 60 days after the MCC is issued. The MCC issued to an applicant will be revoked if the residence to which the MCC relates ceases to be occupied by the applicant as his or her principal residence.

(4) The MCC cannot be issued to an applicant in conjunction with the replacement or refinancing of an existing mortgage loan. The MCC can, however, be obtained in conjunction with the replacement of a construction period or bridge loan having a term of less than 24 months.

(5) Federal law imposes limitations on the purchase price of homes financed under the program. These limitations are periodically adjusted. Visit www.tsahc.org to view the current maximum purchase prices allowed. Two-family, three-family and four-family residences are also eligible, provided that one of the units will be occupied by the mortgagor as his or her principal residence and that the residence was first occupied for residential purposes at least five years prior to the closing of the mortgage.

Anyone receiving an MCC and selling his or her residence within nine years of the issuance of the MCC may be required to return all or a portion of the tax credit received in connection therewith to the Internal Revenue Service.

To defray the costs of implementing the Program, the Corporation will charge applicants a compliance fee, plus an MCC issuance fee.

The Corporation strongly encourages anyone who believes that he or she qualifies for an MCC to apply at the offices of a participating lender. For more information regarding the Program and its restrictions, including a list of current participating lenders, please contact Joniel Crim, Homeownership Programs Director, at (512) 477-3561 or by email at jcrim@tsahc.org.

TRD-201604880

David Long
President
Texas State Affordable Housing Corporation
Filed: September 21, 2016

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Office of the Attorney General

Notice of Settlement: Chapter 7 of the Texas Water Code

Texas Water Code and Texas Health and Safety Code Settlement Notice
Notice is hereby given by the State of Texas of the following proposed resolution of an environmental enforcement lawsuit under the Texas Water Code and the Texas Health and Safety Code. Before the State may settle a judicial enforcement action under the Texas Water Code, the State shall permit the public to comment in writing on the proposed judgment. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed judgment if the comments disclose facts or considerations that include that the consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Texas Water Code and the Texas Health and Safety Code.

Case Title and Court: *State of Texas v. A.B. Clark, Jr. and A.B. Clark III*; Cause No. D-1-GN-16-002125, in the 345th Judicial District Court, Travis County, Texas.

Nature of the Defendant's Operations: A.B. Clark, Jr. owns property within the Sabine National Forest, near Hemphill in Sabine County. A.B. Clark III disposed of solid waste on the property without authorization from TCEQ. Waste illegally disposed and stored at the property includes cardboard boxes, televisions, refrigerators, speakers, computer components, clothing, and other various household-type waste. A.B. Clark III also burned some of the waste on the property without authorization from TCEQ.

Proposed Agreed Judgment: The Agreed Final Judgment and Permanent Injunction orders Defendants to stop burning waste at the property and stop disposing, storing or accepting additional waste at the property. The Defendants are further ordered to remove and properly dispose of the waste at a facility authorized to accept waste by TCEQ. The Judgment awards the State of Texas civil penalties of \$12,000 and \$3,500 in attorney's fees.

For a complete description of the proposed settlement, the complete proposed Agreed Final Judgment and Permanent Injunction should be reviewed. Requests for copies of the judgment, and written comments on the proposed settlement, should be directed to Ekaterina DeAngelo, Assistant Attorney General, Office of the Attorney General, P.O. Box 12548, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-201604824
Amanda Crawford
General Counsel
Office of the Attorney General
Filed: September 19, 2016

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§303.003, 303.009 and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/26/16 - 10/02/16 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 09/26/16 - 10/02/16 is 18% for Commercial over \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 10/01/16 - 10/31/16 is 5.00% for Consumer/Agricultural/Commercial credit through \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 10/01/16 - 10/31/16 is 5.00% for commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-201604863
Leslie Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: September 20, 2016

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Credit Union Department

Application for a Merger or Consolidation

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

An application was received from Texas Bay Area Credit Union (Houston) seeking approval to merge with The Grocers Supply Employees Credit Union (Houston), with Texas Bay Area Credit Union being the surviving credit union.

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

TRD-201604870
Harold E. Feeney
Commissioner
Credit Union Department
Filed: September 21, 2016

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Application to Amend Articles of Incorporation.

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

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

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

TRD-201604869
Harold E. Feeney
Commissioner
Credit Union Department
Filed: September 21, 2016



Application to Expand Field of Membership

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

An application was received from Tex Mex Credit Union, Laredo, Texas, to expand its field of membership. The proposal would permit persons who live, work, worship or attend school within the geographic boundaries of Webb County, Texas, to be eligible for membership in the credit union.

An application was received from First Service Credit Union, Houston, Texas, to expand its field of membership. The proposal would permit employees and members of the You First Foundation, to be eligible for membership in the credit union.

An application was received from InTouch Credit Union #1, Plano, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school, or work in Clark County, Nevada, to be eligible for membership in the credit union.

An application was received from InTouch Credit Union #2, Plano, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school, or work in Oakland County, Michigan, to be eligible for membership in the credit union.

An application was received from InTouch Credit Union #3, Plano, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school, or work in Fairfax County, Virginia, to be eligible for membership in the credit union.

An application was received from InTouch Credit Union #4, Plano, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school, or work in Loudoun County, Virginia, to be eligible for membership in the credit union.

An application was received from InTouch Credit Union #5, Plano, Texas, to expand its field of membership. The proposal would permit Conference USA student-athletes, faculty, coaches, athletic department administrators and employees, Conference USA employees, and members of their families, to be eligible for membership in the credit union.

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

TRD-201604868
Harold E. Feeney
Commissioner
Credit Union Department
Filed: September 21, 2016



Notice of Final Action Taken

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

Application to Expand Field of Membership - Approved

East Texas Professional Credit Union, Longview, Texas - See *Texas Register* issue dated October 31, 2014.

InTouch Credit Union, Plano, Texas - See *Texas Register* issue dated June 24, 2016.

TRD-201604871
Harold E. Feeney
Commissioner
Credit Union Department
Filed: September 21, 2016



Texas Council for Developmental Disabilities

Request for Proposals: Texas Council for Developmental Disabilities Public Policy Fellows

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for up to two organizations that will each hire and mentor policy fellows. The purpose of these projects is to increase the number of policy professionals in Texas who have the skills, knowledge and experience to engage in policy activities so that people with developmental disabilities have greater control over their own lives. Organizations receiving funding must support fellows to develop a deep understanding of policy affecting people with developmental disabilities. The fellows should also develop the skills to promote self-termination and self-advocacy.

This Request for Proposals (RFP) will remain open throughout the year and applicants may submit proposals at any time. TCDD will review proposals twice a year with deadlines on December 1, 5 p.m. and June 1, 5 p.m. Organizations that apply and are not selected may re-submit the same proposal or submit a new proposal for consideration in the next review period or at a later date.

TCDD has approved funding up to \$67,500 per organization, per year, for up to 2 years. Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 10% of the total project costs are required for projects in federally designated poverty areas. Non-federal matching funds of at least 25% of total project costs are required for projects in other areas.

Additional information concerning this RFP may be obtained at www.DDSuite.org. More information about TCDD may be obtained through TCDD's website at www.tcdd.texas.gov. All questions pertaining to this RFP should be directed in writing to Danny Fikac, Planning Specialist, via email at Danny.Fikac@tcdd.texas.gov. Mr. Fikac may also be reached by telephone at (512) 437-5415.

Deadline: Proposals for the first review must be submitted through www.DDSuite.org by December 1, 2016. For this first selection, proposals will not be accepted after the due date.

TRD-201604900

Beth Stalvey
Executive Director
Texas Council for Developmental Disabilities
Filed: September 21, 2016



Request for Proposals: Youth Leadership Development

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for up to three organizations that will each develop a youth leadership development project. Each project will support at least 150 people with developmental disabilities between 14 and 22 years old to gain and share information, develop skills, and establish personal plans in an experientially based program.

TCDD has approved funding up to \$125,000 per organization, per year, for up to 5 years. Funds available for these projects are provided to TCDD by the U.S. Department of Health and Human Services, Administration on Intellectual and Developmental Disabilities, pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 10% of the total project costs are required for projects in federally designated poverty areas. Non-federal matching funds of at least 25% of total project costs are required for projects in other areas.

Additional information concerning this RFP may be obtained at www.DDSuite.org. More information about TCDD may be obtained through TCDD's website at www.todd.texas.gov. All questions pertaining to this RFP should be directed in writing to Danny Fikac, Planning Specialist, via email at Danny.Fikac@todd.texas.gov. Mr. Fikac may also be reached by telephone at (512) 437-5415.

Deadline: Proposals must be submitted through www.DDSuite.org by November 30, 2016. Proposals will not be accepted after the due date.

TRD-201604901

Beth Stalvey
Executive Director
Texas Council for Developmental Disabilities
Filed: September 21, 2016



Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas 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 October 31, 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 October 31, 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: 1265 LLC; DOCKET NUMBER: 2016-1441-WQ-E; IDENTIFIER: RN109214536; LOCATION: Bullard, Smith County; TYPE OF FACILITY: subdivision construction site; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a Construction General Permit; PENALTY: \$875; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 2616 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: AL-HAMD DIVERSIFIED, L.C. dba C Mart; DOCKET NUMBER: 2016-0729-PST-E; IDENTIFIER: RN102441490; LOCATION: Cypress, Harris 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: \$2,438; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(3) COMPANY: Al's Investments, Incorporated dba Golden Express Truck Stop; DOCKET NUMBER: 2016-1182-PST-E; IDENTIFIER: RN101435592; LOCATION: Alvord, Wise County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank system; PENALTY: \$7,875; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: ANITRIO, INCORPORATED dba Mr. Discount; DOCKET NUMBER: 2016-0715-PST-E; IDENTIFIER: RN102276011; LOCATION: Ennis, Ellis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: Ann Marie Jones and John H. Jones; DOCKET NUMBER: 2016-0834-MLM-E; IDENTIFIER: RN109189027; LOCATION: San Angelo, Tom Green County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) disposal site; RULES VIOLATED: 30 TAC §328.59(b)(1) and §328.60(a) and Texas Health and Safety Code (THSC), §361.112(a), by failing to obtain a scrap tire storage site registration from the executive director prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers on any public or private property; 30 TAC §328.63(c)(1), by failing to obtain a registration to process scrap tires; 30 TAC §111.201 and THSC, §382.085(b), by failing to not cause, suffer, allow, or permit outdoor burning within

the state of Texas; and 30 TAC §330.15(a) and (c), by failing to cause, suffer, allow, or permit the unauthorized disposal of MSW; PENALTY: \$15,174; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(6) COMPANY: ASIL ENTERPRISES INCORPORATED dba Danish Food Mart; DOCKET NUMBER: 2016-1096-PST-E; IDENTIFIER: RN102255296; LOCATION: Clute, Brazoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank system; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: James Baldwin, (512) 239-1337; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: Carl Randle Beard; DOCKET NUMBER: 2015-1335-IHW-E; IDENTIFIER: RN100584291; LOCATION: Odessa, Ector County; TYPE OF FACILITY: unauthorized industrial solid waste storage facility; RULE VIOLATED: 30 TAC §335.4, by failing to not cause, suffer, allow, or permit the unauthorized disposal of industrial hazardous waste; PENALTY: \$11,250; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(8) COMPANY: City of Fort Worth; DOCKET NUMBER: 2016-0658-PST-E; IDENTIFIER: RN100942259; LOCATION: Arlington, Tarrant County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A), (d)(1)(B)(ii), and (iii)(I) 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, and failing to conduct reconciliation of detailed inventory control records at least once each month, in a manner sufficiently accurate to detect a release which equals or exceeds the sum of 1.0 % of the total substance flow-through for the month plus 130 gallons, and failing to conduct daily inventory volume measurements for regulated substance inputs, withdrawals, and the amount still remaining in the tank; 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 regulated substance within 30 days of discovery; PENALTY: \$24,650; Supplemental Environmental Project offset amount of \$19,720; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(9) COMPANY: City of Strawn; DOCKET NUMBER: 2016-0769-PWS-E; IDENTIFIER: RN101424968; LOCATION: Strawn, Palo Pinto County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.117(c)(2)(C), (h), and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and submit the results to the executive director for the January 1, 2013 - December 31, 2015, monitoring period; PENALTY: \$345; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: City of Willow Park; DOCKET NUMBER: 2016-0448-MWD-E; IDENTIFIER: RN101920585; LOCATION: Willow Park, Parker County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0013834001, Permit Conditions Numbers 2(d) and (g),

by failing to prevent unauthorized discharges of wastewater from the collection system into or adjacent to water in the state; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: Claudine Cooksey and John H. Jones; DOCKET NUMBER: 2016-0961-MLM-E; IDENTIFIER: RN109188706; LOCATION: San Angelo, Tom Green County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) disposal site; RULES VIOLATED: 30 TAC §111.201 and Texas Health and Safety Code (THSC), §382.085(b), by failing to not cause, suffer, allow, or permit outdoor burning within the State of Texas; 30 TAC §330.15(a) and (c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of MSW; and 30 TAC §328.59(b)(1) and §328.60(a) and THSC, §361.112(a), by failing to obtain a scrap tire storage site registration prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers; PENALTY: \$11,300; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 698-9674.

(12) COMPANY: COWBOY STAR INCORPORATED dba Berkleys Food Store; DOCKET NUMBER: 2016-0803-PST-E; IDENTIFIER: RN102464971; LOCATION: Brady, McCulloch 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; 30 TAC §334.49(c)(2)(C) and (4)(C), and TWC, §26.3475(d), by failing to inspect the impressed current cathodic protection system at least once every 60 days to ensure the rectifier and other components are operating properly, and 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; 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: \$14,094; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 698-9674.

(13) COMPANY: Eduardo Ramirez dba JJs Southern Express 2; DOCKET NUMBER: 2016-0855-PST-E; IDENTIFIER: RN104409461; LOCATION: Palmview, Hidalgo County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,504; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(14) COMPANY: Iram A. Rashid dba Lilli Food; DOCKET NUMBER: 2016-1295-PST-E; IDENTIFIER: RN101433951; LOCATION: Brownwood, Brown 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 tank for releases at a frequency of at least once every month; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(15) COMPANY: Jose Librado Deleon; DOCKET NUMBER: 2016-0806-MSW-E; IDENTIFIER: RN107742173; LOCATION: San Marcos, Guadalupe County; TYPE OF FACILITY: unauthorized munic-

ipal solid waste (MSW) disposal site; RULE VIOLATED: 30 TAC §330.15(a), by failing to not cause, suffer, allow, or permit the unauthorized disposal of MSW; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(16) COMPANY: KELLY-MOORE PAINT COMPANY, INCORPORATED; DOCKET NUMBER: 2016-0735-IHW-E; IDENTIFIER: RN100219112; LOCATION: Hurst, Tarrant County; TYPE OF FACILITY: paint manufacturing facility; RULES VIOLATED: 30 TAC §335.2(b), by failing to not cause, suffer, allow, or permit, the unauthorized disposal of industrial solid waste; and 30 TAC §335.6(c), by failing to notify the TCEQ regarding the facility's generator status and update the Notice of Registration to include waste management units for each waste stream generated at the facility; PENALTY: \$3,291; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(17) COMPANY: LAKEOAK ENTERPRISE INCORPORATED dba The Korner Store; DOCKET NUMBER: 2016-1184-PST-E; IDENTIFIER: RN102029956; LOCATION: San Antonio, Bexar 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: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(18) COMPANY: Lone Star NGL Fractionators LLC; DOCKET NUMBER: 2016-0773-AIR-E; IDENTIFIER: RN106018260; LOCATION: Baytown, Chambers County; TYPE OF FACILITY: natural gas processing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.145(2)(A), Federal Operating Permit (FOP) Number O3586, General Terms and Conditions (GTC), and Texas Health and Safety Code (THSC), §382.085(b), by failing to report all instances of deviations; 30 TAC §122.143(4) and §122.145(2)(C), FOP Number O3586, GTC, and THSC, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of the reporting period; 30 TAC §122.143(4) and §122.146(1), FOP Number O3586, Special Terms and Conditions (STC) Number 12, and THSC, §382.085(b), by failing to certify compliance for at least each 12-month period following initial permit issuance; and 30 TAC §116.615(2) and §122.143(4), FOP Number O3586, STC Number 10, Standard Permit Registration Number 93813, and THSC, §382.085(b), by failing to comply with maximum allowable emissions rates; PENALTY: \$51,113; Supplemental Environmental Project offset amount of \$20,445; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(19) COMPANY: Neches Construction, Incorporated; DOCKET NUMBER: 2016-1420-WQ-E; IDENTIFIER: RN109249540; LOCATION: Chandler, Henderson County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a Construction General Permit; PENALTY: \$875; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 2616 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(20) COMPANY: Our Country Homes, Incorporated dba The Resort on Eagle Mountain Lake; DOCKET NUMBER: 2016-1504-WQ-E; IDENTIFIER: RN109130591; LOCATION: Hurst, Tarrant County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a Construction General Permit;

PENALTY: \$875; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(21) COMPANY: ROZI BUSINESS, INCORPORATED dba Step N Go; DOCKET NUMBER: 2016-1017-PST-E; IDENTIFIER: RN102280955; LOCATION: Texas City, Galveston County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.242(d)(3)(E) and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain the Stage II vapor recovery system in proper operating condition, as specified by the manufacturer and/or any applicable California Air Resources Board Executive Order, and free of defects that would impair the effectiveness of the system; 30 TAC §115.245(2) and THSC, §382.085(b), by failing to verify proper operation of the Stage II equipment at least once every 12 months and the Stage II vapor space manifolding and dynamic back pressure at least once every 36 months, or upon major system replacement or modification, whichever occurs first; 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; and 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), 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; PENALTY: \$7,935; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(22) COMPANY: Signor Farm and Ranch, L.P. and Stratton Oilfield Systems Texas LLC; DOCKET NUMBER: 2016-0461-WQ-E; IDENTIFIER: RN108856782; LOCATION: Carrizo Springs, Dimmitt County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.1(b)(2), §305.42(a), and TWC, §26.121(a)(1), by failing to obtain authorization to discharge municipal waste into or adjacent to any water in the State; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(23) COMPANY: Southern Foods Group, LLC dba Hygeia Dairy; DOCKET NUMBER: 2016-0995-PST-E; IDENTIFIER: RN102437126; LOCATION: McAllen, Hidalgo County; TYPE OF FACILITY: 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 tank for releases at a frequency of at least once every month; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(24) COMPANY: SOUTHSIDE INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORPORATION; DOCKET NUMBER: 2016-1147-PST-E; IDENTIFIER: RN101766210; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tank (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; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(25) COMPANY: Sparkle Development, L.L.C. dba One Stop Fuel; DOCKET NUMBER: 2014-1786-PST-E; IDENTIFIER: RN102402179; LOCATION: Dallas, Dallas 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: \$2,438; ENFORCEMENT COORDINATOR: Tiffany Maurer, (512) 239-2696; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(26) COMPANY: Swapna Enterprises Incorporated dba Casstevens Cash and Carry; DOCKET NUMBER: 2016-1156-PST-E; IDENTIFIER: RN101845618; LOCATION: Lillian, Johnson 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 tank for releases at a frequency of at least once every month; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3425; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(27) COMPANY: Texas Municipal Power Agency; DOCKET NUMBER: 2016-0925-AIR-E; IDENTIFIER: RN100214550; LOCATION: Anderson, Grimes County; TYPE OF FACILITY: power plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Texas Health and Safety Code, §382.085(b), and Federal Operating Permit Number O83, General Terms and Conditions, by failing to submit a Permit Compliance Certification no later than 30 days after the end of the certification period; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Molly Ellsworth, (512) 239-2296; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

TRD-201604862

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: September 20, 2016



Aviso De Reunión Informativa Sobre Renovación Del Registro De Permiso Estándar De Calidad De Aire Por Integrity Ready Mix Concrete, LLC Registro De Calidad De Aire Núm. 78606

SOLICITUD. Integrity Ready Mix Concrete LLC ha solicitado de la Comisión de Calidad Ambiental de Texas (TCEQ, por sus siglas en inglés) la renovación del Registro Núm. 78606, para un Permiso Estándar de Calidad de Aire de Plantas Mezcladoras de Concreto (Air Quality Standard Permit for Concrete Batch Plants), que autorizaría la operación continua de una Planta Mezcladora de Concreto ubicada en 2219 Hartwick Road, Houston, Harris County, Texas 77093. Este enlace a un mapa electrónico de la ubicación general de la instalación se ofrece como una cortesía pública y no como parte de la solicitud o aviso. Para la ubicación exacta, consulte la solicitud. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.885277&lng=-95.351388&zoom=13&type=r>. La instalación existente está autorizada para emitir los siguientes contaminantes del aire: material particulado incluyendo (pero no limitado a) polvo de agregado, cemento o de camino con diámetros de 10 micrones o menos y de 2.5 micrones o menos.

Esta solicitud se presentó a la TCEQ el 4 de mayo del 2016. La solicitud está disponible para ver y copiar en la oficina central de la TCEQ, la oficina regional de la TCEQ en Houston y la Harris County Public Library - High Meadows Branch, 4500 Aldine Mail Route, Houston, Harris County, Texas. El archivo de cumplimiento de la instalación, si es que existe, está disponible para revisión pública en la oficina regional de la TCEQ en Houston.

El director ejecutivo ha determinado que la solicitud está administrativamente completa y realizará una evaluación técnica de la solicitud. Información contenida en la solicitud indica que esta renovación de permiso no resultaría en un aumento de las emisiones permitidas ni en la emisión de un contaminante del aire que no haya sido emitido previamente.

La TCEQ realizará una reunión informativa para responder a preguntas y discutir la solicitud. La reunión se llevará a cabo el día:

Martes, 11 de octubre, 2016, a las 18:30 horas

Los Alcatraces Reception Hall

11939 Eastex Freeway

Houston, Texas 77039

INFORMACIÓN. Para obtener más información sobre esta solicitud para permiso o el proceso de permisos, por favor llame al Programa de Educación del Público, sin costo, al (800) 687-4040. Puede encontrar información general en nuestro sitio web, en www.tceq.texas.gov. Para información en español, llame al (800) 687-4040.

Las personas con discapacidad que necesiten adaptaciones especiales en la reunión deben llamar a la Oficina del Secretario Oficial al (512) 239-3300 o al (800) RELAY-TX (TDD; para sordos) por lo menos una semana antes de la reunión.

Emitido: 16 de septiembre de 2016

TRD-201604876

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016



Enforcement Orders

An agreed order was adopted regarding Robert Engelhardt dba Robin's Trucking, Docket No. 2015-1194--WQ-E on September 20, 2016, assessing \$5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Gregory W. Dickerson d/b/a Westside Shell, Docket No. 2015-1199-PST-E on September 20, 2016, assessing \$4,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting J. Amber Ahmed, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kenneth M. Ivey, Docket No. 2015-1667-LII-E on September 20, 2016, assessing \$936 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ian Groetsch, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Paul Manley and Lindsey Manley, Docket No. 2015-1699-MSW-E on September 20, 2016, assessing \$1,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Lieberknecht, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding BZSTAR'S 2, INC. d/b/a EZ Trip 2, Docket No. 2016-0224-PST-E on September 20, 2016, assessing \$6,375 in administrative penalties. Information concerning any as-

pect of this order may be obtained by contacting Eric Grady, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Randy O'Neal, Docket No. 2016-0273-MSW-E on September 20, 2016, assessing \$1,312 in administrative penalties with \$262 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 Red Ewald, Inc., Docket No. 2016-0275-AIR-E on September 20, 2016, assessing \$3,563 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Harkrider, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding WATER NECESSITIES, INC. dba Countrywood Water System, Docket No. 2016-0322-PWS-E on September 20, 2016, assessing \$388 in administrative penalties with \$77 deferred. Information concerning any aspect of this order may be obtained by contacting Jim 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 JUSRYN COMPANY, INC., Docket No. 2016-0400-PWS-E on September 20, 2016, assessing \$504 in administrative penalties with \$100 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 City of Midland, Docket No. 2016-0636-PST-E on September 20, 2016, assessing \$2,813 in administrative penalties with \$562 deferred. Information concerning any aspect of this order may be obtained by contacting Epifanio Villareal, 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 COUNCIL CREEK VILLAGE, INC., Docket No. 2016-0646-PWS-E on September 20, 2016, assessing \$120 in administrative penalties with \$24 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 LBM & M LLC dba CJs Convenience, Docket No. 2016-0701-PST-E on September 20, 2016, assessing \$4,254 in administrative penalties with \$850 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 RAKIN, LLC dba TRI-STOP, Docket No. 2016-0727-PST-E on September 20, 2016, assessing \$2,807 in administrative penalties with \$561 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 Sherman, Docket No. 2016-0813-PST-E on September 20, 2016, assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Sandra Douglas, En-

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

A field citation was adopted regarding Gabriel Rodriguez, Docket No. 2016-1165-WOC-E on September 20, 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.

An agreed order was adopted regarding City of Hale Center, Docket No. 2014-0019-MLM-E on September 21, 2016, assessing \$65,363 in administrative penalties with \$65,363 deferred. Information concerning any aspect of this order may be obtained by contacting Caleb Olson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default and shutdown order was adopted regarding Alauddin Investments, Inc. d/b/a Kwik Trip Food Store 2, Docket No. 2015-0701-PST-E on September 21, 2016, assessing \$19,687 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Lieberknecht, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Daniel R. Soto and Drs Rock Materials, LLC, Docket No. 2015-0824-WQ-E on September 21, 2016, assessing \$10,000 in administrative penalties with \$2,000 deferred. Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of San Marcos, Docket No. 2015-1605-MWD-E on September 21, 2016, assessing \$9,000 in administrative penalties with \$1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding IESI Tx Landfill LP, Docket No. 2015-1686-MSW-E on September 21, 2016, assessing \$7,875 in administrative penalties with \$1,575 deferred. Information concerning any aspect of this order may be obtained by contacting Margarita Dennis, 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 Arlington, Docket No. 2016-0012-MWD-E on September 21, 2016, assessing \$26,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Farhaudd Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Kingsville, Docket No. 2016-0021-MWD-E on September 21, 2016, assessing \$24,438 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Melissa Castro, 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 Laredo, Docket No. 2016-0082-PWS-E on September 21, 2016, assessing \$1,491 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jim 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 City of Poteet, Docket No. 2016-0103-MWD-E on September 21, 2016, assessing \$10,063 in administrative penalties with \$2,012 deferred. Information concerning any aspect of this order may be obtained by contacting Alex Laje, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Zavalla, Docket No. 2016-0129-PWS-E on September 21, 2016, assessing \$298 in administrative penalties. 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 Targa Downstream LLC, Docket No. 2016-0130-AIR-E on September 21, 2016, assessing \$10,125 in administrative penalties with \$2,025 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 Harris County Municipal Utility District No. 71, Docket No. 2016-0166-MWD-E on September 21, 2016, assessing \$35,937 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Melissa Castro, 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 Grapevine, Docket No. 2016-0199-WQ-E on September 21, 2016, assessing \$9,062 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Melissa Castro, 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 A & K Enterprises, Inc. dba Country Food Store, Docket No. 2016-0301-PST-E on September 21, 2016, assessing \$13,794 in administrative penalties with \$2,758 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 Orion Engineered Carbons LLC, Docket No. 2016-0324-AIR-E on September 21, 2016, assessing \$16,650 in administrative penalties with \$3,330 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.

TRD-201604890
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 21, 2016



Notice of Hearing

NANTUCKET HOUSING, LLC

SOAH Docket No. 582-16-5930

TCEQ Docket No. 2016-0787-MWD

Permit No. WQ0015381001

APPLICATION.

Nantucket Housing, LLC, 9219 Katy Freeway, Suite 264, Houston, Texas 77024, a land developer, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015381001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 55,000 gallons per day. TCEQ received this application on May 7, 2015.

The facility will be located at 12321 Huffmeister Road, Cypress, in Harris County, Texas 77429. The treated effluent will be discharged to an enclosed stormwater pipe; thence to Cypress Creek in Segment No. 1009 of the San Jacinto River Basin. The designated uses for Segment No. 1009 are high aquatic life use, public water supply, 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 Cypress Creek, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

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 Harris County Public Library, Northwest Branch, 11355 Regency Green Drive, Cypress, 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=29.952777&lng=-95.634444&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

City of Houston - City Hall Annex Chamber

900 Bagby Street, Public Level

Houston, Texas 77002

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 August 9, 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 Nantucket Housing, LLC at the address stated above or by calling Ms. Katherine Hallaway, P.E., Brown & Gay Engineers, Inc., at (281) 558-8700.

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: September 13, 2016

TRD-201604877

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016



Notice of Hearing

CITY OF DALLAS

SOAH Docket No. 582-17-0196

TCEQ Docket No. 2016-0049-WR

Certificate of Adjudication No. 08-24621

APPLICATION.

The City of Dallas, Applicant, 1500 Marilla Street, Room 4AN, Dallas, Texas 75201, seeks an amendment pursuant to Texas Water Code §11.122 and Texas Commission on Environmental Quality Rules 30 Texas Administrative Code (TAC) §295.1, *et seq.*

The City of Dallas has applied to amend Certificate of Adjudication No. 08-2462 to increase the diversion amount and the maximum combined diversion rate from the perimeter of Lake Ray Hubbard on the East Fork Trinity River, Trinity River Basin in Dallas, Kaufman, Rockwall, and Collin Counties.

Certificate of Adjudication No. 08-2462 authorizes the City of Dallas to maintain an existing dam and reservoir (Lake Ray Hubbard) on the East Fork Trinity River, tributary of the Trinity River, Trinity River Basin, in Dallas, Kaufman, Rockwall, and Collin Counties, and to impound therein 490,000 acre-feet of water. Owner is also authorized to divert and use not to exceed 89,700 acre-feet of water per year at a maximum combined diversion rate of 619 cfs (277,807 gpm) from the perimeter of Lake Ray Hubbard and other points for municipal, industrial, agricultural (irrigation), mining, domestic, recreation, instream, livestock, and hydroelectric power generation purposes. Multiple special conditions apply.

Applicant seeks to amend Certificate of Adjudication No. 08-2462 to increase diversion and use of water from Lake Ray Hubbard by 119,600 acre-feet of water per year, from 89,700 acre-feet of water per year to 209,300 acre-feet of water per year, from the perimeter of Lake Ray Hubbard and other points authorized for diversion for the authorized multiple purposes, being municipal, industrial, agricultural (irrigation), mining, domestic, recreation, instream, livestock, and hydroelectric power generation.

Applicant also seeks to increase the authorized maximum combined diversion rate from Lake Ray Hubbard by 836 cfs (375,197 gpm), from 619 cfs (277,807 gpm) to 1,455 cfs (653,004 gpm). No increase in storage is requested.

Applicant originally requested that the additional diversion of 119,600 acre-feet of water per year include 49,600 acre-feet of additional firm water and 70,000 acre-feet of water per year that is available on a less than firm basis. Applicant stated that the additional appropriation of water is based on adjustment of the naturalized flows in the Trinity WAM to reflect "the increase in runoff that would have occurred over the historical period had today's level of development been there."

Applicant subsequently revised the application, after notice was issued, to seek only an additional appropriation of 119,000 acre-feet of non-firm water per year which is not based on an adjustment to the naturalized flows. Staff's recommendation is based on the revised application.

The application and partial fees were received on July 11, 2007, and additional information and fees were received on April 11, and April 30, 2008. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on June 6, 2008.

CONTESTED CASE HEARING.

SOAH will conduct a preliminary hearing on this application at:

10:00 a.m. - November 14, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 11, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 Texas Administrative Code (TAC) Chapter 80 and 1 TAC Chapter 155.

The applicant is automatically a party in this hearing. If anyone else wishes to be a party to the hearing, he or she must attend the hearing and show how he or she 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 any person may 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 <http://www.tceq.texas.gov/>.

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: September 20, 2016

TRD-201604873

Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: September 21, 2016

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Notice of Informational Meeting on Air Quality Standard Permit

REGISTRATION RENEWAL

BY INTEGRITY READY MIX CONCRETE, LLC

AIR QUALITY REGISTRATION NO. 78606

APPLICATION. Integrity Ready Mix Concrete LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for renewal of Registration No. 78606, for an Air Quality Standard Permit for Concrete Batch Plants, which would authorize continued operation of a Concrete Batch Plant located at 2219 Hartwick Road, Houston, Harris County, Texas 77093. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.885277&lng=-95.351388&zoom=13&type=r>. The existing facility is authorized to emit the following air contaminants: particulate matter including (but not limited to) aggregate, cement, road dust, and particulate matter with diameters of 10 microns or less and 2.5 microns or less.

This application was submitted to the TCEQ on May 4, 2016. The application is available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and the Harris County Public Library - High Meadows Branch, 4500 Aldine Mail Route, Houston, Harris County, Texas. The facility's compliance file, if any exists, is available for public review in the Houston regional office of the TCEQ.

The executive director has determined the application is administratively complete and will conduct a technical review of the application. Information in the application indicates that this permit renewal would not result in an increase in allowable emissions and would not result in the emission of an air contaminant not previously emitted.

The TCEQ will conduct an informational meeting to answer questions and discuss the application. The meeting will be held:

Tuesday, October 11, 2016 at 6:30 PM

Los Alcatrazes Reception Hall

11939 Eastex Freeway

Houston, Texas 77039

INFORMATION. For more information about this permit application or the permitting process, please call the Public Education Program toll free at (800) 687-4040. General information can be found at our web site at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

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

Issued: September 16, 2016

TRD-201604875

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016

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Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of

BRIAN FABRE DBA FAY BEN MOBILE HOME PARK

SOAH Docket No. 582-17-0145

TCEQ Docket No. 2015-1688-PWS-E

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

10:00 a.m. - October 13, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed June 28, 2016 concerning assessing administrative penalties against and requiring certain actions of Brian Fabre dba Fay Ben Mobile Home Park, for violations in Lubbock County, Texas, of: Tex. Water Code §5.702, Tex. Health & Safety Code §341.033(a), and 30 Tex. Admin. Code §§290.41(c)(3)(O), 290.46(e)(4)(A), 290.51(a)(6), 290.106(c), 290.109(c)(4)(B), 290.110(e)(4)(A) and (f)(3), 290.117(c)(2)(B) and (i)(1), 290.122(c)(2)(A) and (f), 290.271(b) and 290.274(a) and (c).

The hearing will allow Brian Fabre dba Fay Ben Mobile Home Park, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Brian Fabre dba Fay Ben Mobile Home Park, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of Brian Fabre dba Fay Ben Mobile Home Park to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** Brian Fabre dba Fay Ben Mobile Home Park, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code ch. 5 and Tex. Health & Safety Code ch. 341 and 30 Tex. Admin. Code chs. 70 and 290; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §70.108 and §70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

Further information regarding this hearing may be obtained by contacting Adam Taylor, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting

Vic McWherter, Public Interest Counsel, Mail Code 103, at the same P. O. Box address given above, or by telephone at (512) 239-6363.

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

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

Issued: September 14, 2016

TRD-201604872

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of

DARIO V. GUERRA, III D/B/A DERBY ING

SOAH Docket No. 582-17-0146

TCEQ Docket No. 2015-1280-PWS-E

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

10:00 a.m. - October 13, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed July 14, 2016 concerning assessing administrative penalties against and requiring certain actions of Dario V. Guerra, III d/b/a DERBY ING, for violations in Frio County, Texas, of: Tex. Health & Safety Code §341.033(d), Tex. Water Code §5.702, and 30 Tex. Admin. Code §§290.51(a)(6), 290.109(c)(2)(A)(ii), 290.110(e)(4)(A) and (f)(3), 290.117(c)(2)(B) and (i)(1), 290.122(c)(2)(A) and (f), and 291.76.

The hearing will allow Dario V. Guerra, III d/b/a DERBY ING, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Dario V. Guerra, III d/b/a DERBY ING, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an

evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of Dario V. Guerra, III d/b/a DERBY ING to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** Dario V. Guerra, III d/b/a DERBY ING, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Health & Safety Code ch. 341, Tex. Water Code chs. 5 and 13, and 30 Tex. Admin. Code chs. 70, 290, and 291; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §70.108 and §70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

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

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

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

Issued: September 14, 2016

TRD-201604874

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016



Notice of Public Meeting and Notice of Application and Preliminary Decision for an Air Quality Permit

Proposed Permit Number: 139561

APPLICATION AND PRELIMINARY DECISION. TEXAS LNG BROWNSVILLE LLC, 2800 North Loop West Suite 910, Houston, Texas 77092-8838, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit Number 139561, which would authorize construction of a LNG export terminal located east from Brownsville on State Highway 48. The applicant provided the following directions to the site: From the intersection of State Highway 48 and State Highway 550 continue on State Highway 48 for 12.2 miles, the gate to the location is on the right, Brownsville, Cameron County, Texas 78521. This application was submitted to the TCEQ on March 24, 2016. The proposed facility

will emit the following contaminants: nitrogen oxides, carbon monoxide, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less, sulfur dioxide, and hazardous air pollutants, including, but not limited to hydrogen sulfide.

The executive director has completed the technical review of the application and 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 to issue the permit because it meets all rules and regulations. The permit application, executive director's preliminary decision, and draft permit will be available for viewing and copying at the TCEQ central office, the TCEQ Harlingen regional office, and at the Port Isabel Public Library, 213 Yturria Street, Port Isabel, Cameron County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas.

PUBLIC COMMENT/PUBLIC MEETING. The TCEQ will hold a public meeting for this application. You may submit public comments on this application or request a contested case hearing to the TCEQ Office of the Chief Clerk at the address below. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. A public meeting is not a contested case hearing. The TCEQ will consider all public comments in developing a final decision on the application.

The public meeting will consist of two parts, an Informal Discussion Period and a Formal Comment Period. During the Informal Discussion Period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application. However, informal comments made during the Informal Discussion Period will not be considered by the TCEQ Commissioners before reaching a decision on the permit and no formal response will be made to the informal comments. During the Formal Comment Period, members of the public may state their formal comments into the official record. A written response to all formal comments will be prepared by the Executive Director and considered by the Commissioners before they reach a decision on the permit. A copy of the response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this application and who provides a mailing address. Only relevant and material issues raised during the formal comment period can be considered if a contested case hearing is granted.

The Public Meeting is to be held:

Tuesday, October 11, 2016, at 7:00 p.m.

The Historic Brownsville Museum

641 E. Madison St.

Brownsville, Texas 78520

You may submit additional written public comments within 30 days of the date of newspaper publication of this notice in the manner set forth in the AGENCY CONTACTS AND INFORMATION paragraph below.

After the deadline for public comment, the executive director will consider the comments and prepare a response to all public comment. **The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application.**

OPPORTUNITY FOR A CONTESTED CASE HEARING. A contested case hearing is a legal proceeding similar to a civil trial in a state district court. A person who may be affected by emissions of air contaminants from the facility is entitled to request a hearing. A contested

case hearing request must include the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number; (2) applicant's name and permit number; (3) the statement "I/we request a contested case hearing;" (4) a specific description of how you would be adversely affected by the application and air emissions from the facility in a way not common to the general public; (5) the location and distance of your property relative to the facility; (6) a description of how you use the property which may be impacted by the facility; and (7) a list of all disputed issues of fact that you submit during the comment period. If the request is made by a group or association, one or more members who have standing to request a hearing must be identified by name and physical address. The interests the group or association seeks to protect must also be identified. You may also submit your proposed adjustments to the application/permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing within 30 days following this notice to the Office of the Chief Clerk, at the address provided in the information section below.

A contested case hearing will only be granted based on disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decisions on the application. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. Issues that are not submitted in public comments may not be considered during a hearing.

EXECUTIVE DIRECTOR ACTION. A timely hearing request has been received by the TCEQ. However, if all timely contested case hearing requests have been withdrawn and no additional comments are received, the executive director may issue final approval of the application. The response to comments, along with the executive director's decision on the application will be mailed to everyone who submitted public comments or is on a mailing list for this application, and will be posted electronically to the Commissioners' Integrated Database (CID). If all timely hearing requests are not withdrawn, the executive director will not issue final approval of the permit and will forward the application and requests to the Commissioners for their consideration at a scheduled commission meeting.

INFORMATION AVAILABLE ONLINE. When they become available, the executive director's response to comments and the final decision on this application will be accessible through the Commission's Web site at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application which is provided at the top of this notice. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=26.040833&lng=-97.2325&zoom=13&type=r>

MAILING LIST. You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/about/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application or the permitting process, please call the Public Education Program toll free at 1 (800) 687-4040. Si desea información en español, puede llamar al 1 (800) 687-4040.

Further information may also be obtained from TEXAS LNG BROWNSVILLE LLC at the address stated above or by calling Mr. David Glessner, General Manager Permitting at (713) 820-9607.

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

Notice Issuance Date: September 15, 2016

TRD-201604878

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016



Notice of Water Rights Application

Notice issued September 15, 2016

APPLICATION NO. 12026A; Pursuant to an Alternate Source of Water Contract with Angelina and Neches River Authority, the City of Tyler, 212 W. Bonner, Tyler, TX 75710, Applicant, seeks to amend Water Use Permit No. 12026 to increase the storage capacity of the proposed reservoir on an unnamed tributary of West Mud Creek, Neches River Basin in Smith County. Water Use Permit No. 12026 authorizes the City of Tyler, Permittee, to construct and maintain a dam and reservoir on an unnamed tributary of West Mud Creek, tributary of Mud Creek, tributary of the Angelina River, tributary of the Neches River, Neches River Basin and impound therein not to exceed 9.98 acre-feet of water for recreational purposes in Smith County. The application and partial fees were received on June 30, 2014. Additional information and fees were received on September 17, 2014, December 31, 2014, April 24, 2015, and July 31, 2015. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 17, 2015. The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would include special conditions, including but not limited to maintaining an alternate source of water. The application, technical memoranda, and Executive Director's draft amendment are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

INFORMATION SECTION

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

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

The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement (I/we) request a contested case hearing; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested applica-

tion which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below.

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

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

Issued in Austin, Texas on September 20, 2016

TRD-201604879

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 21, 2016



Texas Ethics Commission

List of Late Filers

Below is a list from the Texas Ethics Commission of names of filers who did not file a report or failed to pay penalty fines for late reports in reference to the listed filing deadline. If you have any questions, you may contact Michelle Gonzales at (512) 463-5800.

Deadline: Semiannual Report due July 15, 2016, for Candidates

Rhetta A. Bowers, 3526 Lakeview Pkwy., Ste. B, #212, Rowlett, Texas 75088

Kimberly De La Garza Solar, 109 W. Court, Seguin, Texas 78155

Deadline: Monthly Report due June 6, 2016, for Committees

Keith A. Houser, Citizens for Property Rights, P.O. Box 93476, Southlake, Texas 76092-0114

Deadline: Monthly Report due July 5, 2016, for Committees

Keith A. Houser, Citizens for Property Rights, P.O. Box 93476, Southlake, Texas 76092-0114

Adam Pacheco, Associated General Contractors of El Paso PAC, 120 Paragon, Ste. 101, El Paso, Texas 79912

Regina A. Tyroch, Whistle Political Action Committee Incorporated d/b/a Whistle PAC, 17424 W. Grand Pkwy., Ste. 160, Sugar Land, Texas 77479

Deadline: Semiannual Report due January 15, 2016, for Committees

Roberto Alvarez, Houston Turnout Project Super PAC, P.O. Box 3104, Houston, Texas 77253

Deadline: Semiannual Report due July 15, 2016, for Committees

Roberto Alvarez, Houston Turnout Project Super PAC, P.O. Box 3104, Houston, Texas 77253

Chad B. Baker, Housing First Texas Political Action Committee, 511 N. Akard 302, Dallas, Texas 75201

Brandy J. Dougan, Politics Hub, 2250 Tradewind Dr., #32, Mesquite, Texas 75150-3210

Ateja N. Dukes, Dawwna Dukes Campaign, 5224 Marymount Dr., Austin, Texas 78723

Aaron M. Duval, Travis County District 4 PAC Fund, P.O. Box 41601, Austin, Texas 78704

Amy B. Easley, Vote FOR Our Kids PAC, 111 E. Cunningham St., Bonham, Texas 75418

William Elliott, Texas Card Players Association Political Action Committee, P.O. Box 26176, Austin, Texas 78755-0176

Kathy C. Flores, Lubbock Tejano Democrats, 2606 Purdue, Lubbock, Texas 79415

Susan R. Fowler, Texas Motion Picture Alliance PAC, 4809 Comal St., Pearland, Texas 77581

Jein Gadson, KEY PAC, 2429 Bissonnet, Ste. 106, Houston, Texas 77005

Lydia B. Garza, American Protection Specialists - PAC, 203 S. 10th Ave., Edinburg, Texas 78539

Michael Gibson, Three Amigos, 911 Millpond Dr., Sugar Land, Texas 77398

Mark Anthony Guerra, Del Rio Police Officers' Association Political Action Committee, 86 Tamara Ln., Del Rio, Texas 78840

Elizabeth Guerrero, Guadalupe County Republican Women's Club, 165 Castlewood Dr., Seguin, Texas 78155

Sandra M. Hernandez, Advancing Cameron County, 4208 Boca Bay Dr., Dallas, Texas 75244

Renee Hollingsworth, Common Ground Texas, 316 S. Montreal Ave., Dallas, Texas 75208

Deadline: Lobby Activities Report due January 11, 2016

Jeffrey Brooks, P.O. Box 2659, Austin, Texas 78768

Ana Rodriguez DeFrates, P.O. Box 6580, Austin, Texas 78762

Matthew Haertner, 12885 Research Blvd., Ste. 204, Austin, Texas 78750

Deadline: Lobby Activities Report due April 11, 2016

Adam Goldman, 919 Congress Ave., Ste. 425, Austin, Texas 78701

Deadline: Lobby Activities Report due May 10, 2016

Adam Goldman, 919 Congress Ave., Ste. 425, Austin, Texas 78701

Deadline: Lobby Activities Report due June 10, 2016

Adam Goldman, 919 Congress Ave., Ste. 425, Austin, Texas 78701

Deadline: Personal Financial Statement Report due July 1, 2016

Rebecca Bell-Metereau, 1931 Los Santos Drive, San Marcos, Texas 78666-2763

John Davis, IV, 1107 Goliad Avenue, Richmond, Texas 77469-1624

Thomas E. Freeman, 3011 Hwy 30 W., Ste. 101-213, Huntsville, Texas 77340

Wesley Ward, 201 Caroline 13th Floor, Houston, Texas 77002

TRD-201604813

Natalia Luna Ashley

Executive Director

Texas Ethics Commission

Filed: September 15, 2016

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General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 Federal Register pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of August 22, 2016, through September 19, 2016. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, September 23, 2016. The public comment period for this project will close at 5:00 p.m. on Sunday, October 23, 2016.

FEDERAL AGENCY ACTIONS:

Applicant: S&G Marina, LLC

Location: 101 Skipper Lane, Laguna Madre, Nueces County

Project Description: This review is for an amendment to Standard Permit SWG-2007-01222, originally issued 2 July 2009 and expired 31 December 2014. None of the work or mitigation authorized under the previous permit authorization was conducted. The applicant has amended his permit request to construct new marina facilities and maintenance dredge an existing marina basin and entrance channel located on the Laguna Madre. Project site facilities will include a 79,000-square-foot boat dry stack storage facility, a 3,200-square-foot office/retail/restroom building, a 2,500-square-foot maintenance building, a 3,000-square-foot caretaker residence, a fish cleaning station, parking areas, and an entrance gate structure, all to be constructed within uplands on the property. The existing marina basin covers approximately 1.1 acres and both the marina basin and channel will be mechanically dredged to a depth of -4 feet mean lowest low water (MLLW). The marina entrance and channel will be improved to a width of 30 feet along the entire channel length of approximately 1,800 feet. Existing water depths within the channel range from approximately -3 to greater than -5 feet MLLW. The primary area of dredging is located between the beginning of the channel at the basin and out to 900 feet from the basin. Between 900 and 1,600 feet from the basin, the depth is greater than -4 feet MLLW except in small, isolated areas that may require a small amount of dredging. Between 1,600 and 1,800 feet from the basin, the depth is slightly less than -4 feet MLLW and may require more extensive dredging. Approximately 3,300 cubic yards of material will be removed from the basin and 1,000 cubic yards from the entrance channel. Seagrass beds are located adjacent to the existing channel but no seagrasses were noted in the marina basin or channel based on a survey performed by the agent. Turbidity curtains will be used during dredging operations to protect adjacent seagrass beds. Dredging is planned to be conducted between October and January to coincide with seagrass dormancy. All dredged material will be placed in an onsite dredge material placement area (DMPA) located on the east end of the project site. Future maintenance of the marina will require the removal

of 2,000 cubic yards of material from the marina basin every 4 years and the removal of approximately 3,700 cubic yards of material from the channel every 8 years. An existing bulkhead along the marina's west shoreline will be replaced with a new bulkhead. Portions of the northern and southern shorelines of the marina will also be bulkheaded and a concrete boat ramp will be installed at the northwest corner of the marina basin. The 53-foot-long by 24-foot-wide ramp will serve two purposes: seagrass wrack will stack up in this area and the marina personnel will be able to collect the wrack in this area for disposal, and the ramp will be used by marina personnel to launch and retrieve boats that will be stored in the dry stack storage facility. Temporary timber matting will be installed between the wetlands at the north end of the marina and the proposed new bulkhead during construction and dredging operations. Construction of the boat storage facility and associated structures will require that the project site grade be raised 1 to 2 feet above existing elevation. Approximately 2.5 acres of the site (uplands) will be covered with a 6-inch base material and 8 inches of concrete, the remaining 2 acres of the site (uplands) will be covered with gravel for parking lots.

CMP Project No: 16-1406-F1

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2007-01222. This application will be reviewed pursuant to §10 of the Rivers and Harbors Act of 1899.

Applicant: Mr. Larry Childers

Location: North side of Park Road 22 on approximately 5.61-acre property adjacent to Packery Channel on North Padre Island, Corpus Christi, Nueces County, Texas

Project Description: The applicant proposes to construct a mixed-use development consisting of a hotel, retail/commercial buildings, and associated roadways and parking lots on the north side of the PR 22 frontage. The project site contains 0.34 acre of jurisdictional wetlands. The proposed project would permanently impact 0.26 acre of these wetlands.

CMP Project No: 16-1407-F1

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2016-00335. This application will be reviewed pursuant to §404 of the Clean Water Act (CWA).

Applicant: Texas Department of Transportation - Corpus Christi District

Location: Corpus Christi Ship Channel along United States Highway (US) 181, in Corpus Christi, Nueces County, Texas

Project Description: The applicant proposes to construct a new US 181 bridge to traverse the Ship Channel, 1,000 feet west of the existing bridge in Corpus Christi, Texas. The project limits are from the US 181 and Beach Avenue intersection south to the State Highway 286 and Morgan Avenue intersection, and from Mesquite Avenue in downtown Corpus Christi west to the Interstate Highway (IH) 37 and Buddy Lawrence Avenue intersection. The proposed project includes constructing a new bridge, demolishing the old bridge, constructing new approaches and new location roadway and frontage roads, and re-constructing the interchange at IH 37 and the Crosstown Expressway, which would include four direct connector ramps. In order to span the Ship Channel, the proposed bridge will be a cable stay bridge, approximately 1,700 feet in length, with a minimum vertical clearance height of 205 feet above mean high water (MHW). The bridge design includes the use of 50-foot square concrete piles and 64-foot by 174-foot rectangular concrete footings. The bridge footings and associated bridge structures will not be placed within waters of the U.S. The new structure will have three 12-foot lanes in each direction with 12-foot inside

and 10-foot outside shoulders. It will also include a 10-foot bicycle and pedestrian shared use path separated from the main lanes by a 2-foot concrete barrier. Materials for construction will include steel for the main bridge span over the Ship Channel with concrete supports, concrete for elevated structures on main lanes, direct connector ramps, and asphalt for frontage roads. Construction of the bridge approaches and frontage roads would result in 0.88 acre of permanent impacts caused by discharge of fill material into waters of the U.S.

CMP Project No: 17-1405-F1

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2014-00408. This application will be reviewed pursuant to §404 of the Clean Water Act (CWA).

Pursuant to §306(d)(14) of the Coastal Zone Management Act of 1972 (16 U.S.C.A. §§1451 - 1464), as amended, interested parties are invited to submit comments on whether a proposed action or activity is or is not consistent with the Texas Coastal Management Program goals and policies and whether the action should be referred to the Land Commissioner for review.

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from Mr. Jesse Solis, P.O. Box 12873, Austin, Texas 78711-2873, or via email at federal.consistency@glo.texas.gov. Comments should be sent to Mr. Solis at the above address or by email.

TRD-201604864

Anne L. Idsal

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: September 20, 2016

◆ ◆ ◆ Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Medicaid Payment Rates for Anesthesia Services

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on October 31, 2016, at 9:00 a.m., to receive comment on proposed Medicaid payment rates for Anesthesia Services.

The public hearing will be held in the Public Hearing Room of the John H. Winters Building at 701 West 51st Street, Austin, Texas. Entry is through security at the front of the building facing West 51st Street. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. The payment rates for Anesthesia Services are proposed to be effective January 1, 2017.

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code §355.8085, which addresses the reimbursement methodology for physicians and other practitioners.

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 or after October 17, 2016. Interested parties may obtain a copy of the briefing package prior to the hearing by contacting HHSC Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at RADAcuteCare@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 5:00 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Rate Analysis at (512) 730-7475; or by e-mail to RADAcuteCare@hhsc.state.tx.us. In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, Brown-Heatly Building, 4900 North Lamar Blvd., Austin, Texas 78751.

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 730-7401 at least 72 hours in advance, so appropriate arrangements can be made.

TRD-201604857
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: September 19, 2016



Notice of Public Hearing on Proposed Medicaid Payment Rates for Diagnostic Radiology Services

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on December 15, 2016, at 9:00 a.m., to receive comment on proposed Medicaid payment rates for Diagnostic Radiology Services.

The public hearing will be held in the Public Hearing Room of the John H. Winters Building at 701 West 51st Street, Austin, Texas. Entry is through security at the front of the building facing West 51st Street. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. The payment rates for Diagnostic Radiology Services are proposed to be effective March 1, 2017.

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code §355.8085, which addresses the reimbursement methodology for physicians and other practitioners.

Briefing Package. A briefing package describing the proposed payment rates will be available at <http://legacy-hhsc.hhsc.state.tx.us/rad/rate-packets.shtml> on or after December 1, 2016. Interested parties may obtain a copy of the briefing package prior to the hearing by contacting HHSC Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by email at RADAcuteCare@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, Attention: Rate Analysis, 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 RADAcuteCare@hhsc.state.tx.us. In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, Brown-Heatly Building, 4900 North Lamar Blvd., Austin, Texas 78751.

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

TRD-201604881
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: September 21, 2016



Public Notice: State Plan Attachment Administrative Correction

The Texas Health and Human Services Commission announces its intent to submit transmittal number 16-0024 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act.

The purpose of this amendment is to delete pages superseded by previous state plan amendments. The proposed amendment is effective October 1, 2016.

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

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

TRD-201604807
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: September 14, 2016



Revised - Public Notice

Waiver renewal to the Texas Home Living (TxHmL)

The initial public notice for the Waiver Renewal of TxHmL post to the Texas Register September 23, 2016. Below is the revised notice.

The Texas Health and Human Services Commission (HHSC) is submitting to the Centers for Medicare & Medicaid Services (CMS) a request for a renewal to the Texas Home Living (TxHmL) waiver program, a waiver implemented under the authority of section 1915(c) of the Social Security Act. CMS has approved this waiver through February 28, 2017. The proposed effective date for the renewal is March 1, 2017, with no changes to cost neutrality.

This renewal request proposes to make the following changes:

Pursuant to the 84th Texas Legislature, 2015, Regular Session, the HHSC transition plan for the Texas Department of Aging and Disability Services (DADS) requires the integration of DADS into the HHSC system. Please note the subsequent language modifications made throughout the application:

- a) Department of Aging and Disability Services to Health and Human Services Commission (DADS - HHSC);
- b) "local authority" to "local intellectual and developmental disability authority";

- c) Operating Agency to State Medicaid Agency;
- d) "consumer" to "individual" and other such changes related to person-first language; and
- e) "consumer directed services agency" to "financial management services agency."

The following paragraphs identify and describe the substantial changes to the following appendices that are being revised and include a description of the revision, respectively.

Appendix A: Waiver Administration and Operation

a) Language was adjusted to reflect the agency transformation, in which DADS, the current operating agency, is being integrated into the HHSC system. Consistent with CMS regulations, performance measures were removed from this assurance based on HHSC responsibility for both operating and regulating the program.

Appendix B: Participant Access and Eligibility

- a) Unduplicated number of participants and point in time numbers for all waiver years were updated.
- b) Eligibility group Medicaid Buy-In for Children (MBIC) (under age 19) §1902(a)(10)(A)(ii)(XIX), §1902(cc)(1) has been removed from the list of "other specified groups" as the MBIC group only applies to the 300% Special Income Limit groups.
- c) Eligibility groups SSI Recipient §1902(a)(10)(A)(i)(II) and Medicaid Buy-In (MBI) §1902(a)(10)(A)(ii)(XIII) were removed from the list of "other specified groups" as they are identified B4b.

Appendix C: Participant Services

- a) Through the Medicaid State Plan, Community First Choice (CFC), habilitation, and personal assistance services are now available to all individuals receiving TxHmL waiver services. Transportation services are included exclusively in Community Supports for individuals receiving TxHmL waiver services.
- b) Changed provider type name from "financial management services agencies" to "consumer directed services direct service provider;" no change to services will occur due to this change.
- c) Added that Respite services cannot be provided at the same time as Community Supports or CFC state plan services.
- d) Updated the service definition for Financial Management Services.
- e) The service definition of Respite was modified to include the provision that Respite cannot be provided at the same time as Community Supports or CFC state plan services.
- f) The State is changing the name of "Support Consultation Services" to "Support Consultation." This change does not affect the service.
- g) The State is changing the name of "Audiology" to "Audiology Services." This change does not affect the services.
- h) The State is changing the name of "Dental" to "Dental Treatment." This change does not affect the services.
- i) Limitations to Dental Treatment were updated to include the following language: "This waiver service is only provided to individuals age 21 and over. All medically necessary Dental Treatment for children under the age of 21 are covered in the state plan pursuant to the [Early and Periodic Screening, Diagnostic, and Treatment] EPSDT benefit."
- j) The State is changing the name of "Dietary" to "Dietary Service." This change does not affect the services.
- k) The State is changing the name of "Occupational Therapy" to "Occupational Therapy Services." This change does not affect the services.

- l) The State is changing the name of "Physical Therapy" to "Physical Therapy Services." This change does not affect the services.
- m) Limitations to Physical Therapy Services were updated to include the following language: "This waiver service is only provided to individuals age 21 and over. All medically necessary Physical Therapy services for children under the age of 21 are covered in the state plan pursuant to the EPSDT benefit."
- n) Limitations to Occupational Therapy Services were updated to include the following language: "This waiver service is only provided to individuals age 21 and over. All medically necessary Occupational Therapy services for children under the age of 21 are covered in the state plan pursuant to the EPSDT benefit."
- o) The State is changing the name of "Skilled Nursing" to "Nursing." This change does not affect the services.
- p) The State is changing the name of "Speech/Language Therapy" to "Speech-Language Pathology" to better represent the services. This change will not affect the service.
- q) Limitations to Speech-Language Therapy were updated to include the following language: "This waiver service is only provided to individuals age 21 and over. All medically necessary Speech-Language Pathology services for children under the age of 21 are covered in the state plan pursuant to the EPSDT benefit."
- r) The list of examples of Adaptive Aids was removed from this service definition and a hyperlink to the complete list of billable Adaptive Aids is provided.
- s) The provider standard, other standard for Adaptive Aids has been modified to accurately reflect the standard.
- t) Cost limit for Adaptive Aids services was adjusted to \$10,000 because the previous \$6,000 annual limit was listed in error; this change is made to reflect what is currently offered in TxHmL.
- u) The list of examples of Minor Home Modifications was removed from this service definition and a hyperlink to the complete list of billable Minor Home Modifications is provided.
- v) Update Criminal History and Background Checks for providers of Consumer Directed Services (CDS) to reflect new requirements.
- w) General Service Specifications, open enrollment of providers process has been updated to include a requirement for financial management agencies to obtain a Medicaid provider agreement. This is not a new requirement and is added to accurately reflect current requirements.
- x) Administrative penalties were added as an additional method of remediation for program providers who do not comply with TxHmL rules.
- y) Methods for remediation of financial management services agencies were updated.

Appendix D: Service Delivery

- a) Respite is modified to include the provision that Respite cannot be provided at the same time as community supports or Community First Choice state plan services.
- b) Administrative penalties were added as an additional method of remediation for program providers.

Appendix E: Participant Direction of Services

- a) The estimated numbers of individuals utilizing the consumer directed services (CDS) option were updated to reflect a decrease in the total number of individuals served in the waiver (the C value). The

percentages of individuals in the waiver utilizing the CDS option are anticipated to remain the same.

Appendix G: Health and Welfare

- a) Language regarding restraint, seclusion and restrictive intervention was clarified.
- b) Administrative penalties were added as an additional method of remediation for program providers who do not comply with TxHmL rules.

Appendix I: Financial Accountability

- a) Fiscal responsibility was updated to reflect current practices, and the rate methodology was updated to include a legislatively-mandated spending requirement related to a rate increase effective September 1, 2015.
- b) Methods for Remediation/Fixing Individual Problems was updated.

Appendix J:

- a) Unduplicated number of participants and point in time numbers for all waiver years were updated.

TxHmL provides essential community-based services and supports to individuals with an intellectual and developmental disability living in their own homes or with their families. Services and supports are intended to enhance quality of life, functional independence, and health and well-being in continued community-based living and to enhance, rather than replace, existing informal or formal supports and resources. Services include day habilitation, respite, supported employment, prescription medications, financial management services, support consultation, adaptive aids, audiology services, behavioral support, community support, dental treatment, dietary service, employment assistance, minor home modifications, occupational therapy services, physical therapy services, nursing, and speech-language pathology.

An individual may obtain a free copy of the proposed waiver renewal, including the TxHmL settings transition plan, or if you have questions, need additional information, or wish to submit comments regarding this renewal or the TxHmL settings transition plan, interested parties may contact Jacqueline Pernell by U.S. mail, telephone, fax, or email. The addresses are as follows:

U.S. Mail

Texas Health and Human Services Commission
Attention: Jacqueline Pernell, Waiver Coordinator, Policy Development Support
PO Box 13247
Mail Code H-600
Austin, Texas 78711-3247

Telephone

(512) 428-1931

Fax

Attention: Jacqueline Pernell, Waiver Coordinator, at (512) 730-7477

Email

TX_Medicaid_Waivers@hhsc.state.tx.us.

In addition, the HHSC local offices will post this notice for 30 days. The complete waiver amendment request can be found online on the DADS website at:

<http://www.dads.state.tx.us/providers/HCS/>.

The DADS local offices will post this notice for 30 days. The complete waiver application can be found online on the DADS website at:

<http://www.dads.state.tx.us/providers/CLASS/>

TRD-201604904

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: September 21, 2016

◆ ◆ ◆

Texas Department of Housing and Community Affairs

Notice of Public Hearing

Texas Department of Housing and Community Affairs Multifamily Housing Revenue Bonds (Arborstone Apartments)

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the Hampton-Illinois Branch Library, 2951 South Hampton Road, Dallas, Texas 75224 at 1:00 p.m. on October 25, 2016. The hearing is regarding an issue of tax-exempt multifamily residential rental development revenue bonds in an aggregate principal amount not to exceed \$35,500,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The proceeds of the Bonds will be loaned to Dalcov Arborstone, Ltd., a Texas limited partnership, or a related person or affiliate thereof (the "Borrower"), to finance a portion of the costs of acquiring and rehabilitating a multifamily housing development. The housing development is described as follows: an approximately 536-unit multifamily housing development located at 6500 South Cockrell Hill Road, Dallas, Texas 75236 (the "Development"). Upon the issuance of the Bonds, the Development will be owned by the Borrower.

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

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

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

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

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

TRD-201604865

Timothy K. Irvine
Executive Director
Texas Department of Housing and Community Affairs
Filed: September 20, 2016

◆ ◆ ◆
University of Houston System

Campus Space Utilization Study and Best Practice Evaluation
Notice of Procurement

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

RFP730-16156, Review and Evaluation of Campus Space Utilization
Purpose:

The University of Houston (UH) Campus Services Department is seeking competitive responses to a Request for Proposal ("RFP") for a Consultant to provide an independent analysis and recommendations for current and future campus space utilization. The evaluation would include an analysis of current space utilization, including all campus academic, research, and administrative spaces. This evaluation would encompass an analysis of campus spaces relative to current course enrollment, research space needs, employee workspace needs, and classroom booking and scheduling.

Eligible Applicants:

Consulting firms with related knowledge and experience in:

Firms that have expertise with evaluating campus space utilization and management of physical campus spaces.

Services to be performed:

- To evaluate the current utilization of physical space
- To complete projections for education, administrative, and research spaces using enrollment and hiring projections from the university
- To examine space management in connection with national university peers
- To review current staffing levels and software needs for the effective management of physical space on campus
- To make process / service improvement recommendations as needed

Finding by Chief Executive Officer, Renu Khator:

After reviewing the current status and discussing this matter with the staff, the evaluation of the university's space utilization and management, including the development of projections for future needs, can only be conducted by a firm considered an expert in university space management. The university believes that using a third-party consultant, who has conducted similar evaluations of space management functions on national campuses similar in context and size to the University, will provide the institution with best practices that can be used to improve our ability to be most efficient in our use of physical facilities. The expertise needed for this evaluation is complex and requires a comprehensive knowledge of national industry trends related to management of space and projections of future space needs. Currently, our Planning Department does not have the breadth of experience needed for this evaluation. Thus, it is necessary for the University to engage a consultant to advise it regarding its evaluation of university space utilization and management, and make recommendations, as appropriate for the improvement of the use of these resources.

Review and Award Criteria:

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

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

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

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

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

Deadlines: UH must receive proposals according to instructions in the RFP package on or before Monday, October 24, 2016 at 12:00 p.m. CDT.

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

The sole point of contact for inquiries concerning RFP is:

Jack Tenner
UH Purchasing
5000 Gulf Freeway, ERP 1, Rm.204
Houston, Texas 77204-5015
Phone: (713) 743-5671
Email: jtenner@central.uh.edu
TRD-201604812
Jack Tenner
Director of Purchasing
University of Houston System
Filed: September 15, 2016

◆ ◆ ◆
Review and Evaluation of Campus Safety Services

Notice of Procurement

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

RFP730-17008, Review and Evaluation of Campus Safety Services

Purpose:

The University of Houston (UH) Campus Services Department is seeking competitive responses to a Request for Proposal ("RFP") for a Consultant to provide an independent analysis of UH Safety Services including fire, life, health, environmental, and lab safety (biological, chemical and radiation).

Eligible Applicants:

Consulting firms with related knowledge and experience in:

Firms that have expertise with evaluating university safety service programs.

Services to be performed:

To evaluate the methods and procedures with the Safety Services programs

To review the process for new construction and renovation plan reviews
To examine this department in connection with peers to the university
To review current staffing levels and financials for this department
To make process/service improvement recommendations as needed
Finding by Chief Executive Officer, Renu Khator:

After reviewing the current status and discussing this matter with the staff, the evaluation of these services can only be conducted by a firm considered expert in university safety services. The university believes that using a third-party consultant, who has conducted similar evaluations of safety services on national campuses similar in context and size to the University, will provide the institution with best practices that can be used to improve the service to our customers. Similarly, in this era of financial accountability, it is important for the University to understand if this service is providing best value to its customers and constituents. The expertise needed for this evaluation is complex and requires a comprehensive knowledge of national industry trends related to university safety services. Currently, the staff do not have the breadth of experience needed for this evaluation. Thus, it is necessary for the University to engage a consultant to advise on university safety services, and make recommendations, as appropriate for the improvement of these services.

Review and Award Criteria:

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

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

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

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

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

Deadlines: UH must receive proposals according to instructions in the RFP package on or before Monday, October 31, 2016 at 2:00 p.m. CDT.

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

The sole point of contact for inquiries concerning RFP is:

Jack Tenner
UH Purchasing
5000 Gulf Freeway, ERP 1, Rm. 204
Houston, Texas 77204-5015
Phone: (713) 743-5671
Email: jdtenner@central.uh.edu
TRD-201604819
Jack Tenner
Director of Purchasing
University of Houston System
Filed: September 16, 2016



Texas Lottery Commission

Correction to Scratch Ticket Game Number 1756 "High Roller Casino Action"

The Texas Lottery Commission ("Commission") filed for publication Scratch Ticket Game Number 1756 "High Roller Casino Action". The document was published in the March 25, 2016, issue of the *Texas Register* (41 TexReg 2353). The Commission amends the list of prizes by validation tier levels by correcting §1.2.F to include low tier prizes of \$50.00 and \$70.00. The Commission amends Section 1.2.G by deleting prizes of \$50.00 and \$70.00. The Commission amends the section numbers for the remaining sub-sections in Section 1.2.

Sections 1.2.F through 1.2.M now read as follows:

F. Low Tier Prize - A prize of \$50.00 and \$70.00.

G. Mid-Tier Prize - A prize of \$100, \$150, \$200 or \$500.

H. High-Tier Prize - A prize of \$1,000, \$2,000, \$2,500, \$10,000 or \$7,500,000.

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

J. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1756), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 020 within each Pack. The format will be: 1756-0000001-001.

K. Pack - A Pack of the "HIGH ROLLER CASINO ACTION" Scratch Ticket Game contains 020 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 020 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

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

M. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "HIGH ROLLER CASINO ACTION" Scratch Ticket Game No. 1756.

TRD-201604858
Bob Biard
General Counsel
Texas Lottery Commission
Filed: September 20, 2016



Scratch Ticket Game Number 1773 "Rich"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1773 is "RICH". The play style is "key number match."

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1773 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1773.

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

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

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

41, 42, 43, 44, 45, 46, 47, 48, 49, 50, GOLD BAR SYMBOL, RICH SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$250, \$1,000 and \$100,000.

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

Figure 1 GAME NO. 1773 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRV
36	TRSX
37	TRSV

38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
GOLD BAR SYMBOL	WINX5
RICH SYMBOL	WINALL
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$250	TOFF
\$1,000	ONTH
\$100,000	100TH

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

F. Low-Tier Prize - A prize of \$5.00, \$10.00, \$15.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$50.00, \$100, \$200, \$250, \$300, \$400 or \$500.

H. High-Tier Prize - A prize of \$1,000 or \$100,000.

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

J. Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1773), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1773-0000001-001.

K. Pack - A Pack of the "RICH" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of

one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

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

M. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "RICH" Scratch Ticket Game No. 1773.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "RICH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 45 (forty-five) Play Symbols. If a player matches any of YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "GOLD BAR" Play Symbol, the player wins 5 TIMES the prize for that

symbol. If a player reveals a "RICH" Play Symbol, the player WINS ALL 20 PRIZES INSTANTLY! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

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

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

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

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

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

2.2 Programmed Game Parameters.

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

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

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

D. On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$100,000 will each appear at least once, except on Tickets winning twenty (20) times.

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

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

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

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

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

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

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

L. The "GOLD BAR" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

M. The "GOLD BAR" (WINX5) Play Symbol will never appear more than once on a Ticket, unless restricted by other parameters, play action or prize structure.

N. The "GOLD BAR" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

O. The "GOLD BAR" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

P. The "RICH" (WINALL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

Q. The "RICH" (WINALL) Play Symbol will WIN ALL 20 PRIZES INSTANTLY for that Play Symbol and will win as per the prize structure.

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

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

T. On Tickets that win with the "RICH" (WINALL) Play Symbol, no YOUR NUMBERS Play Symbols will match a WINNING NUMBERS Play Symbol.

U. The "RICH" (WINALL) Play Symbol and the "GOLD BAR" (WINX5) Play Symbol will never appear on the same Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "RICH" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$200, \$250, \$300, \$400 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$200, \$250, \$300, \$400 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in §2.3.B of these Game Procedures.

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

C. As an alternative method of claiming a "RICH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

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

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

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

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

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

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

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

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

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

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 1773. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1773 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	736,000	9.78
\$10	752,000	9.57
\$15	192,000	37.50
\$20	64,000	112.50
\$50	67,480	106.70
\$100	32,480	221.67
\$200	900	8,000.00
\$250	1,580	4,556.96
\$300	740	9,729.73
\$400	320	22,500.00
\$500	1,140	6,315.79
\$1,000	204	35,294.12
\$100,000	8	900,000.00

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

**The overall odds of winning a prize are 1 in 3.89. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1773 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1773, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201604860
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: September 20, 2016



Scratch Ticket Game Number 1817 "Golden Ticket"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1817 is "GOLDEN TICKET". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1817 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1817.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,

22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, COIN SYMBOL, POT OF GOLD SYMBOL, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$150, \$200, \$500, \$10,000 and \$100,000.

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

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

Figure 1: GAME NO. 1817 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
COIN SYMBOL	WIN
POT OF GOLD SYMBOL	WINALL
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$25.00	TWV\$

\$50.00	FFTY\$
\$100	ONHN\$
\$150	HNFFY
\$200	TOHN
\$500	FVHN
\$10,000	10TH
\$100,000	100TH

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

F. Low-Tier Prize - A prize of \$5.00, \$10.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$25.00, \$50.00, \$100, \$150, \$200 or \$500.

H. High-Tier Prize - A prize of \$10,000 or \$100,000.

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

J. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1817), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1817-0000001-001.

K. Pack - A Pack of the "GOLDEN TICKET" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

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

M. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "GOLDEN TICKET" Scratch Ticket Game No. 1817.

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

2.1 Scratch Ticket Validation Requirements.

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

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

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

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

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

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

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

Programmed Game Parameters.

A. Consecutive Non-Winning Tickets in a Pack will not have matching play data, spot for spot.

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

C. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 5 and \$5).

D. No matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

E. No matching GOLDEN TICKET NUMBERS Play Symbols on a Ticket.

F. A non-winning Prize Symbol will never be the same as a winning Prize Symbol.

G. A Ticket may have up to four (4) matching non-winning Prize Symbols unless restricted by other parameters, play action or prize structure.

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

I. When the "POT OF GOLD" (WINALL) Play Symbol appears, there will be no occurrence of a YOUR NUMBERS Play Symbol matching a GOLDEN TICKET NUMBERS Play Symbol and, if applicable, no occurrence of any other special features on a Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "GOLDEN TICKET" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$150, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$25.00, \$50.00, \$100, \$150, \$200

or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in §2.3.B and §2.3.C of these Game Procedures.

B. To claim a "GOLDEN TICKET" Scratch Ticket Game prize of \$10,000 or \$100,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "GOLDEN TICKET" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct:

1. A sufficient amount from the winnings of a prize winner who has been finally determined to be:

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

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

c. in default on a loan guaranteed under Chapter 57, Education Code; and

2. delinquent child support payments from the winnings of a prize winner in the amount of the delinquency as determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "GOLDEN

TICKET" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

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

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 8,040,000 Scratch Tickets in Scratch Ticket Game No. 1817. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1817 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	911,200	8.82
\$10	670,000	12.00
\$20	134,000	60.00
\$25	107,334	74.91
\$50	80,400	100.00
\$100	17,420	461.54
\$150	12,395	648.65
\$200	5,025	1,600.00
\$500	2680	3,000.00
\$10,000	15	536,000.00
\$100,000	6	1,340,000.00

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

**The overall odds of winning a prize are 1 in 4.14. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1817 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket

Game No. 1817, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201604859
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: September 20, 2016



North Central Texas Council of Governments

Request for Information for the Dallas-Fort Worth High-Speed Rail Core Express Service Project

The North Central Texas Council of Governments (NCTCOG), is seeking information from private sector firms regarding potential project delivery and finance structures for the Dallas-Fort Worth High-Speed Rail Core Express Service Project. The Regional Transportation Council (RTC) is the Metropolitan Planning Organization (MPO) policy body associated with NCTCOG. The metropolitan transportation plan for the North Central Texas region, Mobility 2040, as adopted by the RTC, includes recommendations for at-grade and grade-separated high-speed rail, including service between the cities of Fort Worth and Dallas. NCTCOG, on behalf of the RTC, is seeking information regarding 1) private sector interest in the delivery of high-speed rail for the Core Express Service Project, 2) potential project delivery mechanisms to maximize private sector participation in the project, 3) potential financing structures to maximize private sector participation in the project, 4) commitments needed from the public sector to assist in project delivery, and 5) identification of major risks associated with the delivery of such a project and mechanisms to mitigate such risks. NCTCOG will hold an RFI Industry Forum on October 25, 2016 at NCTCOG offices in Arlington, Texas, to provide additional information and background.

This Request for Information (RFI) is issued solely for information and planning purposes - it does not constitute a Request for Proposal (RFP) or a promise to issue an RFP in the future. This RFI does not commit NCTCOG to contract for any supply or service whatsoever. Costs associated with preparing a response to this request are at the respondent's own expense and will not be reimbursed by NCTCOG. Not responding to this RFI does not preclude participation in any future RFP, if any is issued.

Release and Due Date

The RFI will be issued and made available on NCTCOG's website on September 30, 2016, at www.nctcog.org/rfp. Responses to the RFI must be received no later than 5:00 p.m., on Friday, November 18, 2016, via email to TransRFPs@nctcog.org or hand-delivery, to Kevin Feldt, Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-201604898

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: September 21, 2016



Request for Proposals to Conduct a Dallas High-Speed Rail Station Area Planning Study

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consulting firms to conduct a Dallas High-Speed Rail Station Area Planning Study. With the advent of high-speed passenger rail service for the Dallas-Fort Worth region, major transportation and land use changes will occur. Adding high-speed passenger rail service to the region's transportation choices will create impacts to travel and land use decisions. The manner in which these impacts are absorbed and mitigated will be critical to successful implementation of high-speed passenger rail service. This study will assist

NCTCOG and the City of Dallas in reviewing the proposed High-Speed Rail Station Location identified by the potential private high-speed rail implementer from Houston to Dallas. Additionally, development of a station area plan will help advance the City's Economic Development opportunities.

Proposals must be received no later than 5:00 p.m., on Friday, October 28, 2016, to Kevin Feldt, Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. Copies of the Request for Proposals (RFP) will be available at www.nctcog.org/rfp by the close of business on Friday, September 30, 2016.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-201604896

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: September 21, 2016



Request for Proposals to Conduct a Fort Worth High-Speed Rail Station Area Planning Study

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consulting firms to conduct a Fort Worth High-Speed Rail Station Area Planning Study. With the advent of high-speed passenger rail service for the Dallas-Fort Worth region, major transportation and land use changes will occur. Adding high-speed passenger rail service to the region's transportation choices will create impacts to travel and land use decisions. The manner in which these impacts are absorbed, mitigated and accessed will be critical to successful implementation of high-speed passenger rail service. This study will assist NCTCOG and the City of Fort Worth in optimizing the location of a high-speed rail station in or near downtown Fort Worth and to develop station area high-speed rail accessibility. Additionally, development of a station area plan will help to advance Fort Worth's economic goals.

Proposals must be received no later than 5:00 p.m., on Friday, October 28, 2016, to Kevin Feldt, Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. Copies of the Request for Proposals (RFP) will be available at www.nctcog.org/rfp by the close of business on Friday, September 30, 2016.

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TRD-201604897

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: September 21, 2016



Request for Proposals to Conduct an Arlington High-Speed Rail Station Area Planning Study

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consulting firms to conduct an Arlington High-Speed Rail Station Area Planning Study. With the advent of high-speed passenger rail service for the Dallas-Fort Worth region, ma-

major transportation and land use changes will occur. Adding high-speed passenger rail service to the region's transportation choices will create impacts to travel and land use decisions. The manner in which these impacts are absorbed, mitigated and accessed will be critical to successful implementation of high-speed passenger rail service. This study will assist NCTCOG and the City of Fort Worth in optimizing the location of a high-speed rail station in or near downtown Fort Worth and to develop station area high-speed rail accessibility. Additionally, development of a station area plan will help to advance Fort Worth's economic goals.

Proposals must be received no later than 5:00 p.m., on Friday, October 28, 2016, to Kevin Feldt, Program Manager, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. Copies of the Request for Proposals (RFP) will be available at www.nctcog.org/rfp by the close of business on Friday, September 30, 2016.

NCTCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-201604895
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: September 21, 2016

Panhandle Regional Planning Commission

Consultant Proposal Request Auditing Services

Notice of Invitation for Proposal

Panhandle Regional Planning Commission (PRPC) is soliciting proposals to perform auditing services for fiscal years ending September 30, 2016, 2017, and 2018 with the option of a year-by-year extension for the two subsequent fiscal years September 30, 2019, and 2020, in accordance with the provisions of 2 CFR 200 Uniform Guidance. Detailed information regarding the project is set forth in the Request for Proposal (RFP) which will be available on or after September 26, 2016, at the following location:

Cindy Boone, CPA
Finance Director
Panhandle Regional Planning Commission
P.O. Box 9257
Amarillo, Texas 79105
cboone@theprpc.org
(806) 372-3381

The deadline for submission of proposals in response to this request will be 5:00 p.m. on Friday October 14, 2016.

PRPC reserves the right to accept or reject any or all proposals submitted. PRPC is under no legal requirement to execute a resulting contract on the basis of this advertisement and intends the material provided only as a means of identifying the various contractual alternatives. PRPC will base its choice on demonstrated competence, qualifications, and evidence of superior conformance with criteria.

This RFP does not commit PRPC to pay any costs incurred prior to the execution of a contract. Issuance of this material in no way obligates PRPC to award a contract or pay any cost incurred in the preparation of a response. PRPC specifically reserves the right to vary all provisions

set forth at any time prior to execution of a contract where PRPC feels it to be in its own best interest.

TRD-201604817
Cindy Boone
Finance Director
Panhandle Regional Planning Commission
Filed: September 16, 2016

Texas Parks and Wildlife Department

Notice of Availability and Request for Comments

Draft Damage Assessment and Restoration Plan

Former Arkema, Inc. Agriculture Pesticide Formulation Production Facility in Bryan, Texas

AGENCIES: The Texas Commission on Environmental Quality (TCEQ); Texas Parks and Wildlife Department; Texas General Land Office; and United States Department of the Interior (DOI), as represented by the United States Fish and Wildlife Service (collectively, the Trustees).

ACTION: Notice of availability of a Draft Damage Assessment and Restoration Plan (DARP) for natural resource damages resulting from historical releases of hazardous substances at or from the former Arkema, Inc. agriculture pesticide formulation production facility in Bryan, Texas (Facility), and of a 30-day period for public comment on the Draft DARP beginning on the date of publication of this notice.

SUMMARY: This notice serves to inform the public that the Trustees have developed a Draft DARP to resolve natural resource damages associated with this Facility. The Draft DARP outlines the injuries resulting from the unauthorized release of hazardous substances from the Facility, as well as the proposed restoration project selected to compensate for those injuries. The opportunity for public review and comment on the Draft DARP announced in this notice is required under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9607(f), and parallels provisions of 43 C.F.R. §11.81(d), which are applicable to natural resource damage assessments under CERCLA.

ADDRESSES: A copy of this Draft DARP may be obtained by contacting: Environmental Assessment, Response, and Restoration Program (EARRP) at the Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744; phone: (512) 389-8615; or email: EARRP@tpwd.texas.gov.

DATES: Comments must be submitted in writing on or before 5:00 p.m. on October 31, 2016, to the Environmental Assessment, Response, and Restoration Program at the Texas Parks and Wildlife Department at the address listed in the previous paragraph. The Trustees will consider all written comments received during the comment period prior to finalizing the DARP.

SUPPLEMENTARY INFORMATION: The Facility, a former agriculture pesticide formulating production facility owned and operated by Arkema, Inc. and its predecessors, is located in Bryan, Texas, and began operations circa 1940. Prior to stopping all chemical production activities in 1993, pesticide production at the Facility resulted in the release of arsenic and other hazardous substances into the surrounding environment. The Facility currently contains foundations and containment areas associated with the former production areas; several office, warehouse, and maintenance buildings; aboveground chemical, water, and wastewater tanks associated with groundwater and stormwater treatment systems; and a capped landfill. When the Facility was in operation it included: four main production areas; two unlined process

water retention ponds with a main sump; an arsenic acid truck loading/unloading area; an arsenic acid rail loading/unloading area; a materials handling area; a sprinkler basin; a containment basin for stormwater, fire suppression water, and overflow from the sump; and a small retention pond for on-site stormwater.

Historically, groundwater, stormwater runoff, and surface water runoff from the Facility discharged directly into and overlaid into both Finfeather Lake (an adjacent 27-acre waterbody) and No-Name Lake (a small series of ponds isolated on the Facility). Surface water then flowed from Finfeather Lake through a weir system to Kazmier Pond, an intermediate stormwater pond that overflowed into a drainage Channel, the Connecting Channel, then into Municipal Lake (an approximately 15-acre waterbody).

Documented releases of hazardous substances at or from the Facility contaminated the above-mentioned water bodies. Response actions were conducted by Arkema under a TCEQ Agreed Order and included dewatering and dredging of Finfeather and Municipal Lakes, construction of an earthen sump and two retention ponds for remediation of surface water impoundments, construction of a groundwater extraction and treatment system to remediate groundwater, and incorporation of a stormwater collection system. Remedial actions continue, including groundwater monitoring; surface water monitoring of Finfeather Lake, Municipal Lake, and Connecting Channel; stormwater collection and treatment prior to discharge; and groundwater extraction and treatment.

The Trustees are designated under Section 107(f) of CERCLA, 42 U.S.C. §9607(f); Section 311 of the Federal Water Pollution and Control Act (Clean Water Act), 33 U.S.C. §1321; Subpart G of the National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R. §300.600 and §300.605; and other applicable federal or state laws. The Trustees are authorized to act on behalf of the public under these authorities to protect and restore natural resources injured or lost as a result of releases of hazardous substances.

The Trustees determined that the releases of hazardous substances posed a direct and indirect threat to natural resources for which the federal and/or state governments may assert trusteeship. Natural resources or their services injured as a result of the historical contamination and response actions include, but are not limited to aquatic habitats of Municipal and Finfeather Lakes, including surface waters, submerged lands, sediments, wetlands, migratory avian species, wildlife, fisheries, and aquatic organisms. To evaluate injury to resources caused by the Facility, the Trustees reviewed existing information, including remedial investigation data, ecological risk assessments, and open scientific literature, and applied their collective knowledge and understanding of the function of the terrestrial and aquatic ecosystems at and near the Facility. Contaminants of concern (COCs) considered by the Trustees included arsenic, copper, zinc, endothal, insecticides, and fungicides manufactured at the Facility. The Trustees identified arsenic in its various forms as the primary COC and have focused the assessment on injuries resulting from this contaminant. The Trustees quantified injuries to approximately 42 acres of aquatic communities found in Finfeather and Municipal Lakes. The Trustees' evaluation of injury included identifying where contaminated sediments were located, the severity of the contamination (showing where sediment concentrations exceeded known effects levels for sediment that may cause harm to fish and aquatic invertebrates), and the potential for contaminated sediments to be transported or moved into uncontaminated areas.

To facilitate settlement and achieve a cost-effective resolution, the Trustees invited Legacy Site Services, as the registered agent for Arkema, to conduct a cooperative assessment. As a result, the Trustees and Arkema reached a settlement agreement for Arkema to pay \$1.4 million to resolve natural resource damages and Trustee costs. Based on a thorough evaluation, the Trustees concluded that the acquisition

and or preservation of a minimum of 402 acres of existing mixed open water, wetland, and bottomland hardwood habitat is feasible and the most appropriate restoration option for the natural resources injured and services lost.

In accordance with the CERCLA regulations, the Trustees evaluated a reasonable range of restoration alternatives to compensate for injuries to natural resources and associated lost services. After examining restoration alternatives and potential restoration sites, the Trustees have identified the acquisition and preservation of two tracts of land totaling 621 acres of bottomland hardwoods, open water, and Neches River riparian habitat along the Anderson/Cherokee County line. The acquired property would be added to the Neches River National Wildlife Refuge and managed by DOI in accordance with an approved refuge management plan. The Trustees are seeking public input on a proposal to use natural resource damages recovered for the historical contamination to preserve the tracts as compensation for injuries related to the Facility.

For further information, contact Environmental Assessment, Response, and Restoration Program at the Texas Parks and Wildlife Department at (512) 389-8165 or via email at EARRP@tpwd.texas.gov.

TRD-201604894

Ann Bright

General Counsel

Texas Parks and Wildlife Department

Filed: September 21, 2016



Notice of Proposed Real Estate Transactions

Exchange of Land - Bexar County

Approximately Nine Acres at Government Canyon State Natural Area

In a meeting on November 3, 2016 the Texas Parks and Wildlife Commission (the Commission) will consider authorizing the exchange of approximately nine acres of land between an adjacent private landowner and the Government Canyon State Natural Area (SNA) in Bexar County. The exchange will eliminate a long narrow "finger" of land outside the Edwards Aquifer recharge zone from the state natural area and add land contiguous to the SNA in the recharge zone with high wildlife and recreation value. At this meeting, the public will have an opportunity to comment on the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Texas 78744. Prior to the meeting, public comment may be submitted to Ted Hollingsworth, Land Conservation, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744 or by email at ted.hollingsworth@tpwd.texas.gov or through the TPWD web site at tpwd.texas.gov.

Grant of Pipeline Corridor Easement - Jefferson County

Approximately 30 Acres at J.D. Murphree Wildlife Management Area

In a meeting on November 3, 2016 the Texas Parks and Wildlife Commission (the Commission) will consider granting an easement of approximately 30 acres for installation of up to ten (10) pipelines across a portion of the J.D. Murphree Wildlife Management Area in Jefferson County. At this meeting, the public will have an opportunity to comment on the proposed transaction before the Commission takes action. The meeting will start at 9:00 a.m. at the Texas Parks and Wildlife Department Headquarters, 4200 Smith School Road, Austin, Texas 78744. Prior to the meeting, public comment may be submitted to Ted Hollingsworth, Land Conservation, Texas Parks and Wildlife Depart-

ment, 4200 Smith School Road, Austin, Texas 78744 or by email at ted.hollingsworth@tpwd.texas.gov or through the TPWD web site at tpwd.texas.gov.

TRD-201604893

Ann Bright

General Counsel

Texas Parks and Wildlife Department

Filed: September 21, 2016

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Texas Department of Public Safety

Hazardous Materials Emergency Preparedness Sub-Grant Application Notice

INTRODUCTION: The Texas Department of Public Safety - Texas Division of Emergency Management (TDEM), acting on behalf of the State Emergency Response Commission (SERC), is requesting applications from Local Emergency Planning Committees (LEPCs) for Hazardous Materials Emergency Preparedness (HMEP) grants to be awarded to cities/counties/regions represented by LEPCs or authorities to further their work in hazardous materials transportation emergency planning.

DESCRIPTION OF ACTIVITIES: LEPCs are mandated by the federal Emergency Planning and Community Right-to-Know Act (EPCRA) to provide planning and information for communities relating to the use, storage and/or transit of hazardous chemicals. The U.S. Department of Transportation (DOT) has made grant money available to enhance communities readiness for responding to hazardous materials transportation incidents. A grant may be used by an LEPC or authority in various ways depending upon needs.

ELIGIBLE APPLICANTS: Each application must be developed by an LEPC or authority in cooperation with county and/or city governments or regional authority. LEPC membership and regional authority standing must be recognized by the SERC. The LEPC application must be approved by an LEPC vote. Each LEPC or authority shall arrange for a city or county to serve as its fiscal agent for the management of any and all money awarded under this grant.

CERTIFICATION: The fiscal agent must provide appropriate certification to commit funds for this project. The certification must be in the form of an enabling resolution from the county or an authorization to commit funds from the city.

LIMITATIONS: Total funding for these grants is dependent on the amount granted to the state from the U.S. DOT. Grants will be awarded based upon project, population, hazardous materials risk, need, and cost-effectiveness as determined by the SERC. TDEM will fund a maximum of eighty percent of the total project amount approved by the SERC and the remaining costs must be borne by the grantee. Approved in-kind contributions may be used to satisfy this twenty percent minimum requirement. In addition to the grant, LEPCs or authorities must maintain the same level of spending for planning as an average of the past two years.

Examples of proposals:

(a) Development, improvement, and implementation of emergency plans required under the EPCRA, as well as exercises, which test the emergency plan. Improvement of emergency plans may include hazard analysis or risk assessment as well as response procedures for emergencies involving transportation of hazardous materials including radioactive materials.

(b) An assessment to determine flow patterns of hazardous materials within a State, between a State and another State, Territory or Native

American Land, and development and maintenance of a system to keep such information current.

(c) An assessment of the need for regional hazardous materials emergency response teams or to assess local response capabilities.

(d) Conducting emergency response drills and exercises associated with transportation-related emergency response plans.

(e) Temporary technical staff to support the planning effort. (Staff funding under planning grants cannot be diverted to support other requirements of EPCRA.)

(f) Any other planning project related to the transportation of hazardous materials approved by TDEM, using U.S. DOT approved projects as a reference base.

contract period: Grant contracts begin as early as October 1, 2016, and end no later than September 30, 2017.

final selection: TDEM will review the applications and the SERC Subcommittee on Planning will make the final selections. The State is under no obligation to award grants to any or all applicants.

APPLICATION FORMS AND DEADLINE: You can obtain a "Request for Application" package by downloading the documents from the TDEM website at <http://www.dps.texas.gov/dem/GrantsResources/index.htm>. A copy can also be requested from Joshua Bryant, Technological Hazards Unit Supervisor, by calling him at (512) 424-5989 or emailing him at Joshua.bryant@dps.texas.gov. The completed (original) application package may be sent via email to Mr. Bryant at Joshua.bryant@dps.texas.gov, but the executed hard copy must be sent via certified/registered mail, or other private mail delivery service requiring a signature, to the Texas Division of Emergency Management, Preparedness Section, Technological Hazards Unit, P.O. Box 4087, Austin, Texas 78773-0223. The application(s) must be received by 5:00 p.m. on October 17, 2016.

TRD-201604827

D. Phillip Adkins

General Counsel

Texas Department of Public Safety

Filed: September 19, 2016

◆ ◆ ◆
Public Utility Commission of Texas

Notice of Application for Retail Electric Provider Certification

Notice is given to the public of the filing with the Public Utility Commission of Texas (Commission) of an application on September 14, 2016, for retail electric provider certification, pursuant to Public Utility Regulatory Act (PURA) §39.352.

Docket Title and Number: Application of LifeEnergy, LLC for a Retail Electric Provider Certificate, Docket Number 46363.

Applicant requests an Option I retail electric certificate for the entire State of Texas.

Information on the application may be obtained by contacting the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Docket Number 46363.

TRD-201604818

Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: September 16, 2016



Notice of Application for Waiver

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on September 16, 2016, for waiver of 16 Texas Administrative Code §22.243(b) (TAC).

Docket Style and Number: Application of El Paso Electric Company for Waiver of Rate Filing Package Schedule S, Docket Number 46373.

The Application: El Paso Electric Company (EPE) filed an application requesting that the commission waive the requirement of 16 TAC §22.243(b) to file all of the schedules required by the commission's current rate filing package. EPE stated it is planning on filing a base rate change application in the first quarter of 2017. EPE requests waiver of the requirement to file Schedule S - Independent Audit of Application and of the related audit required by Schedule S.

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 telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46373.

TRD-201604886
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: September 21, 2016



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

On September 9, 2016, Grande Communications and Radiate Holdings, L.P. filed a joint application with the Public Utility Commission of Texas to amend service provider certificate of operating authority number 60341, approving a change in ownership and control.

Docket Style and Number: Joint Application of Grande Communications and Radiate Holdings, L.P. to Amend a Service Provider Certificate of Operating Authority, Docket Number 46346.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at 1-888-782-8477 no later than October 7, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46346.

TRD-201604811
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: September 15, 2016



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

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

Docket Style and Number: Application of City of Fair Oaks Ranch to Amend a Water Certificate of Convenience and Necessity in Kendall County, Docket Number 46359.

The Application: On September 14, 2016, the City of Fair Oaks Ranch (City) filed with the commission an application to amend its water CCN No. 11246 in Kendall County. The City seeks to serve The Reserve at Fair Oaks Ranch, a proposed master-planned community. The total area being requested includes approximately 345 acres.

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 (toll-free: (888) 782-8477). A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46359.

TRD-201604866
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: September 20, 2016



Notice of Application to Obtain a Water Certificate of Convenience and Necessity

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application to obtain a water certificate of convenience and necessity in Kerr County, Texas.

Docket Style and Number: Application of Sherman's Mill Water Supply Corporation for a Water Certificate of Convenience and Necessity in Kerr County, Docket Number 46381.

The Application: On September 19, 2016, Sherman's Mill Water Supply Corporation filed an application to obtain a new water certificate of convenience and necessity in Kerr County. The proposed total area being requested includes approximately 53.65 acres and 15 current customers.

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 telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46381.

TRD-201604906
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: September 21, 2016



Supreme Court of Texas

In the Supreme Court of Texas

ORDER APPROVING AMENDMENTS TO THE INTERNAL OPERATING PROCEDURES OF THE BOARD OF DISCIPLINARY APPEALS

ORDERED that:

1. The Internal Operating Procedures of the Board of Disciplinary Appeals are amended as follows, effective immediately.
2. The Clerk is directed to:
 - a. file a copy of this order with the Secretary of State;
 - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this order to each elected member of the Legislature; and
 - d. submit a copy of the order for publication in the *Texas Register*.

Dated: September 20, 2016.

Nathan L. Hecht, Chief Justice

Paul W. Green, Justice

Phil Johnson, Justice

Don R. Willett, Justice

Eva M. Guzman, Justice

Debra H. Lehrmann, Justice

Jeffrey S. Boyd, Justice

John P. Devine, Justice

Jeffrey V. Brown, Justice

Rule 1.06 Service of Petition

In any disciplinary proceeding before BODA initiated by service of a petition on the Respondent, the petition ~~may~~ must be served by personal service; by certified mail with return receipt requested; or, if permitted by BODA, in any other manner that is authorized by the TRCP

and reasonably calculated under all the circumstances to apprise the Respondent of the proceeding and to give him or her reasonable time to appear and answer. To establish service by certified mail, the return receipt must contain the Respondent's signature.

Rule 6.02 Interlocutory Suspension

(a) **Interlocutory Suspension.** In any compulsory proceeding under TRDP Part VIII in which BODA determines that the Respondent has been convicted of an Intentional Crime and that the criminal conviction is on direct appeal, BODA ~~may~~ must suspend the Respondent's license to practice law by interlocutory order. In any compulsory case in which BODA has imposed an interlocutory order of suspension, BODA retains jurisdiction to render final judgment after the direct appeal of the criminal conviction is final. For purposes of rendering final judgment in a compulsory discipline case, the direct appeal of the criminal conviction is final when the appellate court issues its mandate.

* * *

Rule 7.01 Initiation of Proceeding

The Commission for Lawyer Discipline ~~may~~ To initiate an action for reciprocal discipline under TRDP Part IX, the CDC must file by filing a petition with BODA under TRDP Part IX and these rules request an Order to Show Cause. The petition must request that the Respondent be disciplined in Texas and have attached to it any information concerning the disciplinary matter from the other jurisdiction, including a certified copy of the order or judgment rendered against the Respondent.

Rule 8.01 Appointment of District Disability Committee

* * *

(e) Should any member of the District Disability Committee become unable to serve, the BODA Chair ~~may~~ must appoint a substitute member.

Rule 8.02 Petition and Answer

(a) **Petition.** Upon being notified that the District Disability Committee has been appointed by BODA, the CDC must, within 20 days, file with the BODA Clerk and serve on the Respondent a copy of a petition for indefinite disability suspension. Service ~~may be made in person or by certified mail, return receipt requested.~~ If service is by certified mail, the return receipt with the Respondent's signature must be filed with the BODA Clerk must comply with Rule 1.06.

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TRD-201604888
Martha Newton
Rules Attorney
Supreme Court of Texas
Filed: September 21, 2016

