

IN ADDITION

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

Office of the Attorney General

Correction of Error

The Office of the Attorney General published a Request for Opinion (RQ-0133-KP) in the October 21, 2016 issue of the *Texas Register*. Due to a Texas Register editing error, the submission was published with two brief deadline dates instead of a single date. The correct brief deadline for RQ-133-KP is October 27, 2016.

TRD-201605540



Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code. Before the State may enter into a voluntary settlement agreement, pursuant to §7.110 of the Texas Water Code the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Ponter & Souder LLC and Sweetwater Corporation*; Cause No. D-1-GN-15-001597; in the 419th Judicial District Court, Travis County, Texas.

Background: Defendant Ponter & Souder LLC owns an industrial and hazardous waste storage, processing, and transfer facility in Humble, Harris County, Texas, which was leased to Defendant Sweetwater Corporation, the operator of the facility. This settlement pertains to Ponter & Souder LLC only. The State initiated the suit on behalf of the Texas Commission on Environmental Quality ("TCEQ") to enforce Texas statutes and rules regarding the proper disposal and storage of industrial and hazardous waste substances, and to address the hundreds of containers of hazardous and industrial solid wastes illegally stockpiled at the facility.

Proposed Settlement: The parties propose an Agreed Final Judgment and Permanent Injunction, which requires Ponter & Souder LLC to complete the remediation and closure of the facility according to the TCEQ-approved Closure Plan; and provides for an award of civil penalties to the State in the amount of \$50,000, part of which may be permanently deferred upon timely compliance with the Closure Plan. The proposed judgment also awards the State its reasonable attorney's fees.

For a complete description of the proposed settlement, the Agreed Final Judgment and Permanent Injunction should be reviewed. The proposed judgment may be examined at the Office of the Attorney General, 300 W. 15th Street, 10th Floor, Austin, Texas, and copies may be obtained in person or by mail for the cost of copying. A copy is also lodged with the Travis County District Court. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Craig J. Pritzlaff, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC 066, 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-201605524
Amanda Crawford
General Counsel
Office of the Attorney General
Filed: October 24, 2016



Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/31/16 - 11/06/16 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 10/31/16 - 11/06/16 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-201605537
Leslie Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: October 25, 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 December 9, 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 December 9, 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: Alberto C. Loreda dba Loreda Trucking; DOCKET NUMBER: 2016-0720-WQ-E; IDENTIFIER: RN106581549; LOCATION: Waco, McLennan County; TYPE OF FACILITY: aggregate production operation (APO); RULE VIOLATED: 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(2) COMPANY: America Pride Petroleum Incorporated dba Country Corner; DOCKET NUMBER: 2016-0951-PST-E; IDENTIFIER: RN101499499; LOCATION: Burnet, Burnet 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: Had Darling, (512) 239-2520; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(3) COMPANY: Aziz Maredia dba China Market; DOCKET NUMBER: 2016-1277-PST-E; IDENTIFIER: RN101763282; LOCATION: China, Jefferson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(4) COMPANY: B AND S SEPTIC TANK CORPORATION; DOCKET NUMBER: 2016-0991-WQ-E; IDENTIFIER: RN108526906; LOCATION: Granite Shoals, Burnet County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater under a Texas Pollutant Discharge Elimination System General Permit associated with industrial activities; and 30 TAC §342.25(b), by failing to register the site as an APO no later than the tenth business day before the beginning date of regulated activities; PENALTY: \$8,563; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(5) COMPANY: B.T. SIKES WATER WELLS, INCORPORATED; DOCKET NUMBER: 2016-1780-WR-E; IDENTIFIER: RN109314039; LOCATION: Orange Grove, Jim Wells County; TYPE OF FACILITY: Penitas Creek; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to impounding, diverting, or using state water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL

OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(6) COMPANY: Bandera County (Road and Bridge); DOCKET NUMBER: 2016-1781-WR-E; IDENTIFIER: RN109328617; LOCATION: Utopia, Bandera County; TYPE OF FACILITY: Sabinal River; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to impounding, diverting, or using state water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-30 96.

(7) COMPANY: BERNARD BUSINESS, LLC dba BERNARD GROCERY; DOCKET NUMBER: 2016-1287-PST-E; IDENTIFIER: RN101282242; LOCATION: Brazoria, Brazoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; and 30 TAC §334.7(d)(3) and §334.8(c)(4)(C), by failing to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form within 30 days of ownership change; PENALTY: \$5,853; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: Catholic Health Initiatives; DOCKET NUMBER: 2016-1196-PST-E; IDENTIFIER: RN105343131; LOCATION: Houston, Harris County; TYPE OF FACILITY: hospital with underground storage tanks (USTs); RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the 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: \$2,438; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: Central Texas Water Supply Corporation; DOCKET NUMBER: 2016-1079-IWD-E; IDENTIFIER: RN101919926; LOCATION: Harker Heights, Bell County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §30 5.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0005146000, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$5,062; Supplemental Environmental Project offset amount of \$2,025; ENFORCEMENT COORDINATOR: Caleb Olson, (512) 239-2541; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(10) COMPANY: Christopher Scott Tyre; DOCKET NUMBER: 2016-0393-WQ-E; IDENTIFIER: RN108740861; LOCATION: Center, Shelby County; TYPE OF FACILITY: construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities under Texas Pollutant Discharge Elimination System General Permit Number TXR150000; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(11) COMPANY: City of Arp; DOCKET NUMBER: 2016-0800-MWD-E; IDENTIFIER: RN101720498; LOCATION: Arp, Smith County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §30 5.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ010511001, Effluent Limitations and Monitoring Requirements

Number 1, by failing to comply with permitted effluent limits; PENALTY: \$9,150; Supplemental Environmental Project offset amount of \$7,320; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(12) COMPANY: City of Austin; DOCKET NUMBER: 2016-0073-WQ-E; IDENTIFIER: RN101220085 and RN101607794; LOCATION: Austin, Travis County; TYPE OF FACILITY: public water system and wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), by failing to prevent the unauthorized discharge of a pollutant into or adjacent to water in the state; TWC, §26.039(b), by failing to provide notification to the TCEQ of an accidental discharge which causes pollution within 24 hours of the occurrence; and TWC, §26.121(a)(1), by failing to prevent the unauthorized discharge of sewage into or adjacent to water in the state; PENALTY: \$30,937; Supplemental Environmental Project offset amount of \$30,937; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(13) COMPANY: City of Grand Prairie; DOCKET NUMBER: 2016-1341-PST-E; IDENTIFIER: RN101846004; LOCATION: Grand Prairie, Dallas County; TYPE OF FACILITY: fleet refueling and maintenance facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; 30 TAC §334.49(a)(4) and TWC, §26.3475(d), by failing to provide corrosion protection for the UST system; and 30 TAC §334.45(c)(3)(A), by failing to properly anchor all emergency shut-off (shear) valves for the pressurized piping under the fuel dispensers; PENALTY: \$6,751; ENFORCEMENT COORDINATOR: Claudia Corrales, (512) 239-4935; REGIONAL OFFICE: 230 9 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(14) COMPANY: City of Groesbeck; DOCKET NUMBER: 2016-1012-PWS-E; IDENTIFIER: RN101384741; LOCATION: Groesbeck, Limestone County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.111(c)(3)(B)(i) and Texas Health and Safety Code (THSC), §341.031(a), by failing to achieve the removal/inactivation requirements for Cryptosporidium at the surface water treatment plant (TP14960) for the months of January 2016 - April 2016; 30 TAC §290.115(f)(1) and THSC, §341.0315(c), by failing to comply with the maximum contaminant level of 0.060 milligrams per liter for total haloacetic acids based on the locational running annual average; PENALTY: \$1,755; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(15) COMPANY: City of Paradise; DOCKET NUMBER: 2016-0713-PWS-E; IDENTIFIER: RN101187193; LOCATION: Wise, Wise County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter (mg/L) for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.115(f)(1) and THSC, §341.0315(c), by failing to comply with the MCL of 0.060 mg/L for haloacetic acids, based on the locational running annual average; PENALTY: \$345; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 230 9 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(16) COMPANY: City of Ranger; DOCKET NUMBER: 2016-0488-PWS-E; IDENTIFIER: RN101454841; LOCATION: Ranger, Eastland County; TYPE OF FACILITY: public water supply; RULES VIO-

LATED: 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfectant Level Quarterly Operating Report to the executive director (ED) each quarter by the tenth day of the month following the end of the quarter for the third quarter of 2015; 30 TAC §290.122(c)(2)(A) and (f), by failing to provide the public notification and submit a copy of the public notification to the ED regarding the failure to conduct increased coliform monitoring for the month of June 2014; 30 TAC §290.117(c)(2)(A), (h), and (i)(1) and 40 Code of Federal Regulations (CFR) §141.86 and §141.90(a), by failing to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed and report the results to the ED for the July 1, 2015 - December 31, 2015, monitoring period; 30 TAC §290.117(e)(2), (h), and (i)(3) and §290.122(c)(2)(A) and (f), and 40 CFR §141.87 and §141.90(a), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites for the six-month period (January 1, 2013 - June 30, 2013) during which the copper action level was exceeded and the following two consecutive six-month periods (July 1, 2013 - December 31, 2013, and January 1, 2014 - June 30, 2014), and failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites for the six-month period (July 1, 2014 - December 31, 2014) during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to conduct all of the required water quality parameter sampling during the January 1, 2013 - June 30, 2013, July 1, 2013 - December 31, 2013, January 1, 2014 - June 30, 2014, and July 1, 2014 - December 31, 2014, monitoring periods; 30 TAC §290.117(d)(2)(A), (h), and (i)(2) and §290.122(c)(2)(A) and (f), and 40 CFR §141.88 and §141.90(b), by failing to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2013 - June 30, 2013, monitoring period during which the copper action level was exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2013 - June 30, 2013, monitoring period; 30 TAC §290.117(g)(2)(A) and §290.122(b)(2)(A) and (f), and 40 CFR §141.83 and §141.90(d)(1), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2013 - June 30, 2013, monitoring period during which the copper action level was exceeded, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for source water treatment; and 30 TAC §290.117(f)(3)(A) and §290.122(b)(2)(A) and (f), and 40 CFR §§141.81(e)(1), 141.82(a), and 141.90(c)(2), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2013 - June 30, 2013, monitoring period during which the copper action level was exceeded, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for optimal corrosion control treatment; PENALTY: \$3,768; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(17) COMPANY: City of Robert Lee; DOCKET NUMBER: 2016-0943-MWD-E; IDENTIFIER: RN101920163; LOCATION: Robert Lee, Coke County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §210.6(1)(B) and §210.34(2) and Reclaimed Water Authorization Number R13901001, Sampling and Analysis IV, by failing to conduct sampling of the reclaimed water prior to distribution to a user; 30 TAC §§30 5.125(1) and (5), 319.6, and 319.11(c) and Texas Pollution Elimination Discharge System

(TPDES) Permit Number WQ0013901001, Operational Requirements Number 1, by failing to properly operate and maintain the facility and all of its systems of collection, treatment, and disposal; and 30 TAC §30.350(d) and §30.5.125(1) and TPDES Permit Number WQ0013901001, Operational Requirements Number 9 and Other Requirements Number 1, by failing to employ or contract with one or more licensed wastewater treatment facility operators; PENALTY: \$7,650; ENFORCEMENT COORDINATOR: Farhaud Abbaszadeh, (512) 239-0779; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(18) COMPANY: City of Saint Jo; DOCKET NUMBER: 2015-0215-MWD-E; IDENTIFIER: RN1030 16226; LOCATION: Saint Jo, Montague County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §30.5.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0014496001, Monitoring and Reporting Requirements Number 7(c), by failing to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ Abilene Regional Office and the Enforcement Division within five working days of becoming aware of the non-compliance; 30 TAC §§30.5.125(1), 319.9(d), and 319.11(c) and TPDES Permit Number WQ0014496001, Monitoring and Reporting Requirements Number 2(a), by failing to ensure measurements, tests, and calculations are accurately accomplished; 30 TAC §30.5.125(1) and (17) and TPDES Permit Number WQ0014496001, Monitoring and Reporting Requirements Number 1, by failing to submit complete effluent monitoring results at the intervals specified in the permit; and TWC, §26.121(a)(1), 30 TAC §30.5.125(1), and TPDES Permit Number WQ0014496001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limits; PENALTY: \$8,502; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(19) COMPANY: City of Scottsville; DOCKET NUMBER: 2016-1312-PWS-E; IDENTIFIER: RN101227619; LOCATION: Scottsville, Harrison County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(e)(4)(B) and Texas Health and Safety Code, §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds a minimum of a Class C or higher license; PENALTY: \$625; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(20) COMPANY: City of Troy; DOCKET NUMBER: 2016-0826-PWS-E; IDENTIFIER: RN101386159; LOCATION: Troy, Bell 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)(B), (h), and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed and report the results to the executive director for the January 1, 2015 - December 31, 2015, monitoring period; PENALTY: \$345; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(21) COMPANY: CYNDIE PARK 2 WATER SUPPLY CORPORATION; DOCKET NUMBER: 2015-1580-PWS-E; IDENTIFIER: RN101261410; LOCATION: Banquette, Nueces County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j) and Texas Health and Safety Code, §341.0351, by failing to notify the executive director and obtain approval prior to making any

significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; 30 TAC §290.42(e)(3), by failing to select and install disinfection equipment for the groundwater supply to ensure that continuous and effective disinfection can be secured under all conditions; 30 TAC §290.42(l), by failing to maintain an up-to-date plant operations manual for operator review and reference; 30 TAC §290.43(d)(2), by failing to provide all pressure tanks with a pressure release device and an easily readable pressure gauge; 30 TAC §290.44(a)(4), by failing to install water transmission and distribution lines below the frost line and in one case less than 24 inches below the ground surface; 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.42(j), by failing to use American National Standards Institute/National Sanitation Foundation Standard 60 certified chemicals in the treatment of water supplied by the facility; and 30 TAC §291.76 and TWC, §5.702, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 12100 for calendar years 2011 - 2014; PENALTY: \$982; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3425; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(22) COMPANY: Dupre Logistics LLC; DOCKET NUMBER: 2016-1390-PST-E; IDENTIFIER: RN100648096; LOCATION: Channelview, Harris County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to not deposit a regulated substance into a regulated underground storage tank system that was not covered by a valid, current TCEQ delivery certificate; PENALTY: \$1,985; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(23) COMPANY: East Texas Convenience, LLC dba Villager Grocery; DOCKET NUMBER: 2016-1446-PST-E; IDENTIFIER: RN101790145; LOCATION: Pittsburg, Camp 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: \$3,563; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(24) COMPANY: ESCONDIDO LAND COMPANY, INCORPORATED; DOCKET NUMBER: 2016-1115-PWS-E; IDENTIFIER: RN101249597; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(2) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level of ten milligrams per liter for nitrate; PENALTY: \$660; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(25) COMPANY: EXXON EZ Incorporated dba Texas Best Smokehouse IV; DOCKET NUMBER: 2016-1455-PST-E; IDENTIFIER: RN105661532; LOCATION: Midlothian, Ellis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1),

by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,875; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 230 9 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(26) COMPANY: GRAND CASTLE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-0459-PWS-E; IDENTIFIER: RN101181550; LOCATION: Plainview, Hale County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; and 30 TAC §290.46(j), by failing to complete a customer service inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe that cross connections or other potential contamination hazards exist; PENALTY: \$250; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(27) COMPANY: Jesus Chiquito; DOCKET NUMBER: 2016-1597-WOC-E; IDENTIFIER: RN106495948; LOCATION: Heath, Rockwall County; TYPE OF FACILITY: on-site sewage facility; RULE VIOLATED: 30 TAC §30 .5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(28) COMPANY: John P. Seymour dba Special Waste Management; DOCKET NUMBER: 2016-1083-MSW-E; IDENTIFIER: RN105929731; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: medical waste transport; RULE VIOLATED: 30 TAC §326.53(a) and (b) [formerly cited as 30 TAC §330 .9(a) and (l) and §330 .1211(b)], by failing to timely renew a previously issued registration prior to transporting medical waste; PENALTY: \$3,603; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(29) COMPANY: JUBLIE, INCORPORATED dba Murphy Food Store; DOCKET NUMBER: 2016-1095-PST-E; IDENTIFIER: RN101911949; LOCATION: Missouri City, Fort Bend County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.51(a)(6) and TWC, §26.3475(c)(2), by failing to ensure that all spill and overflow prevention devices are maintained in good operating condition; 30 TAC §334.50(d)(1)(B)(ii) and TWC, §26.3475(c)(1), by failing to conduct reconciliation of detailed inventory control records at least once each month, in a manner sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow through for the month plus 130 gallons; 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: \$10,295; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(30) COMPANY: Marvin E. Tillman; DOCKET NUMBER: 2016-1670-WOC-E; IDENTIFIER: RN103389797; LOCATION: Olton, Lamb County; TYPE OF FACILITY: municipal solid waste disposal site; RULE VIOLATED: 30 TAC §30 .5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(31) COMPANY: Monarch Utilities I L.P.; DOCKET NUMBER: 2016-0866-PWS-E; IDENTIFIER: RN101376200; LOCATION: Joshua, Johnson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.109(f)(1)(A) and §290.122(a)(2)(D) and (f) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level (MCL) for microbial contaminants for the month of March 2016, and failing to provide public notification and submit a copy of the public notification to the executive director regarding the failure to comply with the acute MCL for microbial contaminants for the month of March 2016; PENALTY: \$1,205; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(32) COMPANY: Monarch Utilities I L.P.; DOCKET NUMBER: 2016-1048-MWD-E; IDENTIFIER: RN1030 15350; LOCATION: Point Blank, San Jacinto County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §30 5.126(a) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0014056001, Operational Requirements Number 8(a), by failing to obtain necessary authorization from the TCEQ to commence construction of additional treatment and/or collection facilities when the facility reached 90% of the permitted daily average flow for three consecutive months; and TWC, §26.121(a)(1), 30 TAC §30 5.125(1), and TPDES Permit Number WQ0014056001, Permit Conditions Number 2(g), by failing to prevent the discharge of wastewater into or adjacent to water in the state; PENALTY: \$2,463; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(33) COMPANY: Raj-Kally Corporation dba Cowboy Food Mart; DOCKET NUMBER: 2016-1181-PST-E; IDENTIFIER: RN105001580; LOCATION: Walnut Springs, Bosque 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: \$4,500; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3425; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(34) COMPANY: Raj-Kally Corporation dba Pack and Save; DOCKET NUMBER: 2016-1173-PST-E; IDENTIFIER: RN102242427; LOCATION: Walnut Springs, Bosque County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(35) COMPANY: Ray Faris, Incorporated; DOCKET NUMBER: 2016-1807-WR-E; IDENTIFIER: RN109415661; LOCATION: Bandera, Bandera County; TYPE OF FACILITY: roadside park on Medina River; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to impounding, diverting, or using state water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(36) COMPANY: River Bottom Sand LLC; DOCKET NUMBER: 2016-0867-WQ-E; IDENTIFIER: RN109145607; LOCATION: Lake Jackson, Brazoria County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §342.25(b), by failing to register the site as an APO no later than the tenth business day before

the beginning date of regulated activities; 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities under Texas Pollutant Discharge Elimination System General Permit Number TXR050000; and TWC, §26.121(a)(2), by failing to prevent the unauthorized discharge of sediment into or adjacent to water in the state; PENALTY: \$8,751; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(37) COMPANY: Ross Midland LLC dba Avion Flight Centre South Fuel Farm; DOCKET NUMBER: 2016-1042-PST-E; IDENTIFIER: RN101821684; LOCATION: Midland, Midland County; TYPE OF FACILITY: aircraft refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(38) COMPANY: Star Container Company Incorporated; DOCKET NUMBER: 2016-1084-MLM-E; IDENTIFIER: RN105726475; LOCATION: Mason, Mason County; TYPE OF FACILITY: plastic re-grind facility; RULES VIOLATED: 30 TAC §§335.62, 335.503, and 335.504 and 40 Code of Federal Regulations §262.11, by failing to conduct hazardous waste determinations and waste classifications; 30 TAC §335.4 and TWC, §26.121(a)(1), by failing to not cause, suffer, allow, or permit the unauthorized disposal of industrial solid waste at the facility; and 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization to construct and operate a source of air emissions; PENALTY: \$8,313; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(39) COMPANY: Tary Tam dba A-Ya Ya Food Mart; DOCKET NUMBER: 2016-0844-PST-E; IDENTIFIER: RN102246857; LOCATION: Marshall, Harrison 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: \$5,124; ENFORCEMENT COORDINATOR: Farhaud Abbaszadeh, (512) 239-0779; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(40) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2016-1024-MWD-E; IDENTIFIER: RN102314069; LOCATION: Angelton, Brazoria County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §30 5.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010829001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$3,675; Supplemental Environmental Project offset amount of \$2,940; ENFORCEMENT COORDINATOR: Caleb Olson, (512) 239-2541; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(41) COMPANY: The Lubrizol Corporation; DOCKET NUMBER: 2016-0734-AIR-E; IDENTIFIER: RN100221589; LOCATION: Deer Park, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), Texas Health and Safety Code, §382.085(b), Federal Operating Permit Number O1929, Special Terms and Conditions Number 11, and New Source Review Permit Number 19804, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$13,125;

Supplemental Environmental Project offset amount of \$5,250; ENFORCEMENT COORDINATOR: Shelby Orme, (512) 239-4575; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(42) COMPANY: The Salvation Army; DOCKET NUMBER: 2016-1141-MWD-E; IDENTIFIER: RN102769098; LOCATION: Midlothian, Ellis County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §30 5.125(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013904001, Effluent Limitations and Monitoring Requirements Numbers 1 and 2, by failing to comply with permitted effluent limitations; and 30 TAC §§30 5.125(1), (11)(A), and (17), 319.1, 319.4, and 319.5(b) and TPDES Permit Number WQ0013904001, Monitoring and Reporting Requirements Numbers 1 and 3(a), by failing to collect and analyze samples at the intervals specified in the permit; PENALTY: \$23,250; ENFORCEMENT COORDINATOR: Caleb Olson, (512) 239-2541; REGIONAL OFFICE: 230 9 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(43) COMPANY: Town of Refugio; DOCKET NUMBER: 2014-1043-MWD-E; IDENTIFIER: RN103913935; LOCATION: Refugio, Refugio County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §30 5.125(1) and §319.7(a)(1) - (3) and (5) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010255001, Monitoring and Reporting Requirements Numbers 3.b and 3.c, by failing to maintain complete and accurate records of monitoring activities; 30 TAC §30 5.125(1) and (9)(A) and TPDES Permit Number WQ0010255001, Monitoring and Reporting Requirements Number 7.c, by failing to report any effluent violation which deviates from the permitted limitation by more than 40% in writing to the Corpus Christi Regional Office and the Enforcement Division within five working days of becoming aware of the non-compliance events; 30 TAC §30 5.125(1) and §319.11(c), 40 Code of Federal Regulations (CFR) Part 136, and TPDES Permit Number WQ0010255001, Monitoring and Reporting Requirements Number 2.a, by failing to analyze effluent samples as specified in the permit; 30 TAC §30 5.125(1) and (17) and TPDES Permit Number WQ0010255001, Other Requirements Number 10, by failing to submit a complete quarterly sludge report by the 15th day of the month following each quarter; 30 TAC §30 5.125(1) and (17) and TPDES Permit Number WQ0010255001, Sludge Provisions Section II.F, by failing to submit a complete annual sludge report for the monitoring period ending August 31, 2013, by September 30, 2013; 30 TAC §30 5.125(1) and §319.11(b) and TPDES Permit Number WQ0010255001, Monitoring and Reporting Requirements Number 2.a, by failing to properly preserve effluent samples; 30 TAC §§30 5.125(1) and (11)(A), 319.1, 319.4, and 319.5(b) and TPDES Permit Number WQ0010255001, Effluent Limitations and Monitoring Requirements Number 6 and Monitoring and Reporting Requirements Number 1, by failing to collect and analyze samples at the required frequency; 30 TAC §30 5.125(1) and TPDES Permit Number WQ0010255001, Operational Requirements Number 9 and Other Requirements Number 1, by failing to employ or contract with one or more licensed wastewater treatment facility operators; 30 TAC §30 5.125(1) and §319.5(b) and TPDES Permit Number WQ0010255001, Monitoring and Reporting Requirements Numbers 1 and 3.a, by failing to submit accurate effluent results to the TCEQ; TWC, §26.121(a)(1), 30 TAC §30 5.125(1) and (4), and TPDES Permit Number WQ0010255001, Permit Conditions Number 2.d and Effluent Limitations and Monitoring Requirements Number 4, by failing to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment; TWC, §26.121(a)(1), 30 TAC §30 5.125(1) and (5), and

TPDES Permit Number WQ0010255001, Operational Requirements Number 1 and Permit Conditions Number 2.g, by failing to properly operate and maintain the facility and all of its systems of collection, treatment, and disposal which resulted in an unauthorized discharge of wastewater; 30 TAC §30 5.125(1) and TPDES Permit Number WQ0010255001, Other Requirements Number 7, by failing to conduct the annual soil sampling from the Class B sludge application area and submit the results with a map showing the location of the soil samples to the TCEQ Corpus Christi Regional Office, Water Quality Assessment Team, and the Compliance Monitoring Team by September 30, 2014; and 30 TAC §30 5.125(1) and §319.11 and TPDES Permit Number WQ0010255001, Monitoring and Reporting Requirements Numbers 1 and 2.a, by failing to monitor effluent as specified in the permit; PENALTY: \$104,400; Supplemental Environmental Project offset amount of \$104,400; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(44) COMPANY: U.S. Venture, Incorporated; DOCKET NUMBER: 2016-0901-AIR-E; IDENTIFIER: RN100219260; LOCATION: Houston, Harris County; TYPE OF FACILITY: storage and distribution terminal; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Federal Operating Permit Number O3376, General Terms and Conditions, and Texas Health and Safety Code, §382.085(b), by failing to submit a Permit Compliance Certification within 30 days of the end of the certification period; PENALTY: \$2,626; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201605536
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: October 25, 2016



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 December 5, 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 December 5, 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.

COMPANY: The Premcor Refining Group Incorporated; DOCKET NUMBER: 2013-0839-AIR-E; IDENTIFIER: RN102584026; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 116.715(a) and (c)(7), and 122.143(4), Texas Health and Safety Code (THSC), §382.085(b), Federal Operating Permit (FOP) Number O1498, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.A. and 18, and Flexible Permit Numbers 6825A, PSDTX49, and N65, Special Conditions (SC) Number 5A, by failing to prevent unauthorized emissions; 30 TAC §§101.20(3), 116.715(a) and (c)(7), and 122.143(4), THSC, §382.085(b), FOP Number O2229, GTC and STC Number 15.A., Flexible Permit Numbers 6825A, PSDTX49, and N65, SC Number 5A, by failing to prevent unauthorized emissions; 30 TAC §§101.20(2) and (3), 113.780, 116.715(a) and (c)(7), and 122.143(4), THSC, §382.085(b), 40 Code of Federal Regulations §63.1568(a)(1), FOP Number O1498, GTC, and Flexible Permit Numbers 6825A, PSDTX49, and N65, SC Numbers 3A, 5A, 5B, 7B, and 23B, by failing to prevent unauthorized emissions and maintain the sulfur dioxide and hydrogen sulfide concentrations below the maximum allowable limits; 30 TAC §116.115(c) and §122.143(4), THSC, §382.085(b), FOP Number O1498, STC Number 18, and Flexible Permit Number 56546, SC Number 5A, by failing to comply with the volatile organic compounds emission rates; 30 TAC §§101.20(3), 116.115(c), and 122.143(4), THSC, §382.085(b), FOP Number O2227, GTC and STC Number 16, and Flexible Permit Numbers 6825A, PSDTX49, and N65, SC Number 11A, by failing to comply with the allowable rolling 12-month loading throughput rates; 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), THSC, §382.085(b), FOP Number O1498, GTC and STC Numbers 1.A. and 18, and Flexible Permit Numbers 6825A, PSDTX49, and N65, SC Number 1, by failing to prevent unauthorized emissions; 30 TAC §106.4(c) and §122.143(4), THSC, §382.085(b), and FOP Number O2228, GTC and STC Numbers 1.A. and 15, by failing to prevent unauthorized emissions; 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), THSC, §382.085(b), FOP Number O1498, GTC and STC Numbers 1.A. and 18, and Flexible Permit Numbers 6825A, PSDTX49, and N65, SC Number 1, by failing to prevent unauthorized emissions; and 30 TAC §106.4(c) and §122.143(4), THSC, §382.085(b), and FOP Number O2228, GTC and STC Numbers 1.A. and 15, by failing to prevent unauthorized emissions; PENALTY: \$348,938; Supplemental Environmental Project offset amount of \$139,575; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

COMPANY: The Premcor Refining Group Incorporated; DOCKET NUMBER: 2011-2300-AIR-E; IDENTIFIER: RN102584026; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Texas Health and Safety Code (THSC), §382.085(b), Federal Operating Permit (FOP) Number O1498, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.A. and 18, and Flexible Permit Numbers 6825A, PSDTX49, and N65, Special Conditions (SC) Number 1, by failing to prevent unauthorized emissions; 30 TAC §101.201(a)(1)(B) and §122.143(4), THSC, §382.085(b), and FOP Number O1498, GTC and STC Number 2.F., by failing to submit an initial notification within 24 hours after discovery of the emissions event; and 30 TAC

§116.115(b)(2)(F) and (c) and §122.143(4), THSC, §382.085(b), FOP Number O1498, GTC and STC Numbers 1.A. and 18, and Flexible Permit Number 86757, SC Number 1, by failing to comply with the permitted nitrogen oxide emission rate of 3.3 pounds per hour; PENALTY: \$2,020,216; Supplemental Environmental Project offset amount of \$1,010,108; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-201605605

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: October 27, 2016



Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater Renewal Permit Number WQ0011593001

APPLICATION AND PRELIMINARY DECISION. Trophy Club Municipal Utility District No. 1, 100 Municipal Drive, Trophy Club, Texas 76262, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0011593001, which authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 1,750,000 gallons per day. The draft permit also authorizes the disposal of treated domestic wastewater via irrigation of 416.9 acres of golf course. TCEQ received this application on March 1, 2016.

The facility is located at 1499 Junction Way, approximately 0.9 mile north of the intersection of State Highway 114 and Trophy Club Drive, and approximately 2.5 miles east of the intersection of U.S. Highway 377 and State Highway 114 in Denton County, Texas 76262. The treated effluent is discharged to unnamed ponds (golf course ponds) and/or an unnamed tributary; thence to Marshall Branch; thence to Grapevine Lake in Segment No. 0826 of the Trinity River Basin. The unclassified receiving water use is minimal aquatic life use for the unnamed tributary (and golf course ponds) and for Marshall Branch. The designated uses for Segment No. 0826 are high aquatic life use, public water supply, and primary contact recreation.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Trophy Club Municipal Utility District Svore Building, 100 Municipal Drive, Trophy Club, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <https://www.tceq.texas.gov/assets/public/hb610/index.html?lat=33.005833&lng=-97.183333&zoom=13&type=r>.

CHANGE IN LAW: The Texas Legislature enacted Senate Bill 709, effective September 1, 2015, amending the requirements for comments and contested case hearings. This application is subject to those changes in law.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments about this application. The TCEQ will hold a public meeting on this application because it was requested by a local legislator. The purpose of a public meeting is to provide

the opportunity to submit comments or to ask questions about the application.

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

The Public Meeting is to be held:

Tuesday, December 6, 2016 at 7:00 P.M.

Trophy Club Municipal Utility District No. 1

Svore Municipal Building (Boardroom)

100 Municipal Drive

Trophy Club, Texas 76262

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for

reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

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. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period. TCEQ may act on an application to renew a permit for discharge of wastewater without providing an opportunity for a contested case hearing if certain criteria are met.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

Citizens are encouraged to submit written public comments and public meeting requests to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html within 30 days from the date of newspaper publication of this notice or by the date of the public meeting, whichever is later.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. Si desea información en español, puede llamar al (800) 687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.texas.gov.

Further information may also be obtained from CP&Y at 115 W. 7th St #1500, Fort Worth, Texas 76102 or by calling Kevin Glover, PE at (817) 354-0189.

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

Issuance Date October 21, 2016

TRD-201605577

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 26, 2016



Enforcement Orders

An agreed order was adopted regarding Texas A&M AgriLife Research, Docket No. 2015-0778-IWD-E on October 25, 2016 assessing \$3,375 in administrative penalties with \$675 deferred. Information

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

An agreed order was adopted regarding Robert M. Smith and OAK TERRACE ESTATES, INC., Docket No. 2015-1108-PWS-E on October 25, 2016 assessing \$740 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ryan Rutledge, 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 Aaina Enterprises Inc. dba Easy Shop, Docket No. 2015-1387-PST-E on October 25, 2016 assessing \$3,879 in administrative penalties with \$775 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 Texas Concrete Enterprise, L.L.C., Docket No. 2015-1771-WQ-E on October 25, 2016 assessing \$1,370 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 Jonah Water Special Utility District, Docket No. 2016-0138-PWS-E on October 25, 2016 assessing \$345 in administrative penalties with \$69 deferred. Information concerning any aspect of this order may be obtained by contacting Farhaud Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding HENRY & SONS CONSTRUCTION COMPANY, INC., Docket No. 2016-0409-MSW-E on October 25, 2016 assessing \$787 in administrative penalties with \$157 deferred. Information concerning any aspect of this order may be obtained by contacting Keith Frank, 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 Pioneer Natural Resources USA, Inc., Docket No. 2016-0513-PWS-E on October 25, 2016 assessing \$250 in administrative penalties with \$50 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Anita Lewis and Cody Brent Lewis, Docket No. 2016-0550-PWS-E on October 25, 2016 assessing \$262 in administrative penalties with \$52 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 Jarvis Christian College, Docket No. 2016-0566-MWD-E on October 25, 2016 assessing \$3,050 in administrative penalties with \$610 deferred. Information concerning any aspect of this order may be obtained by contacting Ross Luedtke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711 3087.

An agreed order was adopted regarding NORTH ORANGE WATER & SEWER, LLC, Docket No. 2016 0573 PWS E on October 25, 2016

assessing \$1,821 in administrative penalties with \$364 deferred. Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, 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 Fort Bend County Municipal Utility District No. 37, Docket No. 2016-0651-MWD-E on October 25, 2016 assessing \$2,750 in administrative penalties with \$550 deferred. 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 Lumberton Municipal Utility District, Docket No. 2016-0664-MWD-E on October 25, 2016 assessing \$4,125 in administrative penalties with \$825 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.

An agreed order was adopted regarding TICONA POLYMERS, INC., Docket No. 2016-0725-WDW-E on October 25, 2016 assessing \$2,438 in administrative penalties with \$487 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.

TRD-201605592

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 26, 2016



Notice of District Petition

Notices issued October 21-24, 2016

Texas Commission on Environmental Quality (TCEQ) Internal Control No. D-06142016-043; CE Development, Inc. (Petitioner) filed a petition for creation of Travis County Municipal Utility District No. 23 (District) with the TCEQ. The petition was filed pursuant to Article XVI, Section 59 of the Texas Constitution; Chapters 49 and 54 of the Texas Water Code; Title 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner is the owner of a majority in value of the land to be included in the proposed District; (2) there are three lienholders, 130 Cactus Investment, L.P., ARP Autumn Ridge Partners, LP, and International Bank of Commerce, on the property to be included in the proposed District; (3) the proposed District will contain approximately 443.692 acres located within Travis County, Texas; and (4) all of the land within the proposed District is within the corporate limits of the City of Pflugerville (City), Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. The Petitioner has also provided certificates evidencing the consent of the lienholders to the creation of the proposed District. By Resolution No. 1475-16-02-09-0296, passed and approved February 9, 2016, the City of Pflugerville, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from such information available at this time, that the cost of said project will be approximately \$53,025,000 (\$44,375,000 for utilities, plus \$4,325,000 for recreational facilities, plus \$4,325,000 for road facilities).

TCEQ Internal Control No. D-07132016-015; 278 Georgetown, Inc. (Petitioner) filed a petition for creation of Williamson County Municipal Utility District No. 34 (District) with the TCEQ. The petition was filed pursuant to Article XVI, § 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are three lienholders, San Gabriel Harvard Limited Partnership, United Development Funding IV, and PlainsCapital Bank on the property to be included in the proposed District; and the before mentioned entities have consented to the petition; (3) the proposed District will contain approximately 278.21 acres located within Williamson County, Texas; and (4) the proposed District is within the corporate boundaries of the City of Georgetown, Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By Resolution No. 052416-I, passed and approved May 24, 2016, the City of Georgetown gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$19,925,000 (\$16,250,000 for utilities plus \$525,000 for roads plus \$3,150,000 for recreational facilities).

TCEQ Internal Control No. D-07222016-052; The Jack W. Wilson Family Trust, The Sarah H. Wilson Grantor Trust "A", The Tiffany Nicole Harrison Howe Trust, The Angela Glover Trust, The John Paul Wilson Trust, The Rosemary Harrison Children's Trust, The Sarah H. Wilson Grantor Trust "B", Angela Christine Harrison Glover, and Tiffany Nicole Harrison Howe (Petitioners) filed a petition for creation of Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties (District) with the TCEQ. The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners holds title to all of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 719.903 acres located within Tarrant and Wise Counties, Texas; and (4) no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$56,415,000 (\$43,945,000 for utilities plus \$12,470,000 for roads).

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.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property

relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, 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 Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.texas.gov.

Issued in Austin, Texas on October 25, 2016

TRD-201605595

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 26, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 9, 2016**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711 3087 and must be **received by 5:00 p.m. on December 9, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: GREEN LAND VENTURES, LTD.; DOCKET NUMBER: 2014-1703-WQ-E; TCEQ ID NUMBER: RN106433766; LOCATION: approximately two miles west of Interstate Highway 10 on the north side of Boerne Stage Road, San Antonio, Bexar County; TYPE OF FACILITY: land development construction site; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge storm water runoff associated with construction activities; and TWC, §26.121(a)(2), by failing to prevent the unauthorized discharge of sediment into or adjacent to water in the state; PENALTY: \$4,500; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(2) COMPANY: Town of Addison; DOCKET NUMBER: 2015-0549-WR-E; TCEQ ID NUMBER: RN105975361; LOCATION: within a municipal development on Ponte Avenue along Vitruvian Trail, Addison, Dallas County; TYPE OF FACILITY: two permitted impoundments; RULES VIOLATED: TWC, §11.121 and 30 TAC §297.11, by failing to obtain authorization prior to beginning construction of any work designed for the storage, taking or diversion of state water; 30 TAC §297.45(e) and TCEQ Water Use Permit Number 5383A, Special Condition 6.C., by failing to maintain a Trinity Aquifer groundwater well as an alternative source of water; TWC, §11.121, 30 TAC §297.45(e), and TCEQ Water Use Permit Number 5383A, Special Condition 6.B., by failing to supplement the reservoirs with water from the groundwater well in the amount of a minimum of 5.82 acre feet of water per year; and 30 TAC §297.45(e) and TCEQ Water Use Permit Number 5383A, Special Condition 6.D., by failing to maintain a riparian buffer zone of permanent native vegetation around the perimeter of the reservoir complex at a density to ensure complete coverage at maturity; PENALTY: \$2,355; STAFF ATTORNEY: Jim Sallans, Litigation Division, MC 175, (512) 239-2053; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201605534

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: October 25, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 9, 2016**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper,

inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 9, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: LASS UTILITY SERVICE COMPANY INC and Sandra R. Barbey; DOCKET NUMBER: 2016-0039-PWS-E; TCEQ ID NUMBER: RN101225753; LOCATION: 0.8 mile south of the intersection of Wolf Lane and State Highway 6 near Valley Mills, McLennan County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the executive director (ED) regarding the failure to submit a Disinfectant Level Quarterly Operating Report by the tenth day following the end of the monitoring period; 30 TAC §290.117(i)(6) and (j), by failing to mail consumer notification of lead tap water monitoring results to persons served at the locations that were sampled and failing to submit to the TCEQ a copy of the consumer notification and certification that the consumer notification has been distributed to persons served at the locations that were sampled in a manner consistent with TCEQ requirements; 30 TAC §290.117(c)(2)(A)(i) and (i)(1) and §290.122(c)(2)(A) and (f), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed by an approved laboratory, and provide the results to the ED following the end of the monitoring period, and by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect lead and copper tap samples; 30 TAC §290.117(c)(2)(A)(i) and (i)(1), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed by an approved laboratory, and provide the results to the ED within ten days following the end of the monitoring period; PENALTY: \$2,447; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(2) COMPANY: Randall & Spencer, LLC d/b/a 2 Cousins Gas & Grocery; DOCKET NUMBER: 2015-1747-PWS-E; TCEQ ID NUMBER: RN106852346; LOCATION: 7700 Farm-to-Market Road 2210 East, Perrin, Jack County; TYPE OF FACILITY: public water system; RULES VIOLATED: Texas Health and Safety Code, §341.033(d) and 30 TAC §290.109(c)(2)(A)(i) and §290.122(c)(2)(A) and (f), by failing to collect routine distribution water samples for coliform analysis for the months of February through August 2015 and by failing to issue public notification and submit a copy of the public notification to the executive director regarding the failure to collect routine samples for the months of February through June 2015; PENALTY: \$1,815; STAFF ATTORNEY: Adam Taylor, Litigation Division, MC 175, (512) 239-3345; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(3) COMPANY: Waylon Ray Collins; DOCKET NUMBER: 2015-1257-PST-E; TCEQ ID NUMBER: RN102717493; LOCATION: 306 West South 1st Street, Roby, Fisher County; TYPE OF FACILITY: inactive underground storage tank (UST) system; RULES VIOLATED: 30 TAC §334.55 and TCEQ AO Docket Number 2010-0597-PST-E, Ordering Provisions Numbers 2.a. and 3., by failing to permanently remove a UST system from service; and TWC, §5.702, 30 TAC §334.22(a), and TCEQ AO Docket Number 2010-0597-PST-E, Ordering Provision Number 2.b., by failing to pay outstanding UST fees and late fees for TCEQ Financial Administration Account Number 0033911U; PENALTY: \$57,375; STAFF ATTORNEY: Lena Roberts, Litigation Division, MC 175, (512) 239-0019; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

TRD-201605535

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: October 25, 2016



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

The Texas Commission on Environmental Quality (TCEQ, Agency, or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Orders (S/DOs). Texas Water Code (TWC), §26.3475 authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be non-compliant with release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the release detection, spill and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations, the proposed penalty, the proposed technical requirements necessary to bring the entity back into compliance, and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. In accordance with TWC, §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 9, 2016**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed S/DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed S/DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the S/DO shall be sent to the attorney designated for the S/DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 9, 2016**.

Written comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission attorneys are available to discuss the S/DOs and/or the comment procedure at the listed phone numbers; however, comments on the S/DOs shall be submitted to the commission in **writing**.

(1) COMPANY: BENTON RAINEY, INC. d/b/a East End Station; DOCKET NUMBER: 2016-0595-PST-E; TCEQ ID NUMBER: RN101833663; LOCATION: 1609 East Main Street, Clarksville, Red River County; TYPE OF FACILITY: UST system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$4,500; STAFF ATTORNEY: Isaac Ta, Litigation Division, MC 175, (512) 239-0683; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: SEAROSE INC d/b/a Discount Mart 3; DOCKET NUMBER: 2016-0551-PST-E; TCEQ ID NUMBER: RN101769651; LOCATION: 3400 College Avenue, Snyder, Scurry County; TYPE OF FACILITY: UST system and convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; and 30 TAC §334.602(a), by failing to designate, train, and certify at least one individual for each class of operator - Class A, B, and C - for the facility; PENALTY: \$6,378; STAFF ATTORNEY: Isaac Ta, Litigation Division, MC 175, (512) 239-0683; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

TRD-201605533
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: October 25, 2016



Notice of Public Meeting for a New Hazardous Waste Landfill Facility Permit Application Number 50407

APPLICATION. Altair Disposal Services, LLC has applied to Texas Commission on Environmental Quality (TCEQ) for a hazardous waste permit to authorize the construction and operation of a new non-commercial landfill for the disposal of hazardous waste and industrial solid waste. The facility is proposed to be located at 5464 Highway 71, Lot B, Altair, Colorado County, Texas 77412. TCEQ received the application on October 22, 2013. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.59999&lng=-96.492&zoom=13&type=r> For exact location, refer to application.

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

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

The Public Meeting is to be held:

Thursday, December 1, 2016, at 7:00 P.M.

Columbus High School Auditorium

102 Cardinal Street

Columbus, Texas 78934

INFORMATION. Citizens are encouraged to submit written comments anytime during the meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/about/comments.html. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at (800) 687-4040. 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.*

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Nesbitt Memorial Library, 529 Washington Street, Columbus, Colorado County, Texas 78934. Additional information may be obtained from Altair Disposal Services, LLC at the above address or by calling Mr. David Nielsen at (661) 762-6233.

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.

Mailed Date: October 20, 2016

TRD-201605575
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 26, 2016



Notice of Water Quality Application

The following notice was issued on October 20, 2016.

The following does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin Texas 78711-3087 WITHIN (30) DAYS OF THE ISSUED DATE OF THE NOTICE.

INFORMATION SECTION

CITY OF HOUSTON has applied for a minor amendment to Texas Pollutant Discharge Elimination System Permit No. WQ0010495142 to authorize an Interim phase to discharge treated domestic wastewater at an annual average flow not to exceed 1,500,000 gallons per day. The existing permit authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 2,000,000 gallons per day. The facility is located at 26808 Sorters Road, approximately 250 feet south of River Ridge Drive and 0.75 mile west of U.S. Highway 59, in Montgomery County, Texas 77365.

Issued in Austin, Texas on October 25, 2016

TRD-201605593

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 26, 2016



Notice of Water Rights Application

Notice issued October 24, 2016

APPLICATION NO. 13105; BP America Production Company, 886 Finklea Rd. P.O. Box 959 Hallsville, Texas 75650, Applicant, seeks a Temporary Water Use Permit to divert and use not to exceed 225 acre-feet of water within a period of three years from Francis Lake on an unnamed tributary of Caney Creek, Cypress Creek Basin for mining purposes in Harrison County. The application and fees were received on February 18, 2014. Additional information and fees were received on July 23, October 21, October 23, and October 28, 2014. The application was declared administratively complete and filed with the Office of the Chief Clerk on December 8, 2014. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, requiring the Applicant to install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized. The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by November 14, 2016.

INFORMATION SECTION

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

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

The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or

for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement (I/we) request a contested case hearing; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested application which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the 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.texas.gov. Si desea información en español, puede llamar al (800) 687-4040.

Issued in Austin, Texas on October 25, 2016

TRD-201605594

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 26, 2016



Proposal for Decision

The State Office of Administrative Hearings (SOAH) issued a Proposal for Decision and Order to the Texas Commission on Environmental Quality (TCEQ) on October 18, 2016, in the matter of the Executive Director of the Texas Commission on Environmental Quality v. Harrison County; SOAH Docket No. 582-16-2617; TCEQ Docket No. 2015-1297-PST-E. The commission will consider the Administrative Law Judge's Proposal for Decision and Order regarding the enforcement action against Harrison County on a date and time to be determined by the Office of the Chief Clerk in Room 201S of Building E, 12100 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of this publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Meghan Taack, Office of the Chief Clerk, (512) 239-3300.

TRD-201605596

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 26, 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, 2015, for Candidates and Officeholders

Lee C. Crisp, 6920 Fall Creek Hwy., Granbury, Texas 76049

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

Andrew J. Condi, P.O. Box 894, Cuero, Texas 77954

Sandra Crenshaw, 2018 Lanark Ave., Dallas, Texas 75203-4525

Philip B. Hayes, 1728 Barbara Ct., Hideaway, Texas 75771

Cristoban Hernandez, 12053 Champion Forest Dr., Houston, Texas 77066

Heather M. Mather, 401 Congress Ave., Ste. 1540, Austin, Texas 78701

Marilynn S. Mayse, 4306 York St., Dallas, Texas 75210

James D. Morrison, 64 Cauthen Dr., Huntsville, Texas 77320

Ruby Resendez, 4107 Medical Dr., Unit 4108, San Antonio, Texas 78229

Stephen A. Simonsen, 220 N. Thompson, Ste. 101, Conroe, Texas 77301

Demetria Smith, 15155 Richmond Ave., Ste 1410, Houston, Texas 77082

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

Erasmio Herrera III, I.L.A. Local #20 PAC Fund, 2301 33rd St., Galveston, Texas 77550

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

Stephanie C. Schnaible, Focus On The Kids PAC, 323 Silver Canyon Dr., Fort Worth, Texas 76108

Deadline: Personal Financial Statement Report due May 2, 2016

Carla S. Hoffman, 6468 Holly Road, Corpus Christi, Texas 78412-4842
TRD-201605471

Natalia Luna Ashley

Executive Director

Texas Ethics Commission

Filed: October 20, 2016

Texas Facilities Commission

Request for Proposals #303-8-20583

The Texas Facilities Commission (TFC), on behalf of the Texas Department of Insurance-Division of Workers' Compensation (TDI), announces the issuance of Request for Proposals (RFP) #303-8-20583. TFC seeks a five (5) or ten (10) year lease of approximately 12,272 square feet of office space in San Antonio, Bexar County, Texas.

The deadline for questions is November 14, 2016 and the deadline for proposals is November 23, 2016 at 3:00 P.M. The award date is December 21, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=127797.

TRD-201605467

Kay Molina

General Counsel

Texas Facilities Commission

Filed: October 19, 2016

Texas Health and Human Services Commission

Public Notice - Long-Term Care Plan for Individuals with Intellectual Disabilities and Related Conditions 2016-2017

The Texas Health and Human Services Commission (HHSC), pursuant to §533A.062 of the Texas Health and Safety Code, approves and publishes this final Long-Term Care (LTC) Plan. The LTC Plan reflects the legislative appropriations request (LAR) that portion of the Department of Aging and Disability Services, which as of September 1, 2016, is made part of HHSC. This final LTC Plan reflects the LAR for state fiscal years 2016-17.

The purpose of the LTC Plan is to ensure that persons are enrolled in institutional and waiver services as intended by appropriations and to provide a plan for achieving this goal. Consistent with state law, the preliminary LTC Plan was finalized with appropriations authorized by the 84th Texas Legislature. The final LTC Plan includes information on the following:

State supported living centers (SSLCs);

Community-based intermediate care facilities for individuals with an intellectual disability or related condition (ICF/IIDs);

Home and Community-based Services (HCS) waiver;

Texas Home Living (TxHmL) waiver;

Community Living Assistance and Support Services (CLASS) waiver; and

Deaf Blind with Multiple Disabilities (DBMD) waiver.

An individual may obtain a copy of the Long-Term Care Plan (LTC) for Individuals with Intellectual Disabilities and Related Conditions 2016-17, by contacting Janet Fletcher by U.S. mail, telephone, fax, or email. The addresses are as follows:

U.S. Mail

Texas Health and Human Services Commission

Attention: Janet Fletcher, Department of Aging and Disability Services (DADS)

701 W. 51st Street

MC W551

Austin, Texas 78751

Telephone

(512) 438-4350

Email:

Janet.fletcher@HHSC.state.tx.us

TRD-201605597

Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: October 26, 2016

◆ ◆ ◆
Texas Department of Housing and Community Affairs

Notice of Public Hearing - 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 November 29, 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.

This hearing replaces the hearing originally scheduled for October 25, 2016, which was cancelled.

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-201605551
Timothy K. Irvine
Executive Director
Texas Department of Housing and Community Affairs
Filed: October 25, 2016

◆ ◆ ◆
Texas Department of Insurance

Company Licensing

Application for admission to the State of Texas by INFINITY SECURITY INSURANCE COMPANY, a foreign fire and/or casualty company. The home office is in Birmingham, Alabama.

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

TRD-201605581
Norma Garcia
General Counsel
Texas Department of Insurance
Filed: October 26, 2016

◆ ◆ ◆
Texas Department of Licensing and Regulation

Correction of Error

The Texas Department of Licensing and Regulation (TDLR) adopted new rules for 16 TAC §§100.1, 100.10, 100.20, 100.30 and 100.40 in the October 21, 2016 issue of the *Texas Register* (41 TexReg 8292). The statutory authority submitted by TDLR for the adopted rules was incorrect. The correct statutory authority should read as follows:

"The new rules are adopted under Texas Occupations Code, Chapters 51, 203 (Midwives); 401 (Speech-Language Pathologists and Audiologists); 402 (Hearing Instrument Fitters and Dispensers); 451 (Athletic Trainers); 605 (Orthotists and Prosthetists); and 701 (Dietitians), which authorize the Commission, the Department's governing body, to adopt rules as necessary to implement these chapters and any other law establishing a program regulated by the Department.

The statutory provisions affected by the adoption are those set forth in Texas Occupations Code, Chapters 51, 203 (Midwives); 401 (Speech-Language Pathologists and Audiologists); 402 (Hearing Instrument Fitters and Dispensers); 451 (Athletic Trainers); 605 (Orthotists and Prosthetists); and 701 (Dietitians). No other statutes, articles, or codes are affected by the proposal."

TRD-201605538

◆ ◆ ◆
Notice of a Vacancy on Air Conditioning and Refrigeration Contractors Advisory Board

The Texas Department of Licensing and Regulation (Department) announces a vacancy on the Air Conditioning and Refrigeration Contractors Advisory Board (Board) established by Texas Occupations Code, Chapter 1302, Subchapter E. The pertinent rules may be found in 16 Texas Administrative Code §75.65. The purpose of the Air Conditioning and Refrigeration Contractors Advisory Board is to advise the Texas Commission of Licensing and Regulation (Commission) in adopting rules, administering and enforcing this chapter, and setting fees. This announcement is for one member who holds a Class A license and practices in a municipality with a population of more than 25,000 but not more than 250,000.

The Board is composed of the following nine members appointed by the presiding officer of the Commission, with the Commission's approval:

- (1) one official of a municipality with a population of more than 250,000;
- (2) one official of a municipality with a population of not more than 250,000;
- (3) five full-time licensed air conditioning and refrigeration contractors, as follows: one member who holds a Class A license and practices in a municipality with a population of more than 250,000; one member who holds a Class B license and practices in a municipality with a population of more than 250,000; one member who holds a Class A license and practices in a municipality with a population of more than 25,000 but not more than 250,000; one member who holds a Class B license and practices in a municipality with a population of not more than 25,000; one member who holds a license of any classification under this chapter, is principally engaged in air conditioning and refrigeration contracting, and practices in a municipality;
- (4) one must be a building contractor who is principally engaged in home construction and is a member of a statewide building trade association; and
- (5) one public member.

At least one appointed Board member must be an air conditioning and refrigeration contractor who employs organized labor. The executive director and the chief administrator of this chapter serve as ex officio, nonvoting members of the Board. Members serve staggered six-year terms with the terms of two appointed members expiring on February 1 of each odd-numbered year.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202 or e-mail advisory.boards@tdlr.texas.gov.

TRD-201605599
 Brian Francis
 Executive Director
 Texas Department of Licensing and Regulation
 Filed: October 26, 2016



Notice of Vacancy on Towing, Storage and Booting Advisory Board

The Texas Department of Licensing and Regulation (Department) announces two vacancies on the Towing, Storage and Booting Advisory Board (Board) established by Texas Occupations Code, Chapter 2308 and Chapter 2303. The pertinent rules may be found in 16 Texas Administrative Code §§85.650 and §86.650. The purpose of the Towing, Storage and Booting Advisory Board is to advise the Texas Commission of Licensing and Regulation (Commission) and the Department on technical matters relevant to the administration and enforcement of Chapter 2308 and Chapter 2303, including examination content, licensing standards, and continuing education requirements. This announcement is for two positions, one for a parking facility owner and the other for a public member.

The Board is composed of the following ten members appointed by the presiding officer of the Commission, with the Commission's approval:

- (1) one representative of a towing company operating in a county with a population of less than one million;
- (2) one representative of a towing company operating in a county with a population of one million or more;
- (3) one owner of a vehicle storage facility located in a county with a population of less than one million;

- (4) one owner of a vehicle storage facility located in a county with a population of one million or more;
- (5) one parking facility owner;
- (6) one law enforcement officer from a county with a population of less than one million;
- (7) one law enforcement officer from a county with a population of one million or more;
- (8) one representative of property and casualty insurers who write automobile insurance in this state;
- (9) one representative of a booting company; and
- (10) one public member.

Members serve terms of six years, with the terms of two or three members, as appropriate, expiring on February 1 of each odd-numbered year.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202 or e-mail advisory.boards@tdlr.texas.gov.

Issued in Austin, Texas on October 26, 2016.

TRD-201605600
 Brian Francis
 Executive Director
 Texas Department of Licensing and Regulation
 Filed: October 26, 2016



Notice of Vacancy on Weather Modification Advisory Committee

The Texas Department of Licensing and Regulation (Department) announces a vacancy on the Weather Modification Advisory Committee (Committee) established by Agriculture Code, Title 9, Weather and Climate, Chapter 301. The purpose of the Weather Modification Advisory Committee is to advise the Texas Commission of Licensing and Regulation (Commission) on legislation, policies, administration, research, and other matters related to the duties, powers, or function of the Texas Department of Licensing and Regulation under this chapter. This announcement is for the position of a businessman.

The Committee is composed of five members appointed by the presiding officer of the Commission, with the Commission's approval. The members represent the following professional interests: Businessman; Engineer; Atmospheric Scientist; Attorney; and Agricultural Producer. Members serve at the will of the Commission.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202 or e-mail advisory.boards@tdlr.texas.gov.

TRD-201605601
 Brian Francis
 Executive Director
 Texas Department of Licensing and Regulation
 Filed: October 26, 2016



Public Notice - Criminal Conviction Guidelines

The Texas Commission of Licensing and Regulation (Commission) provides this public notice that, at their regularly scheduled meeting

held October 5, 2016, the Commission adopted amendments to the Texas Department of Licensing and Regulation's (Department's) Criminal Conviction Guidelines pursuant to Texas Occupations Code, §53.025(a). The Criminal Conviction Guidelines are updated from the original guidelines published on December 5, 2003 (28 TexReg 11018) to include the Midwives program.

The Criminal Conviction Guidelines (guidelines) describe the process by which the Department determines whether a criminal conviction renders an applicant an unsuitable candidate for the license, or whether a conviction warrants revocation or suspension of a license previously granted. The guidelines present the general factors that are considered in all cases and the reasons why particular crimes are considered to relate to each type of license issued by the Department.

Senate Bill 202, 84th Legislature, Regular Session (2015), transferred regulation of Midwives from the Department of State Health Services to the Texas Department of Licensing and Regulation and amended Texas Occupations Code, Chapter 203. The statutory changes were effective September 1, 2015; the adopted rules became effective October 1, 2016; and the Department commenced all regulatory functions for the Midwives program on October 3, 2016

The Criminal Conviction Guidelines for the Midwives program will become a part of the overall guidelines that are already in place for other Department programs. The Department presented the applicable guidelines to the Midwives Advisory Board at their meeting on August 17, 2016, and received the Board's recommendation of approval.

The Criminal Conviction Guidelines for the Midwives program are as follows:

Crimes against the person such as homicide, kidnapping and assault.

Reasons:

1. Under Section 203.404(a)(3) of the Texas Occupations Code, the agency may discipline a licensed midwife, refuse to renew a midwife's license or refuse to issue a license to an applicant if the person is convicted of a misdemeanor involving moral turpitude or a felony.
2. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the clients.
3. The occupation involves physical contact with clients and their family members in residences and other private settings.
4. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving prohibited sexual conduct.

Reasons:

1. Under Section 203.404(a)(3) of the Texas Occupations Code, the agency may discipline a licensed midwife, refuse to renew a midwife's license or refuse to issue a license to an applicant if the person is convicted of a misdemeanor involving moral turpitude or a felony.
2. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the clients.
3. The occupation involves physical contact with clients and their family members, including children, in residences and other private settings.
4. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving children as victims.

Reasons:

1. Under Section 203.404(a)(3) of the Texas Occupations Code, the agency may discipline a licensed midwife, refuse to renew a midwife's license or refuse to issue a license to an applicant if the person is convicted of a misdemeanor involving moral turpitude or a felony.
2. Licensees interact with children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the children.
3. The occupation involves physical contact with clients and their family members, including children, in residences and other private settings.
4. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes against property such as theft or burglary.

Reasons:

1. Under Section 203.404(a)(3) of the Texas Occupations Code, the agency may discipline a licensed midwife, refuse to renew a midwife's license or refuse to issue a license to an applicant if the person is convicted of a misdemeanor involving moral turpitude or a felony.
2. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a risk to the property of the clients.
3. The occupation involves contact with clients and their family members in residences and other private settings.
4. Licensees have access to the property of clients and others in residences and other private settings.
5. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving fraud or deceptive trade practices

Reasons:

1. Under Section 203.404(a)(3) of the Texas Occupations Code, the agency may discipline a licensed midwife, refuse to renew a midwife's license, or refuse to issue a license to an applicant if the person is convicted of a misdemeanor involving moral turpitude or a felony.
2. Under Section 203.404(a)(5) of the Texas Occupations Code, the agency may discipline a licensed midwife, refuse to renew a midwife's license, or refuse to issue a license to an applicant if the person engages in unprofessional or dishonorable conduct that may reasonably be determined to deceive or defraud the public.
3. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the clients and their property.
4. The occupation involves contact with clients and their family members in residences and other private settings.
5. Licensees have access to the property of clients and others in residences and other private settings.
6. Licensees are directly involved in the filing of birth certificates.
7. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct, potentially including healthcare fraud, insurance fraud, and citizenship fraud.

Crimes involving the possession, possession with intent to deliver, possession with intent to distribute, delivery, distribution or manufacture of illegal drugs.

Reasons:

1. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the clients.
2. The occupation involves contact with clients and their family members in residences and other private settings.
3. This occupation provides the opportunity for the administration of illegal drugs to clients.
4. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving being under the influence of alcohol or drugs.

Reasons:

1. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the clients.
2. The occupation involves close proximity to and physical contact with clients and their children during the prenatal, birthing, and post-partum periods. Persons with this type of criminal history could potentially have alcohol or drugs in their systems which would make them a danger to their clients or others.

Crimes involving the sale, distribution or disposal of human organs or tissue.

1. Licensees interact with adults and children in a healthcare service provider/client role. Persons who have a history of committing such crimes could pose a danger to the clients.
2. This occupation provides persons with this type of criminal history the opportunity to engage in further similar conduct.

A copy of the complete Criminal Conviction Guidelines is posted on the Department’s website and may be obtained at www.tdlr.texas.gov. You may also contact the Enforcement Division at (512) 539-5600 or by email at enforcement@tdlr.texas.gov to obtain a copy of the complete guidelines.

TRD-201605469

Brian E. Francis

Executive Director

Texas Department of Licensing and Regulation

Filed: October 20, 2016



Public Notice - Criminal Conviction Guidelines

The Texas Commission of Licensing and Regulation (Commission) provides this public notice that, at its regularly scheduled meeting held October 5, 2016, the Commission adopted amendments to the Texas Department of Licensing and Regulation’s (Department’s) Criminal Conviction Guidelines pursuant to Texas Occupations Code §53.025(a). The Criminal Conviction Guidelines are updated from the original guidelines published on December 5, 2003 (28 TexReg 11018) to include the Dietitians program.

The Criminal Conviction Guidelines (guidelines) describe the process by which the Department determines whether a criminal conviction renders an applicant an unsuitable candidate for the license, or whether a conviction warrants revocation or suspension of a license previously granted. The guidelines present the general factors that are considered in all cases and the reasons why particular crimes are considered to relate to each type of license issued by the Department.

Senate Bill 202, 84th Legislature, Regular Session (2015), transferred the Dietitians program from the Texas Department of State Health Services to the Texas Department of Licensing and Regulation and amended Texas Occupations Code, Chapter 451. The statutory changes were effective September 1, 2015; the adopted rules became effective October 1, 2016; and the Department commenced all regulatory functions for the Dietitians program on October 3, 2016.

The Criminal Conviction Guidelines for the Dietitians program will become a part of the overall guidelines that are already in place for other Department programs. The Department presented the applicable guidelines to the Advisory Board of Dietitians at its meeting on September 15, 2016, and received the Board’s recommendation of approval.

The Criminal Conviction Guidelines for Dieticians program

Crimes against the person such as homicide, kidnapping and assault.

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/client role. Persons who have a history of committing such crimes would pose a danger to the clients or others.
2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such as, but not limited to, residences, private offices, schools or medical facilities.
3. This profession provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving prohibited sexual conduct.

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/client role. Persons who have a history of committing such crimes would pose a danger to the clients or others.
2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such as, but not limited to, residences, private offices, schools or medical facilities.
3. This profession provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving children, the elderly or the disabled as victims.

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/client role. Persons who have a history of committing such crimes would pose a danger to the clients or others.
2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such as, but not limited to, residences, private offices, schools or medical facilities.
3. This profession provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes against property such as theft or burglary.

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/client role. Persons who have a history of committing such crimes would pose a risk to the property of the clients.
2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such

as, but not limited to, residences, private offices, schools or medical facilities.

3. Licensees would have access to the property of clients and their care givers, family and friends.

4. This profession provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving fraud or deceptive trade practices

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/patient role. Persons who have a history of committing such crimes would pose a danger to the clients and their property.

2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such as, but not limited to, residences, private offices, schools or medical facilities.

3. Licensees would have access to the property of clients and their care givers, family and friends in locations such as but not limited to residences, private offices, schools and medical facilities.

4. Licensees are potentially involved in the billing of clients, filing of insurance claims and filing of government documents.

5. This profession provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving the possession, possession with intent to deliver, possession with intent to distribute, delivery, distribution or manufacture of drugs.

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/client role. Persons who have a history of committing such crimes would pose a danger to the clients or others.

2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such as, but not limited to, residences, private offices, schools or medical facilities.

3. Persons who have a history of drug possession or dealing could potentially have drugs in their systems or deliver illegal drugs which would make them a danger to their clients or others.

4. This profession provides persons with this type of criminal history the opportunity to engage in further similar conduct.

Crimes involving being under the influence of alcohol or drugs.

Reasons:

1. Licensees interact with adults, the elderly, the disabled and children in a healthcare provider/client role. Persons who have a history of committing such crimes would pose a danger to the clients or others.

2. This profession involves close proximity to and physical contact with clients and their care givers, family, and friends in locations such

as, but not limited to, residences, private offices, schools or medical facilities.

3. Persons with this type of criminal history could potentially have alcohol or drugs in their systems which would make them a danger to their clients or others.

A copy of the complete Criminal Conviction Guidelines is posted on the Department's website and may be obtained at www.tdlr.texas.gov. You may also contact the Enforcement Division at (512) 539-5600 or by email at enforcement@tdlr.texas.gov to obtain a copy of the complete guidelines.

TRD-201605470

Brian E. Francis

Executive Director

Texas Department of Licensing and Regulation

Filed: October 20, 2016

◆ ◆ ◆

Texas Lottery Commission

Scratch Ticket Game Number 1822 "Winners Galore"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1822 is "WINNERS GALORE". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1822 shall be \$20.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1822.

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, 06, 07, 08, 09, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 5X SYMBOL, GIFT SYMBOL, ARMORED CAR SYMBOL, VAULT SYMBOL, STAR SYMBOL, FIRECRACKER SYMBOL, BILL SYMBOL, MONEY BAG SYMBOL, CROWN SYMBOL, COIN SYMBOL, GOLD BAR SYMBOL, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250, \$500, \$1,000, \$10,000 and \$500,000.

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. 1822 - 1.2D

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

42	FRT0
43	FRTH
5X SYMBOL	WINX5
GIFT SYMBOL	WIN\$50
ARMORED CAR SYMBOL	ARMCAR
VAULT SYMBOL	VAULT
STAR SYMBOL	STAR
FIRECRACKER SYMBOL	FIRECRK
BILL SYMBOL	WIN\$100
MONEY BAG SYMBOL	MONEYBAG
CROWN SYMBOL	CROWN
COIN SYMBOL	COIN
GOLD BAR SYMBOL	GOLD
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$25.00	TWV\$
\$50.00	FFTY\$
\$100	ONHN
\$250	TOFF
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$500,000	500TH

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. 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.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number(1822), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 025 within each Pack. The format will be: 1822-0000001-001.

H. Pack - A Pack of the "WINNERS GALORE" Scratch Ticket Game contains 025 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 025 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order

will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 025 will be shown on the back of the Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "WINNERS GALORE" Scratch Ticket Game No. 1822.

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 "WINNERS GALORE" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 57 (fifty-seven) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "5X" Play Symbol, the player wins 5 (five) TIMES the prize for that symbol. BONUS 1: If a player reveals a "GIFT" Play

Symbol, the player wins \$50 instantly! BONUS 2: If a player reveals a "BILL" Play Symbol, the player wins \$100 instantly! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly 57 (fifty-seven) 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 57 (fifty-seven) 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 57 (fifty-seven) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the 57 (fifty-seven) 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 Numbers 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. A Ticket can win up to twenty-seven (27) times in accordance with the approved prize structure.

B. Adjacent Tickets within a Pack will not have matching Play Symbol and Prize Symbol patterns. Two (2) Tickets have matching Play Symbol and Prize Symbol patterns if they have the same Play Symbols and Prize Symbols in the same spots.

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

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

E. Each Ticket will have five (5) different "WINNING NUMBERS" Play Symbols.

F. Non-winning Prize Symbols will never appear more than three (3) times.

G. The "5X" (WINX5) Play Symbol will never appear in the "WINNING NUMBERS" Play Symbol spots.

H. The "5X" (WINX5) Play Symbol will only appear as dictated by the prize structure.

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

J. No prize amount in a non-winning spot will correspond with the "YOUR NUMBERS" Play Symbol (i.e., 20 and \$20).

K. BONUS 1: The "GIFT" (WIN\$50) Play Symbol will only appear as dictated by the prize structure.

L. BONUS 2: The "BILL" (WIN\$100) Play Symbol will only appear as dictated by the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "WINNERS GALORE" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250 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, \$250 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "WINNERS GALORE" Scratch Ticket Game prize of \$1,000, \$10,000 or \$500,000, 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 "WINNERS GALORE" 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 Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "WINNERS GALORE" 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 "WINNERS GALORE" 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 5,040,000 Scratch Tickets in Scratch Ticket Game No. 1822. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1822 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	2,167,200	2.33
\$10	1,512,000	3.33
\$20	756,000	6.67
\$25	201,600	25.00
\$50	305,424	16.50
\$100	84,420	59.70
\$250	11,025	457.14
\$500	2,142	2,352.94
\$1,000	156	32,307.69
\$10,000	30	168,000.00
\$500,000	3	1,680,000.00

*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 any prize including prizes of less than \$20 are 1 in 1.00. The odds of winning a prize of \$20 or more are 1 in 3.70.

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. 1822 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. 1822, 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-201605525
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: October 24, 2016

◆ ◆ ◆
Panhandle Regional Planning Commission

Legal Notice

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

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

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

TRD-201605472
 Leslie Hardin
 WFD Contracts Coordinator
 Panhandle Regional Planning Commission
 Filed: October 20, 2016

◆ ◆ ◆
Office of Public Utility Counsel

Notice of Annual Public Hearing

Pursuant to the Public Utility Regulatory Act (PURA), Texas Utilities Code Annotated §13.064, the Office of Public Utility Counsel (OPUC) will conduct its annual public hearing.

The public hearing will be held on the date, time and location indicated below.

Monday, December 5, 2016, from 11:00 a.m. - 1:00 p.m.

Waco Chamber of Commerce

Cooper Room

101 S. 3rd Street

Waco, Texas 76701

OPUC represents the interests of residential and small commercial consumers, as a class, in electric, telecommunications and water and waste-

water proceedings before the Public Utility Commission, Electric Reliability Council of Texas, and state and federal courts. OPUC seeks public input on its priorities for the coming year.

All interested persons are invited to attend and provide input.

For further information contact Michele Gregg, P.O. Box 12397, Austin, Texas 78711-2397 or (512) 936-7500 or 1-(877) 839-0363 or email: customer@opuc.texas.gov.

TRD-201605516

Tonya Baer

Public Counsel

Office of Public Utility Counsel

Filed: October 24, 2016

◆ ◆ ◆

Public Utility Commission of Texas

Notice of Application for a Service Provider Certificate of Operating Authority

Notice is given to the public of the filing with the Commission of an application on October 20, 2016, for a service provider certificate of operating authority, pursuant to the Public Utility Regulatory Act. Applicant intends to provide resale-only telecommunication services in the exchanges of all incumbent local exchange carriers throughout the state of Texas.

Docket Title and Number: Application of Altaworx LLC for a Service Provider Certificate of Operating Authority, Docket Number 46458.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 no later than November 14, 2016. 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 46458.

TRD-201605493

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: October 21, 2016

◆ ◆ ◆

Notice of Application for a Service Provider Certificate of Operating Authority

Notice is given to the public of the filing with the Commission of an application on October 21, 2016 for a service provider certificate of operating authority, pursuant to the Public Utility Regulatory Act. Applicant intends to provide facilities-based, data, and resale telecommunication services throughout the Lubbock and Amarillo local access and transport areas, excluding the Bean, Cleta, Elkins, Goodnight Gurvey, Kress, Redmon, Silverton, Umbarger, and Vigo Park exchanges in which the applicant already possesses a certificate of convenience and necessity.

Docket Title and Number: Application of Mid-Plains Rural Telephone Cooperative, Inc. d/b/a Mid Plains Communications for a Service Provider Certificate of Operating Authority, Docket Number 46464.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 no later than November 23, 2016. Hearing and speech impaired individuals with text telephone (TTY) may contact the com-

mission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46464.

TRD-201605554

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: October 25, 2016

◆ ◆ ◆

Notice of Application for Sale, Transfer, or Merger

Notice is given to the public of an application filed with the Commission on October 18, 2016.

Docket Style and Number: Application of Altoga Water Supply Corporation and North Collin Special Utility District for Sale, Transfer, or Merger of Facilities and Certificate Rights in Collin County, Docket Number 46452.

The Application. North Collin Special Utility District seeks approval to acquire Altoga Water Supply Corporation's certificated service area under water Certificate of Convenience and Necessity No. 12580. The total area being requested includes approximately 4,160 acres and serves 338 current customers.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the Commission as soon as possible as an intervention deadline will be imposed. A comment or request to intervene should be mailed to Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the commission's Office of Customer Protection at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Docket Number 46452.

TRD-201605494

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: October 21, 2016

◆ ◆ ◆

Notice of Application for Sale, Transfer, or Merger

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on October 21, 2016, pursuant to the Public Utility Regulatory Act, Texas Util. Code Ann. §§39.154 and 39.158.

Docket Style and Number: Application of Cotton Plains Holdings, LLC Pursuant to Section 39.158 of the Public Utility Regulatory Act, Docket Number 46461.

The Application: On October 21, 2016, Cotton Plains Holdings, LLC filed an application for approval of the issuance of passive equity interests to JPM Capital Corporation, Tyr Cotton Plains, LLC and Firststar Development, LLC (collectively, investors). The combined direct and indirect generation owned and controlled by Cotton Plains Holdings together with its affiliates and investors and their affiliates will equal approximately 1,315 MW, or approximately 1.4% of the installed capacity in ERCOT or capable of delivery into ERCOT.

Persons wishing to intervene or comment on the action sought should contact the Public Utility Commission of Texas as soon as possible as an intervention deadline will be imposed. A comment or request to intervene should be mailed to 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 comments should reference Docket Number 46461.

TRD-201605531
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 24, 2016



Notice of Application for Service Area Exception

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on October 24, 2016, to amend a certificated service area for a service area exception within Montgomery, Texas.

Docket Style and Number: Application of CenterPoint Energy Houston Electric, LLC to amend a Certificate of Convenience and Necessity for a Service Area Exception in Montgomery County. Docket Number 46465.

The Application: CenterPoint Energy Houston Electric, LLC filed an application for a service area boundary exception to allow CenterPoint to provide service to a specific customer located within the certificated service area of Entergy Texas, Inc. (ETI). ETI has provided an affidavit of relinquishment for the proposed change.

Persons wishing to comment on the action sought or intervene should contact the Public Utility Commission of Texas no later than November 14, 2016, 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 comments should reference Docket Number 46465.

TRD-201605555
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 25, 2016



Notice of Application to Amend Certificated Service Area Boundaries

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on October 24, 2016 for an amendment to certificated service area boundaries within Harris and Montgomery Counties, Texas.

Docket Style and Number: Application of CenterPoint Energy Houston Electric, LLC and Entergy Texas, Inc. to Amend Certificates of Convenience and Necessity for Electric Service Area Boundaries within Harris and Montgomery Counties. Docket Number 46466.

The Application: CenterPoint Energy Houston Electric, LLC and Entergy Texas, Inc. filed an application for a service area boundary exception to better define the Watermark at Tomball and Royal Brook at Kingwood developments.

Persons wishing to comment on the action sought or intervene should contact the Public Utility Commission of Texas no later than November 14, 2016 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 comments should reference Docket Number 46466.

TRD-201605556
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 25, 2016



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

Notice is given to the public of the filing of an application to amend water and sewer certificates of convenience and necessity (CCN) in Hunt and Rockwall Counties.

Docket Style and Number: Application of the City of Royse City to Amend its Water and Sewer Certificates of Convenience and Necessity and Decertify a Portion of Verandah Municipal Utility District's Service Area in Hunt and Rockwall Counties, Docket Number 46451.

The Application: The City of Royse City filed an application to amend its water and sewer certificates of convenience and necessity (CCN) Nos. 12827 and 20813 and to decertify a portion of Verandah MUD's water and sewer CCNs in Hunt and Rockwall Counties. The total area being requested includes approximately 162 acres and 0 current customers.

Persons wishing to intervene or comment on the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46451.

TRD-201605526
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 24, 2016



Notice of Application to Amend Water Certificate of Convenience and Necessity

Notice is given to the public of the filing of an application to amend water certificate of convenience and necessity (CCN) no. 11608 in Denton County, Texas.

Docket Style and Number: Application of Terra Southwest, Inc. to Amend a Certificate of Convenience and Necessity in Denton County, Docket Number 46441.

The Application: Terra Southwest, Inc. seeks to amend its CCN to include an area to which it is currently providing service. The requested service area is currently not within the certified area of any CCN.

Persons wishing to intervene or comment on the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46441.

TRD-201605468

Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 19, 2016



Public Notice of Workshop

Commission staff will conduct a workshop in Project No. 42786, *Review of Advanced Metering System Web Portals*, on Monday, November 14, 2016, at 1:00 p.m. in the Commissioners' Hearing Room, located on the 7th floor of the William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701. The purpose of the workshop is to discuss Smart Meter Texas (SMT) performance standards that the electric utilities that participate in SMT may include in a new contract for operation of SMT upon expiration of the existing contract. An agenda for the workshop will be made available in Central Records under Project No. 42786 prior to the meeting.

Questions concerning the workshop or this notice should be referred to Therese Harris, Senior Utility Analyst, Infrastructure and Reliability Division, (512) 936-7378. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1.

TRD-201605557
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: October 25, 2016



Office of the Secretary of State

Extension of Comment Periods

On August 1, 2016, the Texas Secretary of State proposed to repeal and replace 1 TAC §81.52, relating to precinct ballot counters, and proposed amendments to 1 TAC §81.60 and §81.61 relating to voting system certification exams, and to §81.62 relating specifically to real time audit log printers. The proposed changes to the rules were published in the August 12, 2016 issue of the *Texas Register* (41 TexReg 5837; 41 TexReg 5840) with a thirty (30) day comment period to follow. On August 23, 2016, the Texas Secretary of State extended the comment period for an additional sixty (60) days, until November 10, 2016, and notice was published in the September 2, 2016 issue of the *Texas Register* (41 TexReg 6829). **The comment period for all of the foregoing proposed changes has been extended for an additional sixty (60) days, and comments will be accepted through January 9, 2017.**

Comments on the proposed repeal, new rule, and/or amendments may be submitted by mail to Elections Division, Office of the Texas Secretary of State, P.O. Box 12060, Austin, Texas 78711-2060. Comments may also be sent via e-mail to: elections@sos.texas.gov. For comments submitted electronically, please include "Proposed Rule §81.52" and/or "Proposed Amendments of Rules §§81.60-81.62" in the subject line. Comments should be organized in a manner consistent with the organization of the proposed changes to the rules. Questions concerning the proposed changes to the rules may be directed to Elections Division, Office of the Texas Secretary of State, at (512) 463-5650. The Secretary of State encourages all interested persons to submit written comments no later than January 9, 2017.

TRD-201605602
Lindsey Wolf
General Counsel
Office of the Secretary of State
Filed: October 26, 2016



Supreme Court of Texas

In the Supreme Court of Texas

Misc. Docket No. 16-9158

APPROVAL OF AMENDMENTS TO RULE XVIII OF THE RULES GOVERNING ADMISSION TO THE BAR OF TEXAS

ORDERED that:

1. Rule XVIII of the Rules Governing Admission to the Bar of Texas is 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: October 18, 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 XVIII
Fees

(a) The following provisions shall govern the fees charged by the Board:

FEES RELATING TO DECLARATIONS

Declaration Investigation Fee	\$150
Fingerprint Card Processing Fee	<u>\$ 40</u>
	\$190
Late Filing Fee	\$150
Fee for Check Returned for Insufficient Funds	\$ 25

FEES RELATING TO ELIGIBILITY & EXAMINATIONS

Texas Law Student:

\$150	Application Fee
95	Examination Fee
75 <u>55</u>	Investigation Fee
\$320 <u>300</u>	

Out-of-State Law Student:

\$150	Application Fee
40	Fingerprint Card Processing Fee
95 <u>150</u>	Examination Fee
<u>150</u>	Investigation Fee
\$435 <u>490</u>	

Attorneys Licensed in another State:

\$700	Application Fee
40	Fingerprint Card Processing Fee
150	Examination Fee
<u>150</u>	Investigation Fee
\$1,040	

Attorneys Qualified for Admission Without Examination Under Rule XIII:

\$700	Application Fee
40	Fingerprint Card Processing Fee
<u>150</u>	Investigation Fee
\$890	

Foreign Nation Attorney – Texas Bar Exam Applicant only:

\$700	Application Fee
40	Fingerprint Card Processing Fee

150	Examination Fee
150	Investigation Fee
<u>100</u>	Foreign Nation Inquiry Fee
\$1,140	

Foreign Nation Attorney – Concurrent Texas Bar Exam and Foreign Legal Consultant Applications:

\$700	Application Fee
150	Foreign Legal Consultation Supplemental Processing Fee
40	Fingerprint Card Processing Fee
150	Examination Fee
150	Investigation Fee
<u>100</u>	Foreign Nation Inquiry Fee
\$1,290	

Re-application for Examination:

\$150	Re-application Fee
95	Examination Fee
<u>75</u>	Investigation Fee on Re-Application
\$320	

Foreign Legal Consultant – Application only:

\$700	Application Fee
40	Fingerprint Card Processing Fee
150	Investigation Fee
<u>100</u>	Foreign Nation Inquiry Fee
\$990	

Foreign Legal Consultant Re-Application Fee:

\$150	Re-Application Fee
<u>150</u>	Supplemental Investigation Fee (every second renewal year only)
\$300	(\$150 in alternate years)

Supplemental Investigation (S.I.) Fee (as required under Rule IX)	\$150
Fingerprint Card Processing Fee	\$ <u>40</u>
	\$190

Military Attorney Application Fee (as required under Rule XXII)	\$ 25
Military Attorney Renewal Application Fee (as required under Rule XXII)	\$ 25

Miscellaneous Fees

Late Filing Fee	\$150
Fee for Check Returned for Insufficient Funds	\$ 25
MBE Transfer Fee	\$ 25
Application Deposit Fee ¹	\$ 30

¹ One deposit fee shall be credited toward the filing fee if the application is filed within one (1) year of the date the deposit is received.

Incompleteness Fee ²	\$ 75
Laptop Examination Fee	\$ 50

(b) No refund or transfer of fees will be made in the event of the withdrawal of any Declaration or Application, nor in the event a determination is made by the Board that the Applicant or Declarant does not meet the requirements imposed under these Rules.

(c) Any fee required under these Rules may be waived or lowered by the Board upon written request and proof of indigence.

² This fee shall be imposed when a document (Declaration, Application, Supplemental investigation, etc.) is received, for the second and subsequent times, which is determined to be incomplete (e.g., unanswered questions, not signed, not notarized, incorrect fees, etc.).

TRD-201605473
Martha Newton
Rules Attorney
Supreme Court of Texas
Filed: October 20, 2016

◆ ◆ ◆

Texas Department of Transportation

Public Notice - Aviation

Pursuant to Transportation Code, §21.111, and Title 43, Texas Administrative Code, §30.209, the Texas Department of Transportation conducts public hearings to receive comments from interested parties concerning proposed approval of various aviation projects.

For information regarding actions and times for aviation public hearings, please go to the following website:

www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings.html.

Or visit www.txdot.gov, and under How Do I, choose Find Hearings and Meetings, then choose Hearings and Meetings, and then choose Schedule.

Or contact Texas Department of Transportation, Aviation Division, 150 East Riverside, Austin, Texas 78704, (512) 416-4500 or 1-800-68-PI-LOT.

TRD-201605539
Joanne Wright
Deputy General Counsel
Texas Department of Transportation
Filed: October 25, 2016

◆ ◆ ◆

Request for Proposals - Traffic Safety Program

In accordance with 43 TAC §25.901 *et seq.*, the Texas Department of Transportation (TxDOT) is requesting project proposals to support the targets and strategies of its traffic safety program to reduce the number of motor vehicle related crashes, injuries, and fatalities in Texas. These targets and strategies form the basis for the Federal Fiscal Year 2018 (FY 2018) Texas Highway Safety Plan (HSP).

Authority and responsibility for funding of the traffic safety grant program derives from the National Highway Safety Act of 1966 (23 USC §401 *et seq.*), and the Texas Traffic Safety Act of 1967 (Transportation Code, Chapter 723). The Traffic Safety Section (TRF-TS) is an inte-

gral part of TxDOT and works through 25 districts for local projects. The program is administered at the state level by TxDOT's Traffic Operations Division (TRF). The executive director of TxDOT is the designated Governor's Highway Safety Representative.

The following is information related to the FY 2018 General Traffic Safety Grants - Request for Proposals (RFP). Please review the full FY 2018 RFP located online at: <https://www.txdot.gov/apps/egrants/eGrantsHelp/RFP/RFP2018.pdf>.

This request for proposals does not include solicitations for Selective Traffic Enforcement Program (STEP) proposals as in previous years. Information regarding STEP proposals for FY 2018 can be found at: <https://www.txdot.gov/apps/egrants/eGrantsHelp/RFP.html> and STEP proposals will be submitted under a separate process for FY 2018.

General Proposals for highway safety funding are due to the TRF-TS no later than 5:00 p.m., CST, January 9, 2017.

All questions regarding the development of proposals must be submitted by sending an email to: TRF_RFP@txdot.gov by 5:00 p.m. CST, on December 2, 2016. A list of the questions with answers (Q&A document) will be posted at: <https://www.txdot.gov/apps/egrants/eGrantsHelp/rfp.html> by 5:00 p.m. CST, on December 9, 2016.

A webinar on general proposal submissions via eGrants will be hosted by the TRF-TS Austin headquarters staff. Please contact a TRF-TS Program Manager (PM), or Traffic Safety Specialist (TSS) at (512) 416-3204 or send an email to TRF_RFP@txdot.gov to acquire access information. This webinar will be conducted on Thursday, November 10, 2016, from 9:00 a.m. CST to 12:00 p.m. CST.

The Program Needs Section of the RFP includes a Performance Measures chart which outlines the targets, strategies, and performance measures for each of the Traffic Safety Program Areas. TRF-TS is seeking proposals in all program areas, but is particularly interested in proposals which address the specific program needs listed in the High Priority Program Needs subsection of the Program Needs Section of the RFP.

The proposals must be completed using eGrants, which can be found by going to www.txdot.gov/apps/egrants.

TRD-201605492
Joanne Wright
Deputy General Counsel
Texas Department of Transportation
Filed: October 21, 2016