

# IN ADDITION

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

## Office of the Attorney General

### Request for Application

Pursuant to Texas Government Code, Chapter 2254, Subchapter B, the Office of the Attorney General (OAG) announces issuance of a Request for Proposal (RFP) TXCSES 2.0 (T2) Independent Verification and Validation (IV&V) Services according to the specifications contained in the RFP No. 302-16-3632, which has been posted on the following Electronic State Business Daily (ESBD) website as of May 27, 2016:

[http://esbd.cpa.state.tx.us/bid\\_show.cfm?bidid=124781](http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=124781)

Pursuant to TGC 2254.029 disclosure requirement, the subject services were previously provided to the OAG by the University of Texas Center for Advanced Research in Software Engineering.

A pre-proposal conference will be held in the Stephen F. Austin State Office Building, 1700 North Congress Ave., Room 170, Austin, Texas 78701 at 9:00 a.m. CT on June 9, 2016.

Evaluation Criteria: Proposals will be evaluated under the evaluation criteria outlined in the RFP. The OAG shall make the final decision on any contract award or awards resulting from this RFP. The OAG has sole discretion and may reject any and all offers, or terminate this RFP, amend or re-issue this RFP. The OAG reserves the right to remedy technical errors in the RFP process, waive any informalities and irregularities relating to any or all offers and qualifications submitted in response to this request and to negotiate modifications necessary to improve the quality or cost effectiveness of services resulting from this RFP. The issuance of this RFP does not constitute a commitment by the OAG to award any contract.

Offers may be submitted by hand delivery, commercial delivery (e.g., FedEx, UPS, DHL), or courier to the address listed below:

Office of the Attorney General

Procurement and Grant Operations Division

Attn: Elizabeth Ward, CTPM

W.P. Clements Building

300 W. 15th St., 3rd Floor

Austin, Texas 78701-1649

**The last day to submit proposals is July 20th, 2016 (2:00 p.m.) Central Time (CT).**

All dates are subject to change at OAG's discretion. Please monitor the Electronic State Business Daily (ESBD) website for updates, information and changes to the RFP.

The sole point of contact for inquiries concerning this RFP is:

Office of the Attorney General

Procurement and Grant Operations Division

Elizabeth Ward, CTPM

W.P. Clements Building

300 W. 15th St., 3rd Floor

Austin, Texas 78701-1649

Phone number: (512) 475-4489

[Elizabeth.Ward@texasattorneygeneral.gov](mailto:Elizabeth.Ward@texasattorneygeneral.gov)

All communications relating to this RFP must be directed to the OAG contact person named above. All communications between respondents and other OAG staff members concerning this RFP are strictly prohibited. **Failure to comply with these requirements may result in proposal disqualification.**

TRD-201602818

Amanda Crawford

General Counsel

Office of the Attorney General

Filed: June 2, 2016

## Concho Valley Workforce Development Board

### Request for Proposals

The Concho Valley Workforce Development Board is issuing a Request for Proposals (RFP) seeking qualified parties to submit proposals for on-line, accredited high school diploma/High School Equivalent (HSE) degree program. If interested, a copy of the RFP is available at:

<http://www.cvworkforce.org/155/Procurements>

TRD-201602874

Mike Buck

Executive Director

Concho Valley Workforce Development Board

Filed: June 7, 2016

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/13/16 - 06/19/16 is 18% for Consumer<sup>1</sup>/Agricultural/Commercial<sup>2</sup> credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/13/16 - 06/19/16 is 18% for Commercial over \$250,000.

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

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

TRD-201602872

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**Texas Commission on Environmental Quality**

**Agreed Orders**

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is July 18, 2016. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on July 18, 2016. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: BEACH AND TENNIS CLUB, INCORPORATED; DOCKET NUMBER: 2016-0178-PWS-E; IDENTIFIER: RN106013691; LOCATION: The Colony, Denton County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; 30 TAC §290.45(f)(1) and (4) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a water purchase contract that authorizes a maximum daily purchase rate, or a uniform purchase rate in the absence of a specified daily purchase rate of at least 0.6 gallons per minute per connection; and 30 TAC §290.46(e)(3)(A) and THSC, §341.033(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; PENALTY: \$400; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: City of Arlington; DOCKET NUMBER: 2016-0282-PST-E; IDENTIFIER: RN102013034; LOCATION: Arlington, Tarrant County; TYPE OF FACILITY: convention center; RULES VIO-

LATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$2,813; Supplemental Environmental Project offset amount of \$2,251; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: City of Deport; DOCKET NUMBER: 2016-0376-MWD-E; IDENTIFIER: RN101919256; LOCATION: Deport, Lamar County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1) and 30 TAC §305.65 and §305.125(2), by failing to maintain authorization for the discharge of wastewater into or adjacent to any water in the state; PENALTY: \$4,050; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(4) COMPANY: City of Liberty; DOCKET NUMBER: 2015-1549-MWD-E; IDENTIFIER: RN102078128; LOCATION: Liberty, Liberty County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010108001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limits; PENALTY: \$48,800; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(5) COMPANY: City of Rose City; DOCKET NUMBER: 2016-0255-PWS-E; IDENTIFIER: RN102676269; LOCATION: Rose City, Orange County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; and 30 TAC §290.122(b)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the executive director regarding the non-acute surface water treatment technique violation for the month of November 2015; PENALTY: \$310; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(6) COMPANY: Containment Solutions, Incorporated; DOCKET NUMBER: 2016-0440-AIR-E; IDENTIFIER: RN100214378; LOCATION: Conroe, Montgomery County; TYPE OF FACILITY: plastic manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(1) and (2), Texas Health and Safety Code, §382.085(b), and Federal Operating Permit Number O1079, General Terms and Conditions, by failing to certify for at least each 12-month period following initial permit issuance and submit the Permit Compliance Certification within 30 days after the end of the certification period; and 30 TAC §205.6 and TWC, §5.702, by failing to pay general permit stormwater fees and associated late fees for TCEQ Financial Administration Account Number 20029496 due for Fiscal Year 2016; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Kingsley Coppinger, (512) 239-6581; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(7) COMPANY: David Roesler; DOCKET NUMBER: 2016-0397-WOC-E; IDENTIFIER: RN108899030; LOCATION: Denison, Grayson County; TYPE OF FACILITY: mobile home community; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

- (8) COMPANY: Edward Hykel Jr.; DOCKET NUMBER: 2016-0840-WOC-E; IDENTIFIER: RN109138263; LOCATION: West, McLennan County; TYPE OF FACILITY: public water system; 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.
- (9) COMPANY: Hal S. Zaltsberg dba Outskirtz Grill; DOCKET NUMBER: 2016-0214-PWS-E; IDENTIFIER: RN107954133; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: public water supply (PWS); RULES VIOLATED: 30 TAC §290.39(e)(1) and (h)(1) and Texas Health and Safety Code, §341.035(a), by failing to submit plans and specifications to the executive director for review and approval prior to the establishment of a new PWS; and 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing a well into service as a PWS source; PENALTY: \$110; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.
- (10) COMPANY: Jacob S. Phariss; DOCKET NUMBER: 2016-0841-WOC-E; IDENTIFIER: RN106424880; LOCATION: Tuscola, Taylor County; TYPE OF FACILITY: wastewater treatment plant; 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: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.
- (11) COMPANY: MAC HEAVY EQUIPMENT, LIMITED, L.L.P.; DOCKET NUMBER: 2016-0209-AIR-E; IDENTIFIER: RN104928700; LOCATION: Mineola, Wood County; TYPE OF FACILITY: hot mix asphalt plant; RULES VIOLATED: 30 TAC §116.115(c) and §116.615(9), Texas Health and Safety Code, §382.085(b), and Standard Permit Registration Number 79270, General Requirements Number 1(K)(i), by failing to maintain and operate all fabric filter systems with no tears or leaks; PENALTY: \$1,250; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.
- (12) COMPANY: MALBER, LLC; DOCKET NUMBER: 2016-0127-PST-E; IDENTIFIER: RN102392990 (Facility 1) and RN100826452 (Facility 2); LOCATION: El Paso, El Paso County; TYPE OF FACILITY: two properties with inactive underground storage tanks (USTs); RULES VIOLATED: 30 TAC §334.7(d)(3) and (e)(2), by failing to provide an amended registration for any change or additional information regarding the USTs within 30 days from the date of the occurrence of the change or addition; and 30 TAC §334.54(b)(2), 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; PENALTY: \$5,250; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1206, (915) 834-4949.
- (13) COMPANY: MAPLE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-0234-MLM-E; IDENTIFIER: RN101458156; LOCATION: Maple, Bailey County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meters at least once every three years; 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account Number 90090011 for Fiscal Years 2014 and 2015; and 30 TAC §288.20(c), by failing to provide an up-to-date drought contingency plan; PENALTY: \$169; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.
- (14) COMPANY: MCCREERY AVIATION COMPANY, INCORPORATED; DOCKET NUMBER: 2016-0557-PST-E; IDENTIFIER: RN101682144; LOCATION: McAllen, Hidalgo County; TYPE OF FACILITY: refueling facility with retail sales of aviation fuel and fleet refueling of diesel; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor all underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$7,125; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.
- (15) COMPANY: Micah S. West; DOCKET NUMBER: 2016-0379-LII-E; IDENTIFIER: RN105012173; LOCATION: Little Elm, Denton County; TYPE OF FACILITY: property; RULES VIOLATED: 30 TAC §344.24(a) and 30 TAC §344.35(d)(2) and (3), by failing to comply with local landscape irrigation regulations for permitting or inspections as required by the city, town, county, special purpose district, public water supply, or political subdivision of the state; PENALTY: \$175; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.
- (16) COMPANY: Motiva Enterprises LLC; DOCKET NUMBER: 2016-0210-AIR-E; IDENTIFIER: RN100209451; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(b)(2) and (c), and 122.143(4), Texas Health and Safety Code, §382.085(b), Federal Operating Permit Number O3387, Special Terms and Conditions Number 18, and New Source Review Permit Numbers 6056 and PSDTX1062M1, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$25,000; Supplemental Environmental Project offset amount of \$12,500; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.
- (17) COMPANY: Orion Engineered Carbons LLC; DOCKET NUMBER: 2016-0324-AIR-E; IDENTIFIER: RN100209386; LOCATION: Orange, Orange County; TYPE OF FACILITY: carbon black plant; RULES VIOLATED: 30 TAC §101.4 and Texas Health and Safety Code, §382.085(a) and (b), by failing to prevent nuisance conditions; PENALTY: \$16,650; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.
- (18) COMPANY: Ovidio Saldivar; DOCKET NUMBER: 2016-0396-WOC-E; IDENTIFIER: RN108870270; LOCATION: La Feria, Cameron County; TYPE OF FACILITY: water operator; 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: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.
- (19) COMPANY: Presidio County Water Improvement District 1 dba Redford Water Supply; DOCKET NUMBER: 2016-0252-PWS-E; IDENTIFIER: RN101266054; LOCATION: Redford, Presidio County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.110(e)(4)(A) and (f)(3) and §290.122(c)(2)(A) and (f), by failing to submit a Disinfectant Level Quarterly Operating Report (DLQOR) to the executive director (ED) each quarter by the tenth day of the month following the end of each quarter for the fourth quarter of 2014 through the third quarter of 2015, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a DLQOR to the ED for

the fourth quarter of 2014 and the first quarter of 2015; 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a DLQOR for the second quarter of 2014 and the failure to collect lead and copper tap samples for the January 1, 2012 - December 31, 2014 monitoring period; 30 TAC §290.122(b)(3)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to comply with the maximum contaminant level for arsenic based on the running annual average for the first quarter of 2015 through the third quarter of 2015; PENALTY: \$900; ENFORCEMENT COORDINATOR: Katy Montgomery, (210) 403-4016; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1206, (915) 834-4949.

(20) COMPANY: W and W Fiberglass Tank Company; DOCKET NUMBER: 2016-0203-AIR-E; IDENTIFIER: RN102004314; LOCATION: Pampa, Gray County; TYPE OF FACILITY: fiberglass manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Texas Health and Safety Code, §382.085(b), and Federal Operating Permit Number O2448, General Terms and Conditions, by failing to submit a permit compliance certification within 30 days after the end of the certification period; PENALTY: \$4,313; Supplemental Environmental Project offset amount of \$1,725; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(21) COMPANY: Wall Co-Operative Gin dba Wall Coop Gin 1; DOCKET NUMBER: 2016-0789-PST-E; IDENTIFIER: RN101729945; LOCATION: Wall, Tom Green County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULE VIOLATED: 30 TAC §334.50(a)(1)(A), by failing to provide release detection; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Keith Franks, (512) 239-1203; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(22) COMPANY: Wall Co-Operative Gin dba Wall Coop Gin 2; DOCKET NUMBER: 2016-0790-PST-E; IDENTIFIER: RN101912806; LOCATION: Wall, Tom Green County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULE VIOLATED: 30 TAC §334.50(a)(1)(A), by failing to provide release detection; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Keith Franks, (512) 239-1203; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(23) COMPANY: WKND CORPORATION dba Mercado Sabadomingo; DOCKET NUMBER: 2016-0172-PWS-E; IDENTIFIER: RN101207025; LOCATION: Houston, Harris County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1), by failing to locate groundwater sources so that there will be no danger of pollution from flooding or from unsanitary surroundings, such as privies, sewage, sewage treatment plants, livestock and animal pens, solid waste disposal sites or underground petroleum and chemical storage tanks and liquid transmission pipelines, or abandoned and improperly sealed wells; 30 TAC §290.43(d)(3), by failing to equip the air injection lines with filters or other devices to prevent compressor lubricants or other contaminants from entering the facility's pressure tank; 30 TAC §290.46(s)(1), by failing to calibrate the facility's two well meters at least once every three years; 30 TAC §290.43(c), (c)(3), and (c)(4), by failing to ensure that all facilities for potable water storage are covered and designed, fabricated, erected, tested, and disinfected in strict accordance with current American Water Works Association standards; and 30 TAC §290.39(j) and Texas Health and Safety Code, §341.0351, by failing to notify the executive director prior to

making any significant change or addition to the system's production, treatment, storage, pressure maintenance, or distribution facilities; PENALTY: \$662; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

TRD-201602868  
Kathleen C. Decker  
Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: June 7, 2016



#### Enforcement Orders

An agreed order was adopted regarding TEXAS ARCHITECTURAL AGGREGATE, INC., Docket No. 2015-1308-WQ-E on June 7, 2016 assessing \$2,000 in administrative penalties with \$400 deferred. Information concerning any aspect of this order may be obtained by contacting Had Darling, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CAL FARLEY'S BOYS RANCH, Docket No. 2015-1339-MWD-E on June 7, 2016 assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Heather Brister, 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 LANDMARK INDUSTRIES ENERGY, LLC DBA TIMEWISE EXXON 816, Docket No. 2015-1548-PST-E on June 7, 2016 assessing \$3,879 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Clayton Smith, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Travis County Water Control and Improvement District 18, Docket No. 2015-1578-PWS-E on June 7, 2016 assessing \$702 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ian Groetsch, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding LERRET ENTERPRISES, INC. dba Terrel Service Center, Docket No. 2015-1583-PST-E on June 7, 2016 assessing \$4,630 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ian Groetsch, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kevin Reinhardt, Docket No. 2015-1694-LII-E on June 7, 2016 assessing \$1,700 in administrative penalties with \$340 deferred. Information concerning any aspect of this order may be obtained by contacting Eduardo Heras, 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 Sunoco Pipeline L.P., Docket No. 2015-1725-AIR-E on June 7, 2016 assessing \$2,625 in administrative penalties with \$525 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 Rochelle M. Miller, Docket No. 2016-0024-PWS-E on June 7, 2016 assessing \$163 in administrative penalties with \$32 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MOHIT PETROLEUM, LLC dba Texas Country Store 10, Docket No. 2016-0045-PST-E on June 7, 2016 assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting John Fennell, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding BNSF Railway Company, Docket No. 2016-0051-AIR-E on June 7, 2016 assessing \$3,250 in administrative penalties with \$650 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Ladonia, Docket No. 2016-0061-PWS-E on June 7, 2016 assessing \$1,551 in administrative penalties with \$310 deferred. Information concerning any aspect of this order may be obtained by contacting Katy Montgomery, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ted Macon and Lolita Sneathern, Docket No. 2016-0062-PWS-E on June 7, 2016 assessing \$1,152 in administrative penalties with \$230 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Aqua Utilities, Inc., Docket No. 2016-0063-PWS-E on June 7, 2016 assessing \$474 in administrative penalties with \$94 deferred. Information concerning any aspect of this order may be obtained by contacting Sarah Kim, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Montesino Developments, LLC dba Cash Register Services, Docket No. 2016-0069-PWS-E on June 7, 2016 assessing \$748 in administrative penalties with \$149 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 Jose Montoya, Docket No. 2016-0101-MSW-E on June 7, 2016 assessing \$1,070 in administrative penalties with \$214 deferred. Information concerning any aspect of this order may be obtained by contacting Epifanio Villareal, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding R.J. Dairy, L.L.C., Docket No. 2016-0154-AGR-E on June 7, 2016 assessing \$1,563 in administrative penalties with \$312 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Hitchcock, Docket No. 2016-0181-MLM-E on June 7, 2016 assessing \$2,188 in administrative penalties with \$437 deferred. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement

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

An agreed order was adopted regarding TEXAS WATER SYSTEMS, INC., Docket No. 2016-0208-PWS-E on June 7, 2016 assessing \$168 in administrative penalties with \$33 deferred. Information concerning any aspect of this order may be obtained by contacting Carol McGrath, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ONEOK Hydrocarbon Southwest, LLC, Docket No. 2013-1186-AIR-E on June 8, 2016 assessing \$14,858 in administrative penalties with \$2,971 deferred. Information concerning any aspect of this order may be obtained by contacting Amancio R. Gutierrez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Roberta Schoch, Docket No. 2014-1858-WR-E on June 8, 2016 assessing \$695 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jim Sallans, 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 F & K ENTERPRISE, INC. dba Kwik Mart, Docket No. 2015-0670-PST-E on June 8, 2016 assessing \$17,538 in administrative penalties with \$3,507 deferred. Information concerning any aspect of this order may be obtained by contacting Rebecca Boyett, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Benedum Gas Partners, L.P., Docket No. 2015-0743-AIR-E on June 8, 2016 assessing \$23,978 in administrative penalties with \$4,795 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 WATER NECESSITIES, INC., Docket No. 2015-0810-PWS-E on June 8, 2016 assessing \$300 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 James H. Kim dba Casey Ridge Grocery, Docket No. 2015-0885-PST-E on June 8, 2016 assessing \$30,519 in administrative penalties with \$6,103 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 RANGER UTILITY COMPANY, Docket No. 2015-1033-PWS-E on June 8, 2016 assessing \$11,310 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Adam Taylor, 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 AAA NURSERY/SAND & STONE, INC., Docket No. 2015-1058-MLM-E on June 8, 2016 assessing \$12,262 in administrative penalties with \$2,452 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Van Landingham, Enforcement Coordinator at

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

An agreed order was adopted regarding Chevron Phillips Chemical Company LP, Docket No. 2015-1104-AIR-E on June 8, 2016 assessing \$372,625 in administrative penalties with \$74,525 deferred. Information concerning any aspect of this order may be obtained by contacting Eduardo Heras, 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 Alamo Heights, Docket No. 2015-1106-PWS-E on June 8, 2016 assessing \$1,362 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Epifanio Villareal, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Ruben Sylva, Docket No. 2015-1158-MLM-E on June 8, 2016 assessing \$12,547 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 Ozona Retail, Inc. dba Circle Bar Truck Corral, Docket No. 2015-1252-PST-E on June 8, 2016 assessing \$9,000 in administrative penalties with \$1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Stump, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Centerville, Docket No. 2015-1282-MWD-E on June 8, 2016 assessing \$7,491 in administrative penalties with \$1,498 deferred. Information concerning any aspect of this order may be obtained by contacting Farhad Abbaszadeh, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Liberty Tire Recycling, LLC, Docket No. 2015-1470-MSW-E on June 8, 2016 assessing \$22,500 in administrative penalties with \$4,500 deferred. Information concerning any aspect of this order may be obtained by contacting Holly Kneisley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding MOORE STATION WATER SUPPLY CORPORATION, Docket No. 2015-1608-PWS-E on June 8, 2016 assessing \$4,400 in administrative penalties. 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 Smurfit Kappa Orange County LLC, Docket No. 2015-1659-AIR-E on June 8, 2016 assessing \$25,790 in administrative penalties with \$5,158 deferred. Information concerning any aspect of this order may be obtained by contacting Amancio R. Gutierrez, 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 Spring Meadow Mobile Home Park, LLC, Docket No. 2015-1666-PWS-E on June 8, 2016 assessing \$240 in administrative penalties with \$240 deferred. Information concerning any aspect of this order may be obtained by contacting Amancio Gutierrez, Enforcement Coordinator at (512) 239-2545,

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

A default order was adopted regarding Lake Corpus Christi RV Park & Marina, L.L.C., Docket No. 2015-1670-PWS-E on June 8, 2016 assessing \$765 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 Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park, Docket No. 2015-1680-PWS-E on June 8, 2016 assessing \$750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Sansom Park, Docket No. 2015-1720-PWS -E on June 8, 2016 assessing \$321 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.

TRD-201602889  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: June 8, 2016



#### Notice of Correction to Agreed Order Number 10

In the December 4, 2015, issue of the *Texas Register* (40 TexReg 8823), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically item Number 10, for Warren Alkek dba Fastop 6. The error is as submitted by the commission.

The reference to 30 TAC §290.45 should be corrected to read: 30 TAC §290.45(d)(2)(B)(ii) and (iii).

For questions concerning this error, please contact Melissa Cordell at (512) 239-2483.

TRD-201602867  
Kathleen C. Decker  
Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: June 7, 2016



#### Notice of District Petition

Notice issued May 25, 2016

TCEQ Internal Control No. D-02082016-005; Fulshear Investments, Inc. and Fulshear Equine, LLC (Petitioners) filed a petition for creation of Fort Bend County Municipal Utility District No. 174 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners holds title to a majority in value of the land to be included in the proposed District; (2) there are three lienholders, Amegy Bank National Association, Fulshear Investments, Inc., and Cadence Bank, N.A., on the property to be included in the proposed District and the before mentioned entities

have consented to the petition; (3) the proposed District will contain approximately 270.482 acres located within Fort Bend County, Texas; and (4) the proposed District is within the corporate limits of the City of Fulshear, Texas, and no portion of land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any other city, town or village in Texas. By Ordinance No. 2016-1210, passed, approved, and adopted January 5, 2016, the City of Fulshear gave its consent to the creation of the proposed District, pursuant to Texas Water Code §54.016. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners, from the information available at this time, that the cost of said project will be approximately \$26,760,000 (\$20,745,000 for utilities plus \$4,300,000 for road projects plus \$1,715,000 for park and recreational facilities).

#### INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at [www.tceq.texas.gov/comm\\_exec/cc/pub\\_notice.html](http://www.tceq.texas.gov/comm_exec/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

Issued in Austin, Texas on June 7, 2016

TRD-201602879

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 8, 2016



#### Notice of Hearing

Southstar at Vintage Oaks, LLC

SOAH Docket No. 582-16-4418

TCEQ Docket No. 2016-0229-MWD

Permit No. WQ0015320001

#### APPLICATION.

SouthStar at Vintage Oaks, LLC, 1114 Lost Creek Boulevard, Suite 270, Austin, Texas 78746, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new TCEQ Permit No. WQ0015320001, to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 130,000 gallons per day via surface irrigation of 40 acres of public access open areas with trails. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on December 3, 2014.

The wastewater treatment facility and disposal site will be located in the Vintage Oaks at the Vineyard subdivision, 0.2 mile east of the intersection of Vintage Way and State Highway 46, partially within the City of New Braunfels's extraterritorial jurisdiction, in Comal County, Texas 78132. The wastewater treatment facility and disposal site will be located in the drainage basin of Dry Comal Creek in Segment No. 1811 of the Guadalupe River Basin.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the New Braunfels Public Library, 700 Common Street, New Braunfels, 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=29.77114&lng=-98.2618&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. - July 18, 2016

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on May 18, 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 SouthStar at Vintage Oaks, LLC at the address stated above or by calling Ms. Jamie Miller, P.E., Integrated Water Services, at (303) 993-3713.

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

Issued: June 3, 2016

TRD-201602883

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 8, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **July 18, 2016**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on July 18, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Fuel Centers Environmental Management, LLC dba Tetco 734; DOCKET NUMBER: 2015-0850-PST-E; TCEQ ID NUMBER: RN102717816; LOCATION: 1800 K Avenue, Plano, Collin County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system;

and 30 TAC §334.602(a), by failing to designate, train, and certify at least one individual for each class of operator - Class A, B, and C - at the facility; PENALTY: \$5,129; STAFF ATTORNEY: Jake Marx, Litigation Division, MC 175, (512) 239-5111; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: Jim Lampman and Teresa Lampman; DOCKET NUMBER: 2015-0757-WR-E; TCEQ ID NUMBER: RN104808902; LOCATION: directly south of Farm-to-Market Road 587 between county roads 461 and 459 (Nathaniel Green Survey 9, Abstract 388), Comanche County; TYPE OF FACILITY: real property; RULE VIOLATED: TWC, §11.031(a), by failing to submit to the TCEQ by March 1, 2014, the Annual Water Use Report (WUR) associated with Certificate of Adjudication (ADJ) Number 12-3544 for the calendar year 2013; and TWC, §11.031(a), by failing to submit to the TCEQ by March 1, 2015, the Annual WUR associated with ADJ Number 12-3544 for the calendar year 2014; PENALTY: \$399; STAFF ATTORNEY: Jim Sallans, Litigation Division, MC 175, (512) 239-2053; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(3) COMPANY: OLSEN ESTATES PROPERTY OWNER'S ASSOCIATION; DOCKET NUMBER: 2014-1682-PWS-E; TCEQ ID NUMBER: RN101255057; LOCATION: 15303 Interstate Highway 10 East near Baytown, Chambers County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.41(c)(3)(N), by failing to provide a flow measuring device for each well to measure production yields and provide for the accumulation of water production data; Texas Health and Safety Code (THSC), §341.0315(c) and 30 TAC §290.45(b)(1)(C)(ii), by failing to provide a total storage capacity of 200 gallons per connection; and THSC, §341.0315(c) and 30 TAC §290.45(b)(1)(C)(iii), by failing to provide two or more service pumps having a total capacity of 2.0 gallons per minute per connection; PENALTY: \$918; STAFF ATTORNEY: Jake Marx, Litigation Division, MC 175, (512) 239-5111; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: Saeb Kutob dba ARP Food Store; DOCKET NUMBER: 2015-1245-PST-E; TCEQ ID NUMBER: RN105187041; LOCATION: 111 South Main Street, Arp, Smith County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the UST for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$9,000; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(5) COMPANY: TEMPLE FUEL INC. dba Nugent Food Mart; DOCKET NUMBER: 2015-0880-PST-E; TCEQ ID NUMBER: RN101672186; LOCATION: 1307 North General Bruce Drive, Temple, Bell County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$6,750; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

TRD-201602865



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **July 18, 2016**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on July 18, 2016**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Geronimo Casabon; DOCKET NUMBER: 2015-0605-LII-E; TCEQ ID NUMBER: RN107206658; LOCATION: 1700 Burton Drive, Austin, Travis County; TYPE OF FACILITY: landscape irrigator; RULES VIOLATED: TWC, §37.003 and 30 TAC §30.5(b), by advertising or representing himself to the public as a holder of a license or registration without possessing a license or current registration or employing an individual who holds a current license or registration; PENALTY: \$262; STAFF ATTORNEY: Jim Sallans, Litigation Division, MC 175, (512) 239-2053; REGIONAL OFFICE: Austin Regional Office, 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(2) COMPANY: Juan Castro; DOCKET NUMBER: 2015-1454-MSW-E; TCEQ ID NUMBER: RN106035553; LOCATION: 29289 Orange Grove Road, La Feria, Cameron County; TYPE OF FACILITY: unauthorized used oil collection and storage facility; RULES VIOLATED: Texas Health and Safety Code, §371.041, 30 TAC §324.4(1), 40 CFR §279.22(d), and TCEQ AO Docket Number 2011-0054-MSW-E, Ordering Provision Number 2.c.i., by failing to

prevent the storage of used oil in a manner that endangers the public health or environment and by failing to perform response action upon detection of a release of used oil; and 30 TAC §324.1, 40 CFR §279.22(c)(1), and TCEQ AO Docket Number 2011-0054-MSW-E, Ordering Provision Number 2.c.ii., by failing to mark or clearly label used oil storage containers with the words Used Oil; PENALTY: \$10,500; STAFF ATTORNEY: Jacquelyn Boutwell, Litigation Division, MC 175, (512) 239-5846; REGIONAL OFFICE: Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(3) COMPANY: William E. Vlasek dba Village West Water System; DOCKET NUMBER: 2015-1187-PWS-E; TCEQ ID NUMBER: RN101189660; LOCATION: corner of Industrial and Cotton Gin Lane, near Ingram, Kerr County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC, §290.41(c)(3)(O) and §290.43(e), by failing to provide an intruder-resistant fence or well house around the well unit, portable water storage tanks, and pressure maintenance facilities that remains locked during periods of darkness and when the facility is unattended; 30 TAC §290.42(l), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.121(a) and (b), by failing to develop, maintain, and make available for the executive director's review upon request an accurate and 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 §290.109(c)(1)(A), by failing to collect routine distribution coliform samples at active service connections which are representative of water quality throughout the distribution system; 30 TAC §290.110(c)(4)(A), by failing to monitor the disinfectant residual at representative locations throughout the distribution system at least once every seven days; 30 TAC §290.46(j), by failing to complete a customer service inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross connections or other potential contamination hazards exist; 30 TAC §290.46(n)(1), by failing to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank at the facility; 30 TAC §290.46(n)(3), by failing to maintain copies of well completion data such as well material setting data, geological log, sealing information (pressure cementing and surface protection), disinfection information, microbiological sample results, and a chemical analysis report of a representative sample of water from the well; and TWC, §5.702 and 30 TAC §291.76, by failing to pay regulatory assessment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 11570 for calendar year 2014; PENALTY: \$467; STAFF ATTORNEY: Jacquelyn Boutwell, Litigation Division, MC 175, (512) 239-5846; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-201602866

Kathleen C. Decker  
Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: June 7, 2016



### Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of

Nasser Farahnakian DBA Sunrise Food Mart

SOAH Docket No. 582-16-4538

TCEQ Docket No. 2015-1773-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. - July 7, 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 March 31, 2016, concerning assessing administrative penalties against and requiring certain actions of Nasser Farahnakian dba Sunrise Food Mart, for violations in Nueces County, Texas, of: Tex. Water Code §26.3475(c)(1) and 30 Tex. Admin. Code §§334.50(b)(1)(A), 334.72 and 334.74.

The hearing will allow Nasser Farahnakian dba Sunrise Food 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 Nasser Farahnakian dba Sunrise Food 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 **Nasser Farahnakian dba Sunrise Food 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. Nasser Farahnakian dba Sunrise Food 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 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 Tracy Chandler, 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: June 7, 2016

TRD-201602882

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 8, 2016



### Notice of Public Meeting for a Proposed Beneficial Use Site Registration Number 711020

An application for a proposed beneficial use site registration number 711020 for:

Applicant and Landowner: Harrington Environmental Services, LLC

1632 Royalwood Circle

Joshua, Texas 76058

Type of Operation: Beneficial land application of domestic septage products only.

Location of Site: The site is located at 7501 County Road 1009, Godley, in Johnson County, Texas 76044. This web address 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=32.439444&lng=-97.48138&zoom=13&type=r>

Remarks: The applicant is seeking authorization to land apply domestic septage at agronomic rates on approximately 64.82 acres.

The application is subject to technical evaluation by the staff of the TCEQ. Persons should be advised that the application is subject to change based on evaluations of the proposed treatment levels, treatment processes and site specific conditions as they relate to the protection of the environment and public health.

**PUBLIC COMMENT/PUBLIC MEETING.** 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 registration application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the registration 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 registration application, members of the public may state their formal comments orally into the official record. All formal comments will be considered before a decision is reached on the registration application.

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

**Thursday, June 30, 2016, at 7:00 p.m.**

**Joshua ISD Community Room**

**907 South Broadway**

**Joshua, Texas 76058**

**INFORMATION.** Citizens are encouraged to submit written comments anytime during the meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at [www.tceq.texas.gov/about/comments.html](http://www.tceq.texas.gov/about/comments.html). If you need more information about the registration application or the registration process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. *Si desea información en español, puede llamar (800) 687-4040.* General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

The TCEQ mailed a copy of the application for registration to the Johnson County Judge for viewing by interested parties. For further information concerning this application, you may contact the authorized person to act for the applicant, Ms. Elizabeth Andaverde, Source Environmental Sciences, Inc., at (713) 621-4474.

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

Issued: June 7, 2016

TRD-201602881

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 8, 2016



### Notice of Water Quality Application

The following notice was issued on May 26, 2016. The following does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin Texas 78711-3087 WITHIN (30) DAYS OF THE ISSUED DATE OF THE NOTICE.

#### INFORMATION SECTION

THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) has initiated a minor amendment of Texas Land Application Permit No. WQ0014750001 issued to Cal Farley's Boys Ranch, to update the treatment process and disposal description and specifications. The existing permit authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 100,000 gallons per day via surface irrigation of 56 acres of non-public access pasture land. This permit will not authorize a discharge of pollutants into water in the state. The wastewater treatment facility and disposal site are located approximately 0.2 mile north and 1.6 miles east of the intersection of U.S. Highway 385 and Spur 233, in Oldham County, Texas 79010. The wastewater treatment facility and disposal site are located in the drainage basin of the Canadian River in Segment No. 0103 of the Canadian River Basin.

If you need more information about these permit applications or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. General information about the TCEQ can be found at our web site at [www.TCEQ.texas.gov](http://www.TCEQ.texas.gov). *Si desea información en español, puede llamar al (800) 687-4040.*

TRD-201602887

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 8, 2016



### Notice of Water Rights Application

Notices issued May 24, 2016 through May 26, 2016

APPLICATION NO. 14-1823D; Bill Doyle and Sandra Doyle, 9451 Turkey Barn Lane, Menard, Texas 76859, Applicants, have applied to amend their portion of Certificate of Adjudication No. 14-1823 to add a downstream diversion point on the San Saba River, Colorado River Basin in Menard County. Applicants do not seek to increase the diversion rate. The application and fees were received on December 21, 2013. Additional information and fees were received on August 11, 2014 and October 2, 2014. The application was declared administratively complete and filed with the Office of the Chief Clerk October, 16, 2014. The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to, the installation of screens on the diversion structure. The application, technical memoranda, and Executive Director's draft amendment are available for reviewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F, Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by June 10, 2016.

APPLICATION NO. 19-2178D; Mike D. Doguet, Lisa Doguet, Robert D. Frankfather, and Tobi J.V. Frankfather, 2055 Diamond D Drive, Beaumont, Texas 77713, Applicants, seek to amend Certificate of Adjudication No. 19-2178 to divert authorized water from a diversion reach on the San Antonio River, San Antonio River Basin for storage in off-channel reservoirs for subsequent diversion and use for mining purposes in those portions of Wilson and Karnes Counties partially within the San Antonio and Nueces River Basins. The application was received on February 5, 2015. Additional information and fees were received on August 19, August 24, September 10, and December 29, 2015; January 7, and 25, and February 2, 4, 8, 11, 18, and 23, and March 18, 2016. The application was declared administratively complete and filed with the Office of the Chief Clerk on April 11, 2016. The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to, requiring the Owner to account for the quantity of water diverted. The application, technical memoranda, and Executive Director's draft amendment are available for viewing and copying at the Office of the Chief Clerk, 12100 Park 35 Circle, Bldg. F, Austin, Texas 78753. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by June 13, 2016.

#### INFORMATION SECTION

To view the complete issued notice, view the notice on our web site at [www.tceq.texas.gov/comm\\_exec/cc/pub\\_notice.html](http://www.tceq.texas.gov/comm_exec/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

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

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

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

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

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

Issued in Austin, Texas on June 7, 2016

TRD-201602880

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 8, 2016



## Texas Facilities Commission

### Request for Proposals #303-7-20566

The Texas Facilities Commission (TFC), on behalf of the Department of Family and Protective Services (DFPS), the Department of State Health Services (DSHS), and the Department of Aging and Disability Services (DADS), announces the issuance of Request for Proposals (RFP) #303-7-20566. TFC seeks a five (5) or ten (10) year lease of approximately 8,476 square feet of office space in Lewisville, Texas.

The deadline for questions is June 27, 2016 and the deadline for proposals is July 15, 2016 at 3:00 p.m. The award date is August 17, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at [http://esbd.cpa.state.tx.us/bid\\_show.cfm?bidid=124785](http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=124785).

TRD-201602878

Kay Molina

General Counsel

Texas Facilities Commission

Filed: June 7, 2016



## General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 Federal Register pp. 1439 - 1440). Under federal law, federal agency activities and actions affect-

ing the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of May 31, 2016, through June 3, 2016. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, June 10, 2016. The public comment period for this project will close at 5:00 p.m. on Saturday, July 9, 2016.

#### FEDERAL AGENCY ACTIONS:

**Applicant:** BHP Billiton Petroleum (Deepwater) Inc. - Bureau of Ocean Energy Management (BOEM)

**Location:** Outer Continental Shelf, Alaminos Canyon Area Blocks 82, 83, 125, and 126

**Project Description:** BHP Billiton Petroleum (Deepwater) Inc. (BHPB) has submitted to BOEM an Initial Exploration Plan for Alaminos Canyon Area Blocks 82, 83, 125, and 126. (Leases OCS-G 35753, 35754, 35744, 35756). Under this plan, BHPB is proposing to drill and mudline suspend thirteen (13) wells in the Alaminos Canyon Area, Blocks 82, 83, 125, and 126. BHPB proposes to commence drilling operations by October 1, 2016.

**CMP Project No:** 16-1331-F4

**Type of Application:** OCS Plan

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

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

TRD-201602897

Anne L. Idsal

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: June 8, 2016



## Texas Health and Human Services Commission

### Notice of Public Hearing on Health and Human Services Commission Strategic Plan 2017 - 2021

#### CORRECTED TIME ZONE

**Hearing.** The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on **Friday, June 17, 2016, at 1:00 p.m., Central Daylight Time.** HHSC, Department of State Health Services (DSHS), Department of Family and Protective Services (DFPS), Department of Assistive and Rehabilitative Services, and Department of Aging and Disability Services will conduct a public hearing to receive stakeholder input for the health and human services strategic plan for 2017 - 2021. HHSC, DFPS, and DSHS will each develop strategic

plans, and HHSC will develop a Coordinated Strategic Plan covering all five health and human services agencies.

1. Welcome and introductions
2. Public comment
3. Adjourn

The public hearing will be held in the Public Hearing Room of the Brown-Heatly Building, located at 4900 North Lamar Blvd., Austin, Texas. Entry is through Security at the south entrance to the building. Persons requiring Americans with Disability Act (ADA) accommodation or auxiliary aids or services should contact Strategic Planning Unit at (512) 206-5802 at least 72 hours prior to the hearing so appropriate arrangements can be made.

**In-Person and Telephone Testimony.** Public testimony will be taken in person at the meeting as well as via telephone. Every person wishing to testify at the hearing will be required to register at the meeting. Every person wishing to testify via telephone must submit an e-mail to [strategicplancomments@hhsc.state.tx.us](mailto:strategicplancomments@hhsc.state.tx.us) no later than 1:00 p.m. CST on Friday, June 17, 2016; the e-mail must include the person's name, a telephone number where he or she can be reached, and a statement requesting to submit oral testimony via telephone. Testimony will first be taken from all persons present at the meeting and will be followed by testimony submitted via telephone. Call-in: 1-877-226-9790; Access Code: 5950374.

**Written Comments.** Written comments will be taken until 5:00 p.m. on Friday, June 17, 2016. Comments may be submitted to [strategicplancomments@hhsc.state.tx.us](mailto:strategicplancomments@hhsc.state.tx.us).

**Contact:** Questions regarding agenda items, content, or meeting arrangements should be directed to Mathilde Hyams-Flores in the Strategic Planning Unit, HHSC, (512) 206-5802 or [strategicplancomments@hhsc.state.tx.us](mailto:strategicplancomments@hhsc.state.tx.us).

TRD-201602845

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 3, 2016

## Texas Department of Housing and Community Affairs

### Notice of Public Hearing

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the Skyline Branch Library, 6006 Everglade Road, Dallas, Texas 75227 at 6:00 p.m. on July 5, 2016. The hearing is regarding an issue of tax-exempt multifamily residential rental development revenue bonds in an aggregate principal amount not to exceed \$19,000,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The proceeds of the Bonds will be loaned to Dalcour Skyline, Ltd., a Texas limited partnership, or a related person or affiliate thereof (the "Borrower"), to finance a portion of the costs of acquiring and rehabilitating a multifamily housing development. The housing development is described as follows: an approximately 318-unit multifamily housing development located at 4700 Wimbleton Way, Dallas, Texas 75227 (the "Development"). Upon the issuance of the Bonds, the Development will be owned by the Borrower.

All interested parties are invited to attend such public hearing to express their views with respect to the Development and the issuance

of the Bonds. Questions or requests for additional information may be directed to Shannon Roth at the Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941; (512) 475-3929; and/or [shannon.roth@tdhca.state.tx.us](mailto:shannon.roth@tdhca.state.tx.us).

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

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

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

TRD-201602900

Timothy K. Irvine

Executive Director

Texas Department of Housing and Community Affairs

Filed: June 8, 2016

### Notice of Public Hearing and Public Comment Period on the Draft 2017 Regional Allocation Formula Methodology

The Texas Department of Housing and Community Affairs ("the Department") will hold a public hearing to accept public comment on the Draft 2017 Regional Allocation Formula ("RAF") Methodology.

The public hearing will take place as follows:

Wednesday, June 29, 2016

3:00 p.m. Austin local time

Stephen F. Austin Building

1700 North Congress Avenue, Room 170

Austin, Texas 78701

The RAF utilizes appropriate statistical data to measure the affordable housing need and available resources in the 13 State Service Regions that are used for planning purposes. The RAF also allocates funding to rural and urban areas within each region. The Department has flexibility in determining variables to be used in the RAF, per §2306.1115(a)(3) of the Texas Governing Code, "the department shall develop a formula that... includes other factors determined by the department to be relevant to the equitable distribution of housing funds." The RAF is revised annually to reflect current data, respond to public comment, and better assess regional housing needs and available resources.

The Single Family HOME Investment Partnerships Program ("HOME"), Multifamily HOME, Housing Tax Credit ("HTC") and Housing Trust Fund ("HTF") program RAFs each use slightly different formulas because the programs have different eligible activities, households, and geographical service areas. For example, §2306.111(c) of the Texas Government Code requires that 95% of HOME funding be set aside for non-participating jurisdictions ("non-PJs"). Therefore,

the Single Family and Multifamily HOME RAFs only use need and available resource data for non-PJs.

Both the Multifamily and Single Family RAF methodologies explain the use of factors, in keeping with the statutory requirements, which include the need for housing assistance, the availability of housing resources, and other factors relevant to the equitable distribution of housing funds in urban and rural areas of the state.

The public comment period for the Draft 2017 RAF methodology will be open from Friday, June 17, 2016, through Friday July 1, 2016, at 6:00 p.m. Austin local time. Anyone may submit comments on the Draft 2017 RAF Methodology in written form or oral testimony at the June 29, 2016, public hearing. Written comments concerning the Draft 2017 RAF Methodology 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 e-mail to [info@tdhca.state.tx.us](mailto:info@tdhca.state.tx.us), or by fax to (512) 475-0070. Comments must be received no later than Friday July 1, 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 1-800-735-2989 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 e-mail at [elana.peinado@tdhca.state.tx.us](mailto:elana.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 [elana.peinado@tdhca.state.tx.us](mailto:elana.peinado@tdhca.state.tx.us) por lo menos tres días antes de la junta para hacer los preparativos apropiados.*

TRD-201602864  
Timothy K. Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
Filed: June 7, 2016



## Release of the Notice of Funding Availability (NOFA) for the Texas Neighborhood Stabilization Program - Program Income

### I. Source of Funds.

The Texas Department of Housing and Community Affairs' "Texas Neighborhood Stabilization Program - Program Income" ("NSP1-PI") originates from the Housing and Economic Recovery Act of 2008, which authorized the Neighborhood Stabilization Program ("NSP") funds as an adjunct to the U.S. Department of Housing & Urban Development's Community Development Block Grant Program. The NSP redevelops abandoned and foreclosed residential properties.

### II. Notice of Funding Availability Summary.

The Texas Department of Housing and Community Affairs ("TDHCA") announces the availability of approximately \$5,000,000 through the ("NSP1-PI") NOFA for a Homebuyer Assistance Program. On June 30, 2016, at 10:00 a.m. Austin Local Time, the funds will be available for reservation on the Department's online Reservation System on a first-come, first-served basis by eligible Applicants. If additional funding becomes available from loan payments and/or other sources, the Department may add additional funds to this NOFA.

The Department will begin accepting Applications to access the Reservation System starting on Monday, June 20, 2016, and will continue to

grant access on an ongoing basis until all NSP1 HBA Program funds are reserved, or December 29, 2017, at 5:00 p.m. Austin Local Time, whichever is earlier.

Eligible Applicants are Developers as defined under NSP Notices that demonstrate existing ownership or control of Land Bank properties. Funding reservations under this NOFA are only available for Land Bank properties associated with the Department's NSP1 Program. These properties must be currently pending construction activities for the final eligible use of homeownership.

Homebuyer Assistance is available to low- to medium-income households (less than 120% of the Area Median Family Income for household size) for purchasing Land Bank properties in accordance to this NOFA and the NSP Technical Guide. Homebuyer Assistance may be utilized for reasonable closing costs, down payment assistance not to exceed 50% of the required down payment by the lender, principal reductions, and gap financing.

### III. Additional Information.

The NSP1-PI NOFA is posted on the Department's website at <http://www.tdhca.state.tx.us/nsp/index.htm>.

Questions regarding the NSP NOFA may be addressed to Homero Cabello, Director of Single Family Operations and Services, at (512) 475-2118 or [homero.cabello@tdhca.state.tx.us](mailto:homero.cabello@tdhca.state.tx.us).

TRD-201602869  
Timothy K. Irvine  
Executive Director  
Texas Department of Housing and Community Affairs  
Filed: June 7, 2016



## Texas Department of Insurance

### Company Licensing

Application for incorporation in the state of Texas by ENVOLVE DENTAL OF TEXAS, INC., a domestic Health Maintenance Organization. The home office is in Austin, Texas.

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

TRD-201602888  
Norma Garcia  
General Counsel  
Texas Department of Insurance  
Filed: June 8, 2016



### Correction of Error

The Texas Department of Insurance adopted amendments to 28 TAC §§21.4501 - 21.4507, concerning health care reimbursement rate information, in the June 3, 2016, issue of the *Texas Register* (41 TexReg 4027). An error appears on page 4034, first column, in §21.4503(15). The phrase "paragraph (17) of this section" should be "§3.3503(17) of this title." The corrected paragraph reads as follows:

"(15) Primary Plan--As defined in §3.3503(17) of this title."

TRD-201602895



## Texas Lottery Commission

Scratch Ticket Game Number 1772 "Cash 2 Go"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1772 is "CASH 2 GO". The play style is "key symbol match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1772 shall be \$1.00 per Ticket.

1.2 Definitions in Scratch Ticket Game No. 1772.

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: VAULT SYMBOL, HAT SYMBOL, MONEYBAG SYMBOL, STACK OF COINS SYMBOL, GOLD BAR SYMBOL, GREEN LIGHT SYMBOL, MOTORCYCLE SYMBOL, PIGGYBANK SYMBOL, TREASURE CHEST SYMBOL, RACE FLAG SYMBOL, WALLET SYMBOL, CAR SYMBOL, \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$20.00, \$50.00 and \$500.

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. 1772 - 1.2D

PLAY SYMBOL	CAPTION
VAULT SYMBOL	VAULT
HAT SYMBOL	HAT
MONEYBAG SYMBOL	MNYBAG
STACK OF COINS SYMBOL	COINS
GOLD BAR SYMBOL	GOLD
GREEN LIGHT SYMBOL	GRNLITE
MOTORCYCLE SYMBOL	CYCLE
PIGGYBANK SYMBOL	BANK
TREASURE CHEST SYMBOL	TRSURE
RACE FLAG SYMBOL	FLAG
WALLET SYMBOL	WALLET
CAR SYMBOL	CAR
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$4.00	FOR\$
\$5.00	FIV\$
\$6.00	SIX\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$500	FVHN

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

F. Low-Tier Prize - A prize of \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$50.00 or \$500.

H. 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.

I. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1772), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 150 within each Pack. The format will be: 1772-0000001-001.

J. Pack - A Pack of the "CASH 2 GO" Scratch Ticket Game contains 150 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of five (5). Tickets 001 to 005 will be on the top page; Tickets 006 to 010 on the next page; etc.; and Tickets 146 to 150 will be on the last page. All Tickets will be tightly shrink-wrapped. There will be no break between Tickets in a Pack.

K. 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.

L. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CASH 2 GO" Scratch Ticket Game No. 1772.

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 "CASH 2 GO" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 10 (ten) Play Symbols. If a player matches any of YOUR SYMBOLS to the WINNING SYMBOL, the player wins the PRIZE. 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 10 (ten) 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 10 (ten) 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 10 (ten) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 10 (ten) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

#### 2.2 Programmed Game Parameters.

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

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

C. A Ticket can win up to one (1) time.

D. On winning Tickets, only one (1) YOUR SYMBOLS Play Symbol will match the WINNING SYMBOL Play Symbol.

E. All YOUR SYMBOLS Play Symbols will be different (i.e., no matching Play Symbols).

F. This Ticket consists of nine (9) Play Symbols and one (1) Prize Symbol.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "CASH 2 GO" Scratch Ticket Game prize of \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$20.00, \$50.00 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 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. As an alternative method of claiming a "CASH 2 GO" 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.

C. 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.

D. 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 "CASH 2 GO" 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 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.

2.7 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 11,160,000 Scratch Tickets in Scratch Ticket Game No. 1772. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1772 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$1	1,202,800	9.28
\$2	905,200	12.33
\$3	161,200	69.23
\$4	99,200	112.50
\$5	124,000	90.00
\$6	161,200	69.23
\$10	49,600	225.00
\$20	24,800	450.00
\$50	4,340	2,571.43
\$500	12	930,000.00

\*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 4.08. 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. 1772 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. 1772, 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-201602870  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: June 7, 2016



Scratch Ticket Game Number 1801 "Texas Loteria"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1801 is "TEXAS LOTERIA". The play style is "row/column/diagonal".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1801 shall be \$3.00 per Ticket.

1.2 Definitions in Scratch Ticket Game No. 1801.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: THE MOCKINGBIRD SYMBOL, THE CACTUS SYMBOL, THE BOWL SYMBOL, THE ROADRUNNER SYMBOL, THE BAT SYMBOL, THE PIÑATA SYMBOL, THE COWBOY SYMBOL, THE NEWSPAPER SYMBOL, THE SUNSET SYMBOL, THE COWBOY HAT SYMBOL, THE COVERED WAGON SYMBOL, THE MARACAS SYMBOL, THE LONESTAR SYMBOL, THE CORN SYMBOL, THE HEN SYMBOL, THE SPEAR SYMBOL, THE GUITAR SYMBOL, THE FIRE SYMBOL, THE MORTAR PESTLE SYMBOL, THE WHEEL SYMBOL, THE PECAN TREE SYMBOL, THE JACKRABBIT SYMBOL, THE BOAR SYMBOL, THE ARMADILLO SYMBOL, THE LIZARD SYMBOL, THE CHILI PEPPER SYMBOL, THE HORSESHOE SYMBOL, THE HORSE SYMBOL, THE SHOES SYMBOL, THE BLUEBONNET SYMBOL, THE CHERRIES SYMBOL, THE OIL RIG SYMBOL, THE MOONRISE SYMBOL, THE RATTLESNAKE SYMBOL, THE WINDMILL SYMBOL, THE SPUR SYMBOL AND THE SADDLE SYMBOL.

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

Figure 1: GAME NO. 1801 - 1.2D

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

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

F. Low-Tier Prize - A prize of \$3.00, \$4.00, \$7.00, \$10.00, \$17.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$30.00, \$33.00, \$50.00, \$80.00 or \$300.

H. High-Tier Prize - A prize of \$3,000 or \$50,000.

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

J. Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1801), 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: 1801-0000001-001.

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

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

M. Scratch Game Ticket, Scratch Ticket or Ticket - Texas Lottery "TEXAS LOTERIA" Scratch Ticket Game No. 1801.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule §401.302, Instant Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "TEXAS LOTERIA" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 30 (thirty) Play Symbols. The player scratches the CALLER'S CARD area to reveal 14 symbols.

The player scratches only the symbols on the PLAY BOARD that match the symbols revealed on the CALLER'S CARD. If the player reveals a complete row, column or diagonal line, the player wins the prize for that line. El jugador raspa las CARTA DEL GRITON para revelar 14 símbolos. El jugador raspa SOLAMENTE los símbolos en la TABLA DE JUEGO que son iguales a los símbolos revelados en las CARTA DEL GRITON para revelar una línea completa horizontal, vertical o diagonal para ganar el premio para esa línea. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

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

1. Exactly 30 (thirty) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;

3. Each of the Play Symbols must be present in its entirety and be fully legible;

4. Each of the Play Symbols must be printed in black ink except for dual image games;

5. The Scratch Ticket shall be intact;

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

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

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

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

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

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

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

13. The Scratch Ticket must be complete and not miscut and have exactly 30 (thirty) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

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

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

16. Each of the 30 (thirty) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

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

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

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

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

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability

of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

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

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

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

D. On non-winning tickets, there will be at least one (1) near win. A near win is defined as matching three (3) of the four (4) Play Symbols to the CALLER'S CARD play area for a given row, column or diagonal.

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

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

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

## 2.3 Procedure for Claiming Prizes.

A. To claim a "TEXAS LOTERIA" Scratch Ticket Game prize of \$3.00, \$4.00, \$7.00, \$10.00, \$17.00, \$20.00, \$30.00, \$33.00, \$50.00, \$80.00 or \$300, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$30.00, \$33.00, \$50.00, \$80.00 or \$300 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "TEXAS LOTERIA" Scratch Ticket Game prize of \$3,000 or \$50,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "TEXAS LOTERIA" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas

Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.0 Scratch Ticket Ownership.

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

Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

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

4.0 Number and Value of Scratch Prizes. There will be approximately 20,400,000 Scratch Tickets in Scratch Ticket Game No. 1801. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1801 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3	2,312,000	8.82
\$4	1,088,00	18.75
\$7	680,000	30.00
\$10	340,000	60.00
\$17	272,000	75.00
\$20	272,000	75.00
\$30	68,000	300.00
\$33	68,000	300.00
\$50	25,500	800.00
\$80	12,580	1,621.62
\$300	8,840	2,307.69
\$3,000	290	70,344.83
\$50,000	14	1,457,142.86

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

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

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1801 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. 1801, 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-201602871  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: June 7, 2016

◆ ◆ ◆  
**Texas Medical Board**

Correction of Error

The Texas Medical Board proposed to review 22 TAC Chapter 168 in the April 15, 2016, issue of the *Texas Register* (41 TexReg 2779). In the first sentence of the rule review notice, the section number "161.2" should be "168.2". The corrected sentence reads as follows:

"The Texas Medical Board proposes to review Chapter 168, Criminal History Evaluation Letters, §168.1 and §168.2, pursuant to the Texas Government Code, §2001.039."

TRD-201602891

◆ ◆ ◆  
**Public Utility Commission of Texas**

**Announcement of Application for Amendment to a State-Issued Certificate of Franchise Authority**

The Public Utility Commission of Texas (commission) received an application on May 31, 2016, to amend a state-issued certificate of franchise authority, pursuant to Public Utility Regulatory Act §§66.001 - 66.016.

Project Title and Number: Application of Friendship Cable of Texas, Inc. dba Suddenlink Communications for Amendment to its State-Issued Certificate of Franchise Authority, Project Number 46004.

The requested amendment is to expand the service area footprint to include the municipal boundaries of Frisco, Texas.

Information on the application may be obtained by contacting the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Project Number 46004.

TRD-201602814

Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 2, 2016

◆ ◆ ◆  
**Announcement of Application for Amendment to a State-Issued Certificate of Franchise Authority**

The Public Utility Commission of Texas (commission) received an application on June 1, 2016, to amend a state-issued certificate of franchise authority (SICFA), pursuant to Public Utility Regulatory Act §§66.001 - 66.016.

Project Title and Number: Application of Time Warner Cable Texas LLC for Amendment to a State-Issued Certificate of Franchise Authority For Name Change and Transfer of Ownership, Project Number 46020.

Application: The application seeks an amendment to Time Warner Cable Texas LLC's SICFA No. 90008 to reflect a transfer in ownership and a name change. As of May 18, 2016, Time Warner became an indirect, wholly-owned subsidiary of Charter Communications, Inc. Time Warner requests a name change to "Time Warner Cable Texas LLC d/b/a Time Warner Cable and/or Charter Communications." No change is requested to Time Warner's existing service area footprint.

Information on the application may be obtained by contacting the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Project Number 46020.

TRD-201602843

Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 3, 2016

◆ ◆ ◆  
**Announcement of Application for Amendment to a State-Issued Certificate of Franchise Authority**

The Public Utility Commission of Texas (commission) received an application on June 6, 2016, to amend a state-issued certificate of franchise authority, pursuant to Public Utility Regulatory Act §§66.001 - 66.016.

Project Title and Number: Application of Grande Communications Networks LLC for Amendment to its State-Issued Certificate of Franchise Authority, Project Number 46036.

The requested amendment is to expand the service area footprint to include the municipal boundaries of Roanoke, Texas.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Project Number 46036.

TRD-201602890

Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 8, 2016

◆ ◆ ◆  
**Announcement of Application for Amendment to a State-Issued Certificate of Franchise Authority**

The Public Utility Commission of Texas (commission) received an application on June 6, 2016, to amend a state-issued certificate of franchise authority, pursuant to Public Utility Regulatory Act §§66.001 - 66.016.

Project Title and Number: Application of Cable One, Inc. for Amendment to its State-Issued Certificate of Franchise Authority, Project Number 46038.

The requested amendment is to expand the service area footprint to include an area served in Grayson and Fanning Counties, Texas, as depicted on the maps attached to the application.

Information on the application may be obtained by contacting the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All inquiries should reference Project Number 46038.

TRD-201602892

Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 8, 2016

◆ ◆ ◆  
**Notice of Application for Sale, Transfer, or Merger**

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on May 31, 2016, pursuant to the Public Utility Regulatory Act, Texas Utilities Code Ann. §39.154 and §39.158.

Docket Style and Number: Application of Mariah del Norte Pursuant to §39.158 of the Public Utility Regulatory Act, Docket Number 46006.

The Application: On May 31, 2016, Mariah del Norte (Mariah) filed an application for approval of the issuance of passive equity interests (Class A interests) to MidAmerican Wind Tax Equity Holdings, LLC, Citicorp North America, Inc., and HSBC USA Inc. (collectively, Investors). The combined generation owned and controlled by Mariah its affiliates and Investors will equal approximately 1,198 MW, or approximately 1.3% of the installed capacity in ERCOT or capable delivery into ERCOT.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the Public Utility Commission of Texas as soon as possible as an intervention deadline will be imposed. A comment or request to intervene should be mailed to P.O. Box 13326, Austin, Texas 78711-3326. Further information may also be obtained by calling the Commission's Office of Customer Protection at (512) 936-7120 or (888) 782-8477. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All correspondence should refer to Docket Number 46006.

TRD-201602862  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 6, 2016



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

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

Docket Style and Number: Application of Crystal Springs Water Company, Inc. to Amend Certificates of Convenience and Necessity in Montgomery County, Docket Number 46009.

The Application: On May 31, 2016, Crystal Springs Water Company, Inc. filed an application to amend water CCN No. 11373 and sewer CCN No. 20782, adding approximately 121 acres of service area and 0 current customers.

Persons wishing to intervene or comment on the action sought should contact the commission by mail at P.O. Box 13326, Austin, Texas 78711-3326 or by phone at (512) 936-7120 or toll-free at (888) 782-8477. A deadline for intervention in this proceeding will be established. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46009.

TRD-201602844  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 3, 2016



#### Notice of Petition for Adjustment to Support from Universal Service Plan

Notice is given to the public of a petition filed with the Public Utility Commission of Texas (commission) on June 3, 2016.

Docket Style and Number: Annual Adjustment to Support the Small and Rural Incumbent Local Exchange Company Universal Service Plan Pursuant to Public Utility Regulatory Act §56.032(d), Docket Number 45809.

The Application: The commission staff filed a petition for adjustment to support the Small and Rural Incumbent Local Exchange Company Universal Service Plan (the plan) to small and rural incumbent local exchange companies (SRILECs) pursuant to Public Utility Regulatory Act §56.032.

In *Adjustments to Support from the Small and Rural Incumbent Local Exchange Company Universal Service Plan Pursuant to PURA §56.032*, Docket Number 39643, Order (October 3, 2011), the commission established a procedure for calculation of the initial monthly support amounts from the plan. This docket is an annual update to the amounts established in Docket Number 39643 and the petition updates the amount of support for eligible SRILECs for the 12-month period following the 12-month period established in Docket Number 44489.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. The deadline to file comments and the deadline to request to intervene is July 15, 2016. All correspondence should refer to Docket Number 45809.

TRD-201602861  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 6, 2016



#### Rulemaking Regarding Emergency Response Service Request for Comment

In response to certain questions raised by the commissioners at the May 4, 2016, Open Meeting, commission staff has initiated a rulemaking proceeding to examine whether changes should be made to 16 Texas Administrative Code §25.507, relating to Electric Reliability Council of Texas (ERCOT) Emergency Response Service (ERS). Staff invites interested parties to comment in response to the following questions. Comments may be filed by submitting 16 copies to the commission's Filing Clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326 by Friday, July 15, 2016. All responses should reference Project No. 45927. ERCOT staff and Potomac Economics are requested to submit comments by Friday, July 29, 2016. Any questions should be directed to Mark Bryant ([mark.bryant@puc.texas.gov](mailto:mark.bryant@puc.texas.gov)).

#### Market Design

- (1) Is ERS a necessary or valuable service from an operational or reliability perspective?
- (2) Would daily procurement of ERS on the day prior to the operating day be desirable?
- (3) What changes in price paid for the service could be expected if it were procured on a daily basis?

(4) How does ERS differ from non-spin reserve service? Would it be desirable to simply eliminate ERS and buy more non-spin?

(5) Should the existing annual cost cap on ERS procurement and cost allocation methodology (based on risk factors assigned to time periods) be replaced by an hourly megawatt capacity requirement varying on a daily or seasonal basis?

(6) Should the price for ERS be indexed to the clearing price of one of the existing ancillary services or some other reference price?

#### **Participation by Load and Distributed Generation Resources**

(7) How would procurement of ERS on a daily basis affect participation by load and distributed generation resources in the service?

(8) What cost would be incurred by participants in the ERS program if ERS were procured on a daily basis?

(9) How would current performance criteria, testing requirements and availability metrics need to be revised if ERS were procured on a daily basis?

(10) How would demand response assets that currently are assigned to the alternate baseline be accommodated if ERS were procured on a daily basis?

#### **General**

(11) What other changes should be made to ERS to increase its value or to improve participation in the service?

TRD-201602875

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: June 6, 2016



## **Texas Department of Transportation**

### **Aviation Division - Request for Qualifications for Professional Services**

The Texas Department of Transportation (TxDOT) intends to engage qualified firms for professional services pursuant to Chapter 2254, Subchapter A, of the Texas Government Code. TxDOT will solicit and receive qualification statements for obstruction surveys for multiple airports, to the current standards listed in Federal Aviation Administration (FAA) Advisory Circulars (AC) 150/5300-16, FAA AC 150/5300-17 and FAA AC 150/5300-18 and for LiDAR site surveys in support of airport project development.

#### **TxDOT Project ID: 16OBSURVY**

#### **Project Description and Work to be Performed:**

TxDOT intends to select one or two prime providers to perform obstruction and LiDAR site surveys for a five year period. The specific locations of the airports are not known at this time. Work will be performed within the 254 counties of the State of Texas.

#### **Services to Be Provided By the Consultant:**

The general services sought by TxDOT include all necessary professional engineering, surveying, planning and project management services related to the development and submission of the required aeronautical surveys into the FAA Airports GIS website. Additional services may include the collection and analysis of LiDAR surveys in support of preliminary project development efforts and/or existing obstruction evaluation using the FAA's evaluation and design surfaces.

The selected providers will develop work plans, complete ground surveys, collect aerial imagery, perform obstruction analysis, and deliver acceptable and compliant data and all materials via the FAA Airports GIS website as described in the most recent revisions of FAA Advisory Circulars 150/5300-16, 17 & 18. Surveys may include data needed for an Airport Layout Plan (ALP) or in support of new or improved instrument procedure development. LiDAR and all digital data collected and generated in support of preliminary project development and/or obstruction evaluation will be submitted directly to TxDOT.

Each obstruction and site survey and all submissions to FAA Airports GIS will be completed in a period of 120 days for each airport location, not inclusive of review times by the FAA, National Geodetic Survey, and TxDOT.

#### **Procedure for Each Airport Location:**

When a specific airport is assigned, TxDOT will initiate contract fee negotiations. While it is TxDOT's intent to award contracts under this solicitation, the selected providers shall have no cause of action based on the number of contracts, if any, issued. Contracts are expected to be awarded to the selected providers for a period of five years from the date the providers are notified of their selection under this solicitation. A DBE/HUB goal will be individually set for each contract awarded under this solicitation.

#### **Qualification Statement Preparation Instructions:**

Interested firms shall prepare a response to this solicitation on 8.5 x 11 white, portrait orientation paper with no less than 12 point font and 1 inch margins. Firms shall include a cover page listing the company's name, address, phone number and email address for the primary contact. The cover page shall also include the TxDOT Project ID 16OBSURVY. Responses shall be stapled and not bound in any other fashion. Cover letters including general transmittal letters will be removed and will not be shown to the selection committee. **If a prime provider submits more than one response, that provider will be disqualified.**

The responses will be rated and ranked according to the following criteria:

- No more than one typed page describing general qualifications of company including years of operation, types of surveys successfully completed, evidence of timely completion of projects, and other data pertinent to the company in general. **25 points**

- No more than three typed pages detailing staff who will be utilized under this project and their qualifications, certifications and experience. **20 points**

- No more than one typed page listing equipment owned or controlled (leased) by the company for use under this project. **10 points**

- No more than three typed pages describing the processes and methods being proposed to conduct the surveys and analysis under this project. **25 points**

- No more than **one typed page per bullet (20 points):**

- At least five references. TxDOT Aviation Division staff may not be used as references.

- No more than ten of the most recent completed surveys using the FAA's Airports GIS standard.

- No more than ten of the most recent completed surveys using ground based or aerial LiDAR for airport related site surveys.

#### **Please note:**

**FIVE** completed copies of the qualification statement **must be received** by TxDOT, Aviation Division at 150 East Riverside Drive, 5th

Floor, South Tower, Austin, Texas 78704 no later than July 8, 2016, 4:00 p.m. (CDST). Electronic facsimiles or forms sent by email will not be accepted. Please mark the envelope to the attention of Sheri Quinlan using one of the delivery methods below:

**Overnight Delivery**

TxDOT - Aviation  
200 East Riverside Drive  
Austin, Texas 78704

**Hand Delivery or Courier**

TxDOT - Aviation  
150 East Riverside Drive  
5th Floor, South Tower  
Austin, Texas 78704

Selection will be made by a committee composed of Aviation Division staff members. The final selection by the committee will generally be made following the completion of a review of the qualification statements. The committee will review all qualification statements and rate and rank each. All firms will then be notified of the committee's decision. The selection committee reserves the right to conduct interviews of the top rated firms if the committee deems it necessary. In such case, selection will be made following interviews. The committee reserves the right to reject any and all qualification statements and to conduct new professional services selection procedures.

If there are any technical or procedural questions, please email *AVN-RFQ@txdot.gov*. In the subject line reference Obstruction Survey Project ID 16OBSURVY.

TRD-201602877  
Joanne Wright  
Deputy General Counsel  
Texas Department of Transportation  
Filed: June 7, 2016



**Dallas District Notice of Public Hearing**

Department Policies Affecting Bicycle Use on the State Highway System

In accordance with Title 43, Texas Administrative Code, §25.55(b), the Texas Department of Transportation (TxDOT) - Dallas District is partnering with North Central Texas Council of Government (NCTCOG) to

offer a public hearing on district transportation programs and policies affecting bicycle use on the state highway system. The public hearing will be held at the City of Richardson Civic Center, Grand Ballroom, 411 West Arapaho Road, Richardson, Texas 75080 on Tuesday, June 21, 2016, from 5:00 p.m. to 7:00 p.m.

The purpose of the public hearing is to provide information on the bicycle plans, policies, and programs for the TxDOT Dallas District and NCTCOG, and to receive public comment. Displays illustrating existing bike facilities and upcoming projects on the state system within the Dallas District will be available for viewing during an open house format beginning at 5:00 pm, with the formal presentation commencing at 6:00 p.m.

All interested persons are invited to attend this public hearing to obtain information about the district transportation programs and policies affecting bicycle use on the state highway system and to express their views. Persons requiring special communication or accommodation needs should contact the **TxDOT Dallas District Public Information Officer at (214) 320-6100** at least two (2) working days prior to the public hearing. Because the public hearing will be conducted in English, any request for language interpreters or other special communication needs should also be made at least two (2) working days prior to the public hearing. Every reasonable effort to accommodate these needs will be made.

All interested persons are invited to attend this public hearing. Verbal and written comments from the public regarding the district transportation programs and policies affecting bicycle use on the state highway system are encouraged and may be presented for a period of 10 calendar days following the hearing. Written comments may be submitted either in person or by mail to the TxDOT Dallas District - Advance Project Development, 4777 East Highway 80, Mesquite, Texas 75150-6643, Attn: Sandra J. Williams. All written comments must be **postmarked on or before Friday, July 1, 2016** to be included in the official public hearing record.

For additional information, please contact Ms. Sandra Williams, TxDOT Dallas District, via phone at (214) 320-6686, or e-mail *Sandra.Williams2@txdot.gov*.

TRD-201602856  
Joanne Wright  
Deputy General Counsel  
Texas Department of Transportation  
Filed: June 6, 2016

