

IN ADDITION

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

Office of 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 11/21/16 - 11/27/16 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 11/21/16 - 11/27/16 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-201605850

Leslie Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: November 15, 2016



Credit Union Department

Notice of Final Action Taken

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

Application to Expand Field of Membership - Approved

Community Resource Credit Union, Baytown, Texas - See *Texas Register* issue dated May 29, 2015.

Application for a Merger or Consolidation - Approved

TrustUS Federal Credit Union and Texas Trust Credit Union - See *Texas Register* issue dated February 26, 2016.

Application to Amend Articles of Incorporation - Approved

Bridge Credit Union, Corpus Christi, Texas - See *Texas Register* issue dated September 30, 2016.

TRD-201605858

Harold E. Feeney

Commissioner

Credit Union Department

Filed: November 16, 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 com-

mission 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 January 6, 2017. 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 January 6, 2017. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: A DEEL'S BUSINESS INCORPORATED dba Kwick Korner Shell; DOCKET NUMBER: 2016-1223-PST-E; IDENTIFIER: RN102012473; LOCATION: Lufkin, Angelina County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,500 ; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(2) COMPANY: Aalmin Corporation dba Maxi Food Mart; DOCKET NUMBER: 2016-1261-PST-E; IDENTIFIER: RN102385770; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(3) COMPANY: ADVANCE PETROLEUM DISTRIBUTING COMPANY, INCORPORATED dba Automated Fueling 81; DOCKET NUMBER: 2016-1423-PST-E; IDENTIFIER: RN102485273; LOCATION: Grand Prairie, 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: \$3,750; ENFORCEMENT COORDINATOR: Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: ALISOOR BUSINESS INCORPORATED dba Big Star Food Mart; DOCKET NUMBER: 2016-0977-PST-E; IDENTIFIER: RN102714581; LOCATION: League City, Galveston County; TYPE OF FACILITY: an underground storage tank (UST) system with three out-of-service USTs; 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; and 30 TAC §334.49(a)(1) and §334.54(b)(2) and (c)(1), and TWC, §26.3475(d), by failing to maintain all piping, pumps, manways, tank access points and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons and failing to maintain corrosion protection for the temporarily out-of-service UST system; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: Aqua Utilities, Incorporated; DOCKET NUMBER: 2016-0913-PWS-E; IDENTIFIER: RN101197275; LOCATION: Old River-Winfree, Chambers County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(n)(2), by failing to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.42(e)(5), by failing to completely cover the hypochlorination solution container top to prevent the entrance of dust, insects, and other contaminants; and 30 TAC §290.46(f)(2) and (3)(A)(iv), (B)(iv), and (D)(ii), by failing to maintain water works operation and maintenance records and make them readily available for review by the executive director upon request; PENALTY: \$383; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(6) COMPANY: BIC C, L.L.C. dba Bic C Food Mart; DOCKET NUMBER: 2016-1409-PST-E; IDENTIFIER: RN101433746; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: BSRP ENTERPRISES INCORPORATED dba Handi Stop; DOCKET NUMBER: 2016-1013-PST-E; IDENTIFIER: RN101432649; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(8) COMPANY: CHAHAL STORES INCORPORATED dba JD Convenience Store; DOCKET NUMBER: 2016-1524-PST-E; IDENTIFIER: RN101760320; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks

for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Rebecca Boyett, (512) 239-2503; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(9) COMPANY: City of Morgan's Point Resort; DOCKET NUMBER: 2016-0772-PWS-E; IDENTIFIER: RN102677366; LOCATION: City of Morgan's Point Resort, Bell County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$630; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(10) COMPANY: Cowboy Ministries Alvin; DOCKET NUMBER: 2016-0256-PWS-E; IDENTIFIER: RN102677259; LOCATION: Alvin, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.109(c)(2)(A)(i) and §290.122(c)(2)(A) and (f) and Texas Health and Safety Code (THSC), §341.033(d), by failing to collect a routine distribution water sample for coliform analysis and failing to issue public notification and submit a copy of the public notification to the executive director (ED) regarding the failure to collect a routine distribution water sample; and 30 TAC §290.46(f)(4) and THSC, §341.033(d), by failing to report a routine distribution water result for coliform to the ED; PENALTY: \$1,190; ENFORCEMENT COORDINATOR: Jason Fraley, (512) 239-2552; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(11) COMPANY: Efferson Elliott; DOCKET NUMBER: 2016-1269-PST-E; IDENTIFIER: RN102790805; LOCATION: San Angelo, Tom Green County; TYPE OF FACILITY: retail fuel facility; RULES VIOLATED: 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; 30 TAC §334.7(d)(3), by failing to provide an amended registration for any change or additional information regarding the underground storage tanks (USTs) to the TCEQ within 30 days from the date of occurrence of the change or addition; 30 TAC §334.50(a) and §334.54(b)(2) and (c)(2), and TWC, §26.3475(c)(1), by failing to maintain all piping, pumps, manways, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons and failing to monitor a temporarily out-of-service UST system for releases; 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years; and 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 the petroleum USTs; PENALTY: \$13,026; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(12) COMPANY: Hamshire-Fannett Independent School District; DOCKET NUMBER: 2014-1609-MWD-E; IDENTIFIER: RN102334877; LOCATION: Fannett, Jefferson County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0012098001, Effluent Limitations and Monitoring Requirements Numbers 1 and 6, and TCEQ Agreed Order Docket Number 2012-0730-MWD-E, Ordering Provision Number 2, by failing to comply with permitted effluent limits; TWC, §26.121(a)(1), 30 TAC §305.125(1), (4), and (5), and

TPDES Permit Number WQ0012098001, Permit Conditions Numbers 2.d, and Operational Requirements Number 1, by failing to prevent the discharge of partially treated wastewater into or adjacent to any water in the state; 30 TAC §305.125(1) and (17) and §319.7(d), and TPDES Permit Number WQ0012098001, Monitoring and Reporting Requirements Number 1, by failing to submit discharge monitoring reports by the 20th day of the following month; and 30 TAC §305.125(1) and §319.5(b), and TPDES Permit Number WQ0012098001, Monitoring and Reporting Requirements Number 1, by failing to collect and analyze effluent samples at the minimum frequency specified in the permit; PENALTY: \$57,500; Supplemental Environmental Project offset amount of \$57,500; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(13) COMPANY: KING-MESA, INCORPORATED; DOCKET NUMBER: 2016-1053-PST-E; IDENTIFIER: RN102772571; LOCATION: Lamesa, Dawson County; TYPE OF FACILITY: fleet and retail refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79705-5404, (432) 570-1359.

(14) COMPANY: M. LIPSITZ and Company, Limited; DOCKET NUMBER: 2016-1511-PST-E; IDENTIFIER: RN102483047; LOCATION: Waco, McLennan County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Larry Butler, (512) 239-2543; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(15) COMPANY: Mike's Little Supermarket and Deli, LLC dba Luke's Little Supermarket and Deli 2; DOCKET NUMBER: 2016-0749-PST-E; IDENTIFIER: RN102280161; LOCATION: Galveston, Galveston County; TYPE OF FACILITY: an underground storage tank (UST) system with four out-of-service USTs; RULES VIOLATED: 30 TAC §334.602(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator - Class A, Class B, and Class C; 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; 30 TAC §§334.49(a), 334.50(b)(1)(A) and 334.54(b)(2), (c)(1) and (2), and TWC, §26.3475(c)(1) and (d), by failing to maintain all piping, pumps, manways, tank access points and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons and failing to monitor the UST for releases at a frequency of at least once every month and maintain corrosion protection for the temporarily out-of-service UST system; and 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a petroleum USTs; PENALTY: \$14,144; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(16) COMPANY: NICO-TYME WATER CO-OP, INCORPORATED; DOCKET NUMBER: 2016-0384-PWS-E; IDENTIFIER: RN101215788; LOCATION: Elmendorf, Bexar County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(m)(4), by failing to maintain all water treatment units,

storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition; 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(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the facility and its equipment; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.42(l), by failing to develop and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(m)(1)(A), by failing to inspect the facility's two ground storage tank annually; 30 TAC §290.46(f)(2), (3)(A)(i)(III), (ii)(III), and (iv), and (B)(v), 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 §290.46(i), by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; 30 TAC §290.46(e)(4)(A), by failing to operate the facility under the direct supervision of a licensed water works operator who holds a Class D or higher license; and 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 phone number where a responsible official can be contacted; PENALTY: \$680; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(17) COMPANY: PARAMOUNT CORPORATION dba Quik Pantry; DOCKET NUMBER: 2016-1058-PST-E; IDENTIFIER: RN102347689; LOCATION: Mathis, San Patricio 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: \$3,750; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(18) COMPANY: Paul R. Young; DOCKET NUMBER: 2016-1836-WOC-E; IDENTIFIER: RN105721849; LOCATION: Killeen, Bell County; TYPE OF FACILITY: landscape irrigation; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(19) COMPANY: SANDFORD PETROLEUM, INCORPORATED dba Hudco Automated Fuel Station; DOCKET NUMBER: 2016-1360-PST-E; IDENTIFIER: RN101546257; LOCATION: Bridgeport, Wise County; TYPE OF FACILITY: unmanned fuel center with retail sales of petroleum; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (d)(1)(B)(iii)(I) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month and failing to record inventory volume measurement for regulated substance inputs, withdrawals, and the amount still remaining in the tank each operating day; and 30 TAC §334.49(c)(4)(C) and TWC, §26.3475(d), by failing to test the corrosion protection system for operability and adequacy of pro-

tection at a frequency of at least once every three years; PENALTY: \$18,500; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: SHINTECH INCORPORATED; DOCKET NUMBER: 2016-0477-PWS-E; IDENTIFIER: RN100213198; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(c)(2)(A), (h) and (i)(1) and 40 Code of Federal Regulations (CFR) §141.86 and §141.90(a), by failing to collect lead and copper tap samples at the required ten sample sites for the six-month monitoring period (January 1, 2015 - June 30, 2015) following the January 1, 2014 - December 31, 2014, monitoring period during which the lead and copper action levels were exceeded, have the samples analyzed, and report the results to the executive director (ED); 30 TAC §290.117(d)(2)(A), (h) and (i)(2) and §290.122(c)(2)(A) and (f), and 40 CFR §141.88 and §141.90(b), by failing to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2014 - December 31, 2014, monitoring period during which the lead and copper action levels were exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2014 - December 31, 2014, monitoring period; 30 TAC §290.117(g)(2)(A) and §290.122(b)(2)(B) and (f), and 40 CFR §141.83 and 141.90(d)(1), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2014 - December 31, 2014, monitoring period during which the lead and copper action levels were exceeded and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for source water treatment; and 30 TAC §290.117(f)(3)(A) and §290.122(b)(2)(B) and (f), and 40 CFR §§141.81(e)(1), 141.82(a), and 141.90(c)(2), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2014 - December 31, 2014, monitoring period during which the lead and copper action levels were exceeded, and failing to issue public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for optimal corrosion control treatment; PENALTY: \$1,121; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(21) COMPANY: Venus Operating Corporation dba Venus Food Mart; DOCKET NUMBER: 2016-1188-PST-E; IDENTIFIER: RN101561819; LOCATION: Alvarado, Johnson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: VRV CORPORATION dba Kennedale Filling Station; DOCKET NUMBER: 2016-1449-PST-E; IDENTIFIER: RN102284254; LOCATION: Kennedale, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(b), by failing to provide release detection for the gravity piping associated with the underground storage tank system; PENALTY: \$6,142;

ENFORCEMENT COORDINATOR: Benjamin Sakmar, (512) 239-1704; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(23) COMPANY: Winkler Water Supply Corporation; DOCKET NUMBER: 2016-1399-PWS-E; IDENTIFIER: RN101212017; LOCATION: Streetman, Navarro County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(m), by failing to ensure the grounds and facilities are maintained in a manner so as to minimize the possibility of rodents, insects and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water; and 30 TAC §290.45(b)(2)(H), and Texas Health and Safety Code, §341.0315(c), by failing to provide emergency power that will deliver water at a rate of 0.35 gallons per minute per connection in the event of the loss of normal power supply for systems that do not meet the elevated storage requirement and serve 250 or more service connections; PENALTY: \$200; ENFORCEMENT COORDINATOR: Jason Fraley, (512) 239-2552; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201605842

Kathleen Decker

Litigation Division Director

Texas Commission on Environmental Quality

Filed: November 15, 2016



Combined Notice: Notice of Public Meeting and Notice of Application and Preliminary Decision for an Air Quality Permit Proposed Permit Number: 138309

APPLICATION AND PRELIMINARY DECISION. CemTech Concrete Ready Mix Inc., 931 Bennington St., Houston, Texas 77022-6306, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit Number 138309, which would authorize construction of a Concrete Batch Plant located at 3116 Jensen Rd., Houston, Harris County, Texas 77026. This application was submitted to the TCEQ on January 22, 2016. The proposed facility will emit the following contaminants: particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The executive director has made a preliminary decision to issue the permit because it meets all rules and regulations. The permit application, executive director's preliminary decision, and draft permit will be available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and at the Carnegie Regional Library, 1050 Quitman Street, Houston, Harris County, Texas, beginning the first day of publication of this notice. The facility's compliance file, if any exists, is available for public review at the TCEQ Houston Regional Office, 5425 Polk St. Ste. H, Houston, Texas.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will

not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. At the conclusion of the comment period, all formal comments will be considered before a decision is reached on the permit application. A written response to all formal comments will be prepared by the Executive Director and will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Thursday, December 8, 2016 at 7:00 p.m.

Andrea's Reception Hall

3301 Tidwell Road

Houston, Texas 77093

INFORMATION. Citizens are encouraged to submit written comments anytime during the public meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <http://www.tceq.texas.gov/about/comments.html>. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record.

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

RESPONSE TO COMMENTS AND EXECUTIVE DIRECTOR ACTION. After the deadline for public comments, the executive director will consider the comments and prepare a response to all relevant and material or significant public comments. Because no timely hearing requests have been received, after preparing the response to comments, the executive director may then issue final approval of the application. **The response to comments, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments or is on a mailing list for this application, and will be posted electronically to the Commissioners' Integrated Database (CID).**

INFORMATION AVAILABLE ONLINE. When they become available, the executive director's response to comments and the final decision on this application will be accessible through the Commission's Web site at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the permit number for this application which is provided at the top of this notice. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.790555&lng=-95.341111&zoom=13&type=r>.

AGENCY CONTACTS AND INFORMATION. For more information about this permit application or the permitting process, please call the Public Education Program toll free at (800) 687-4040. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from CemTech Concrete Ready Mix Inc., 931 Bennington Street, Houston, Texas 77022-6306 or by calling Mr. Venkata Godasi, AARC Environmental, Inc. at (713) 974-2272.

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

TRD-201605860

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 16, 2016



Enforcement Orders

An agreed order was adopted regarding City of Del Rio, Docket No. 2013-2103-MLM-E on November 16, 2016 assessing \$14,850 in administrative penalties with \$2,970 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 Kolkhorst Petroleum Company, Docket No. 2014-0730-PST-E on November 16, 2016 assessing \$46,975 in administrative penalties with \$9,395 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 TCI Lonestar Inc and Almo Investment Ii, Ltd. dba Texas Best Smokehouse III, Docket No. 2014-1357-WQ-E on November 16, 2016 assessing \$12,250 in administrative penalties with \$2,450 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 Paso Del Norte Ready Mix, Inc. dba El Paso Star Redi Mix, Docket No. 2014-1748-MLM-E on November 16, 2016 assessing \$31,750 in administrative penalties with \$6,350 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 Beacon Bay Marina, LLC, Docket No. 2014-1801-PST-E on November 16, 2016 assessing \$14,975 in administrative penalties with \$2,995 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 City of Hitchcock, Docket No. 2015-0137-MWD-E on November 16, 2016 assessing \$70,313 in administrative penalties. 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 Sid Richardson Carbon, Ltd., Docket No. 2015-1179-AIR-E on November 16, 2016 assessing \$21,000 in administrative penalties with \$4,200 deferred. Information concerning any aspect of this order may be obtained by contacting Shelby Orme, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Angel Luis Alfaro, Docket No. 2015-1192-IHW-E on November 16, 2016 assessing \$18,750 in administrative penalties with \$15,150 deferred. Information concerning any aspect of this order may be obtained by contacting Margarita Dennis, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Joaquin, Docket No. 2015-1223-MWD-E on November 16, 2016 assessing \$37,287 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Amanda Patel, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Lass Water Company Inc, Docket No. 2015-1450-MLM-E on November 16, 2016 assessing \$8,884 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ryan Rutledge, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Beacon Estates Water Supply Corporation, Docket No. 2015-1612-MWD-E on November 16, 2016 assessing \$31,500 in administrative penalties with \$27,900 deferred. Information concerning any aspect of this order may be obtained by contacting Farhaudd Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Bsw Investments LLC dba Bay City Food Mart, Docket No. 2015-1817-PST-E on November 16, 2016 assessing \$32,063 in administrative penalties with \$6,412 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 Juan G. Garza dba Platinum Plumbing, Docket No. 2016-0035-SLG-E on November 16, 2016 assessing \$41,986 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Carroll Harkrider, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Elsa, Docket No. 2016-0085-PWS-E on November 16, 2016 assessing \$1,952 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Elizabeth Carroll Harkrider, Staff Attorney at (512) 239-2545 3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Hira Lakhani Holdings, Inc. dba Stop N Drive, Docket No. 2016-0126-PST-E on November 16, 2016 assessing \$9,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Isaac Ta, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lucid Energy Westex, LLC, Docket No. 2016-0173-AIR-E on November 16, 2016 assessing \$18,000 in administrative penalties with \$3,600 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 Pendleton Harbor Water Supply Corporation, Docket No. 2016-0364-PWS-E on November 16, 2016 assessing \$351 in administrative penalties. Information concern-

ing 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 Honeywell International Inc., Docket No. 2016-0390-AIR-E on November 16, 2016 assessing \$42,805 in administrative penalties with \$8,561 deferred. Information concerning any aspect of this order may be obtained by contacting Shelby Orme, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding P & D Business LLC dba Hawk Cove Grocery, Docket No. 2016-0416-PST-E on November 16, 2016 assessing \$8,188 in administrative penalties with \$1,637 deferred. Information concerning any aspect of this order may be obtained by contacting Jonathan Nguyen, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Byers, Docket No. 2016-0548-MWD-E on November 16, 2016 assessing \$9,062 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Sandra Douglas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Anadarko E&P Onshore LLC, Docket No. 2016-0604-AIR-E on November 16, 2016 assessing \$73,200 in administrative penalties with \$14,640 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 Wtg Jameson, LP, Docket No. 2016-0620-AIR-E on November 16, 2016 assessing \$11,972 in administrative penalties with \$2,394 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 Road Ranger, L.L.C., Docket No. 2016-0631-PWS-E on November 16, 2016 assessing \$2,944 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Magellan Terminals Holdings, L.P. and Magellan Processing, L.P., Docket No. 2016-0634-IWD-E on November 16, 2016 assessing \$13,300 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Sandra Douglas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Wtr Real Estate Holdings, L.c. dba Heartland House, Docket No. 2016-0692-PWS-E on November 16, 2016 assessing \$246 in administrative penalties with \$246 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 Brenda Lopez, Docket No. 2016-0693-PWS-E on November 16, 2016 assessing \$217 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting James Boyle, Enforcement Coordinator at

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

An agreed order was adopted regarding City of Megargel, Docket No. 2016-0747-PWS-E on November 16, 2016 assessing \$195 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Sandra Douglas, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding S.I.c. Water Supply Corporation, Docket No. 2016-0825-PWS-E on November 16, 2016 assessing \$1,122 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Evergreen A&F LLC dba Lucky Travel 2, Docket No. 2016-0879-PST-E on November 16, 2016 assessing \$14,439 in administrative penalties with \$2,887 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.

TRD-201605867

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 16, 2016



Notice of Hearing

633-4S Ranch, Ltd. and Stahl Lane, Ltd.

SOAH Docket No. 582-17-0899

TCEQ Docket No. 2016-1402-MWD

Permit No. WQ0015095001

APPLICATION.

633-4S Ranch, Ltd. and Stahl Lane, Ltd., 8023 Vantage Drive, Suite 1200, San Antonio, Texas 78230, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment to TCEQ Texas Land Application Permit No. WQ0015095001 to convert the disposal method from land application to discharge to water in the state. Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ00015095001 would authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 480,000 gallons per day. The current permit authorizes the disposal of 180,000 gallons per day of treated domestic wastewater via public access subsurface drip irrigation of 41.32 acres. TCEQ received this application on August 12, 2014.

The facility will be located approximately 6,500 feet north-northeast of the intersection of Smithson Valley Road and Farm-to-Market Road 1863, approximately 1,200 feet north of the confluence of Lewis Creek and Dripping Springs Creek in Comal County, Texas 78163. The treated effluent will be discharged to an unnamed tributary to Lewis Creek; thence to Lewis Creek; thence to Upper Cibolo Creek in Segment No. 1908 of the San Antonio River Basin. The unclassified receiving water uses are minimal aquatic life use for unnamed tributary to Lewis Creek and limited aquatic life use for Lewis Creek.

Nutrients are listed as a screening concern in Segment No. 1908 in the 2012 Texas Water Quality Inventory. Based on Segment No. 1908 screening concerns for nutrients and nutrient screening results, a permit

limit of 0.5 mg/L total phosphorous was added to the draft permit to help preclude degradation to Lewis Creek and Upper Cibolo Creek.

The designated uses for Segment No. 1908 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. The use of aquifer protection applies to the contributing, recharge, and transition zones of the Edwards Aquifer for Segment No. 1908. In accordance with 30 Texas Administrative Code (TAC) §307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Upper Cibolo Creek, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Bulverde/Spring Branch Library, 131 Bulverde Crossing, Bulverde, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.76555&lng=-98.391944&zoom=13&type=r>>. For the exact location, refer to the application.

CONTESTED CASE HEARING.

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

10:00 a.m. - January 9, 2017

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

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

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

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

INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>.

Further information may also be obtained from 633-4S Ranch, Ltd. and Stahl Lane, Ltd. at the address stated above or by calling Mr. Oscar D. Graham, South Texas Wastewater Treatment, at (830) 249-8098.

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

TRD-201605862
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: November 16, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of AZEL H CORP. AND HK MIAN BUSINESS, INC. DBA MOON MART

SOAH Docket No. 582-16-5286
TCEQ Docket No. 2015-1336-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 15, 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 January 29, 2016, concerning assessing administrative penalties against and requiring certain actions of AZEL H CORP. and HK MIAN BUSINESS, INC. d/b/a Moon Mart, for violations in Harris County, Texas, of: Tex. Health & Safety Code §382.085(b), Tex. Water Code §26.3475(c)(1), and 30 Tex. Admin. Code §§115.242(d)(3) and 334.50(b)(1)(A).

The hearing will allow AZEL H CORP. and HK MIAN BUSINESS, INC. d/b/a Moon Mart, 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 AZEL H CORP. and HK MIAN BUSINESS, INC. d/b/a Moon Mart, 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 **AZEL H CORP. and HK MIAN BUSINESS, INC. d/b/a Moon Mart** 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. AZEL H CORP. and HK MIAN BUSINESS, INC. d/b/a Moon Mart, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code §7.054 and Chs. 7 and 26, Tex. Health & Safety Code Ch. 382, and 30 Tex. Admin. Code Chs. 70, 115, and 334; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §§70.108 and 70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

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

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

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

Issued: November 10, 2016
TRD-201605863
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: November 16, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of Bassam Zahra DBA Saveway FS

SOAH Docket No. 528-17-1124
TCEQ Docket No. 2016-0627-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 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 Preliminary Report and Petition mailed August 24, 2016 concerning assessing administrative penalties against and requiring certain actions of Bassam Zahra d/b/a Saveway FS, for violations in Dallas County, Texas, of: Texas Water Code §26.3475(d) and 30 Texas Admin. Code §§334.7(d)(3), 334.49(c)(2)(C) and (c)(4)(C), and 334.54(b)(2).

The hearing will allow Bassam Zahra d/b/a Saveway FS, 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 Bassam Zahra d/b/a Saveway FS, 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 Bassam Zahra d/b/a Saveway FS 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. Bassam Zahra d/b/a Saveway FS, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Texas Water Code §7.054, Texas Water Code chs. 7 and 26, and 30 Texas Admin. Code chs. 70 and 334; Texas 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 Texas Admin. Code §§70.108 and 70.109 and ch. 80, and 1 Texas Admin. Code ch. 155.

Further information regarding this hearing may be obtained by contacting Ian Groetsch, 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 10, 2016

TRD-201605861

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 16, 2016



Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of COLUMBUS MART, INC. AND FAKHRUZ ZAMAN D/B/A I-10 SHELL

COLUMBUS MART, INC. AND FAKHRUZ ZAMAN D/B/A I-10 SHELL

SOAH Docket No. 582-17-1125

TCEQ Docket No. 2016-0334-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 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 Preliminary Report and Petition mailed July 26, 2016, concerning assessing administrative penalties against and requiring certain actions of Columbus Mart, Inc. and Fakhruz Zaman d/b/a I-10 Shell, for violations in Colorado County, Texas, of: Tex. Water Code §26.3475(a) and (c)(1) and 30 Tex. Admin. Code §334.50(b)(1)(A) and (b)(2).

The hearing will allow Columbus Mart, Inc. and Fakhruz Zaman d/b/a I-10 Shell, 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 Columbus Mart, Inc. and Fakhruz Zaman d/b/a I-10 Shell, 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 Columbus Mart, Inc. and Fakhruz Zaman d/b/a I-10 Shell 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. Columbus Mart, Inc. and Fakhruz Zaman d/b/a I-10 Shell, 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, 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 Eric Grady, 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 10, 2016

TRD-201605859

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 16, 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 Jennifer Griggs at (512) 463-5798.

Deadline: Personal Financial Statement due February 12, 2016

Elaine L. Palmer, P.O. Box 131392, Houston, Texas 77219-1392

Deadline: Lobby Activities Report due January 11, 2016

Joseph M. McMahan, 1108 Lavaca St., Ste. 110, 1A-139, Austin, Texas 78701-2110

Deadline: Lobby Activities Report due April 11, 2016

Frank J. Corte, Jr., P.O. Box 690474, San Antonio, Texas 78269-0474

Martha K. Landwehr, 1402 Nueces St., Austin, Texas 78701-1508

TRD-201605779

Natalia Luna Ashley

Executive Director

Texas Ethics Commission

Filed: November 10, 2016

◆ ◆ ◆

Texas Department of Housing and Community Affairs

Notice of Public Hearing and Public Comment Period on the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan

The Texas Department of Housing and Community Affairs ("TDHCA") will hold a public hearing to accept public comment on the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan.

The public hearing will take place as follows:

Tuesday, December 6, 2016

2:30 p.m. Austin local time

Stephen F. Austin Building

1700 North Congress Avenue, Room 170

Austin, Texas 78701

TDHCA, Texas Department of Agriculture ("TDA"), and Texas Department of State Health Services ("DSHS") prepared the Draft 2017 State of Texas Consolidated Plan: One-Year Action Plan ("the Plan") in accordance with 24 CFR §91.320. TDHCA coordinates the preparation of the State of Texas Consolidated Plan documents. The Plan covers the State's administration of the Community Development Block Grant Program ("CDBG") by TDA, the Housing Opportunities for Persons

with AIDS Program ("HOPWA") by DSHS, and the Emergency Solutions Grants ("ESG") Program, the HOME Investment Partnerships ("HOME") Program, and the National Housing Trust Fund ("NHTF") by TDHCA.

The Plan reflects the intended uses of funds received by the State of Texas from HUD for Program Year 2017. The Program Year begins on February 1, 2017, and ends on January 31, 2018. The Plan also illustrates the State's strategies in addressing the priority needs and specific goals and objectives identified in the 2015-2019 State of Texas Consolidated Plan.

The Plan may be accessed from TDHCA's Public Comment Web page at: <http://www.tdhca.state.tx.us/public-comment.htm>. The public comment period for the Plan will be open from November 14, 2016 through December 15, 2016. Anyone may submit comments on the Plan in written form or oral testimony at the December 6, 2016 public hearing. In addition, written comments concerning the Plan may be submitted by mail to the Texas Department of Housing and Community Affairs, Housing Resource Center, P.O. Box 13941, Austin, Texas 78711-3941, by email to info@tdhca.state.tx.us, or by fax to (512) 475-0070 anytime during the comment period. Comments must be received no later than December 15, 2016 at 6:00 p.m. Austin local time.

Individuals who require auxiliary aids or services at the public hearing should contact Ms. Gina Esteves, ADA responsible employee, at (512) 475-3943 or Relay Texas at (800) 735-2989 at least three (3) days before the meeting so that appropriate arrangements can be made.

Non-English speaking individuals who require interpreters at the public hearing should contact Elena Peinado by phone at (512) 475-3814 or by email at elena.peinado@tdhca.state.tx.us at least three (3) days before the meeting so that appropriate arrangements can be made.

Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado al siguiente número (512) 475-3814 o enviarle un correo electrónico a elena.peinado@tdhca.state.tx.us por lo menos tres días antes de la junta para hacer los preparativos apropiados.

TRD-201605787

Timothy K. Irvine

Executive Director

Texas Department of Housing and Community Affairs

Filed: November 14, 2016

◆ ◆ ◆

Legislative Budget Board

Tax Relief Amendment Implementation - Limit on Growth of Certain State Appropriations

Legal References

Article VIII, Sec. 22(a), Texas Constitution, approved by the voters in November 1978, states that:

In no biennium shall the rate of growth of appropriations from state tax revenues not dedicated by this constitution exceed the estimated rate of growth of the state's economy. The legislature shall provide by general law procedures to implement this subsection.

This provision does not alter, amend, or repeal Article III, Section 49a, of the Texas Constitution, the well-known "pay-as-you-go" provision.

To implement this provision of the Texas Constitution, the Sixty-sixth Legislature enacted Article 9, Chapter 302, Laws 1979 (Tex. Government Code Ann., Sec. 316) which placed with the Legislative Budget Board the responsibility for approval of a limitation on the growth of

certain state appropriations. A part of the procedure for approving the limitation is set forth in Sections 316.003 and 316.004 as follows:

Section 316.003. Before the Legislative Budget Board approves the items of information required by Section 316.002, the board shall publish in the *Texas Register* the proposed items of information and a description of the methodology and sources used in the calculations.

Section 316.004. Not later than December 1 of each even-numbered year, the Legislative Budget Board shall hold a public hearing to solicit testimony regarding the proposed items of information and the methodology used in making the calculations required by Section 316.002.

The items of information mentioned above are identified as follows in Section 316.002:

- (1) the estimated rate of growth of the state's economy from the current biennium to the next biennium;
- (2) the level of appropriations for the current biennium from state tax revenues not dedicated by the constitution; and
- (3) the amount of state tax revenues not dedicated by the constitution that could be appropriated for the next biennium within the limit established by the estimated rate of growth of the state's economy.

In this memorandum, each item of information is taken up in the order listed above.

Estimated Rate of Growth of the State's Economy

A definition of the "estimated rate of growth of the state's economy" is set forth in paragraph (b) of Section 316.002 in the following words:

(b) Except as provided by Subsection (c), the board shall determine the estimated rate of growth of the state's economy by dividing the estimated Texas total personal income for the next biennium by the estimated Texas total personal income for the current biennium. Using standard statistical methods, the board shall make the estimate by projecting through the biennium the estimated Texas total personal income reported by the United States Department of Commerce or its successor in function.

(c) If a more comprehensive definition of the rate of growth of the state's economy is developed and is approved by the committee established by Section 316.005, the board may use that definition in calculating the limit on appropriations.

The Commerce Department's Bureau of Economic Analysis defines state personal income as follows:

...the income received by persons from all sources, that is, from participation in production, from both government and business transfer payments, and from government interest. Personal income is the sum of wage and salary disbursements, supplements to wages and salaries, proprietors' income, rental income of persons, personal dividend income, personal interest income and transfer payments, less contributions for social insurance.

Table 1 displays the Commerce Department's personal income account for Texas for calendar year 2015. The largest component of Texas personal income is wage and salary disbursements, estimated at \$661.7 billion during calendar 2015. Salary and wage disbursements are added with supplements to wages and salaries, primarily employer contributions to private pensions and welfare funds, and proprietors' income to arrive at total earnings by place of work. Texas total earnings by place of work reached an estimated \$985.5 billion in calendar year 2015.

In deriving Texas total personal income, adjustments are made to total earnings by place of work. Personal and employee contributions for social insurance, principally social security payroll taxes paid by employees and self-employed, are deducted. A place-of-residence ad-

justment is also made to reflect the earnings of workers who cross state borders to live or work. Dividends, interest and rent income are then added, along with transfer payments. The major types of transfer payments include social security, various retirement and unemployment insurance benefits, welfare, and disability and health insurance payments. Texas total personal income is estimated to be \$1,289.6 billion for calendar year 2015.

The U.S. Department of Commerce reports personal income estimates by calendar quarter and year. Since the state's fiscal year begins on September 1 and ends August 31, an adjustment is required to present these data on a biennial basis. The Legislative Budget Board uses the data for the first three calendar quarters of a year plus the fourth quarter of the preceding year to represent the state's fiscal year. A biennium is the sum of two fiscal years. The historical record of the rate of growth in Texas personal income for the past seventeen completed biennia using the most recent data published by the U.S. Department of Commerce is shown in Table 2.

Forecasting Texas Personal Income

In reviewing standard statistical techniques for forecasting or projecting Texas personal income, the Legislative Budget Board has obtained the latest economic forecasts from the following sources listed alphabetically: (1) IHS, (2) Moody's Analytics, (3) Perryman Group, (4) Texas A&M University - Department of Economics, and (5) Texas Comptroller of Public Accounts. These forecasts are based on econometric models developed and maintained by the forecasting services listed.

While each forecasting service brings its own approach to the development of economic projections, there are several characteristics common to the econometric models from which the Texas total personal income estimates are derived. First, each assumes that the U.S. economy is the driving force behind Texas economic activity. As a result, forecasts of U.S. economic variables are needed to drive each model. Secondly, each of the econometric models is structural in nature, representing certain assumptions about the structure of the Texas economy, consistent with economic theory. Structural models normally entail detailed modeling of key sectors of the state's economy, followed by statistical testing to establish relationships with other sectors of the economy. Previous memoranda published on the constitutional limit include additional discussion of the forecasting methods used. See the following issues of the *Texas Register*: 5 TexReg 4272, 7 TexReg 3727, 9 TexReg 5219, 11 TexReg 4590, 13 TexReg 4599, 15 TexReg 6876, 17 TexReg 7702, 19 TexReg 9053, 21 TexReg 10919, 23 TexReg 11472, 25 TexReg 11735, 27 TexReg 10977, 29 TexReg 10612, 31 TexReg 9641, 33 TexReg 9109, 35 TexReg 10081, 37 TexReg 9031, and 39 TexReg 9391.

Table 3 details the Texas personal income growth rates of the various forecasting services for the 2018-19 biennium over the 2016-17 biennium. These forecasts range from 9.99 percent to 11.62 percent.

The personal income growth rates shown in Table 3, or any more recent forecasts if available, will be presented to the Legislative Budget Board for its consideration in adopting this item of information. The Board is not limited to one, or any combination of the growth rates, when adopting a Texas personal income growth rate for the 2018-19 biennium.

Table 4 briefly outlines the sources and dates for the Texas personal income growth rates presented in Table 3.

Appropriations from State Tax Revenue Not Dedicated by the Constitution - 2016-17 Biennium

The amount of appropriations from state tax revenue not dedicated by the Constitution in the 2016-17 biennium, the base biennium, is the

second item of information to be determined by the Legislative Budget Board. As of November 16, 2016 the staff estimates this amount to be \$92,498,033,011. This item multiplied by the estimated rate of growth of Texas personal income from the 2016-17 biennium to the 2018-19 biennium produces the limitation on appropriations for the 2018-19 biennium under Article VIII, Section 22, of the Texas Constitution.

Calculating the 2018-19 Limitation

The limitation on appropriations of state tax revenue not dedicated by the State Constitution in the 2018-19 biennium may be illustrated by selecting a growth rate and applying it to the 2016-17 appropriations base. A change to the 2016-17 appropriations base would result in a corresponding change to the 2018-19 limit.

Method of Calculating 2016-17 Appropriations from State Tax Revenue Not Dedicated by the Constitution

As stated above, LBB staff estimates the amount of appropriations from state tax revenue not dedicated by the Constitution in the 2016-17 biennium to be \$92,498,033,011. This section details the sources of information used in this calculation.

Total appropriations for the 2016-17 biennium include those made by the Eighty-fourth Legislature during the Regular Session in House Bill 1, House Bill 6, House Bill 7, and other legislation affecting appropriations. Appropriations totals have been adjusted to incorporate the Governor's vetoes. Any subsequent appropriations made by the Eighty-fifth Legislature for the 2016-17 biennium would also be included in total appropriations.

Section B of Table 5 shows, for general revenue related funds, the total amount of appropriations, the amount of total appropriations financed from constitutionally dedicated tax revenue, the amount financed from non-tax revenue and the remainder - the amount financed from tax revenue not dedicated by the Constitution - which is the amount subject to the limitation. General revenue related funds include the General Revenue Fund as well as the Available School Fund, State Textbook Fund, and Foundation School Fund.

I. General Revenue Related Funds

A. Appropriations are classified in this table as the following: (1) "estimated to be" line item appropriations, and (2) sum certain line item appropriations.

1. "Estimated to Be" Line Item Appropriations:

Each of these items under the subheading "estimated to be" may change under certain circumstances. For purposes of this calculation, most fiscal year 2016 amounts are based on actual 2016 expenditures. Most amounts for fiscal year 2017 are taken from House Bill 1, Eighty-fourth Legislature.

2. Sum Certain Line Item Appropriations:

As calculated in Table 6, the amount shown for "Total Sum Certain Line Item Appropriations" is the difference between total appropriations and the items listed separately as "estimated to be appropriations." General revenue related appropriations in Table 6 include those made by the Eighty-fourth Legislature during the Regular Session in House Bill 1, House Bill 6, House Bill 7, and other legislation affecting appropriations. Totals have been adjusted to incorporate the Governor's vetoes.

B. Source of Funding - General Revenue Related: Table 5, Part B shows that of the \$105,808,193,473 of general revenue related fund appropriations, \$88,063,383,148 is subject to the limitation because it is financed from state tax revenue not dedicated by the Constitution.

Constitutionally dedicated state tax revenues deposited into general revenue related funds are estimated to total \$4,433,448,342 during the 2016-17 biennium. Appropriations from general revenue related funds financed from non-tax revenue are estimated at \$13,311,361,982 for the 2016-17 biennium. Revenue analysis in this calculation applies actual fiscal year 2016 revenue collections and the most recent revenue estimates by the Comptroller of Public Accounts for fiscal year 2017.

II. Appropriations from Funds Outside of General Revenue

Certain tax revenues are deposited into accounts outside of the General Revenue Fund. Appropriations from these accounts funded with state tax revenue not dedicated by the Constitution are included in this calculation.

The state imposes a sales and use tax on boats and boat motors, of which 95 percent is deposited into the General Revenue Fund and the remaining five percent is deposited into Account 0009 - Game, Fish and Water Safety. The state imposes an insurance companies maintenance tax which is deposited into Account 0036 - Texas Department of Insurance Operating.

A portion of the motor vehicles sales tax, franchise tax and cigarette tax is deposited into Account 0304 - Property Tax Relief. The state also taxes the sale of fireworks, a portion of which is deposited into Account 5066 - Rural Volunteer Fire Department Insurance. In addition, part of the sales tax and a motor vehicles sales tax is deposited into Account 5071 - Emissions Reduction Plan. Furthermore, a portion of tobacco tax revenue is deposited into Account 5144 - Physician Education Loan Repayment Program.

Additionally, certain unappropriated General Revenue-Dedicated balances are used to certify General Revenue Fund appropriations as a result of funds consolidation. When General Revenue Fund appropriations exceed General Revenue Fund revenues, General Revenue-Dedicated balances are considered when determining how much General Revenue Fund appropriations are subject to the spending limit. To the extent that those General Revenue-Dedicated balances contain tax revenues not dedicated by the Constitution, the General Revenue-Dedicated balances are subject to the limit when appropriated.

Grand Total

A grand total of \$111,049,672,164 in 2016-17 biennial appropriations is included in this analysis. Of this amount, \$4,433,448,342 is financed out of taxes dedicated by the State Constitution. Another \$14,118,190,811 is financed out of non-tax revenue. The remaining \$92,498,033,011 is financed out of state tax revenue not dedicated by the State Constitution. This amount serves as the base for calculating the limitation on 2018-19 biennial appropriations from state tax revenue not dedicated by the Constitution, as required by Article VIII, Section 22, of the Texas Constitution.

Figure 1 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

TABLE 1
U.S. DEPARTMENT OF COMMERCE PERSONAL
INCOME ACCOUNT FOR TEXAS, CALENDAR YEAR 2015
 In Millions of Current Dollars

Earnings by Place of Work	Amount	Percent of Total
Wage and Salary Disbursements	\$ 661,654	67.1%
Supplements to Wages and Salaries	137,507	14.0%
Proprietors' Income		
Farm	<i>\$4,275</i>	
Nonfarm	<i>182,033</i>	
Subtotal	<u>186,307</u>	<u>18.9%</u>
Total Earnings by Place of Work	\$985,468	100.0%
 Derivation of Total Personal Income		
Earnings by Place of Work (from above)	\$985,468	
Less: Personal Contributions for Social Insurance	<i>(49,963)</i>	
Less: Employee Contributions for Social Insurance	<i>(44,568)</i>	
Less: Adjustment for Residence	<i>(1,578)</i>	
Equals: Net Earnings by Place of Residence	\$889,359	69.0%
Plus: Dividends, Interest and Rent	210,222	16.3%
Plus: Personal Current Transfer Receipts	<u>190,023</u>	<u>14.7%</u>
 Total Personal Income	 \$1,289,604	 100.0%

Note: Totals may not add due to rounding.

Source: U.S. Department of Commerce, Bureau of Economic Analysis, September 2016.

Figure 2 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

TABLE 2
BIENNIUM-TO-BIENNIUM GROWTH RATES IN TEXAS PERSONAL INCOME
1982-83 TO 2014-15 BIENNIA

Base Biennium	Target Biennium	Growth Rate	Percent Increase
1980-81	1982-83	1.252	25.2
1982-83	1984-85	1.170	17.0
1984-85	1986-87	1.087	8.7
1986-87	1988-89	1.096	9.6
1988-89	1990-91	1.144	14.4
1990-91	1992-93	1.138	13.8
1992-93	1994-95	1.125	12.5
1994-95	1996-97	1.156	15.6
1996-97	1998-99	1.172	17.2
1998-99	2000-01	1.157	15.7
2000-01	2002-03	1.069	6.9
2002-03	2004-05	1.097	9.7
2004-05	2006-07	1.182	18.2
2006-07	2008-09	1.126	12.6
2008-09	2010-11	1.052	5.2
2010-11	2012-13	1.145	14.5
2012-13	2014-15	1.107	10.7

Figure 3 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

TABLE 3
ESTIMATED GROWTH RATES FOR TEXAS PERSONAL INCOME
USING FIVE ECONOMETRIC MODELS
2016-17 BIENNIUM TO 2018-19 BIENNIUM

Source of Forecast	2018-19 Texas Personal Income Growth Rate
1. IHS	11.44%
2. Moody's Analytics	11.04%
3. Perryman Group	10.52%
4. Texas A&M University, Department of Economics	10.41%
5. Texas Comptroller of Public Accounts	9.99%

Figure 4 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

TABLE 4
SUMMARY OF SOURCES AND METHODS FOR
TEXAS PERSONAL INCOME GROWTH RATES FOR THE
2018-19 BIENNIUM

Source of Forecast	Type of Forecast	Date of Forecast
1. IHS	Econometric	November 2016
2. Moody's Analytics	Econometric	November 2016
3. Perryman Group	Econometric	October 2016
4. Texas A&M University, Department of Economics	Econometric	October 2016
5. Texas Comptroller of Public Accounts	Econometric	October 2016

Source: Compiled by the Legislative Budget Board, November 2016.

Figure 5 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

I. General Revenue Related Funds	2016 Expenditures/ 2017 Appropriations
A. Appropriations	
1. "Estimated To Be" Line Item Appropriations in General Appropriations Act, 84th Legislature	
(a) Fiscal Programs - Comptroller of Public Accounts	2,236,843
A.1.1. Strategy: Miscellaneous Claims	
(b) Fiscal Programs - Comptroller of Public Accounts	405,681,567
A.1.2. Reimbursement - Beverage Tax	
(c) Fiscal Programs - Comptroller of Public Accounts	10,835,774
A.1.4. County Taxes - University Lands	
(d) Fiscal Programs - Comptroller of Public Accounts	470,449,464
A.1.6. Unclaimed Property	
(e) Funds Appropriated to the Comptroller for Social Security and BRP	1,188,214,622
A.1.1. Strategy: State Match - Employer (GR Portion) & A.1.2 Benefit Replacement Pay (GR Portion)	
(f) Employees Retirement System	3,415,482,563
A. Goal: Administer Retirement Program (GR Portion) & B. Goal: Provide Health Program (GR Portion)	
(g) Secretary of State	1,370,944
B.1.5. Strategy: Voter Registration	
(h) Department of State Health Services	59,220,629
Vendor Drug Rebates—Public Health	
(i) Department of State Health Services	1,512,423
D.1.6. Strategy: TEXAS.GOV	
(j) Health and Human Services Commission	138,060,133
Medicaid Program Income	
(k) Health and Human Services	1,542,197,700
Vendor Drug Rebates—Medicaid	
(l) Health and Human Services	2,943,024
Cost Sharing - Medicaid Clients	
(m) Health and Human Services	154,475,541
Vendor Drug Rebates-Supplemental Rebates	
(n) Health and Human Services	9,953,615
Premium Co-Payments, Low Income Children	
(o) Health and Human Services	3,320,648
Experience Rebates-CHIP	
(p) Health and Human Services	7,594,773
Vendor Drug Rebates-CHIP	
(q) Texas Education Agency	33,015,306
B.3.6. Strategy: Certification Exam Administration	
(r) Teacher Retirement System	3,094,425,558
A.1.1. Strategy: TRS - Public Education Retirement	
(s) Teacher Retirement System	372,161,367

Figure 5 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

	A.1.2. Strategy: TRS - Higher Education Retirement (GR Portion)	
(t)	Teacher Retirement System	560,334,453
	A.2.1. Strategy: Retiree Health - Statutory Funds	
(u)	Optional Retirement Program	215,262,701
	A.1.1. Strategy: Optional Retirement Program (GR Portion)	
(v)	Office Of Court Administration, Texas Judicial Council	24,279
	C.1.2. Strategy: TEXAS.GOV	
(w)	Department Of Housing And Community Affairs	21,000
	E.1.4. Strategy: TEXAS.GOV	
(x)	Board Of Chiropractic Examiners	67,218
	A.1.2. Strategy: TEXAS.GOV	
(y)	Texas State Board Of Dental Examiners	436,169
	A.2.2. Strategy: TEXAS.GOV	
(z)	Funeral Service Commission	87,613
	A.1.2. Strategy: TEXAS.GOV	
(aa)	Board Of Professional Geoscientists	39,564
	A.1.2. Strategy: TEXAS.GOV	
(ab)	Department Of Insurance (GR Portion)	12,541
	A.3.3. Strategy: TEXAS.GOV	
(ac)	Board Of Professional Land Surveying	33,642
	A.1.3. Strategy: TEXAS.GOV	
(ad)	Department Of Licensing And Regulation	998,920
	A.1.5. Strategy: TEXAS.GOV	
(ae)	Texas Board of Nursing	1,194,602
	A.1.2. Strategy: TEXAS.GOV	
(af)	Optometry Board	39,880
	A.1.2. Strategy: TEXAS.GOV	
(ag)	Board Of Pharmacy	428,292
	A.1.2. Strategy: TEXAS.GOV	
(ah)	Executive Council Of Physical Therapy & Occupational Therapy Examiners	385,946
	A.1.2. Strategy: TEXAS.GOV	
(ai)	Board Of Plumbing Examiners	295,893
	A.1.2. Strategy: TEXAS.GOV	
(aj)	Board Of Podiatric Medical Examiners	10,485
	A.1.2. Strategy: TEXAS.GOV	
(ak)	Board Of Examiners Of Psychologists	70,868
	A.1.2. Strategy: TEXAS.GOV	
(al)	Board Of Veterinary Medical Examiners	58,146
	A.1.2. Strategy: TEXAS.GOV	
(am)	Multiple Agencies: Earned Federal Funds	118,203,429

Figure 5 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

Sec. 13.11. Definition, Appropriation, Reporting and Audit of Earned Federal Funds	
(an) Adjustment for Property Tax Relief Fund Revenue	(535,285,644)
(ao) Adjustment for Texas Education Agency Attendance Credit Revenue	182,176,514
Subtotal, "Estimated to Be" Line Items (Expended/ Appropriated)	<u>\$ 11,478,049,004</u>
2. Total Sum Certain Line Item Appropriations (Appropriated)	<u>\$ 94,330,144,469</u>
TOTAL General Revenue Related Fund Appropriations, adjusted for 2016 estimated amounts	<u>\$ 105,808,193,473</u>

Figure 5 - 502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

B. Source of Funding - General Revenue Related	Total Appropriations	Constitutionally Dedicated State Tax Revenues	Non Tax Revenues	State Tax Revenue Not Dedicated by the Constitution
1. Occupation Taxes	\$2,619,282,085	\$2,619,282,085	\$0	\$0
2. Motor Fuel Taxes	1,832,645,090	1,814,166,257	-	18,478,833
3. Education Revenues	4,707,584,145	-	4,707,584,145	-
4. Insurance Maintenance Tax	291,242,370	-	-	291,242,370
5. Hotel Tax	68,472,634	-	-	68,472,634
6. Sporting Good Sales Tax	273,957,598	-	-	273,957,598
7. Beginning General Revenue Balance	3,736,587,277	-	330,657,243	3,405,930,034
8. Appropriations from Other Revenue	92,278,422,274	-	8,273,120,594	84,005,301,680
SUBTOTAL(General Revenue Related)	<u>\$ 105,808,193,473</u>	<u>\$ 4,433,448,342</u>	<u>\$ 13,311,361,982</u>	<u>\$ 88,063,383,148</u>
II. Appropriations from Funds Outside of GR				
1. Account 0009 – Game, Fish, and Water Safety	225,300,172	-	219,379,839	5,920,333
2. Account 0036 – Texas Department of Insurance Operating	130,809,782	-	127,471,042	3,338,740
3. Account 0304 – Property Tax Relief	3,485,185,644	-	2,020,192	3,483,165,452
4. Account 5066 – Rural Volunteer Fire Department Insurance	2,930,000	-	272	2,929,728
5. Account 5071 – Emissions Reduction Plan	237,187,093	-	150,737,840	86,449,253
6. Account 5144 - Physician Education Loan Repayment Program	33,800,000	-	-	33,800,000
7. Reduction in Certifiable GR-D Balances	1,126,266,000	-	307,219,645	819,046,355
GRAND TOTAL	<u>\$ 111,049,672,164</u>	<u>\$ 4,433,448,342</u>	<u>\$ 14,118,190,811</u>	<u>\$ 92,498,033,011</u>

Figure 6-502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

General Revenue Funds "Recap" Amount	\$53,429,505,880	\$52,577,986,898	\$106,007,492,778
Less "Estimated to Be" Items:			
Fiscal Programs - Comptroller of Public Accounts	14,860,294	14,860,294	29,720,588
A.1.1. Strategy: Miscellaneous Claims (HB1, Article I-23)			
Fiscal Programs - Comptroller of Public Accounts	199,087,000	209,440,000	408,527,000
A.1.2. Reimbursement - Beverage Tax (HB1, Article I-23)			
Fiscal Programs - Comptroller of Public Accounts	4,669,970	4,996,869	9,666,839
A.1.4. County Taxes - University Lands (HB1, Article I-23)			
Fiscal Programs - Comptroller of Public Accounts	190,000,000	190,000,000	380,000,000
A.1.6. Unclaimed Property (HB1, Article I-25)			
Funds Appropriated to the Comptroller for Social Security and BRP	583,039,532	596,144,982	1,179,184,514
A.1.1. Strategy: State Match - Employer (GR Portion) & A.1.2 Benefit Replacement Pay (GR Portion) (HB1, Article I-28)			
Employees Retirement System	1,649,645,432	1,769,908,608	3,419,554,040
A. Goal: Administer Retirement Program (GR Portion) & B. Goal: Provide Health Program (GR Portion) (HB1, Article I-34)			
Secretary of State	5,000,000	1,000,000	6,000,000
B.1.5. Strategy: Voter Registration (HB1, Article I-86)			
Department of State Health Services	7,886,357	7,886,357	15,772,714
Vendor Drug Rebates–Public Health (HB1, Article II-48)			
Department of State Health Services	1,156,867	1,156,867	2,313,734
D.1.6. Strategy: TEXAS.GOV (HB1, Article II-50)			

Figure 6-502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

Health and Human Services Commission Medicaid Program Income (HB1, Article II-78)	75,000,000	75,000,000	150,000,000
Health and Human Services Vendor Drug Rebates—Medicaid (HB1, Article II-78)	645,730,031	697,416,071	1,343,146,102
Health and Human Services Cost Sharing - Medicaid Clients (HB1, Article II-78)	2,500,000	2,500,000	5,000,000
Health and Human Services Vendor Drug Rebates-Supplemental Rebates (HB1, Article II-78)	75,479,410	81,465,009	156,944,419
Health and Human Services Premium Co-Payments, Low Income Children (HB1, Article II-78)	4,596,733	4,872,537	9,469,270
Health and Human Services Experience Rebates-CHIP (HB1, Article II-78)	747,947	666,472	1,414,419
Health and Human Services Vendor Drug Rebates-CHIP (HB1, Article II-78)	1,776,638	1,621,399	3,398,037
Texas Education Agency B.3.6. Strategy: Certification Exam Administration (HB1, Article III-2)	16,184,588	16,184,588	32,369,176
Teacher Retirement System A.1.1. Strategy: TRS - Public Education Retirement (HB1, Article III-30)	1,551,265,878	1,582,291,196	3,133,557,074
Teacher Retirement System A.1.2. Strategy: TRS - Higher Education Retirement (GR Portion) (HB1, Article III-31)	222,920,462	231,758,217	454,678,679
Teacher Retirement System	278,304,826	283,870,923	562,175,749

Figure 6-502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

A.2.1. Strategy: Retiree Health - Statutory Funds
(HB1, Article III-31)

Optional Retirement Program	130,670,819	128,087,008	258,757,827
A.1.1. Strategy: Optional Retirement Program (GR Portion) (HB1, Article III-34)			
Office Of Court Administration, Texas Judicial Council	10,290	12,571	22,861
C.1.2. Strategy: TEXAS.GOV (HB1, Article IV-23)			
Department Of Housing And Community Affairs	19,120	19,120	38,240
E.1.4. Strategy: TEXAS.GOV (HB1, Article VII-2)			
Board Of Chiropractic Examiners	29,850	29,850	59,700
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-6)			
Texas State Board Of Dental Examiners	250,000	250,000	500,000
A.2.2. Strategy: TEXAS.GOV (HB1, Article VIII-7)			
Funeral Service Commission	46,500	46,500	93,000
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-10)			
Board Of Professional Geoscientists	25,000	25,000	50,000
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-12)			
Department Of Insurance (GR Portion)	6,520	6,520	13,040
A.3.3. Strategy: TEXAS.GOV (HB1, Article VIII-18)			
Board Of Professional Land Surveying	17,150	17,150	34,300
A.1.3. Strategy: TEXAS.GOV (HB1, Article VIII-27)			
Department Of Licensing And Regulation	467,200	467,200	934,400
A.1.5. Strategy: TEXAS.GOV (HB1, Article VIII-29)			
Texas Board of Nursing	645,398	645,398	1,290,796

Figure 6-502-Tax Relief Amendment Implementation-Limit on Growth of Certain State Appropriations

A.1.2. Strategy: TEXAS.GOV
(HB1, Article VIII-38)

Optometry Board	18,625	18,625	37,250
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-41)			

Board Of Pharmacy	173,463	173,463	346,926
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-43)			

Executive Council Of Physical Therapy & Occupational Therapy Examiners	157,715	157,715	315,430
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-45)			

Board Of Plumbing Examiners	155,000	155,000	310,000
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-47)			

Board Of Podiatric Medical Examiners	5,000	5,000	10,000
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-49)			

Board Of Examiners Of Psychologists	37,000	37,000	74,000
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-51)			

Board Of Veterinary Medical Examiners	40,000	40,000	80,000
A.1.2. Strategy: TEXAS.GOV (HB1, Article VIII-64)			

Multiple Agencies: Earned Federal Funds	55,793,926	55,694,259	111,488,185
Sec. 13.11. Definition, Appropriation, Reporting and Audit of Earned Federal Funds (HB1, Article IX-63)			

Subtotal, Estimated Appropriations	<u>\$5,718,420,541</u>	<u>\$5,958,927,768</u>	<u>\$11,677,348,309</u>
------------------------------------	------------------------	------------------------	-------------------------

Total Sum Certain Line Item Appropriations	<u>\$47,711,085,339</u>	<u>\$46,619,059,130</u>	<u>\$94,330,144,469</u>
--	-------------------------	-------------------------	-------------------------

TRD-201605868
Ursula Parks
Director
Legislative Budget Board
Filed: November 16, 2016



Texas Department of Licensing and Regulation

Public Notice - Dietitians Criminal Conviction Guidelines

On behalf of the Texas Commission of Licensing and Regulation, the Texas Department of Licensing and Regulation published a public notice regarding updates to its Criminal Conviction Guidelines to include the Dietitians program in the November 4, 2016 issue of the *Texas Register* (41 TexReg 8861). The public notice is being republished in its entirety to correct several references and editorial errors. The corrected public notice is as follows.

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

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

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

Senate Bill 202, 84th Legislature, Regular Session (2015), transferred the Dietitians program from the Texas Department of State Health Services to the Texas Department of Licensing and Regulation and amended Texas Occupations Code, Chapter 701. The statutory changes were effective September 1, 2015; the adopted rules became effective October 1, 2016; and the Department commenced all regulatory functions for the Dietitians program on October 3, 2016.

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

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

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

Reasons:

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

Crimes involving prohibited sexual conduct.

Reasons:

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

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

Reasons:

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

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

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

Crimes against property such as theft or burglary.

Reasons:

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

Crimes involving fraud or deceptive trade practices

Reasons:

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

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

Reasons:

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

Crimes involving being under the influence of alcohol or drugs.

Reasons:

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

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

TRD-201605847

Brian E. Francis

Executive Director

Texas Department of Licensing and Regulation

Filed: November 15, 2016



Texas Lottery Commission

Scratch Ticket Game Number 1823 "10X the Cash"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1823 is "10X THE CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1823 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1823.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 5X SYMBOL, 10X SYMBOL, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$200, \$1,000, and \$50,000.

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

Figure 1: GAME NO. 1823 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
26	TWSX
27	TWSV
5X SYMBOL	TIMES5
10X SYMBOL	TIMES10
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$1,000	ONTH
\$50,000	50TH

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

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

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1823), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 1823-0000001-001.

H. Pack - A Pack of the "10X THE CASH" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). Ticket 125 will be shown on the front of the Pack; the back of Ticket 125 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 125 will be shown on the back of the Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "10X THE CASH" Scratch Ticket Game No. 1823.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "10X THE CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 23 (twenty-three) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "5X" Play Symbol, the player wins 5 (five) TIMES the prize for that symbol. If a player reveals a "10X" Play Symbol, the player wins 10 (ten) TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly 23 (twenty-three) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;

6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly 23 (twenty-three) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 23 (twenty-three) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 23 (twenty-three) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. A Ticket can win up to 10 (ten) times in accordance with the approved prize structure.

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

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

D. Each Ticket will have three (3) different "WINNING NUMBERS" Play Symbols.

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

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

G. The "5X" (TIMES5) and "10X" (TIMES10) Play Symbols will never appear in the "WINNING NUMBERS" Play Symbol spots.

H. The "5X" (TIMES5) and "10X" (TIMES10) Play Symbols will only appear as dictated by the prize structure.

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

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

2.3 Procedure for Claiming Prizes.

A. To claim a "10X THE CASH" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00 or \$100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00 or \$100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "10X THE CASH" Scratch Ticket Game prize of \$1,000 or \$50,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "10X THE CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "10X THE CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "10X THE CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the

player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 21,120,000 Scratch Tickets in Scratch Ticket Game No. 1823. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1823 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2	2,365,440	8.93
\$4	1,689,600	12.50
\$5	506,880	41.67
\$10	253,440	83.33
\$20	168,960	125.00
\$50	100,936	209.24
\$100	14,080	1,500.00
\$1,000	264	80,000.00
\$50,000	16	1,320,000.00

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

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

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1823 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1823, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201605836
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: November 14, 2016



Scratch Ticket Game Number 1824 "20X the Cash"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1824 is "20X THE CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1824 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1824.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 5X SYMBOL, 10X SYMBOL, 20X SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$40.00, \$50.00, \$100, \$500, \$1,000, \$10,000 and \$250,000.

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

Figure 1: GAME NO. 1824 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
16	SXN
17	SVT
18	ETN
19	NTN
21	TWON
22	TWTO
23	TWTH
24	TWFR
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
36	TRSX
37	TRSV
38	TRET
5X SYMBOL	TIMES5
10X SYMBOL	TIMES10
20X SYMBOL	TIMES20
\$5.00	FIV\$
\$10.00	TEN\$

\$15.00	FFN\$
\$20.00	TWY\$
\$40.00	FRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$250,000	250TH

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

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

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1824), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 1824-0000001-001.

H. Pack - A Pack of the "20X THE CASH" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "20X THE CASH" Scratch Ticket Game No. 1824.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "20X THE CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 46 (forty-six) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "5X" Play Symbol, the player wins 5 (five) TIMES the prize for that symbol. If a player reveals a "10X" Play Symbol, the player wins 10 (ten) TIMES the prize for that symbol. If a player reveals a "20X" Play Symbol, the player wins 20 (twenty) TIMES the prize for that symbol.

No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly 46 (forty-six) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly 46 (forty-six) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch

Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the 46 (forty-six) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 46 (forty-six) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

A. A Ticket can win up to twenty (20) times in accordance with the approved prize structure.

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

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

D. Each Ticket will have six (6) different "WINNING NUMBERS" Play Symbols.

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

F. Non-winning Prize Symbols will never appear more than two (2) times.

G. The "5X" (TIMES5), "10X" (TIMES10) and "20X" (TIMES20) Play Symbols will never appear in the "WINNING NUMBERS" Play Symbol spots.

H. The "5X" (TIMES5), "10X" (TIMES10) and "20X" (TIMES20) Play Symbols will only appear as dictated by the prize structure.

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

2.3 Procedure for Claiming Prizes.

A. To claim a "20X THE CASH" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "20X THE CASH" Scratch Ticket Game prize of \$1,000, \$10,000 or \$250,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "20X THE CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "20X THE CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "20X THE CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 23,520,000 Scratch Tickets in Scratch Ticket Game No. 1824. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1824 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	2,508,800	9.38
\$10	3,292,800	7.14
\$20	627,200	37.50
\$50	313,600	75.00
\$100	25,284	930.23
\$500	1,568	15,000.00
\$1,000	176	133,636.36
\$10,000	28	840,000.00
\$250,000	10	2,352,000.00

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

**The overall odds of winning a prize are 1 in 3.47. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1824 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the

closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Instant Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 1824, the State Lottery Act (Texas Government Code, Chap-

ter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201605837

Bob Biard

General Counsel

Texas Lottery Commission

Filed: November 14, 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-Peyser 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 customers 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-201605785

Leslie Hardin

WFD Contracts Coordinator

Panhandle Regional Planning Commission

Filed: November 10, 2016

◆ ◆ ◆
Public Utility Commission of Texas

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

On November 10, 2016, TerraCom, Inc. d/b/a Texas TerraCom and Global Reconnect, Inc. filed an application with the Public Utility Commission of Texas to amend service provider certificate of operating authority number 60758, reflecting a change in ownership/control.

Docket Style and Number: Application of TerraCom, Inc. d/b/a Texas TerraCom and Global Reconnect, Inc. for Amendment to a Service Provider Certificate of Operating Authority, Docket Number 46565.

Persons wishing to 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 no later than December 20, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46565.

TRD-201605865

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: November 16, 2016

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

On November 14, 2016, Phonoscope Lightwave, Inc., filed an application with the Public Utility Commission of Texas to amend service provider certificate of operating authority number 60930, reflecting a name change.

Docket Style and Number: Application of Phonoscope Lightwave, Inc. for Amendment to a Service Provider Certificate of Operating Authority, Docket Number 46566.

Persons wishing to 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 no later than December 29, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46566.

TRD-201605866

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: November 16, 2016

◆ ◆ ◆
Notice of Application to Amend Certificate of Convenience and Necessity

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

Docket Style and Number: Application of City of Lucas to Amend a Certificate of Convenience and Necessity in Collin County, Docket Number 46558.

The Application: City of Lucas filed an application to amend its water certificate of convenience and necessity no. 10193 in Collin 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 46558.

TRD-201605857
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: November 15, 2016

◆ ◆ ◆
Texas Department of Transportation

Request for Information - Toll Operations Division

The Texas Department of Transportation (department) is seeking information that may assist in the identification of Tri-Protocol Readers currently in development or production that support SeGo, 6C and TDM IAG protocols. This Request for Information (RFI) is issued for the purpose of obtaining information to assist the department in its planning process and to identify vendors that may be interested in responding to any future solicitation documents.

This RFI does not constitute a Request for Qualifications (RFQ), a Request for Proposals (RFP), or other solicitation document, nor does it represent an intention to issue an RFQ or an RFP in the future. This RFI does not commit the department to contract for any supply or service whatsoever, nor will any response to this RFI be considered in the evaluation of any response to a solicitation document. The department will not pay for any information or administrative cost incurred in response to this RFI.

RFI Issuance Date: November 25, 2016

RFI Response Deadline: December 23, 2016, at 3:00 p.m. CST

RFI Website and Addenda: Additional information regarding the RFI, including submission requirements, may be found on the RFI website

at <http://www.txdot.gov/business/opportunities/toll-ops-Triple-Protocol-Reader-rfi.html>. The department will post any addenda to the RFI on the RFI website. It is the respondent's responsibility to monitor the RFI website on a regular basis for updates, questions and responses, addenda, and additional RFI documents and information. The department reserves the right to modify the schedule milestones at any time and for any reason. At its option, the department may also elect to follow-up directly with respondents with more detailed questions or to clarify submissions.

Questions: Questions regarding this RFI should be submitted in writing to the Point of Contact at the email address listed below. The department will post responses to questions on the RFI website without identifying the party(ies) submitting the questions. Respondents are encouraged to submit questions prior to December 8, 2016.

Contracting Office Address:

Texas Department of Transportation - Toll Operations Division
12719 Burnet Road
Austin, Texas 78727

Point of Contact:

Brian Smallwood
Texas Department of Transportation - Toll Operations Division
Phone: (512) 874-9735
Email: Tod_Mail@TxDOT.gov
TRD-201605869
Joanne Wright
Deputy General Counsel
Texas Department of Transportation
Filed: November 16, 2016

◆ ◆ ◆