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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.

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/14/16 - 11/20/16 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/14/16 - 11/20/16 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-201605750

Leslie Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: November 8, 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 22, 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 22, 2016. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the com-

ment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: ADO ALLIANCE INCORPORATED dba Super Stop 3; DOCKET NUMBER: 2016-1227-PST-E; IDENTIFIER: RN101444081; LOCATION: Vidor, Orange County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks (USTs); 30 TAC §334.50(b)(1)(A) and (2)(B) and (d)(1)(B)(ii) and (iii)(I), and TWC, §26.3475(b) and (c)(1), by failing to monitor the USTs for releases at a frequency of at least once every month, failing to provide release detection for the suction piping associated with the UST system, failing to conduct reconciliation of detailed inventory control records at least once each month, sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow-through for the month plus 130 gallons, and failing to record inventory volume measurement for regulated substance inputs, withdrawals, and the amount still remaining in the tank each operating day; and 30 TAC §334.602(a), by failing to designate at least one Class C operator for the facility; PENALTY: \$9,895; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: Blue Ridge West Municipal Utility District; DOCKET NUMBER: 2016-1199-PWS-E; IDENTIFIER: RN102684875; LOCATION: Missouri City, Fort Bend County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.108(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 15 picoCuries per liter for gross alpha particle activity, based on the running annual average; PENALTY: \$270; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: Cameron Communications, L.L.C.; DOCKET NUMBER: 2016-1516-PST-E; IDENTIFIER: RN101804375; LOCATION: High Island, Hardin County; TYPE OF FACILITY: an underground storage tank (UST) system and emergency generator; 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 UST system; PENALTY: \$3,130; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(4) COMPANY: City of Bandera; DOCKET NUMBER: 2016-0351-PWS-E; IDENTIFIER: RN101410934; LOCATION: Bandera, Bandera County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(m)(4), by failing to maintain all distribution system lines, storage and pressure maintenance facilities, water treatment units, and all related appurtenances in a watertight condition; 30 TAC §290.42(e)(4)(C), by failing to provide adequate ventilation which includes high level and floor level screened vents for all enclosures in which chlorine gas is being stored or fed; 30 TAC

§290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.45(b)(1)(D)(iv) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection; 30 TAC §290.45(b)(1)(D)(ii) and THSC, §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.45(b)(1)(D)(iii) and THSC, §341.0315(c), by failing to provide two or more pumps that have a total capacity of 2.0 gallons per minute (gpm) per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less; and 30 TAC §290.45(b)(1)(D)(i) and THSC, §341.0315(c), by failing to provide two or more wells having a total capacity of 0.6 gpm per connection; PENALTY: \$1,400; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(5) COMPANY: City of Copperas Cove; DOCKET NUMBER: 2016-1280-MWD-E; IDENTIFIER: RN101610814; LOCATION: Copperas Cove, Coryell 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 WQ0010045005, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$21,375; ENFORCEMENT COORDINATOR: Caleb Olson, (512) 239-2541; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(6) COMPANY: City of O'Donnell; DOCKET NUMBER: 2016-0629-MLM-E; IDENTIFIER: RN101386472; LOCATION: O'Donnell, Lynn County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §288.20(a)(1)(D) and TWC, §11.1272(c), by failing to provide a description of the information to be monitored by the water supplier for the initiation and termination of drought response stages; 30 TAC §290.43(c)(4), by failing to provide all water storage tanks with a liquid level indicator at the tank site; 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 an applicable, valid license; 30 TAC §290.42(e)(3)(G), by failing to obtain an exception, in accordance with 30 TAC §290.39(l), prior to blending water containing chloramines and water containing free chlorine; 30 TAC §290.46(z), by failing to create a nitrification action plan for a system distributing chloraminated water; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.46(f)(2) and (3)(A)(iv), by failing to properly maintain water works operation and maintenance records and make them available for review to the executive director during the investigation; 30 TAC §290.109(c)(1)(A), by failing to collect routine distribution coliform samples at active service connections which are representative of water quality throughout the distribution system; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, specifies the analytical procedures and laboratories that the public water system will use to comply with the monitoring requirements, and is maintained at each water treatment plant and at a central location; PENALTY: \$553;

ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(7) COMPANY: City of Penelope; DOCKET NUMBER: 2016-0514-MWD-E; IDENTIFIER: RN101523066; LOCATION: Penelope, Hill 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 WQ0013621001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limits; PENALTY: \$11,500; Supplemental Environmental Project offset amount of \$11,500; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(8) COMPANY: City of Roscoe; DOCKET NUMBER: 2016-0374-PWS-E; IDENTIFIER: RN101430924; LOCATION: Roscoe, Nolan 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 §290.46(t), by failing to post a legible sign at the facility's production, treatment and storage facilities that contains the name of the facility and an emergency telephone number where a responsible official can be contacted; 30 TAC §290.42(m) and §290.43(e), by failing to provide an intruder-resistant fence or lockable building for the standpipe and pressure maintenance facilities; 30 TAC §290.46(m)(1)(A), by failing to conduct annual inspections of the facility's one ground storage tank and two elevated storage tanks; and 30 TAC §290.46(e)(4)(B) and TCEQ Agreed Order Docket Number 2014-0821-PWS-E, Ordering Provision Number 2.a.iii, by failing to use an operator with a Class C or higher groundwater license at a groundwater system serving more than 250 connections, but no more than 1,000 connections; PENALTY: \$4,331; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(9) COMPANY: ELICO STORE INCORPORATED dba ELICO STOP; DOCKET NUMBER: 2016-1257-PST-E; IDENTIFIER: RN101444370; LOCATION: Pflugerville, Travis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,878; ENFORCEMENT COORDINATOR: Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(10) COMPANY: FILGO OIL COMPANY, LIMITED; DOCKET NUMBER: 2016-1448-PST-E; IDENTIFIER: RN102351707; LOCATIONS: Dallas, Dallas County and Carrollton, Denton County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWC, §26.3467(d), by failing to deposit a regulated substance into a regulated underground storage tank system that was covered by a valid, current TCEQ delivery certificate; PENALTY: \$1,234; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: Flint Hills Resources Port Arthur, LLC; DOCKET NUMBER: 2016-0738-AIR-E; IDENTIFIER: RN100217389; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: chemical plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.715(a) and

(c)(7), and 122.143(4), Texas Health and Safety Code, §382.085(b), Federal Operating Permit Number O1317, Special Terms and Conditions Number 24, and Flexible Permit Numbers 16989 and PSDTX794, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$14,250; Supplemental Environmental Project offset amount of \$5,700; ENFORCEMENT COORDINATOR: Tiffany Maurer, (512) 239-2696; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(12) COMPANY: Formosa Plastics Corporation, Texas; DOCKET NUMBER: 2016-0903-AIR-E; IDENTIFIER: RN100218973; LOCATION: Point Comfort, Calhoun County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(b)(2)(F) and (c), and 122.143(4), Texas Health and Safety Code, §382.085(b), Federal Operating Permit Number O1953, Special Terms and Conditions Number 12, and New Source Review Permit Numbers 19168 and PSDTX1226, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$15,000; Supplemental Environmental Project offset amount of \$7,500; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(13) COMPANY: Kopperl Independent School District; DOCKET NUMBER: 2016-0455-PWS-E; IDENTIFIER: RN101279396; LOCATION: Kopperl, Bosque County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.41(c)(3)(K), by failing to provide a well casing vent with an opening that is covered with 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 §290.46(f)(2), (3)(B)(iii) and (v), by failing to maintain water works operation and maintenance records and make them available for review by the executive director; 30 TAC §290.45(d)(2)(B)(v) and Texas Health and Safety Code, §341.0315(c), by failing to provide a minimum pressure tank capacity of 220 gallons; and 30 TAC §290.46(v), by failing to ensure that the facility's electrical wiring is securely installed in compliance with a local or national electrical code; PENALTY: \$538; ENFORCEMENT COORDINATOR: Jim Fisher, (512) 239-2537; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(14) COMPANY: La Cantera Development Company, LLC; DOCKET NUMBER: 2016-1380-EAQ-E; IDENTIFIER: RN106201668; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: commercial development project; RULES VIOLATED: 30 TAC §213.4(a)(1) and (j)(3) and Water Pollution Abatement Plan (WPAP) Number 13-92060201, Condition Number 13, by failing to obtain approval of a modification to an approved WPAP prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(15) COMPANY: Lon J. Phean dba Olas Country Store; DOCKET NUMBER: 2016-1286-PST-E; IDENTIFIER: RN101565588; LOCATION: Kaufman, Kaufman 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; and 30 TAC §334.602(a), by failing to designate, train, and certify at least one named individual for each class of operator - Class A, Class B, and Class C for the facility; PENALTY: \$6,000; ENFORCEMENT COORDINATOR: Larry Butler, (512)

239-2543; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(16) COMPANY: PETROTEX FUELS, INCORPORATED dba Cowboy Truck Stop PFI 17; DOCKET NUMBER: 2016-1316-PST-E; IDENTIFIER: RN102927894; LOCATION: Hamshire, Jefferson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery; and 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; PENALTY: \$8,420; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(17) COMPANY: PJR, LLC and Texas Cooler Incorporated dba Texas Cooler; DOCKET NUMBER: 2016-1229-PST-E; IDENTIFIER: RN102271616; LOCATION: Seguin, Guadalupe County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,129; ENFORCEMENT COORDINATOR: Caleb Olson, (512) 239-2541; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(18) COMPANY: Potters Industries, LLC; DOCKET NUMBER: 2016-1098-AIR-E; IDENTIFIER: RN101051571; LOCATION: Paris, Lamar County; TYPE OF FACILITY: reflective glass bead manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Texas Health and Safety Code, §382.085(b), and Federal Operating Permit Number O1335, General Terms and Conditions, by failing to submit a Permit Compliance Certification no later than 30 days after the end of the certification period; PENALTY: \$2,438; Supplemental Environmental Project offset amount of \$975; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(19) COMPANY: REHOBETH WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-1300-PWS-E; IDENTIFIER: RN101457919; LOCATION: Carthage, Panola County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$172; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(20) COMPANY: Ross Midland LLC dba Avion Flight Centre North Fuel Farm; DOCKET NUMBER: 2016-1135-PST-E; IDENTIFIER: RN102851771; LOCATION: Midland, Midland County; TYPE OF FACILITY: aircraft refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(b) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the suction piping associated with the 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: \$10,263; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 3300 North A Street, Building 4, Suite 107, Midland, Texas 79705-5404.

(21) COMPANY: SEVERN TRENT ENVIRONMENTAL SERVICES, INCORPORATED; DOCKET NUMBER: 2016-1276-PST-E;

IDENTIFIER: RN102048121; LOCATION: Katy, Harris County; TYPE OF FACILITY: underground storage tank (UST) system with emergency backup power generator; 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 UST system; 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; and 30 TAC §334.42(i) and TWC, §26.3475(c)(2), by failing to inspect all sumps, manways, overspill containers or catchment basins associated with a UST system at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid-tight, and free of liquid and debris; PENALTY: \$5,547; ENFORCEMENT COORDINATOR: Keith Frank, (512) 239-1203; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(22) COMPANY: Shakti Investments LLC dba Louis Food Store; DOCKET NUMBER: 2016-1437-PST-E; IDENTIFIER: RN102546561; 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 tanks for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(23) COMPANY: SP UTILITY COMPANY, INCORPORATED; DOCKET NUMBER: 2016-1011-PWS-E; IDENTIFIER: RN103779039; LOCATION: Rosharon, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(C)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.45(b)(1)(C)(iii) and THSC, §341.0315(c), by failing to provide two or more pumps having a total capacity of 2.0 gallons per minute (gpm) per connection at each pump station or pressure plane; 30 TAC §290.46(m)(1)(B), by failing to inspect the interior surface of a pressure tank provided with an inspection port every five years; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the facility and its equipment; and 30 TAC §290.46(t), by failing to post a legible sign at the facility's production, treatment and storage facilities that provides the name of the facility and an emergency telephone number where a responsible official can be contacted; PENALTY: \$1,901; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(24) COMPANY: Steve Hedrick dba Delta Steel DFW; DOCKET NUMBER: 2016-1459-PST-E; IDENTIFIER: RN102438041; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(b), by failing to provide release detection for the suction piping associated with the underground storage tank system; PENALTY: \$3,516; ENFORCEMENT COORDINATOR: Anthony Rios, (512) 239-2557; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(25) COMPANY: The Moore's Mill LLC; DOCKET NUMBER: 2016-0993-PST-E; IDENTIFIER: RN101907905; LOCATION: Hughes Springs, Cass County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once

every month; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(26) COMPANY: Town of Pantego; DOCKET NUMBER: 2016-1526-WQ-E; IDENTIFIER: RN105591994; LOCATION: Pantego, Tarrant County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System General Permit Number TXR040325, Part IV, Section B(2), by failing to submit a concise annual report to the executive director within 90 days of the end of a reporting year; PENALTY: \$1,125; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(27) COMPANY: Town of Windom; DOCKET NUMBER: 2016-0375-MWD-E; IDENTIFIER: RN103014619; LOCATION: Honey Grove, Fannin County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and §309.3(g)(2) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0010666001, Effluent Limitations and Monitoring Requirements Number 2, by failing to provide at least 20 minutes (based on daily average flow) of detention time for chlorine residual; 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0010666001, Sludge Provisions, by failing to submit the annual sludge report for the monitoring periods ending July 31, 2014 and July 31, 2015 to the TCEQ Dallas/Fort Worth Regional Office and Enforcement Division Compliance Monitoring Team; 30 TAC §305.125(1) and (9)(A) and TPDES Permit Number WQ0010666001, Monitoring and Reporting Requirements Number 7.c, by failing to report any effluent violation which deviates from the permitted effluent limitation by more than 40% in writing to the TCEQ Dallas/Fort Worth Regional Office and the Enforcement Division within five working days of becoming aware of the noncompliance; and 30 TAC §305.125(1) and §319.11(c) and TPDES Permit Number WQ0010666001, Effluent Limitations and Monitoring and Requirements Number 2, by failing to properly analyze samples for chlorine residual; PENALTY: \$12,025; Supplemental Environmental Project offset amount of \$9,620; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5886; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(28) COMPANY: YOONIECHO'S FAMILY INCORPORATED dba Dixie Station; DOCKET NUMBER: 2016-1245-PST-E; IDENTIFIER: RN101567238; LOCATION: Hurst, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$6,750; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201605748
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: November 8, 2016

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Enforcement Orders

An agreed order was adopted regarding Sparkle Development, L.L.C. dba One Stop Fuel, Docket No. 2014-1786-PST-E on November 8, 2016, assessing \$2,438 in administrative penalties with \$487 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 New Braunfels Utilities, Docket No. 2015-0080-EAQ-E on November 8, 2016, assessing \$938 in administrative penalties with \$187 deferred. Information concerning any aspect of this order may be obtained by contacting Herbert Darling, 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 Leon Jennings dba Big Creek Landing and Shelley Jennings dba Big Creek Landing, Docket No. 2015-1290-PWS-E on November 8, 2016, assessing \$925 in administrative penalties with \$185 deferred. Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding The Dow Chemical Company, Docket No. 2015-1671-AIR-E on November 8, 2016, assessing \$7,203 in administrative penalties with \$1,440 deferred. Information concerning any aspect of this order may be obtained by contacting Abigail Lindsey, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Durk Zwart dba Zwart Dairy, Docket No. 2016-0013-AGR-E on November 8, 2016, assessing \$6,563 in administrative penalties with \$1,312 deferred. Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MALBER, LLC, Docket No. 2016-0127-PST-E on November 8, 2016, assessing \$5,250 in administrative penalties with \$1,050 deferred. Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Haskell, Docket No. 2016-0135-MWD-E on November 8, 2016, assessing \$2,580 in administrative penalties with \$516 deferred. Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding BRAZOS VALLEY PETROLEUM CORPORATION dba Pirate Stop, Docket No. 2016-0193-PST-E on November 8, 2016, assessing \$6,750 in administrative penalties with \$1,350 deferred. Information concerning any aspect of this order may be obtained by contacting John Fennell, 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 Larry Flournoy, Docket No. 2016-0237-SLG-E on November 8, 2016, assessing \$1,250 in administrative penalties with \$250 deferred. Information concerning any aspect of this order may be obtained by contacting Farhaud Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Eden, Docket No. 2016-0342-MWD-E on November 8, 2016, assessing \$5,137 in administrative penalties with \$1,027 deferred. Information concerning

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

An agreed order was adopted regarding Texas State University, Docket No. 2016-0472-PWS-E on November 8, 2016, assessing \$870 in administrative penalties with \$174 deferred. Information concerning any aspect of this order may be obtained by contacting Michaelle Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Granite Shoals, Docket No. 2016-0491-PWS-E on November 8, 2016, assessing \$1,170 in administrative penalties with \$234 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Freeport, Docket No. 2016-0498-PST-E on November 8, 2016, assessing \$3,000 in administrative penalties with \$600 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 GARY WATER SUPPLY CORPORATION, Docket No. 2016-0505-PWS-E on November 8, 2016, assessing \$1,206 in administrative penalties with \$241 deferred. Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Mardini Holdings, Inc dba Food Mart, Docket No. 2016-0523-PST-E on November 8, 2016, assessing \$5,500 in administrative penalties with \$1,100 deferred. Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jahangir Alam dba Super Food Mart, Docket No. 2016-0541-PST-E on November 8, 2016, assessing \$3,382 in administrative penalties with \$676 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Papas Smoken Whoop Stop LLC dba Whoop Stop 1, Docket No. 2016-0587-PST-E on November 8, 2016, assessing \$4,875 in administrative penalties with \$975 deferred. Information concerning any aspect of this order may be obtained by contacting Huan 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 El Paso Natural Gas Company, L.L.C., Docket No. 2016-0588-AIR-E on November 8, 2016, assessing \$3,375 in administrative penalties with \$675 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 PRINCE INTERNATIONAL, INC. dba Rozis Mini Mart 3, Docket No. 2016-0616-PST-E on November 8, 2016, assessing \$7,123 in administrative penalties with

\$1,424 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Stump, 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 Drillchem Drilling Solutions, LLC, Docket No. 2016-0707-IHW-E on November 8, 2016, assessing \$1,575 in administrative penalties with \$315 deferred. Information concerning any aspect of this order may be obtained by contacting Keith Frank, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding 11 STARS INC dba JK Kwik Pantry, Docket No. 2016-0723-PST-E on November 8, 2016, assessing \$4,050 in administrative penalties with \$810 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 AL-HAMD DIVERSIFIED, L.C. dba C Mart, Docket No. 2016-0729-PST-E on November 8, 2016, assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding 5 STAR INNOVATIONS INC dba Sunrise Grocery and AYNIA INTERNATIONAL, LLC dba Sunrise Grocery, Docket No. 2016-0758-PST-E on November 8, 2016, assessing \$4,875 in administrative penalties with \$975 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 United Drive Inn No. 7, LLC, Docket No. 2016-0761-PST-E on November 8, 2016, assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Strawn, Docket No. 2016-0769-PWS-E on November 8, 2016, assessing \$345 in administrative penalties with \$69 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MEGHANI HOLDINGS, LLC dba Times Market, Docket No. 2016-0776-PST-E on November 8, 2016, assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting James Baldwin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jim Chadwick dba Stone Zone Quarry, Docket No. 2016-0786-WQ-E on November 8, 2016, assessing \$1,626 in administrative penalties with \$325 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Van Landingham, 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 MOLINA'S COUNTRY STORE, INC., Docket No. 2016-0810-PST-E on November 8, 2016, assessing \$6,000 in administrative penalties with \$1,200 deferred. Information concerning any aspect of this order may be obtained by contacting Huan 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 HIMALAYAN SHERPA, INC. dba Midlothian Mini Mart, Docket No. 2016-0815-PST-E on November 8, 2016, assessing \$4,500 in administrative penalties with \$900 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 Strip Property Land and Water, LLC, Docket No. 2016-0822-PWS-E on November 8, 2016, assessing \$748 in administrative penalties with \$149 deferred. Information concerning any aspect of this order may be obtained by contacting Michaelle Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Water Systems, Inc., Docket No. 2016-0827-PWS-E on November 8, 2016, assessing \$300 in administrative penalties with \$60 deferred. Information concerning any aspect of this order may be obtained by contacting Ross Luedtke, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ANH P. BROWN CORPORATION dba The Convenient Store, Docket No. 2016-0863-PST-E on November 8, 2016, assessing \$6,750 in administrative penalties with \$1,350 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 TEXAS GIANT KIM'S, INC. dba Stateline Citgo, Docket No. 2016-0864-PST-E on November 8, 2016, assessing \$4,500 in administrative penalties with \$900 deferred. Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding TIM ENTERPRISE, INC., Docket No. 2016-0876-PWS-E on November 8, 2016, assessing \$320 in administrative penalties with \$64 deferred. Information concerning any aspect of this order may be obtained by contacting Claudia Corrales, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SILPAK, INC. dba First Stop Food Mart, Docket No. 2016-0897-PST-E on November 8, 2016, assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Keith Frank, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kinder Morgan Petcoke, L.P., Docket No. 2016-0908-IWD-E on November 8, 2016, assessing \$2,750 in administrative penalties with \$550 deferred. Information concerning any aspect of this order may be obtained by contacting Melissa Castro, Enforcement Coordinator at (512) 239-2545, Texas

Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Audrey C. Griffin, Docket No. 2016-0955-LII-E on November 8, 2016, assessing \$751 in administrative penalties with \$150 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 Fritcher Utilities, LP, Docket No. 2016-1014-AIR-E on November 8, 2016, assessing \$1,625 in administrative penalties with \$325 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 Bee County, Docket No. 2016-1018-PST-E on November 8, 2016, assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Keith Frank, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Commerce, Docket No. 2016-1020-PWS-E on November 8, 2016, assessing \$862 in administrative penalties with \$172 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Tong Ky Vun dba Alvin Food Mart 2, Docket No. 2016-1021-PWS-E on November 8, 2016, assessing \$122 in administrative penalties with \$24 deferred. Information concerning any aspect of this order may be obtained by contacting Sarah Kim, 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 Parkside at Mayfield Ranch, Ltd., Docket No. 2016-1073-EAQ-E on November 8, 2016, assessing \$4,125 in administrative penalties with \$825 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ASIL ENTERPRISES INC. dba Danish Food Mart, Docket No. 2016-1096-PST-E on November 8, 2016, assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting James Baldwin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of New Home, Docket No. 2016-1145-PWS-E on November 8, 2016, assessing \$135 in administrative penalties with \$27 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.

A field citation was adopted regarding Our Country Homes, Inc. dba The Resort on Eagle Mountain Lake, Docket No. 2016-1504-WQ-E on November 8, 2016, assessing \$875 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Steven Van Landingham, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201605766

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 9, 2016



Notice of Correction to Agreed Order Number 24

In the September 30, 2016, issue of the *Texas Register* (41 TexReg 7736), the Texas Commission on Environmental Quality published notice of Agreed Orders, specifically item Number 24 for SOUTHSIDE INDEPENDENT SCHOOL DISTRICT PUBLIC FACILITY CORPORATION. The reference to company should be corrected to read: "SOUTHSIDE INDEPENDENT SCHOOL DISTRICT"

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

TRD-201605749

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: November 8, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 22, 2016**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 22, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission **in writing**.

(1) COMPANY: Coryell County; DOCKET NUMBER: 2015-0662-WQ-E; TCEQ ID NUMBER: RN105490486; LOCATION: in the unincorporated area of Coryell County that is located within the Killeen Urbanized Area near Copperas Cove, Coryell County; TYPE

OF FACILITY: a small municipal separate storm sewer system (MS4); RULES VIOLATED: 40 Code of Federal Regulations §122.33(b)(1) and 30 TAC §281.25(b)(4), by failing to maintain authorization to discharge storm water associated with an MS4; PENALTY: \$4,500; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(2) COMPANY: H Shaheen LLC dba AM Food Mart; DOCKET NUMBER: 2015-0973-PST-E; TCEQ ID NUMBER: RN101381705; LOCATION: 1602 Highway 6 South, Houston, Harris County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$4,500; STAFF ATTORNEY: Clayton Smith, Litigation Division, MC 175, (512) 239-6224; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201605733

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: November 7, 2016



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

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 22, 2016**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 22, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs

and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: GLOBAL NEW MILLENNIUM PARTNERS, LTD.; DOCKET NUMBER: 2016-0418-PST-E; TCEQ ID NUMBER: RN102782851; LOCATION: 1096 Alabama Street, Beaumont, Jefferson County; TYPE OF FACILITY: underground storage tank (UST) system and real property; RULES VIOLATED: 30 TAC §334.7(d)(3), by failing to notify the agency of any change or additional information regarding the USTs within 30 days of the occurrence of the change or addition or within 30 days from the date on which the owner or operator first became aware of the change or addition; and 30 TAC §334.47(a)(2), by failing to permanently remove from service, no later than 60 days after the prescribed upgrade implementation date, a UST system for which any applicable component of the system is not brought into timely compliance with the upgrade requirements; PENALTY: \$9,187; STAFF ATTORNEY: Adam Taylor, Litigation Division, MC 175, (512) 239-3345; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: Jay Charles Svoboda; DOCKET NUMBER: 2015-0768-WR-E; TCEQ ID NUMBER: RN103186763; LOCATION: Iowa Colony Drainage Ditch and Flores Bayou, San Jacinto-Brazos Coastal Basin in the Henry Austin League, Abstract Number 14, Angleton, Brazoria County; TYPE OF FACILITY: four off-channel reservoirs; RULES VIOLATED: TWC, §11.031, by failing to submit the Annual Water Use Report (WUR) associated with Water Right Permit Number 5064 to the TCEQ for calendar year 2013; and TWC, §11.031, by failing to submit the Annual WUR associated with Water Right Permit Number 5064 to the TCEQ for calendar year 2014; PENALTY: \$388; STAFF ATTORNEY: Jim Sallans, Litigation Division, MC 175, (512) 239-2053; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: SUPERIOR LUBRICANTS TRANSPORT, INC. d/b/a Superior Transport; DOCKET NUMBER: 2015-1056-PST-E; TCEQ ID NUMBER: RN103026993; LOCATION: 3312 Dooling Street, Fort Worth, Tarrant County; TYPE OF FACILITY: common carrier; RULES VIOLATED: TWC, §26.3467(d) and 30 TAC §334.5(b)(1)(A), by depositing a regulated substance into a regulated underground storage tank system that was not covered by a valid, current TCEQ delivery certificate; PENALTY: \$3,607; STAFF ATTORNEY: Tracy Chandler, Litigation Division, MC 175, (512) 239-0629; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201605734

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: November 7, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Order (S/DO). Texas Water Code (TWC), §26.3475 authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be noncompliant with release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with

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

A copy of the proposed S/DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the S/DO shall be sent to the attorney designated for the S/DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 22, 2016**. Written comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission attorney is available to discuss the S/DO and/or the comment procedure at the listed phone number; however, comments on the S/DO shall be submitted to the commission in **writing**.

(1) COMPANY: ALI HEMANI CORPORATION d/b/a 7-Eleven; DOCKET NUMBER: 2016-0784-PST-E; TCEQ ID NUMBER: RN101534360; LOCATION: 10025 North MacArthur Boulevard, Irving, Dallas County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); 30 TAC §334.74, by failing to investigate a suspected release of regulated substances within 30 days of discovery; and 30 TAC §334.50(d)(9)(A)(iv) and §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; PENALTY: \$18,855; STAFF ATTORNEY: Lena Roberts, Litigation Division, MC 175, (512) 239-0019; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201605732
Kathleen C. Decker
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: November 7, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of City of Danbury

SOAH Docket No. 582-17-0981

TCEQ Docket No. 2015-1767-PWS-E

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

10:00 a.m. - December 8, 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 First Amended Report and Petition mailed August 29, 2016 concerning assessing administrative penalties against and requiring certain actions of City of Danbury, for violations in Brazoria County, Texas, of: 30 Tex. Admin. Code §§290.110(e)(4)(A) and (f)(3), 290.117(c)(2)(B), (c)(2)(C), and (i)(1), and 290.122(c)(2)(A) and (f).

The hearing will allow City of Danbury, 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 City of Danbury, 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 **City of Danbury** 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 **First Amended Report and Petition**, attached hereto and incorporated herein for all purposes. City of Danbury, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

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

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

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

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

Issued: November 7, 2016

TRD-201605762

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 9, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of Myong Rehman DBA KP Foods

SOAH Docket No. 582-17-0875

TCEQ Docket No. 2016-0763-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 September 12, 2016 concerning assessing administrative penalties against and requiring certain actions of Myong Rehman dba KP Foods, for violations in Bastrop County, Texas, of: 30 Tex. Admin. Code §§334.50(d)(1)(B) and (d)(4)(A)(i) and 334.606.

The hearing will allow Myong Rehman dba KP 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 Myong Rehman dba KP 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 Myong Rehman dba KP 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. Myong Rehman dba KP 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 Tex. Water Code 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 Clayton Smith, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Vic McWherter, Public Interest Counsel, Mail Code 103, at the same P.O. Box address given above, or by telephone at (512) 239-6363.

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

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

Issued: November 1, 2016

TRD-201605763

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 9, 2016



Request for Nominations for the Tax Relief for Pollution Control Property Advisory Committee

In 1993, Texans voted in favor of a ballot initiative listed as Proposition 2 (Prop 2), amending the Texas Constitution to authorize the Texas Legislature to exempt from ad valorem taxation "all or part of real and personal property used, constructed, acquired, or installed wholly or partly to meet or exceed rules or regulations adopted by an environmental protection agency of the United States, this state, or a political subdivision of this state for the prevention, monitoring, control, or reduction of air, water, or land pollution." The Legislature implemented Prop 2 by enacting Texas Tax Code (TTC), §11.31. The Texas Commission on Environmental Quality (TCEQ or commission) adopted 30 Texas Administrative Code Chapter 17, establishing the procedures for obtaining a "positive use determination" under the program. The goal of the program is to provide tax relief to individuals, companies, and political subdivisions that make capital investments to meet or exceed federal, state, or local environmental rules or regulations.

House Bills 3206 and 3544, 81st Texas Legislature, 2009, amended TTC, §11.31 to require the TCEQ to form a permanent advisory committee that will make recommendations to the TCEQ commissioners on matters relating to property tax exemptions for pollution control property. Tax Relief for Pollution Control Property Advisory Committee members were appointed by the TCEQ commissioners to four-year staggered terms. Once the members were selected by the commission, a random drawing was used to assign term lengths. Advisory committee members were initially appointed by the commission on January 27, 2010.

House Bill 2280, 82nd Texas Legislature, 2011, amended TTC, §11.31(n) by adding a requirement that at least one of the advisory committee members be a representative of a school district or junior college district containing property that has or had a TTC, §11.31 tax exemption.

Seven of the 13 members' terms expire on December 31, 2017, and the other six expire on December 31, 2019. One of the members whose term expires on December 31, 2017, has resigned his position effective October 31, 2016. Per Section 2.3 of the committee's bylaws, if a member of the committee resigns prior to the expiration of his or her term, the commission shall appoint a replacement who shall serve the remainder of the unexpired term.

The TCEQ is currently accepting applications for a potential replacement for this member of the Tax Relief for Pollution Control Property Advisory Committee to serve the remainder of the term expiring December 31, 2017. This position is one that is reserved for industry representatives.

Applications for the advisory committee can be found on the TCEQ's website at: http://www.tceq.texas.gov/airquality/taxrelief/advisory_group.html. To apply, complete the nomination form and submit it to the TCEQ by 5:00 p.m. on December 19, 2016. Applications postmarked after that date will only be considered if there are insufficient qualified applicants. You can apply to nominate yourself or someone else to the advisory committee, but the TCEQ asks that only interested persons be nominated.

Questions regarding the advisory committee application process can be directed by phone to Ron Hatlett of the Tax Relief Program at (512) 239-6348 or by e-mail to txrelief@tceq.texas.gov.

TRD-201605735

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: November 7, 2016

Texas Ethics Commission

List of Late Filers

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

Deadline: Semiannual Report due July 15, 2015 for Committees

Travis A. Bryan, Texas Senate District 11, P.O. Box 7334, Pasadena, Texas 77508-7334

Deadline: Monthly Report due September 6, 2016 for Committees

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

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

Deadline: Semiannual Report due July 15, 2016 for Committees

Robert Kerley, We the People of Fort Hood, 504 Elam Circle, Killeen, Texas 76543

Scott L. Payne, Dallas Stonewall Young Democrats, 4420 Dickson Ave., Apt. #1202, Dallas, Texas 75219

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

Judith Sanders-Castro, 9122 Autumn Skies, San Antonio, Texas 78254-1929

Deadline: Lobby Activities Report due April 11, 2016

Lindsay Sander, 1011 San Jacinto Blvd., Ste. 411, Austin, Texas 78701

Lucinda Dean Saxon, 2204 Hayfield Sq., Pflugerville, Texas 78660

TRD-201605695

Natalia Luna Ashley

Executive Director

Texas Ethics Commission

Filed: November 3, 2016

General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of October 31, 2016 through November 7, 2016. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, November 11, 2016. The public comment period for this project will close at 5:00 p.m. on Thursday, December 15, 2016.

FEDERAL AGENCY ACTIONS:

Applicant: Harry Schulz, Jr.

Location: The project site is located in Offatts Bayou, at 715 Broadway, in Galveston, Galveston County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: GALVESTON, Texas.

LATITUDE & LONGITUDE (NAD 83): 28.2845 - 94.8561

Project Description: The applicant is proposing to amend Permit SWG-2010-00632 to include construction of a 400-foot-long bulkhead. The bulkhead would be steel sheet pile capped with concrete. The bulkhead would be placed at the approximate mean high water mark, at or near the toe of existing riprap, with minor variances needed because of existing shoreline irregularities.

CMP Project No: 17-1037-F1

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2010-00632. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA).

Applicant: City of Corpus Christi

Location: The project site is located at McGee Beach on the western shoreline of Corpus Christi Bay, immediately south of the Corpus Christi Marina, in Corpus Christi, Nueces County, Texas. The project can be located on the U.S.G.S. quadrangle map titled: Corpus Christi, Texas.

LATITUDE & LONGITUDE (NAD 83): 27.784722 - 97.393175

Project Description: The applicant proposes to place up to 14,000 cubic yards of beach quality sand (that is compatible with the existing beach material) per nourishment event on an approximately 1,700-linear-foot stretch of McGee Beach. The City of Corpus Christi plans to conduct two nourishment events during the permit period. The material would be sourced from Wright Materials, a sand supplier located in

Nueces County. The material would be analyzed per Texas Commission on Environmental Quality guidance for contaminants, as well as for grain size compatibility. The sand placement would begin at a point immediately north of the terminal groin, located at the southern end of the project area. Sand placement would end at a point just south of the existing breakwater at the Corpus Christi Marina. The proposed project would result in the placement of beach-quality material over a total of approximately 4.18 acres of existing beach within jurisdictional areas below the Annual High Tide line, per event. The nourishment would increase the existing beach up to 180 feet at the most eroded section of the project area.

CMP Project No: 17-1050-F1

Type of Application: U.S. Army Corps of Engineers (USACE) permit application #SWG-2002-01934. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA).

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

TRD-201605757

Anne L. Idsal

Chief Clerk / Deputy Land Commissioner

General Land Office

Filed: November 8, 2016

Texas Health and Human Services Commission

Public Notice Managed Transportation Organization
Nonemergency Medical Transportation

The Texas Health and Human Services Commission is requesting the Centers for Medicare & Medicaid Services (CMS) approve a renewal to the Medicaid waiver for Managed Transportation Organization (MTO) Nonemergency Medical Transportation (NEMT) under Section 1915(b) of the Social Security Act.

The purpose of this waiver renewal is to continue providing MTO NEMT program services for a five-year waiver period. No specific changes will be made except to update cost effectiveness calculations. The current waiver is scheduled to expire March 31, 2017. The proposed effective date of the renewal is April 1, 2017.

In 2014, the State received CMS approval for the 1915(b) MTO NEMT waiver, which allows MTOs to provide the full range of nonemergency medical transportation (NEMT) services (e.g., mass transit, mileage reimbursement, meal and lodging, and demand response) to clients in their MTO Region. Through this waiver, a managed transportation delivery model was implemented in certain counties throughout the state. These MTOs have the flexibility to meet client's transportation needs through direct delivery and subcontracting for transportation services. The waiver did not change the NEMT scope of benefits for the individuals who use this service. HHSC retains sole authority to approve individual services and benefits. The waiver allows the MTOs to own their own vehicles, and the State reimburses the MTOs utilizing a capitated arrangement.

To obtain a free copy of the proposed waiver amendment, or to ask questions, request additional information, or submit comments regarding this amendment, please contact John Rubisoff by mail at Texas Health and Human Services Commission, P.O. Box 85200, Mail Code

H-600, Austin, Texas 78708-5200, phone (512) 487-3437, fax (512) 730-7477, or by email at TX_Medicaid_Waivers@hhsc.state.tx.us.

TRD-201605755

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: November 8, 2016

Texas Department of Insurance

Company Licensing

Application for admission to the state of Texas for FEDERATED RESERVE INSURANCE COMPANY, a foreign fire and/or casualty company. The home office is in Owatonna, Minnesota.

Application for admission to the state of Texas for TOWER HILL SIGNATURE INSURANCE COMPANY, a foreign fire and/or casualty company. The home office is in Gainesville, Florida.

Correction:

In the October 28, 2016 issue of the *Texas Register* (41 TexReg 6125), an application by TEXAS BLUEBONNET INSURANCE COMPANY, Austin, Texas, a domestic life, accident and/or health company with HMO authority, to add DBA (doing business as) FAMILY HEALTH PLAN in connection with their managed care business was published. The correct DBA name is FAMILY HEALTH CARE PLAN.

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-201605764

Norma Garcia

General Counsel

Texas Department of Insurance

Filed: November 9, 2016

North Central Texas Council of Governments

Request for Proposals to Conduct the Traffic Count and Classification Program

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consultant firms to conduct the Traffic Count and Classification Program. The program is intended to be an ongoing initiative that collects traffic count data and vehicle classification data from multiple roadways within the region. These vehicle counts and classifications will be used to increase NCTCOG modeling capabilities, update and expand on TxDOT count and classification locations, and enhance NCTCOG performance-based planning capabilities. The data will also provide volumes and types of vehicles traveling on a specified corridor. The data and information collected through this program will be used to support:

1. Goods Movement performance-based planning in compliance with new federal performance measures for Truck Travel Time Reliability and Mileage Uncongested
2. The Calibration and Validation of the NCTCOG Travel Demand Model and the Commercial Vehicle Model
3. Identification of high frequency Heavy-Duty Vehicle Corridors

Proposals must be received no later than 5:00 p.m., on Friday, December 16, 2016, to Francisco Torres, Senior Transportation System Modeler, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011. Copies of the Request for Proposals (RFP) will be available at www.nctcog.org/rfp by the close of business on Friday, November 18, 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-201605761

R. Michael Eastland

Executive Director

North Central Texas Council of Governments

Filed: November 8, 2016

Panhandle Regional Planning Commission

Legal Notice

The Panhandle Regional Planning Commission (PRPC) is soliciting proposals from qualified entities to organize and operate an integrated one-stop service delivery system to deliver workforce development and child care program services in the 26 counties of the Texas Panhandle Workforce Development Area under a single contract.

Workforce Development and Child Care program services provided through the service delivery system include, but are not limited to, those funded and governed by the Workforce Innovation and Opportunity Act, Wagner-Peysner Employment Services, Temporary Assistance for Needy Families and Noncustodial Parent/CHOICES, Supplemental Nutrition Assistance Program Employment and Training, and Child Care grants.

Proposers will be expected to demonstrate the capability to conduct workforce service delivery for all customer groups at the current level and also effectively incorporate the Panhandle Workforce Development Board's stated priorities. The initial term for any award resulting from this solicitation will be one year with the possibility for renewal for up to three additional years.

The proposal schedule is expected to be as follows:

Release Request for Proposals (RFP) - November 18, 2016

Proposers' Conference - December 2, 2016, at 1:30 p.m.

Questions may be submitted in writing to wdrfpquestions@theprpc.org - no later than December 5, 2016, at 3:00 p.m.

Deadline for Submission - January 13, 2017, at 3:00 p.m.

A copy of the Request for Proposals (RFP) can be obtained Monday through Friday, 8:00 a.m. to 5:00 p.m., at 415 Southwest Eighth Ave., Amarillo, Texas 79101 or by download from the Workforce Development section of the Panhandle Regional Planning Commission website at <http://www.theprpc.org/Programs/WorkforceDevelopment/wfprocurement.html>.

An Equal Opportunity Employer / Program

Auxiliary aids and services are available upon request to individuals with disabilities.

Relay Texas: 711

TRD-201605769

Leslie Hardin

WFD Contracts Coordinator

Panhandle Regional Planning Commission

Filed: November 9, 2016

Public Utility Commission of Texas

Notice of Application for Accounting Order Related to Back-Billed Charges by the Southwest Power Pool, Inc.

Notice is given to the public of an application filed by Southwestern Public Service Company (SPS) with the Public Utility Commission of Texas (commission) on October 31, 2016, pursuant to §§14.001, 14.151, 32.001, and 36.001 of the Public Utility Regulatory Act.

Docket Style and Number: Application of Southwestern Public Service Company for an Accounting Order Related to Back-Billed Charges by the Southwest Power Pool, Inc.; Docket No. 46496.

The Application: SPS seeks authority to record the Texas retail jurisdictional share of incremental transmission charges in a deferred account and to recover such amounts from Texas retail customers in future proceedings as a result of the July 7, 2016 Federal Energy Regulatory Commission's approval of Southwest Power Pool, Inc.'s (SPP's) request to assess incremental charges associated with transmission network upgrades dating back to 2008. SPP calculated the amount of back-billed transmission charges to SPS at approximately \$12.8 million on a total company basis to be paid over a five-year period.

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 46496.

TRD-201605716

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: November 4, 2016

Notice of Application for Sale, Transfer, or Merger

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on October 28, 2016, pursuant to the Texas Water Code.

Docket Style and Number: Application of Wiedenfeld Water Works, Inc. and SWWC Utilities, Inc. dba Water Services, Inc. for Approval of Inter-Company Transfer of Assets; Docket Number 46494.

The Application: Wiedenfeld Water Works, Inc. (WWW) and SWWC Utilities, Inc. dba Water Services, Inc. (SWWC) filed an application for sale, transfer, or merger of facilities and certificate of convenience and necessity rights in Kendall, Kerr, and Medina Counties. Specifically, the applicants seek approval to transfer assets of WWW to SWWC through an inter-company accounting entry. No change to the existing service area boundaries of either WWW or SWWC is requested.

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 46494.

TRD-201605714
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 4, 2016



Notice of Application for True-Up of 2014 Federal Universal Service Fund Impacts to Texas Universal Service Fund

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) an application on November 1, 2016, for true-up of 2014 Federal Universal Service Fund (FUSF) Impacts to Texas Universal Service Fund (TUSF).

Docket Style and Number: Application of Border to Border Communications, Inc. for True-Up of 2014 Federal Universal Service Fund Impacts to the Texas Universal Service Fund, Docket Number 46502.

The Application: Border to Border Communications, Inc. (BTBC) filed a true-up report in accordance with Findings of Fact Nos. 8, 9, 10, and 11 of the final order in Docket No. 42276. In Docket No. 42276, the commission approved BTBC's application to recover funds from the TUSF and ordered a true-up of the FUSF revenue changes for 2014. This application addresses BTBC's final and actual FUSF impact for 2014.

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 46502.

TRD-201605713
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 4, 2016



Notice of Application for True-Up of 2014 Federal Universal Service Fund Impacts to Texas Universal Service Fund

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) an application on October 31, 2016, for true-up of 2014 Federal Universal Service Fund (FUSF) Impacts to Texas Universal Service Fund.

Docket Style and Number: Application of Southwest Arkansas Telephone Cooperative, Inc. for True-Up of 2014 Federal Universal Service Fund Impacts to the Texas Universal Service Fund, Docket Number 46498.

The Application: Southwest Arkansas Telephone Cooperative, Inc. (SWAT) filed a true-up report in accordance with Findings of Fact Nos. 20, 21 and 22 of the final order in Docket No. 42254. In Docket No. 42254, the commission approved SWAT's application to recover funds from the Texas Universal Service Fund and ordered a true-up of the

Federal Universal Service Fund revenue changes for 2014. This application addresses SWAT's final and actual FUSF impact for 2014.

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 46498.

TRD-201605715
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 4, 2016



Notice of Application to Amend Water Certificate of Convenience and Necessity

Notice is given to the public of the filing of an application to amend water a certificate of convenience and necessity in Brazoria County.

Docket Style and Number: Application of Orbit Systems, Inc. to Amend a Water Certificate of Convenience and Necessity in Brazoria County, Docket Number 46501.

The Application: Orbit Systems, Inc. filed an application to amend its water certificate of convenience and necessity No. 11982 in Brazoria County. The total area being requested includes approximately 70 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 46501.

TRD-201605712
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 4, 2016



Notice of Petition for a Partial Decertification of a Sewer Certificate of Convenience and Necessity

Notice is given to the public of the filing of a petition for partial decertification of a sewer certificate of convenience and necessity in Comal County.

Docket Style and Number: Application of San Antonio Water System for a Partial Decertification of its Sewer Certificate of Convenience and Necessity in Comal County, Docket Number 46503.

The Application: San Antonio Water System filed a petition for a decertification of a sewer certificate of convenience and necessity no. 20285 in Comal County.

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

(TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46503.

TRD-201605751
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 8, 2016



Notice of Petition for Amendment to Certificate of Convenience and Necessity by Expedited Release

Notice is given to the public of the October 31, 2016, filing of a petition to amend a certificate of convenience and necessity (CCN) by expedited release in Harris County, Texas.

Docket Style and Number: Petition by McAlister Opportunity Fund 2012, L.P. and McAlister Opportunity Fund 2014, L.P. to Amend HMW Special Utility District's Water Certificate of Convenience and Necessity in Harris County by Expedited Release, Docket No. 46499.

The Application: McAlister Opportunity Fund 2012, L.P. and McAlister Opportunity Fund 2014, L.P. filed an application for expedited release from HMW Special Utility District's water CCN No. 10342 pursuant to Texas Water Code §13.254(a-5) and 16 Texas Administrative Code §24.113(r).

Persons wishing to comment on the action sought should contact the commission no later than November 30, 2016, by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46499.

TRD-201605737
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 7, 2016



Public Notice of Workshop

Public Utility Commission of Texas Staff will conduct a workshop on Wednesday, December 14, 2016 regarding Project No. 46369, *Rule-making Relating to Reliability Must-Run Service*. The workshop will begin at 9:30 a.m. in the Commissioners' Hearing Room, located on the 7th floor of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. A workshop agenda will be posted by December 7, 2016 under Project No. 46369.

Questions concerning the workshop or this notice should be referred to Julia Harvey, Competitive Markets Division, at (512) 936-7371 or at julia.harvey@puc.texas.gov. This proceeding will be livestreamed and archived by AdminMonitor at <http://www.texasadmin.com/tx/puct/>. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 711.

TRD-201605756
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 8, 2016



Texas Department of Transportation

Aviation Division - Request for Qualifications for Professional Engineering Services

The City of Madisonville, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a Professional Engineering Firm for services pursuant to Chapter 2254, Subchapter A, of the Government Code. TxDOT Aviation Division will solicit and receive qualifications for the current aviation project as described below.

Current Project: City of Madisonville; TxDOT CSJ No.: 1717MADVL.

Scope: Provide engineering and design services, including construction administration, to:

1. Rehabilitate and mark Runway 18-36;
2. Rehabilitate cross taxiway;
3. Rehabilitate apron;
4. Repair wind sock and segmented circle;
5. Repair Medium Intensity Runway Lights;
6. Complete shoulder grading; and
7. Construct new ditches and new culverts.

Respondents are not required to include a HUB Subcontracting Plan (HSP) with their AVN-550 at the time of submission. If subcontractors are used in the delivery of the goods and/or services, the awarded contractor(s) is requested to submit monthly progress reports, in the prescribed format, to TxDOT Aviation. When applicable, the reports should include a narrative description of the contractor's good faith efforts and accomplishments, and financial information reflecting payments to all subcontractors, including HUBs.

The HUB goal is set at 0% for the design phase. The goal will be reset for the construction phase. Respondents are encouraged to maximize HUB utilization equal to the statewide HUB goals for the type of work being contracted. The statewide HUB goals are defined in 34 Texas Administrative Code (TAC) §20.13. The TxDOT Project Manager is Ryan Hindman, P.E.

Utilizing multiple engineering/design and construction grants over the course of the next five years, future scope of work items at the Madisonville Municipal Airport may include the following: install Precision Approach Path Indicator -2 on Runway 18-36 and remove obstructions on Runway 18-36.

The City of Madisonville reserves the right to determine which of the above services may or may not be awarded to the successful firm and to initiate additional procurement action for any of the services above.

To assist in your qualification statement preparation, the criteria, 5010 drawing, project diagram, and most recent Airport Layout Plan are available online at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> by selecting "Madisonville Municipal Airport." The qualification statement should address a technical approach for the current scope only. Firms shall use page 4, Recent Airport Experience, to list relevant past projects for both current and future scope.

Interested firms shall utilize the latest version of Form AVN-550, titled "Qualifications for Aviation Architectural/Engineering Services." The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number, 1-800-68-PILOT (74568). The form may be emailed by request or downloaded from the TxDOT website at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>. The form may not be altered in any way. All print-

ing must be in black on white paper, except for the optional illustration page. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-550 template. The AVN-550 consists of eight 8 1/2" x 11" pages of data plus one optional illustration page. The optional illustration page shall be no larger than 11" x 17" and may be folded to an 8 1/2" x 11" size. A prime provider may only submit one AVN-550. If a prime provider submits more than one AVN-550, that provider will be disqualified. AVN-550s shall be stapled but not bound or folded in any other fashion. AVN-550s WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-550, firms are encouraged to download Form AVN-550 from the TxDOT website as addressed above. Utilization of Form AVN-550 from a previous download may not be the exact same format. Form AVN-550 is a PDF Template.

The completed Form AVN-550 **must be received** in the TxDOT Aviation eGrants system no later than December 20, 2016, 11:59 P.M. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

Firms that wish to submit a response to this solicitation must be a user in the TxDOT Aviation eGrants system no later than one business day before the solicitation due date. To request access to eGrants, please complete the Contact Us web form located at <http://txdot.gov/government/funding/egrants-2016/aviation.html>.

An instructional video on how to respond to a solicitation in eGrants is available at <http://txdot.gov/government/funding/egrants-2016/aviation.html>.

Step by step instructions on how to respond to a solicitation in eGrants will also be posted in the RFQ packet at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.htm>.

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-550s. The committee will review all AVN-550s and rate and rank each. The Evaluation Criteria for Engineering Qualifications can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations for the design and bidding phases. The selection committee does, however, reserve the right to conduct interviews for the top rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

Please contact TxDOT Aviation for any technical or procedural questions at 1-800-68-PILOT (74568). For procedural questions, please contact Beverly Longfellow, Grant Manager. For technical questions, please contact Ryan Hindman, P.E., Project Manager.

For questions regarding responding to this solicitation in eGrants, please contact the TxDOT Aviation help desk at 1-800-687-4568 or avn-egrantshelp@txdot.gov.



COMMITMENT TO HUB SUBCONTRACTING

****Responses that do not complete this Certification Form shall be rejected****

In accordance with Texas Gov't Code §2161.252, TxDOT Aviation has determined that subcontracting opportunities are probable under this contract. A minimum HUB goal is posted in the solicitation and TxDOT Aviation will accept HUB participation equal to the minimum HUB goal stated in the notice to bidders. Bidders, including State of Texas certified Historically Underutilized Businesses (HUBs), will be required to complete and submit a HUB Plan and Commitment and Subconsultant Bidder's List upon notice of contract award by TxDOT Aviation.

Section 1 - Respondent and Solicitation Information:

- A. Respondent (Company) Name: _____ State of Texas VID # _____
- B. Point of Contact: _____ Phone #: _____
- C. Is your company a State of Texas certified HUB? Yes No
- D. Solicitation (TxDOT Project Number): _____

Section 2 - Subcontracting Intentions:

After having divided the contract work into reasonable lots or portions to the extent consistent with prudent industry practices, the respondent must determine what portion(s) of work, including goods or services, will be subcontracted. Note: In accordance with 34 TAC §20.12., a "Subcontractor" means a person who contracts with a vendor to work, to supply commodities, or contribute toward completing work for a government entity. Check the appropriate box that identifies your subcontracting intentions:

- YES; I will be subcontracting portion(s) of the contract.
- NO; I will not be subcontracting any portion of the contract, and will be fulfilling the entire contract with my own resources.

Section 3 - Affirmation 3:

As evidenced by my signature below, I affirm that I am an authorized representative of the respondent listed in SECTION 1, and that the information submitted is true and correct. Respondent understands and agrees that, if awarded this contract:

- The respondent agrees to submit a HUB plan and commitment and subconsultant bidders list within 15 days after AWARD.
- The respondent must submit monthly compliance reports (Prime Contractor Progress Assessment Report – PAR) to TxDOT, verifying their compliance with the HSP, including the use/expenditures they have made to subcontractors. (The PAR is available at <http://www.window.state.tx.us/procurement/prog/hub/hub-forms/progressassessmentrpt.xls>).
- The respondent must seek approval from TxDOT prior to making any modifications to their HUB plan, including hiring of additional or different HUB subcontractors and the termination of a HUB subcontractor the respondent identified in its HUB plan. If the HUB plan is modified without TxDOT's prior approval, respondent may be subject to enforcement remedies under the contract or up to and including debarment from all state contracting.
- The respondent must, upon request, allow TxDOT to perform on-site reviews of the company's headquarters and/or work-site where services are being performed and must provide documents regarding staffing and other resources.

Signature

Printed Name

Title

Date

SUBCONSULTANT LIST

Please list all subconsultants that will be used on this project

TxDOT CSJ NO _____

Prime Consultant Name _____

Name of Sub-consultant	Address	Phone No. Fax No.	Type of Work	Expected dollar amount of the percentage of work to be subcontracted	Expected percentage of work to be subcontracted	HUB Certified? (Yes/No)

TRD-201605758
 Joanne Wright
 Deputy General Counsel
 Texas Department of Transportation
 Filed: November 8, 2016

Deadline, Review Criteria, and Contact Person for Additional Information.

Five double-sided copies and one electronic version (CD) of the complete regional water planning grant application must be filed with the TWDB prior to 12:00 p.m. (noon), February 21, 2017. All applications should be prepared using the TWDB's application instruction sheet for Regional Water Planning Grants and the Guidance for Preparation of the Application for Regional Water Planning Grants. Applications will be evaluated according to the criteria listed in 31 TAC §355.91. All potential applicants may contact the TWDB to obtain the application instruction sheet and guidance document or they may be obtained from the Texas Water Development Board's webpage at: http://www.twdb.texas.gov/about/contract_admin/request/index.asp.

Applications must be directed either in person to David Carter, Texas Water Development Board, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas, or by mail to David Carter, Texas Water Development Board, P.O. Box 13231, Austin, Texas, 78711-3231. Requests for information, the Board's rules, and instruction sheet covering the research and planning fund may be directed to Sarah Backhouse at the preceding address or by calling (512) 936-2387, or by e-mail at sarah.backhouse@twdb.texas.gov.

TRD-201605741
 Todd Chenoweth
 Interim General Counsel
 Texas Water Development Board
 Filed: November 7, 2016

◆ ◆ ◆
Texas Water Development Board

Request for Applications for Regional Water Planning Grants

The Texas Water Development Board (TWDB) requests, pursuant to 31 Texas Administrative Code (TAC) §355.91, the submission of regional water planning applications leading to the possible award of contracts to develop, revise and/or update regional water plans as described in 31 TAC Chapter 357. In order to receive a grant, the applicant must be a political subdivision of the state and must have been designated an eligible applicant by a regional water planning group as set forth in 31 TAC §355.91.

31 TAC Chapter 355, Subchapter C provides guidance for regional water planning grants.

Description of Funding Consideration.

Total funding for activities related to the development or revision of a regional water plan shall not exceed 100 percent of the total cost of the planning for that regional water planning area as set forth in 31 TAC §355.93. Funds awarded for grants under this request for applications may total up to the amount of funds appropriated for such activities for the Fiscal 2016-2017 biennium and the anticipated future appropriations for the remainder of the fifth cycle of regional water planning as a total study cost.

In the event that acceptable applications are not submitted or that insufficient funds are available to fund proposed activities, the TWDB retains the right to not award and/or commit contract funds.

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Texas Windstorm Insurance Association

Request for Qualifications for Field Adjusting Services

TWIA/TFPA invites all qualified Applicants to submit responses in accordance with the requirements outlined in its Request for Qualifications (RFQ) for Field Adjusting Services.

For more information on the requirements for responses to be submitted by interested Applicants, please use the following link:

<https://www.twia.org/news-and-announcements/request-qualifications-field-adjusting-services/>

TRD-201605759

Lance Cooke

Senior Claims Manager
Texas Windstorm Insurance Association
Filed: November 8, 2016



Texas Workforce Commission

Resolution of the Texas Workforce Commission Establishing
the Unemployment Obligation Assessment for Calendar Year
2017

Resolution of the Texas Workforce Commission
Establishing the Unemployment Obligation Assessment
For Calendar Year 2017

Whereas, pursuant to Texas Labor Code, Chapter 203, Subchapter F, the Texas Public Finance Authority Unemployment Compensation Obligation Assessment Series 2014A and Series 2014B (the "Bonds") have been issued on behalf of the Texas Workforce Commission (the "Commission") and are outstanding; and

Whereas, pursuant to Texas Labor Code, Section 203.105, the Commission shall set the unemployment obligation assessment rate in an amount sufficient to ensure timely payment of Bond Obligations, consisting of the principal, premium if any, interest on the Bonds and bond administrative expenses; and

Whereas, the rate of the unemployment obligation assessment must be based on the formula prescribed in Commission rule 815.132 (40 Tex. Admin. Code, §815.132); and

Whereas, in accordance with the Financing and Pledge Agreement entered into by and between the Commission and the Texas Public Finance Authority (the "Authority"), in connection with the Bonds, the Commission has covenanted to impose an unemployment obligation assessment so long as Bonds are outstanding in an amount not less than 1.50 times the debt service amount due in the next year; and

Whereas, the Authority has provided notification of the required unemployment obligation assessment of \$309,742,586 for calendar year 2017; and

Whereas, the Commission has calculated an obligation assessment ratio by dividing the obligation assessment amount by the tax due from the General and Replenishment rates for the four quarters ending June 30, 2016;

Now, therefore, the Commission hereby RESOLVES:

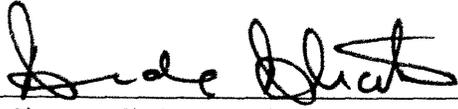
1. In accordance with the formula provided in 40 Tex. Admin Code §815.132 as set out in part in subsection (e):
"(e) The rate of the portion of the assessment that is to be used to pay a bond obligation is a percentage of the product of the unemployment obligation assessment ratio and the sum of the employer's prior year general tax rate, the replenishment tax rate and the deficit tax rate. The percentage to be determined by Commission resolution, shall not exceed 200%." The "percentage" for 2017 is 100%.
2. The obligation assessment ratio is .17 for calendar year 2017.
3. The rate calculated with the 2017 percentage and the obligation assessment ratio will generate an amount that the Authority has informed the Commission is needed to pay Bond Obligations.
4. The 2017 percentage shall be published in the *Texas Register* on November 18, 2016.

Further, the Commission hereby CERTIFIES:

1. The 2017 percentage as set herein is set in accordance with the requirements of Chapter 203 of the Texas Labor Code.

2. The 2017 percentage is a rate that will provide at least 1.50 times the debt service amount, as determined by the Authority, due in calendar year 2017.
3. The action of the Commission reflected in this Resolution complies with the requirements in Chapter 203 of Texas Labor Code.

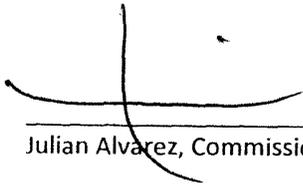
Signed this 8th day of November, 2016, upon the affirmative vote of a majority of the Commission present and voting.



Andres Alcantar, Chairman and Commissioner Representing the Public

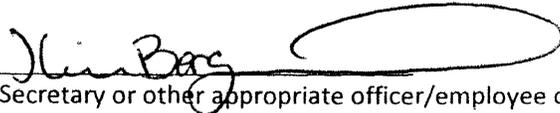


Ruth R. Hughs, Commissioner Representing Employers



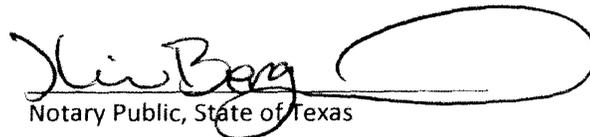
Julian Alvarez, Commissioner Representing Labor

Attested:



(Secretary or other appropriate officer/employee of the Commission)

SWORN AND SUBSCRIBED TO before me this 8th day of November, 2016.



Notary Public, State of Texas

TRD-201605760
Susanna Holt Cutrone
Deputy General Counsel
Texas Workforce Commission
Filed: November 8, 2016

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