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# ADDITION

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

## Comptroller of Public Accounts

### Notice of Public Hearing on Proposed Statewide Procurement General Rules and Procedures Restructure and Update

The Comptroller of Public Accounts will conduct a public hearing to receive comments from interested persons concerning the proposed repeal of 34 Texas Administrative Code Chapter 20, Subchapter A, General Provisions, Subchapter B, Historically Underutilized Business Program, Subchapter C, Procurement, Subchapter D, Payments, Subchapter E, State Support Services--Mail And Printing, Subchapter F, State Support Services--Travel And Vehicles, Subchapter G Contract Procedures, Subchapter H Purchase Methods, and Subchapter I, Uniform Grant Management Standards. At the same time, the Comptroller of Public Accounts will conduct a public hearing to receive comments from interested persons concerning proposed new 34 Texas Administrative Code Chapter 20, Subchapter A, General Provisions, Subchapter B, Public Procurement Authority And Organization, Subchapter C, Procurement Methods and Contract Formation, Subchapter D, Socio-Economic Program, Subchapter E, Special Categories Of Contracting, Subchapter F, Contract Management, and Subchapter G, Debarment.

The hearing is scheduled for November 18, at 1:30 p.m., in Room 1-111 of the Travis Building, 1701 North Congress Ave., Austin, Texas, 78701.

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

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services should contact Velma Henry at [velma.henry@cpa.texas.gov](mailto:velma.henry@cpa.texas.gov). Requests should be made as far in advance as possible so that appropriate arrangements can be made.

The public hearing is required under Government Code, §§2155.0012, 2155.087, 2156.0012, 2161.0012, 2171.002, 2172.0012, 2176.110, and 2251.003; Local Government Code, §271.082; and Education Code, §34.001.

This agency hereby certifies that this notice has been reviewed by legal counsel and found to be within the agency's authority to publish.

TRD-201605651  
Lita Gonzalez  
General Counsel  
Comptroller of Public Accounts  
Filed: October 31, 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, 303.005, and 303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/07/16 - 11/13/16 is 18% for Consumer<sup>1</sup>/Agricultural/Commercial<sup>2</sup> credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/07/16 - 11/13/16 is 18% for Commercial over \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009<sup>3</sup> for the period of 11/01/16 - 11/30/16 is 18% or Consumer/Agricultural/Commercial credit through \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009 for the period of 11/01/16 - 11/30/16 is 18% for Commercial over \$250,000.

<sup>1</sup> Credit for personal, family or household use.

<sup>2</sup> Credit for business, commercial, investment or other similar purpose.

<sup>3</sup> For variable rate commercial transactions only.

TRD-201605669  
Leslie Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: November 1, 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 16, 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 16, 2016. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission enforce-

ment 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: 7-ELEVEN, INCORPORATED; DOCKET NUMBER: 2016-1027-PWS-E; IDENTIFIER: RN102392255; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(K), by failing to provide a well casing vent with an opening that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.42(I), by failing to develop and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.45(d)(2)(B)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a ground storage capacity which is equal to 50% of the maximum daily demand; 30 TAC §290.45(d)(2)(B)(iii) and THSC, §341.0315(c), by failing to provide at least one service pump with a capacity of three times the maximum daily demand, if the maximum daily demand is less than 15 gallons per minute; 30 TAC §290.46(f)(2), (3)(A)(i)(II), (ii)(II) and (IV), (3)(B)(iii) and (D)(ii), by failing to properly maintain water works operation and maintenance records and make them available for review to commission personnel during the investigation; 30 TAC §290.110(c)(4)(B), by failing to monitor the disinfectant residual at representative locations in the distribution system at least once per day; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$1,583; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

COMPANY: ACME BRICK COMPANY; DOCKET NUMBER: 2016-1203-IWD-E; IDENTIFIER: RN102097904; LOCATION: Denton, Denton County; TYPE OF FACILITY: industrial wastewater facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0003838000, Effluent Limitations and Monitoring Requirements Number 1, Outfall Number 2, by failing to comply with permitted effluent limitations; PENALTY: \$8,250; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: Ahmed A. Aljasimi dba Bino Food Mart; DOCKET NUMBER: 2016-1391-PST-E; IDENTIFIER: RN101543155; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank (UST) system; 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), 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: \$6,750; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: ALL SEASONS CORNER, LLC; DOCKET NUMBER: 2016-1428-PST-E; IDENTIFIER: RN102717980; LOCATION: Commerce, Hunt 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 (not

to exceed 35 days between each monitoring); PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Anthony Rios, (512) 239-2557; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: AMINOOR MARKETING INCORPORATED dba Handi Plus 41; DOCKET NUMBER: 2016-1318-PST-E; IDENTIFIER: RN102481074; LOCATION: Houston, Harris County; TYPE OF FACILITY: underground storage tanks (UST); RULES VIOLATED: 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; and 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date; PENALTY: \$1,861; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

COMPANY: City of Carthage; DOCKET NUMBER: 2016-1064-MWD-E; IDENTIFIER: RN102055258; LOCATION: Carthage, Panola County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010074003, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$8,250; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

COMPANY: City of Crosbyton; DOCKET NUMBER: 2016-1475-PWS-E; IDENTIFIER: RN101383784; LOCATION: Crosbyton, Crosby County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(e) and Texas Health and Safety Code, §341.033(a), by failing to operate the water system under the direct supervision of a water works operator who holds a Class C or higher license; PENALTY: \$50; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

COMPANY: City of Denton; DOCKET NUMBER: 2016-0691-WQ-E; IDENTIFIER: RN105594865; LOCATION: Denton, Denton County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(a)(9)(i)(A), by failing to maintain authorization to discharge stormwater under a Texas Pollutant Discharge Elimination System (TPDES) General Permit for small municipal separate storm sewer systems; and 30 TAC §305.125(1) and TPDES General Permit Number TXR040337, Part IV, Section B(2), by failing to submit a concise annual report to the executive director within 90 days of the end of each reporting year; PENALTY: \$19,375; Supplemental Environmental Project offset amount of \$15,500; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: City of Pasadena; DOCKET NUMBER: 2016-1477-PST-E; IDENTIFIER: RN100663889; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) 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 (not to exceed 35 days between each monitoring), and failing to provide release detection for the gravity flow piping associated with the UST system; PENALTY: \$8,625; Supplemental Environmental Project offset amount of \$6,900; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203;

REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

COMPANY: Brewery Construction Company, Incorporated; DOCKET NUMBER: 2016-1440-AIR-E; IDENTIFIER: RN104556964; LOCATION: Nacogdoches, Nacogdoches County; TYPE OF FACILITY: temporary rock crusher; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to operating a rock crusher; PENALTY: \$1,125; ENFORCEMENT COORDINATOR: Shelby Orme, (512) 239-4575; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

COMPANY: FREEPORT HOLDINGS, LLC dba Nikos Corner; DOCKET NUMBER: 2016-1037-PST-E; IDENTIFIER: RN101383263; LOCATION: Oyster Creek, Brazoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; 30 TAC §334.50(b)(2)(A)(i)(III) and TWC, §26.3475(a), by failing to test the line leak detectors at least once per year for performance and operational reliability; 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: \$10,887; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

COMPANY: Goodsprings Water Supply Corporation; DOCKET NUMBER: 2016-0520-PWS-E; IDENTIFIER: RN101440253; LOCATION: Henderson, Rusk 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 0.060 milligrams per liter (mg/L) for haloacetic acids, 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 0.080 mg/L for total trihalomethanes, based on the locational running annual average; PENALTY: \$360; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

COMPANY: IIA INVESTMENTS, INCORPORATED dba Food Mart; DOCKET NUMBER: 2016-1136-PST-E; IDENTIFIER: RN101729994; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

COMPANY: John Hunter dba Hunter Texaco; DOCKET NUMBER: 2016-1362-PST-E; IDENTIFIER: RN102273166; LOCATION: Brownwood, Brown County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

COMPANY: JZV, Incorporated dba Star Mart; DOCKET NUMBER: 2016-1336-PST-E; IDENTIFIER: RN101744241; LOCATION: La Marque, Galveston County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.242(d) and (3)(G) and Texas Health and Safety Code (THSC), §382.085(b), by failing to maintain the Stage II vapor recovery system in proper operating condition, as specified by the manufacturer and/or applicable California Air Resources Board Executive Order, and free of defects that would impair the effectiveness of the system; 30 TAC §115.246(b)(2) and THSC, §382.085(b), by failing to maintain Stage II records and make them immediately available for inspection upon request by agency personnel; 30 TAC §115.242(d)(9) and THSC, §382.085(b), by failing to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with a Stage II vapor recovery system; 30 TAC §334.45(c)(3)(A), by failing to properly install/secure emergency shutoff valves at the base of all dispensers; 30 TAC §334.42(i) and TWC, §26.3475(c)(2), by failing to inspect all sumps, including dispenser sumps, manways, overspill containers or catchment basins associated with an underground storage tank (UST) system at least once every 60 days to ensure that their sides, bottoms, and any penetration points are maintained liquid tight and free of any liquid or debris; 30 TAC §334.8(c)(5)(C), by failing to ensure that a legible tag, label, or marking with UST identification number is permanently applied upon or affixed to either the top of the fill tube or to a nonremovable point in the immediate area of the fill tube according to the UST registration and self-certification form; 30 TAC §334.49(a)(4) and TWC, §26.3475(d), by failing to provide corrosion protection for all underground and/or totally submerged metal components of any existing or new UST system; and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$11,918; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

COMPANY: NEW MART CORPORATION dba Speedy Stop; DOCKET NUMBER: 2016-1337-PST-E; IDENTIFIER: RN101779924; LOCATION: Stafford, Fort Bend 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 (not to exceed 35 days between each monitoring); PENALTY: \$3,563; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

COMPANY: PARTY TIME BEER DEPOT, LLC dba Party Time II; DOCKET NUMBER: 2016-0217-PST-E; IDENTIFIER: RN104759568; LOCATION: Socorro, El Paso County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §§334.10(b)(2)(B)(vii), 334.46(i)(2)(B)(ii) and 334.51(c)(1) and (2), by failing to maintain installation records for spill and overflow prevention equipment; 30 TAC §334.42(i) and TWC, §26.3475(c)(2), by failing to inspect at least once every 60 days any sumps, manways, overspill containers or catchment basins to assure that their sides, bottoms, and any penetration points are maintained liquid-tight and free of any liquid or debris; 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years; and 30 TAC §334.50(b)(2) and (d)(4)(A)(i) and TWC, §26.3475(a) and (c)(1), by failing to conduct monthly inventory control procedures and failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$11,332;

ENFORCEMENT COORDINATOR: Steven Stump, (512) 239-1343; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

COMPANY: Penske Truck Leasing Corporation, L.P.; DOCKET NUMBER: 2016-1497-PST-E; IDENTIFIER: RN100696848; LOCATION: Arlington, Tarrant County; TYPE OF FACILITY: truck leasing and servicing center; RULES VIOLATED: 30 TAC §334.50(b)(2)(B)(i)(I), by failing to provide release detection for the gravity flow piping associated with the underground storage tank system; and 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to have the cathodic protection system inspected and tested for operability and adequacy of protection at a frequency of at least once every three years; PENALTY: \$5,834; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: Rayburn Country Municipal Utility District; DOCKET NUMBER: 2015-1312-MWD-E; IDENTIFIER: RN102328564; LOCATION: Sam Rayburn, Jasper County; TYPE OF FACILITY: waste water treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010788001, Interim Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limits; and 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0010788001, Monitoring and Reporting Requirements Number 1, by failing to timely submit monitoring results at the intervals specified in the permit; PENALTY: \$2,025; Supplemental Environmental Project offset amount of \$1,620; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

COMPANY: Red Oak, Incorporated dba Red Oak Gas; DOCKET NUMBER: 2016-1213-PST-E; IDENTIFIER: RN101844421; LOCATION: Red Oak, Ellis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$8,754; ENFORCEMENT COORDINATOR: Steven Stump, (512) 239-1343; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: Red River Authority of Texas; DOCKET NUMBER: 2016-0778-PWS-E; IDENTIFIER: RN101246221; LOCATION: Halsell, Clay 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: \$481; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

COMPANY: RKS Food Mart, Incorporated dba Pik Nik Foods 12; DOCKET NUMBER: 2016-1450-PST-E; IDENTIFIER: RN101906956; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Austin Henck, (512) 239-6155; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

COMPANY: ROCK CREEK WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-1384-PWS-E; IDENTIFIER: RN105472757; LOCATION: Mineral Wells, Palo Pinto County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$231; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: Sashi International Corporation dba Total Stop Mt Pleasant; DOCKET NUMBER: 2016-1201-PST-E; IDENTIFIER: RN102379286; LOCATION: Mount Pleasant, Titus 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 (not to exceed 35 days between each monitoring); PENALTY: \$9,000; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

COMPANY: Team Pride Extrusions, Incorporated; DOCKET NUMBER: 2016-1121-WQ-E; IDENTIFIER: RN105229751; LOCATION: Megargel, Archer County; TYPE OF FACILITY: aluminum extruding; RULES VIOLATED: 30 TAC §315.1 and 40 Code of Federal Regulations §403.12(e)(1), by failing to submit periodic reports to the TCEQ; PENALTY: \$3,834; ENFORCEMENT COORDINATOR: Larry Butler, (512) 239-2543; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

COMPANY: THE DEVEREUX FOUNDATION; DOCKET NUMBER: 2016-0507-PWS-E; IDENTIFIER: RN101275840; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfectant Level Quarterly Operating Report (DLQOR) to the executive director (ED) by the tenth day of the month following the end of the third quarter of 2015; 30 TAC §290.117(i)(5) and (k) and §290.122(b)(2)(A) and (f), and 40 Code of Federal Regulations (CFR) §141.85(a) and (b) and §141.90(f)(1), by failing to deliver the public education materials following the lead action level exceedance that occurred during the January 1, 2012 - December 31, 2014, monitoring period, failing to provide the ED with copies of the public education materials and certification that distribution of said materials is being conducted in a manner consistent with TCEQ requirements, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to deliver the public education materials; 30 TAC §290.117(i)(6) and (j) and 40 CFR §141.85(d) and §141.90(f)(3), by failing to provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested, and failing to mail a copy of the consumer notification of tap results to the ED along with certification that the consumer notification has been distributed for the January 1, 2012 - December 31, 2014, 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 two consecutive six-month periods (January 1, 2015 - June 30, 2015 and July 1, 2015 - December 31, 2015) following the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to conduct all of the required water quality parameter sampling during the January 1, 2015 - June 30, 2015, monitoring period; 30 TAC §290.117(c)(2)(A), (h), and (i)(1) and §290.122(c)(2)(A) and

(f), and 40 CFR §141.86 and §141.90(a), by failing to collect lead and copper tap samples at the required five sample sites for two consecutive six-month periods (January 1, 2015 - June 30, 2015 and July 1, 2015 - December 31, 2015) following the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect lead and copper tap samples for the January 1, 2015 - June 30, 2015, monitoring period; 30 TAC §290.117(d)(2)(A), (h), and (i)(2) and §290.122(c)(2)(A) and (f), and 40 CFR §141.88 and §141.90(b), by failing to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED; 30 TAC §290.117(f)(3)(A) and §290.122(b)(2)(A) and (f), and 40 CFR §§141.81(e)(1), 141.82(a) and 141.90(c)(2), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for optimal corrosion control treatment; and 30 TAC §290.117(g)(2)(A) and §290.122(b)(2)(A) and (f), and 40 CFR §141.83 and §141.90(d)(1), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the lead action level was exceeded and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for source water treatment; PENALTY: \$1,150; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

COMPANY: Trishell, LLC dba Tri Gaz 4; DOCKET NUMBER: 2016-1233-PST-E; IDENTIFIER: RN101548576; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank (UST) for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$11,813; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: W. DOUGLASS DISTRIBUTING, LIMITED; DOCKET NUMBER: 2016-1582-PST-E; IDENTIFIER: RN100533892; LOCATION: Sherman, Grayson County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to deposited a regulated substance into a regulated underground storage tank system that was not covered by a valid, current TCEQ delivery certificate; PENALTY: \$1,631; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

COMPANY: Wheat Energy Services, Incorporated dba Winters Bulk Plant and dba Ballinger Texas Fuel; DOCKET NUMBER: 2016-1151-PST-E; IDENTIFIER: RN102881398 (Facility 1) and RN102952777 (Facility 2); LOCATIONS: Winters (Facility 1) and Ballinger (Facility 2), Runnels County; TYPE OF FACILITY: convenience stores with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.72, by failing to report a suspected release to the TCEQ

within 24 hours of discovery (Facility 1); 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery (Facility 1); and 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 (Facility 2); PENALTY: \$12,688; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

TRD-201605667

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: November 1, 2016



#### Enforcement Orders

A default order was adopted regarding Chau Management, Inc. dba Times Market 101 and dba Times Market 102, Docket No. 2013-0187-PST-E on November 2, 2016, assessing \$19,558 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 ExxonMobil Oil Corporation, Docket No. 2014-0429-AIR-E on November 2, 2016, assessing \$251,073 in administrative penalties with \$50,214 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Mont Belvieu, Docket No. 2015-0065-MWD-E on November 2, 2016, assessing \$61,562 in administrative penalties with \$12,312 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding RD Food Manufacturing, Inc, Docket No. 2015-0518-AIR-E on November 2, 2016, assessing \$3,937 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Raime Hayes Falero, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Pearland, Docket No. 2015-0915-MWD-E on November 2, 2016, assessing \$10,500 in administrative penalties with \$2,100 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding TPC Group LLC and John Edward Frantz, Docket No. 2015-1074-IWD-E on November 2, 2016, assessing \$63,250 in administrative penalties. 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 The Mission Texas International Training Center, Docket No. 2015-1209-PWS-E on November 2, 2016, assessing \$580 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting

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

An agreed order was adopted regarding City of Fort Worth, Docket No. 2015-1231-MWD-E on November 2, 2016, assessing \$24,525 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Farhaid 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 New Braunfels Utilities, Docket No. 2015-1501-MWD-E on November 2, 2016, assessing \$35,437 in administrative penalties with \$7,087 deferred. Information concerning any aspect of this order may be obtained by contacting James Boyle, 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 Gilbert V. Perez, Docket No. 2015-1576-MSW-E on November 2, 2016, assessing \$6,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Lieberknecht, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Dupre Logistics LLC, Docket No. 2015-1599-PST-E on November 2, 2016, assessing \$2,961 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Abigail Lindsey, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Rosa Castillo, Docket No. 2015-1655-PST-E on November 2, 2016, assessing \$20,000 in administrative penalties with \$16,400 deferred. Information concerning any aspect of this order may be obtained by contacting Jessica Bland, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Oak Terrace Estates, Inc. and Robert M. Smith, Docket No. 2015-1830-PWS-E on November 2, 2016, assessing \$1,107 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.

A default order was adopted regarding Ted Booher dba Rapid Environmental Services, LLC, Docket No. 2015-1845-MLM-E on November 2, 2016, assessing \$3,300 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Harkrider, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Southwestern Public Service Company, Docket No. 2015-1849-IWD-E on November 2, 2016, assessing \$18,750 in administrative penalties with \$3,750 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Alfonso Campos, Sr., Docket No. 2016-0009-WOC-E on November 2, 2016, assessing \$436 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 Castle Water, Inc., Docket No. 2016-0071-PWS-E on November 2, 2016, assessing \$485 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Enterprise Products Operating LLC, Docket No. 2016-0100-AIR-E on November 2, 2016, assessing \$40,950 in administrative penalties with \$8,190 deferred. Information concerning any aspect of this order may be obtained by contacting Raime Hayes Falero, 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 Eco Services Operations LLC, Docket No. 2016-0113-AIR-E on November 2, 2016, assessing \$20,063 in administrative penalties with \$4,012 deferred. Information concerning any aspect of this order may be obtained by contacting Kingsley Coppinger, 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 Marty Mechanical, Inc. dba One Stop 46, Docket No. 2016-0141-PST-E on November 2, 2016, assessing \$58,690 in administrative penalties with \$11,738 deferred. Information concerning any aspect of this order may be obtained by contacting Rebecca Boyett, 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 Basf Corporation, Docket No. 2016-0177-IWD-E on November 2, 2016, assessing \$46,875 in administrative penalties with \$9,375 deferred. Information concerning any aspect of this order may be obtained by contacting James Boyle, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Shenandoah, Docket No. 2016-0200-WQ-E on November 2, 2016, assessing \$8,750 in administrative penalties with \$1,750 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 Etc Field Services LLC, Docket No. 2016-0225-AIR-E on November 2, 2016, assessing \$76,500 in administrative penalties with \$15,300 deferred. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Flint Hills Resources Houston Chemical, LLC, Docket No. 2016-0243-AIR-E on November 2, 2016, assessing \$12,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Raime Hayes Falero, 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 Presidio County Water Improvement District 1 dba Redford Water Supply, Docket No. 2016-0252-PWS-E on November 2, 2016, assessing \$900 in administrative penalties. 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 Cabot Norit Americas, Inc., Docket No. 2016-0309-AIR-E on November 2, 2016, assessing \$65,208 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Exxon Mobil Corporation, Docket No. 2016-0326-PST-E on November 2, 2016, assessing \$54,861 in administrative penalties with \$10,972 deferred. Information concerning any aspect of this order may be obtained by contacting Rebecca Boyett, 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 Equistar Chemicals, LP, Docket No. 2016-0328-AIR-E on November 2, 2016, assessing \$105,000 in administrative penalties with \$21,000 deferred. Information concerning any aspect of this order may be obtained by contacting Shelby Orme, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Stan H. Kyle, Docket No. 2016-0377-MSW-E on November 2, 2016, assessing \$1,312 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Gladewater, Docket No. 2016-0387-MWD-E on November 2, 2016, assessing \$11,250 in administrative penalties with \$2,250 deferred. Information concerning any aspect of this order may be obtained by contacting Sandra Douglas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ineos Usa LLC, Docket No. 2016-0391-AIR-E on November 2, 2016, assessing \$13,125 in administrative penalties with \$2,625 deferred. Information concerning any aspect of this order may be obtained by contacting Raime Hayes Falero, 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 Enduro Composites, Inc., Docket No. 2016-0413-AIR-E on November 2, 2016, assessing \$11,250 in administrative penalties with \$2,250 deferred. Information concerning any aspect of this order may be obtained by contacting Raime Hayes Falero, 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 E. I. du Pont de Nemours and Company, Docket No. 2016-0464-AIR-E on November 2, 2016, assessing \$7,938 in administrative penalties with \$1,587 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Maurer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Dennis Porter, Inc. dba Porters Shell, Docket No. 2016 0526 PST E on November 2, 2016, assessing \$76,730 in administrative penalties with \$15,346 deferred. Information concerning any aspect of this order may be obtained by contacting Jonathan Nguyen, 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 S.s.g. Fuel Service, Inc. dba Exxon Food Mart, Docket No. 2016-0605-PST-E on November 2, 2016, assessing \$11,250 in administrative penalties with \$2,250 deferred. Information concerning any aspect of this order may be obtained by contacting Epifanio Villareal, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Aqua Utilities, Inc., Docket No. 2016-0669-PWS-E on November 2, 2016, assessing \$351 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding McLane Company, Inc., Docket No. 2016-0687-PST-E on November 2, 2016, assessing \$9,000 in administrative penalties with \$1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Farhad 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 Straus Systems, Inc., Docket No. 2016-0712-PST-E on November 2, 2016, assessing \$8,922 in administrative penalties with \$1,784 deferred. Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201605685  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: November 2, 2016



Notice of Application and Public Meeting for Concentrated Animal Feeding Operation General Permit Authorization Number TXG921410

**Application.** Prestage Farms of Oklahoma, LLC, P.O. Box 509, Texas, Texas 73949 has applied to the Texas Commission on Environmental Quality (TCEQ) under General Permit No. TXG920000 for authorization to operate a new swine facility in Sherman County, Texas at 23,600 head total swine, of which 17,600 head are swine weighing under 55 lbs. and 6,000 head are swine weighing 55 lbs. or over. The notice of intent and the nutrient management plan were received by TCEQ on March 24, 2015.

No discharge of pollutants into the waters in the state is authorized by this general permit authorization. All manure and wastewater will be beneficially used on agricultural land.

**This notice is for the same proposed Prestage Farms facility originally assigned authorization no. TXG921320 in 2014. All public comments previously received on TXG921320 will be considered during the processing of authorization no. TXG921410 and do not need to be re-submitted for TCEQ consideration. Those persons on the mailing list for TXG921320 will also be included on the mailing list for TXG921410.**

The facility will be located approximately 200 feet north and 400 feet west of the intersection of County Road L (Purnell Road) and County Road 3, Sherman County, Texas. The facility will be located in the drainage area of an unclassified Segment No. 0100 of the Canadian River Basin.

A copy of the notice of intent, the nutrient management plan, the Executive Director's draft technical summary, and the concentrated animal feeding operation (CAFO) general permit is available for viewing and copying at the Sherman County Library, 719 North Main Street, Stratford, Texas 79084. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=36.343042&lng=-102.135889&zoom=13&type=r>. For exact location, refer to application.

The Executive Director of the TCEQ has made a preliminary decision to approve coverage of this facility under General Permit No. TXG920000.

**PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments about this application. The TCEQ will hold a public meeting on this application because it has significant public interest and 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. 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. The Executive Director will consider all relevant information pertaining to whether the Applicant meets the requirements of the general permit and will issue a written determination as to any final action on the notice of intent for coverage under the general permit. If the authorization is issued, a copy of the authorization and final technical summary will be sent to each person who submits a formal comment or who requests to be on the mailing list for this authorization and provides a mailing address.

**The Public Meeting is to be held:**

**Tuesday, December 13, 2016, at 7:00 p.m.**

**Sherman County Exhibit Barn**

**501 S. Maple Street, Stratford, Texas 79084**

Citizens are encouraged to submit written public comments 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](http://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.

**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](http://www.tceq.texas.gov).

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.

TRD-201605680

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 2, 2016

◆ ◆ ◆  
**Notice of Hearing**

IESI Texas Landfill LP

SOAH Docket No. 582-17-0894

TCEQ Docket No. 2016-1211-MSW

Proposed Permit No. 1983C

**APPLICATION.**

IESI TX Landfill LP, 2301 Eagle Parkway, Ste. 200, Fort Worth, Texas 76177, the owner and operator of the IESI Fort Worth C&D Landfill, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to its municipal solid waste permit for the referenced Type IV landfill which accepts brush, construction and demolition waste, and rubbish. The major amendment requests authorization for a vertical expansion to increase the maximum permitted elevation of the landfill and increase the volumetric disposal capacity of the landfill. The application also includes updates and revisions to the landfill's site development, waste acceptance and site operating plans and other supporting permit documents. The landfill is located at 4144 Dick Price Road, Fort Worth, Texas 76140 in Tarrant County, Texas. The TCEQ received this application on March 4, 2015. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.63&lng=-97.2367&zoom=13&type=r>. For an exact location, refer to the application.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Kennedale Public Library, 316 W 3rd Street, Kennedale, Texas 76060. The permit application may be viewed online at [http://prj.geosyntec.com/TXPermits/IESIFtWC\\_DLandfill.aspx](http://prj.geosyntec.com/TXPermits/IESIFtWC_DLandfill.aspx).

**CONTESTED CASE HEARING.**

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

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

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on October 11, 2016. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 361, Texas Health and Safety Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 330; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

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

request to be a party. Only persons named as parties may participate at the hearing.

**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687 4040. General information about the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>. The mailing address for the TCEQ is P.O. Box 13087, Austin Texas 78711-3087.

Further information may also be obtained from IESI TX Landfill LP at the address stated above or by calling Mr. Joe Vieceli at (832) 442-2906.

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

TRD-201605677

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 2, 2016



**Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Sidak's Petro Inc. D/B/A Sidak's Petro**

SOAH Docket No. 582-17-0895

TCEQ Docket No. 2016-0606-PST-E

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

10:00 a.m. -- December 1, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition, mailed August 23, 2016, concerning assessing administrative penalties against and requiring certain actions of Sidak's Petro Inc d/b/a Sidak's Petro, for violations in Tarrant County, Texas, of: 30 Tex. Admin. Code §334.72 and §334.74.

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

Petro Inc d/b/a Sidak's Petro, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code §7.054 and chs. 7 and 26 and 30 Tex. Admin. Code chs. 70 and 334; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §70.108 and §70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

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

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

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

TRD-201605678

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 2, 2016



**Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of. Mina Investments, LLC D/B/A Texas Foods**

SOAH Docket No. 582-17-0896

TCEQ Docket No. 2015-1394-PST-E

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

10:00 a.m. -- December 1, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed June 13, 2016, concerning assessing administrative penalties against and requiring certain actions of St. Mina Investments, LLC d/b/a Texas Foods, for violations in Tarrant County, Texas, of: Tex. Water Code §§26.3467(a) and 26.3475(a) and 30 Tex. Admin. Code §§334.8(c)(4)(C), (c)(5)(A), and (c)(5)(A)(i) and 334.50(b)(2).

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

Legal Authority: Tex. Water Code §7.054 and chs. 7 and 26 and 30 Tex. Admin. Code chs. 70 and 334; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §70.108 and §70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

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

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

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

TRD-201605679  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: November 2, 2016



#### Notice of Public Meeting for an Air Quality Permit

Proposed Permit Number: 138224

**APPLICATION.** Aurora ReadyMix Concrete, LLC, 1242 Ravenscourt Dr, Sugar Land, Texas 77498-2721, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit Number 138224, which would authorize

construction of a Concrete Batch Plant located at 5715 Schurmier Road, Houston, Harris County, Texas 77048. This application was submitted to the TCEQ on January 15, 2016. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.607715&lng=-95.321438&zoom=12&type=r>. The proposed facility will emit the following contaminants: particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision to issue the permit because it meets all rules and regulations.

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

#### **The Public Meeting is to be held:**

**Tuesday, November 15, 2016, at 7:00 p.m.**

**Sunny Side Multi Service Center**

**9314 Cullen Boulevard**

**Houston, Texas 77051**

**INFORMATION.** Citizens are encouraged to submit written comments anytime during the public 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 <http://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](http://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 will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and at the Johnson Public Library, 3517 Reed Road, Houston, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Houston Regional Office, 5425 Polk St Ste H, Houston, Texas. Further information may

also be obtained from Aurora ReadyMix Concrete, LLC at the address stated above or by calling Mr. Venkata Godasi, Graduate Engineer at (713) 974-2272.

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.

TRD-201605676  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: November 2, 2016



## Notice of Water Rights Application

Notices issued October 27 - November 1, 2016

APPLICATION NO. 12940; Pecan Plantation Owners Association, Inc., 8650 Westover Ct., Granbury, Texas 76049-4233, Applicant, has applied for a water use permit to maintain four reservoirs for recreational purposes and to use the bed and banks of an unnamed tributary of the Brazos River, Brazos River Basin to convey contract water to and through the four reservoirs for subsequent diversion for agricultural purposes in Hood County. The application and a portion of the fees were received on October 11, 2012. Additional information and fees were received on February 15, 2013. The application was declared administratively complete and filed with the Office of the Chief Clerk on June 4, 2013. The Executive Director completed the technical review of the application and prepared a draft permit. The Executive Director recommends that the application be granted in accordance with the draft permit. The draft permit, if granted, would contain special conditions including, but not limited to, the maintenance of the contracts between the Applicant and the Brazos River Authority. The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F, Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice.

APPLICATION NO. 14-1806A; Billy A. Kniffen, 3170 East FM 2092, Menard, Texas 76859, Applicant, has applied to amend a 10 acre-foot portion of Certificate of Adjudication No. 14-1806 to add a diversion point on the San Saba River, Colorado River Basin, and to add a place of use for agricultural purposes in Menard County. The application and fees were received August 26, 2015. Additional information and fees were received on September 14, 2015, and January 19, 20, 26, and 29, 2016. The application was declared administratively complete and filed with the Office of the Chief Clerk on July 20, 2016. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, installing screens on the new diversion structure. The application, technical memoranda, and Executive Director's draft permit are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F., Austin, TX 78753. Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below by November 18, 2016.

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](http://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](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040.

Issued in Austin, Texas on November 1, 2016.

TRD-201605681  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: November 2, 2016



## Update to the Water Quality Management Plan (WQMP)

The Texas Commission on Environmental Quality (TCEQ or commission) requests comments from the public on the draft October 2016 Update to the WQMP for the State of Texas.

Download the draft October 2016 WQMP Update at [https://www.tceq.texas.gov/permitting/wqmp/WQmanagement\\_updates.html](https://www.tceq.texas.gov/permitting/wqmp/WQmanagement_updates.html) or view a printed copy at the TCEQ Library, Building A, 12100 Park 35 Circle, Austin, Texas.

The WQMP is developed and promulgated in accordance with the requirements of Federal Clean Water Act, §208. The draft update includes projected effluent limits of specific domestic dischargers, which may be useful for planning in future permit actions. The draft update may also contain service area populations for listed wastewater treatment facilities, designated management agency information, and total maximum daily load (TMDL) revisions.

Once the commission certifies a WQMP update, it is submitted to the United States Environmental Protection Agency (EPA) for approval. For some Texas Pollutant Discharge Elimination System (TPDES) permits, the EPA's approval of a corresponding WQMP update is a necessary precondition to TPDES permit issuance by the commission.

### Deadline

All comments must be received at the TCEQ no later than **5:00 p.m. on December 13, 2016**.

## How to Submit Comments

Comments must be submitted in writing to:

Nancy Vignali

Texas Commission on Environmental Quality

Water Quality Division, MC 150

P.O. Box 13087

Austin, Texas 78711-3087

Comments may also be faxed to (512) 239-4420, but must be followed up with written comments by mail within three working days of the fax date or by the comment deadline, whichever is sooner.

For further information, or questions, please contact Ms. Vignali at (512) 239-1303 or by email at [Nancy.Vignali@tceq.texas.gov](mailto:Nancy.Vignali@tceq.texas.gov).

TRD-201605666

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: November 1, 2016



## Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Medicaid Payment Rates for Prescribed Pediatric Extended Care Center (PPECC)

The proposed rates will be effective November 1, 2016.

**Hearing.** The Texas Health and Human Services Commission will conduct a public hearing on November 23, 2016, at 9 a.m. to receive public comment on proposed payment rates for the PPECC program operated by the Health and Human Services Commission (HHSC).

The hearing will be held in compliance with Texas Human Resources Code §32.0282 (relating to public hearing on rates) and Texas Administrative Code (TAC) Title 1, §355.105 (relating to general reporting and documentation, methods, and procedures), which require public notice of and hearings on proposed Medicaid reimbursements. The public hearing will be held in the Public Hearing Room in the Brown Heatly Building, 4900 North Lamar Boulevard, Austin, Texas, with entrance through Security. Entry is through the front of the building facing Lamar Boulevard. Free parking is available in front of the building and in the adjacent parking garage. Persons requiring Americans with Disability Act (ADA) accommodation or auxiliary aids or services should contact Rate Analysis by calling (512) 730-7401 at least 72 hours prior to the hearing so appropriate arrangements can be made.

**Proposal.** HHSC proposes to administer and implement rates and establish a reimbursement methodology for Prescribed Pediatric Extended Care Centers (PPECCs). A PPECC provides non-residential, facility-based care as an alternative to private-duty nursing (PDN) for individuals under the age of 21 with complex medical needs. In accordance with Texas Human Resources Code section 32.024(jj), HHSC is establishing PPECCs as a separate Medicaid provider type. The proposed rates will be effective retroactive to November 1, 2016.

**Methodology and Justification.** HHSC calculated the proposed payment rates in accordance with the rate setting methodologies codified in the Texas Administrative Code (TAC) Title 1, §355.9080 (relating to reimbursement methodology for the PPECC program).

**Briefing Package.** On November 11, 2016, a briefing package describing the proposed payment rates will be available at <http://www.hhsc.state.tx.us/rad/rate-packets.shtml>. Interested parties may also obtain a free copy of the briefing package by contacting the HHSC Rate Analysis Department by U.S. mail addressed to Health and Human Services Commission, Rate Analysis Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at [RAD-LTSS@hhsc.state.tx.us](mailto:RAD-LTSS@hhsc.state.tx.us). In addition, free copies of the briefing package will be available at the public hearing.

**Written Comments.** Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Health and Human Services Commission, Rate Analysis Department, H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Rate Analysis at (512)730-7475; or by e-mail to [RAD-LTSS@hhsc.state.tx.us](mailto:RAD-LTSS@hhsc.state.tx.us). In addition, written comment may be sent by overnight mail or hand delivered to the Health and Human Services Commission, Rate Analysis Department, H-400, 4900 North Lamar Boulevard, Austin, Texas 78751.

TRD-201605674

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: November 1, 2016



## Department of State Health Services

Licensing Actions for Radioactive Materials

During the first half of October, 2016, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading “Location” indicates the city in which the radioactive material may be possessed and/or used. The location listing “Throughout TX [Texas]” indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department’s Radiation Safety Licensing Branch has determined that the applicant has complied with the licensing requirements in Title 25, Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A “person affected” is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC, §289.205(b)(15); Health and Safety Code, §401.003(15). Requests must be made in writing and should contain the words “hearing request,” the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radiation Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: 512-834-6690, or by e-mail to: RAMlicensing@dshs.state.tx.us.

**NEW LICENSES ISSUED:**

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Throughout TX	Chemical Transportation Inc.	L06811	El Paso	00	10/06/16
Throughout TX	Emergency Environmental Services L.L.C.	L06810	Haslet	00	10/04/16

**AMENDMENTS TO EXISTING LICENSES ISSUED:**

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Amarillo	BSA Hospital L.L.C.	L06573	Amarillo	05	10/13/16
Amarillo	BSA Hospital L.L.C. dba The Don and Sybil Harrington Cancer Center A Department of Baptist St. Anthony’s Hospital	L06556	Amarillo	09	10/12/16
Austin	St. David’s Healthcare Partnership L.P., L.L.P dba St. David’s Medical Center	L06335	Austin	20	10/06/16
Austin	ARA St. David’s Imaging L.P.	L05862	Austin	70	10/05/16
Austin	St. David’s Healthcare Partnership L.P., L.L.P. dba St. David’s South Austin Medical Center	L03273	Austin	104	10/07/16
Austin	Seton Family of Hospitals Annex Building	L00268	Austin	152	10/11/16
Austin	Austin Radiological Association	L00545	Austin	193	10/05/16
Beaumont	Baptist Hospital of Southeast Texas	L00358	Beaumont	149	10/06/16
Bonham	Fannin County Hospital Authority dba TMC Bonham Hospital	L06548	Bonham	02	10/11/16
Brownwood	Brownwood Hospital L.P. DBA Brownwood Regional Medical Center	L02322	Brownwood	62	10/05/16
Carrollton	Baylor Medical Center at Carrollton dba Baylor Scott & White	L06741	Carrollton	02	10/06/16

AMENDMENTS TO EXISTING LICENSES ISSUED: (continued)

College Station	Texas A&M University Environmental Health & Safety	L05683	College Station	30	10/07/16
Dallas	Medi-Physics Inc. dba GE Healthcare	L05529	Dallas	43	10/11/16
Dallas	Petnet Solutions Inc.	L05193	Dallas	50	10/10/16
Dallas	The University of Texas Southwestern Medical Center at Dallas	L00384	Dallas	126	10/06/16
Dallas	Baylor University Medical Center	L01290	Dallas	140	10/03/16
Dallas	Baylor University Medical Center	L01290	Dallas	141	10/07/16
El Paso	Tenet Hospitals Limited dba The Hospitals of Providence East Campus	L06152	El Paso	22	10/06/16
El Paso	El Paso County Hospital District dba University Medical Center of El Paso	L00502	El Paso	74	10/05/16
El Paso	Tenet Hospitals Limited dba The Hospitals of Providence Sierra Campus	L02365	El Paso	92	10/03/16
Fort Worth	BTDI JV L.L.P. dba Touchstone Imaging Downtown Fort Worth PET	L06728	Fort Worth	05	10/05/16
Freeport	Solvay USA Inc.	L02807	Freeport	42	10/07/16
Greenville	Hunt Memorial Hospital District dba Hunt Regional Medical Center	L01695	Greenville	53	10/05/16
Houston	Houston Northwest Operating Company L.L.C. dba Houston Northwest Medical Center	L06190	Houston	28	10/14/16
Houston	The University of Texas MD Anderson Cancer Center	L00466	Houston	166	10/05/16
Humble	Cardiovascular Association P.L.L.C.	L05421	Humble	22	10/11/16
Irving	Las Colinas Oncology MSO L.P. dba Las Colinas Cancer Center	L06078	Irving	14	10/03/16
La Grange	Lower Colorado River Authority	L02738	La Grange	55	10/06/16
Lewisville	Columbia Medical Center of Lewisville Subsidiary L.P. dba Medical Center of Lewisville	L02739	Lewisville	77	10/05/16
Odessa	Ector County Hospital District dba Medical Center Hospital	L01223	Odessa	99	10/14/16
San Antonio	Schnitzler Cardiovascular Consultants	L05792	San Antonio	14	10/03/16
San Antonio	Medi-Physics Inc. dba GE Healthcare	L04764	San Antonio	48	10/12/16
San Antonio	Methodist Healthcare System of San Antonio Ltd, L.L.P.	L00594	San Antonio	354	10/03/16
San Antonio	Methodist Healthcare System of San Antonio Ltd, L.L.P.	L00594	San Antonio	355	10/14/16
Sherman	Sherman/Grayson Hospital L.L.C. dba Wilson N Jones Medical Center	L06354	Sherman	13	10/05/16
The Woodlands	Woodlands-North Houston Heart Associates	L04253	The Woodlands	35	10/06/06
Throughout TX	Weatherford International L.L.C.	L00747	Benbrook	104	10/11/16
Throughout TX	Weatherford International L.L.C.	L04286	Benbrook	117	10/11/16
Throughout TX	Texas Health Presbyterian Hospital Dallas	L01586	Dallas	106	10/05/16
Throughout TX	Houston Police Department	L06809	Houston	01	10/13/16
Throughout TX	Century Asphalt Ltd.	L06593	Houston	06	10/11/16
Throughout TX	Versa Integrity Group Inc.	L06669	Houston	10	10/06/16
Throughout TX	IRISNDT Inc.	L06435	Houston	15	10/13/16
Throughout TX	Material Inspection Technology Inc.	L05672	Houston	40	10/14/16
Throughout TX	HVJ Associates Inc.	L03813	Houston	57	10/10/16
Throughout TX	Code Compliance Inspection L.L.C.	L06703	La Porte	06	10/12/16
Throughout TX	GR Wireline L.P.	L06734	Sugar Land	03	10/12/16
Throughout TX	Schlumberger Technology Corporation	L00109	Sugar Land	71	10/12/16

AMENDMENTS TO EXISTING LICENSES ISSUED: (continued)

Throughout TX	Thermo Process Instruments L.P. a subsidiary of Thermo Fisher Scientific Inc.	L03524	Sugar Land	91	10/11/16
Throughout TX	Schlumberger Technology Corporation	L00764	Sugar Land	152	10/03/16

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Beaumont	Gerdau Ameristeel US Inc.	L02122	Beaumont	31	10/07/16
Fort Worth	Tarrant County Hospital District dba JPS Health Network	L02208	Fort Worth	84	09/29/16

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Plano	North Texas PEM Partners	L06340	Plano	03	10/12/16
Sugarland	US Imaging Inc.	L04459	Sugarland	43	10/12/16
Throughout TX	Texcom Environmental Services L.L.C.	L06596	Houston	05	10/04/16
Throughout TX	Centex Testing Inc.	L06114	Waco	01	10/14/16

EXEMPTIONS ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Throughout TX	Halliburton Energy Services Inc.	L02113	Houston	131	10/18/16

TRD-201605665  
 Lisa Hernandez  
 General Counsel  
 Department of State Health Services  
 Filed: October 31, 2016



**Texas Department of Insurance**

Company Licensing

Application for admission to the state of Texas for ASPIRE GENERAL INSURANCE COMPANY, a foreign fire and/or casualty company. The home office is in Rancho Cordova, California.

Application for FINANCIAL AMERICAN PROPERTY AND CASUALTY INSURANCE COMPANY, a domestic fire and/or casualty company, to change its name to FIRST NATIONAL INDEMNITY INSURANCE COMPANY. The home office is in Kerrville, Texas.

Application for XL LIFE INSURANCE AND ANNUITY COMPANY, a foreign life, health and/or accident company, to change its name to OMAHA HEALTH INSURANCE COMPANY. The home office is in Schaumburg, Illinois.

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

TRD-201605683  
 Norma Garcia  
 General Counsel  
 Texas Department of Insurance  
 Filed: November 2, 2016



Notice of Public Hearing

The commissioner of insurance will hold a public hearing under Docket No. 2795, at 9:30 a.m., on Wednesday, November 30, 2016, in Room 100 of the William P. Hobby Jr. State Office Building, 333 Guadalupe St., Austin, Texas, to consider a petition by the Texas Windstorm Insurance Association (TWIA) related to the maximum limits of liability under windstorm and hail insurance policy coverage on residential dwellings and individually owned townhouses and associated contents; contents of apartments, condominiums, or townhouses; commercial structures and associated contents; and governmental structures and

associated contents. The petition was submitted under Insurance Code §§2210.501 - 2210.506.

The petition does not affect TWIA's rates.

This notice is made under Insurance Code §2210.504(a), which requires that after notice and hearing, the commissioner by order shall approve, disapprove, or modify TWIA's proposed adjustments no later than 60 days after receipt by TDI of the TWIA petition. Texas Insurance Code Chapter 40 does not apply to this proceeding.

A copy of TWIA's petition is available for review online at [www.tdi.texas.gov/submissions/indextwia.html#limit](http://www.tdi.texas.gov/submissions/indextwia.html#limit) and in the Office of the Chief Clerk, MC 113-2A, Texas Department of Insurance, 333 Guadalupe Street, Austin, TX 78701. To request a copy of the petition (Reference No. P-1016-12), contact Victoria Ortega at (512) 676-6584. For additional information, interested parties may contact Brian Ryder, senior actuary, by mail at MC 105-5F, Texas Department of Insurance, 333 Guadalupe, Austin, TX 78701, or by phone at (512) 676-6709.

TRD-201605684  
Norma Garcia  
General Counsel  
Texas Department of Insurance  
Filed: November 2, 2016

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## Texas Lottery Commission

### Scratch Ticket Game Number 1806 "Texas Loteria"

#### 1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1806 is "TEXAS LOTERIA". The play style is "row/column/diagonal".

#### 1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1806 shall be \$3.00 per Scratch Ticket.

#### 1.2 Definitions in Scratch Ticket Game No. 1806.

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: THE MOCKINGBIRD SYMBOL, THE CACTUS SYMBOL, THE STRAWBERRY SYMBOL, THE ROADRUNNER SYMBOL, THE BAT SYMBOL, THE PIÑATA SYMBOL, THE COWBOY SYMBOL, THE NEWSPAPER SYMBOL, THE SUNSET SYMBOL, THE COWBOY HAT SYMBOL, THE COVERED WAGON SYMBOL, THE MARACAS SYMBOL, THE LONE STAR SYMBOL, THE CORN SYMBOL, THE HEN SYMBOL, THE SPEAR SYMBOL, THE GUITAR SYMBOL, THE FIRE SYMBOL, THE MORTAR PESTLE SYMBOL, THE WHEEL SYMBOL, THE PECAN TREE SYMBOL, THE JACKRABBIT SYMBOL, THE BOAR SYMBOL, THE ARMADILLO SYMBOL, THE LIZARD SYMBOL, THE CHILE PEPPER SYMBOL, THE HORSESHOE SYMBOL, THE HORSE SYMBOL, THE SHOES SYMBOL, THE BLUEBONNET SYMBOL, THE MOONRISE SYMBOL, THE RATTLESNAKE SYMBOL, THE WINDMILL SYMBOL, THE SPUR SYMBOL and THE SADDLE SYMBOL.

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. 1806 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
THE MOCKINGBIRD SYMBOL	THEMOCKINGBIRD
THE CACTUS SYMBOL	THE CACTUS
THE STRAWBERRY SYMBOL	THESTRAWBERRY
THE ROADRUNNER SYMBOL	THEROADRUNNER
THE BAT SYMBOL	THE BAT
THE PIÑATA SYMBOL	THE PIÑATA
THE COWBOY SYMBOL	THECOWBOY
THE NEWSPAPER SYMBOL	THENEWSPAPER
THE SUNSET SYMBOL	THE SUNSET
THE COWBOY HAT SYMBOL	THECOWBOYHAT
THE COVERED WAGON SYMBOL	THECOVEREDWAGON
THE MARACAS SYMBOL	THEMARACAS
THE LONE STAR SYMBOL	THELONESTAR
THE CORN SYMBOL	THE CORN
THE HEN SYMBOL	THE HEN
THE SPEAR SYMBOL	THE SPEAR
THE GUITAR SYMBOL	THE GUITAR
THE FIRE SYMBOL	THE FIRE
THE MORTAR PESTLE SYMBOL	THEMORTARPESTLE
THE WHEEL SYMBOL	THE WHEEL
THE PECAN TREE SYMBOL	THEPECANTREE
THE JACK RABBIT SYMBOL	THEJACKRABBIT
THE BOAR SYMBOL	THE BOAR
THE ARMADILLO SYMBOL	THEARMADILLO
THE LIZARD SYMBOL	THELIZARD
THE CHILE PEPPER SYMBOL	THECHILIPEPPER
THE HORSESHOE SYMBOL	THEHORSESHOE
THE HORSE SYMBOL	THE HORSE
THE SHOES SYMBOL	THE SHOES
THE BLUEBONNET SYMBOL	THEBLUEBONNET
THE CHERRIES SYMBOL	THECHERRIES
THE OIL RIG SYMBOL	THEOILRIG
THE MOONRISE SYMBOL	THEMOONRISE
THE RATTLESNAKE SYMBOL	THERATTLESNAKE
THE WINDMILL SYMBOL	THEWINDMILL
THE SPUR SYMBOL	THE SPUR
THE SADDLE SYMBOL	THESADDLE

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-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1806), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1806-0000001-001.

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

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

J. Scratch Game Ticket, Scratch Ticket or Ticket - Texas Lottery "TEXAS LOTERIA" Scratch Ticket Game No. 1806.

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 "TEXAS LOTERIA" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 30 (thirty) Play Symbols. The player scratches the CALLER'S CARD area to reveal 14 symbols. The player scratches ONLY the symbols on the PLAY BOARD that match the symbols revealed on the CALLER'S CARD. If the player reveals a complete row, column or diagonal line, the player wins the prize for that line. El jugador raspa las CARTA DEL GRITON para revelar 14 símbolos. El jugador raspa SOLAMENTE los símbolos en la TABLA DE JUEGO que son iguales a los símbolos revelados en las CARTA DEL GRITON para revelar una línea completa horizontal, vertical o diagonal para ganar el premio para esa línea. 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 30 (thirty) 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 30 (thirty) 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 30 (thirty) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 30 (thirty) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

#### 2.2 Programmed Game Parameters.

A. A Ticket can win up to three (3) times in accordance with the approved prize structure.

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

C. No matching Play Symbols in the CALLER'S CARD play area.

D. At least eight (8), but no more than twelve (12), CALLER'S CARD Play Symbols will match a symbol on the PLAY BOARD play area on a Ticket.

E. CALLER'S CARD Play Symbols will have a random distribution on the Ticket unless restricted by other parameters, play action or prize structure.

F. No matching Play Symbols are allowed on the PLAY BOARD play area.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "TEXAS LOTERIA" Scratch Ticket Game prize of \$3.00, \$4.00, \$7.00, \$10.00, \$17.00, \$20.00, \$30.00, \$33.00, \$50.00, \$80.00 or \$300, 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 \$30.00, \$33.00, \$50.00, \$80.00 or \$300 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 "TEXAS LOTERIA" Scratch Ticket Game prize of \$3,000 or \$50,000, 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 "TEXAS LOTERIA" 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 "TEXAS LOTERIA" 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 "TEXAS LOTERIA" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

### 3.0 Scratch Ticket Ownership.

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

more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Prizes. There will be approximately 40,800,000 Scratch Tickets in Scratch Ticket Game No. 1806. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1806 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3	4,624,000	8.82
\$4	2,176,000	18.75
\$7	1,360,000	30.00
\$10	680,000	60.00
\$17	544,000	75.00
\$20	544,000	75.00
\$30	136,000	300.00
\$33	136,000	300.00
\$50	51,000	800.00
\$80	25,160	1,621.62
\$300	17,680	2,307.69
\$3,000	580	70,344.83
\$50,000	28	1,457,142.86

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

\*\*The overall odds of winning a prize are 1 in 3.96. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1806 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. 1806, 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-201605668

Bob Biard  
General Counsel  
Texas Lottery Commission  
Filed: November 1, 2016



Scratch Ticket Game Number 1821 "Classy Cash"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1821 is "CLASSY CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1821 shall be \$5.00 per Ticket.

1.2 Definitions in Scratch Ticket Game No. 1821.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, VAULT SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$250, \$1,000 and \$100,000.

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

Figure 1: GAME NO. 1821 - 1.2D

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

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

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

F. 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 (1821), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1821-0000001-001.

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

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does

not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CLASSY CASH" Scratch Ticket Game No. 1821.

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 "CLASSY CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 45 (forty-five) Play Symbols. If a player matches any of YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "VAULT" Play Symbol, the player WINS ALL 20 (twenty) PRIZES instantly! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

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

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

#### 2.2 Programmed Game Parameters.

- A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns of either Play Symbols or Prize Symbols.
- B. A Ticket will win as indicated by the prize structure.
- C. A Ticket can win up to twenty (20) times.
- D. On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$100,000 will each appear at least once, except on Tickets winning more than fourteen (14) times and Tickets winning with the "VAULT" (WINALL) Play Symbol.
- E. No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.
- F. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.
- G. No matching WINNING NUMBERS Play Symbols will appear on a Ticket.
- H. No YOUR NUMBERS Play Symbols will match any WINNING NUMBERS Play Symbols on Tickets winning with the "VAULT" (WINALL) Play Symbol.
- I. The "VAULT" (WINALL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.
- J. The "VAULT" (WINALL) Play Symbol will never appear more than once on a Ticket.
- K. The "VAULT" (WINALL) Play Symbol will never appear on a Non-Winning Ticket.
- L. The "VAULT" (WINALL) Play Symbol will WIN ALL 20 PRIZES and will win as per the prize structure.
- M. YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 5 and \$5, 10 and \$10, 15 and \$15, 20 and \$20, 50 and \$50).
- N. On all Tickets, a Prize Symbol will not appear more than four (4) times except as required by the prize structure to create multiple wins.
- O. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

#### 2.3 Procedure for Claiming Prizes.

A. To claim a "CLASSY CASH" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$200, \$250, \$300, \$400 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$200, \$250, \$300, \$400 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the

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

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

C. As an alternative method of claiming a "CLASSY CASH" 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 "CLASSY CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

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

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 8,280,000 Scratch Tickets in Scratch Ticket Game No. 1821. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1821 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	1,067,200	7.76
\$10	754,400	10.98
\$15	220,800	37.50
\$20	73,600	112.50
\$50	80,500	102.86
\$100	37,398	221.40
\$200	1,035	8,000.00
\$250	1,817	4,556.96
\$300	851	9,729.73
\$400	368	22,500.00
\$500	1,311	6315.79
\$1,000	204	40,588.24
\$100,000	8	1,035,000.00

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

\*\*The overall odds of winning a prize are 1 in 3.70. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1821 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. 1821, 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-201605661  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: October 31, 2016



**North Central Texas Council of Governments**

Request for Proposals for the Development of a Concept of Operations for the IH 30 Corridor

The North Central Texas Council of Governments (NCTCOG) is reissuing the request for written proposals from firms to develop a Concept of Operations (ConOps) for the IH 30 Corridor from Arlington to Dallas. The IH 30 Corridor is a major east/west facility connecting Dallas and Fort Worth. The corridor from Arlington (Collins Street) to the Dallas Central Business District (CBD) includes a six-lane facility that has a two-lane reversible managed lane and frontage roads. The reversible managed lane is utilized for peak-period travel and special events. The ConOps should address operations issues and answer who, what, when, where, why, and how. The ConOps for this corridor will be used as a framework for ConOps to be developed for other corridors within the Dallas-Fort Worth region.

Proposals must be received no later than 5:00 p.m., on Friday, December 9, 2016, to Eric Quintana, Transportation Planner III, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. Copies of the Request for Proposals (RFP) will be available at [www.nctcog.org/rfp](http://www.nctcog.org/rfp) by the close of business on Friday, November 11, 2016.

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

TRD-201605675  
 R. Michael Eastland  
 Executive Director  
 North Central Texas Council of Governments  
 Filed: November 1, 2016

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## Public Utility Commission of Texas

### Notice of Application for Approval of Special Amortization

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on October 25, 2016, for approval of a special amortization pursuant to §52.252 and §53.056 of the Public Utility Regulatory Act, Texas Utility Code Annotated Sections §§11.001 - 58.303 (West 2016), §§59.001 - 66.017 (West 2007 & Supp. 2016).

Docket Title and Number: Application of Eastex Telephone Cooperative, Inc. for Approval of Special Amortization, Docket Number 46475.

The Application: Eastex Telephone filed an application for approval of a special amortization for Account 2232.1361- Packet Circuit Equipment in order to retire Ethernet transmission network equipment by the end of 2016.

Persons wishing to intervene or comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephone (TTY) may contact the Commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46475.

TRD-201605604  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: October 26, 2016

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### Notice of Application for Regulatory Approvals

Notice is given to the public of an application by Oncor Electric Delivery Company LLC and NextEra Energy, Inc. filed with the Public Utility Commission of Texas (commission) on October 31, 2016, pursuant to the Public Utility Regulatory Act, Texas Utility Code §§11.001-58.303 (West 2016), §§59.001- 66.017 (West 2007 and Supp. 2016) (PURA).

Docket Style and Number: Joint Report and Application of Oncor Electric Delivery Company LLC and NextEra Energy, Inc. for Regulatory Approvals Pursuant to PURA §§14.101, 39.262 and 39.915, Docket Number 46238.

The Application: Oncor Electric Delivery Company LLC and NextEra Energy, Inc. filed an application with the commission for regulatory approvals of two separate privately negotiated transactions that would allow NextEra to (1) acquire the approximately 80% interest in Oncor indirectly held by Energy Future Holdings Corporation, and (2) acquire the 19.75% interest indirectly held by Texas Transmission Holdings Corporation. The proposed transactions have a combined enterprise value of approximately \$18.7 billion, which assumes a 100% ownership interest in Oncor.

Persons who wish to intervene in or comment upon this application should notify the Public Utility Commission of Texas. A request to intervene or for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the commission at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through

Relay Texas by dialing 7-1-1. The deadline to intervene is November 30, 2016. All correspondence should refer to Docket Number 46238.

TRD-201605672  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: November 1, 2016

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### 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 25, 2016, pursuant to the Texas Water Code.

Docket Style and Number: Application of MJ Wootan (Estate) and Deer Country Water Supply Corporation for Sale, Transfer, or Merger of Facilities and Certificate Rights in Llano County, Docket Number 46472.

The Application: MJ Wootan (Estate) and Deer Country Water Supply Corporation filed an application for approval of the sale, transfer, or merger of facilities and certificate rights in Llano County. Specifically, Deer Country seeks approval to purchase the water assets of Wootan, CCN No. 12465, and retain the seller's current water certificated service areas. Rates will not change for the affected 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 46472.

TRD-201605608  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: October 27, 2016

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### 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 Liberty County.

Docket Style and Number: Application of Quadvest, L.P. to Amend its Water and Sewer Certificates of Convenience and Necessity in Liberty County, Docket Number 46478.

The Application: Quadvest, L.P. filed an application to amend its water certificate of convenience and necessity (CCN) No. 11612 and sewer CCN No. 20952 in Liberty County. The total area being requested includes approximately 137 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 46478.

TRD-201605664  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: October 31, 2016



**Notice of Intent to Implement a Minor Rate Change Under 16 Texas Administrative Code §26.171**

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on October 28, 2016, to implement a minor rate change under 16 Tex. Admin. Code §26.171.

Tariff Control Title and Number: Notice of Santa Rosa Telephone Cooperative, Inc. for Approval of a Minor Rate Change Pursuant to 16 Tex. Admin. Code §26.171 and PURA Section 53, Subchapter G, Tariff Control Number 46482.

The Application: Santa Rosa Telephone Cooperative, Inc. filed an application for revisions to its Local Exchange Tariff. Santa Rosa proposed an effective date of December 1, 2016. The estimated revenue increase to be recognized by the applicant is \$29,422 in gross annual

intrastate revenues. The applicant has 1,346 access lines (residence and business) in service in the state of Texas.

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

Persons wishing to comment on this application should contact the commission by November 28, 2016. Requests to intervene should be filed with the commission's Filing Clerk at P.O. Box 13326, Austin, Texas 78711-3326, or you may call the commission at (512) 936-7120 or toll-free 1-800-735-2989. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Tariff Control Number 46482.

TRD-201605670  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: November 1, 2016

