

# 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

Texas Water Code and Texas Health and Safety Code  
Settlement Notice

Settlement Notice: State of Texas v. Salzgitter Mannesmann Stainless Tubes USA, Inc.

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

Case Title and Court: *State of Texas v. Salzgitter Mannesmann Stainless Tubes USA, Inc.*; Cause No. D-1-GN-15-000782; in the 126TH Judicial District Court, Travis County, Texas.

Background: Defendant Salzgitter Mannesmann Stainless Tubes USA, Inc. ("Salzgitter") owns and operates a pipe and tube manufacturing and processing facility located at Little York Road in Houston, Harris County, Texas. The State initiated the suit on behalf of the Texas Commission on Environmental Quality ("TCEQ") to address excess emissions and record-keeping failures at the facility, and to enforce TCEQ orders and an air permit issued to the facility under the Texas Clean Air Act.

Proposed Settlement: The parties propose an Agreed Final Judgment and Permanent Injunction, which provides for an award of civil penalties against Salzgitter in the amount of \$82,000, and orders Salzgitter to comply with TCEQ's permitting, record-keeping, and reporting requirements. The proposed judgment also awards the State its reasonable attorney's fees.

For a complete description of the proposed settlement, the Agreed Final Judgment and Permanent Injunction should be reviewed. The proposed judgment may be examined at the Office of the Attorney General, 300 W. 15th Street, 10th Floor, Austin, Texas, and copies may be obtained in person or by mail for the cost of copying. A copy is also lodged with the Travis County District Court. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Craig J. Pritzlaff, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC 066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-201605010  
Amanda Crawford  
General Counsel  
Office of the Attorney General  
Filed: September 26, 2016

## Coastal Bend Workforce Development Board

## Request for Proposals

Using the Request for Proposals (RFP) method of procurement, the Coastal Bend Workforce Development Board, d.b.a. Workforce Solutions of the Coastal Bend (WFSCB) is soliciting responses from qualified individuals or firms for the Management and Operations of the Workforce Solutions of the Coastal Bend Career Center System, as well as a procurement for the Direct Child Care Services Management for Fiscal Year 2017. The Coastal Bend region consists of the following 12 counties: Aransas, Bee Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, Refugio, and San Patricio.

**The Workforce Services Delivery System** incorporates at a minimum, general workforce information and referral; customer, employer, and job seeker services; customer intake, program eligibility and assessment; case management; enrollment into education and training programs; job placement; career counseling; support services; follow-up and retention services as funded by the Workforce Innovation and Opportunity Act (WIOA: Youth, Adult, and, Dislocated Worker), Temporary Assistance to Needy Families (TANF)/Choices, Supplemental Nutrition Assistance Program (SNAP), Employment and Training, and Wagner-Peyser for the 12-county Coastal Bend area.

**The Direct Child Care Services** provides child care services to eligible families in need of child care for their children. The provision of child care services will be delivered by the Contractor co-located at the workforce centers. Management of services will include, at a minimum, management of funds, intake, eligibility and management of services for parents and self-arranged providers; assessment and referral to other related services to families and children. This procurement may include provider management functions.

*A Pre-Proposal Conference will be held on both contract services on Tuesday, October 11, 2016.* The purpose of the Pre-Proposal Conference is to explain the RFPs and answer other questions. The Pre-Proposal Conference will be held at the Staples Workforce Center of the Coastal Bend, 520 North Staples Street, Corpus Christi, Texas 78401. The conference meeting times are as follows:

**RFP for the Management and Operations of Career Center System - 10:00 a.m. (CST)**

**RFP for Direct Child Care Services Management - 1:30 p.m. (CST)**

Attendance at this conference is not mandatory, but it is strongly recommended. However, for those individuals that are unable to attend the conference, you may participate via teleconference. To register for the teleconference for the Management and Operations of the Career Centers Meeting, go to: <https://global.gotomeeting.com/join/933099981>. To listen to the presentation and ask questions, dial in using your phone at: +1 (872) 240-3212, Access Code: 933-099-981.

To register for the teleconference for the Direct Child Care Services Management Meeting, go to: <https://global.gotomeeting.com/join/813210493>. To listen to the presentation and ask questions, dial in using your phone at: +1 (872) 240-3212, Access Code: 813-210-493.

*Copies of the RFP will be available on Wednesday, September 28, 2016.* Interested parties may obtain a copy of the RFP by contacting

Robert Ramirez at (361) 885-3013, or [robert.ramirez@workforcesolutionscb.org](mailto:robert.ramirez@workforcesolutionscb.org). Interested parties can also access the RFP on-line at our website at: [www.workforcesolutionscb.org](http://www.workforcesolutionscb.org).

The RFP process consists of the submission of an application and a proposal. *The deadline for receipt of applications is November 28, 2016, 4:00 p.m. (CST) and Proposals is February 15, 2017, 4:00 p.m. (CST).*

Workforce Solutions of the Coastal Bend is an Equal Opportunity Employer/Program. Auxiliary aid and services are available upon request to individuals with disabilities. Deaf, hard-of-hearing or speech impaired customers may contact Relay Texas: (800) 735-2989 (TDD) and (800) 735-2988 or 7-1-1 (voice). Historically Underutilized Businesses (HUB's) are encouraged to apply.

TRD-201604973  
Robert Ramirez  
Procurement & Contracts Specialist  
Coastal Bend Workforce Development Board  
Filed: September 22, 2016

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## Comptroller of Public Accounts

### Notice of Contract Award

The Texas Comptroller of Public Accounts announces the award of an investment consulting services contract under Request for Proposals No. 216a ("RFP") to Aon Hewitt Investment Consulting, Inc., 4 Overlook Point, Lincolnshire, Illinois 60069. The total amount of the contract is not to exceed \$302,500.00 per annum. The term of the contract is September 15, 2016, through August 31, 2017, with option to renew for two (2) additional one (1) year periods, one (1) year at a time.

The RFP was published in the March 18, 2016, issue of the *Texas Register* (41 TexReg 2204).

TRD-201605008  
Carolyn Greenwalt  
Assistant General Counsel, Contracts  
Comptroller of Public Accounts  
Filed: September 26, 2016

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### Notice of Contract Award

The Texas Comptroller of Public Accounts announces the award of a fiscal note consulting services contract under Request for Proposals No. 219a ("RFP") to Tim S. Wooten, 409 Wilson Ranch Road, Cypress Mill, Texas 78663. The total amount of the contract is not to exceed \$96,000.00. The term of the contract is September 20, 2016 through August 31, 2017, with option to renew for one (1) additional one (1) year period.

The RFP was published in the August 5, 2016, issue of the *Texas Register* (41 TexReg 5805).

TRD-201605009  
Carolyn Greenwalt  
Assistant General Counsel, Contracts  
Comptroller of Public Accounts  
Filed: September 26, 2016

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## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/03/16 - 10/09/16 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 10/03/16 - 10/09/16 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-201605038  
Leslie Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: September 27, 2016

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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 November 7, 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 November 7, 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: 3 BVM TRINITY, INCORPORATED dba Circle Q 2; DOCKET NUMBER: 2016-0883-PST-E; IDENTIFIER: RN101565687; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361)

825-3421; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: 7-ELEVEN, INCORPORATED; DOCKET NUMBER: 2016-0918-PST-E; IDENTIFIER: RN101499648; LOCATION: Austin, Travis County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the underground storage tanks (UST); and 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the UST system; PENALTY: \$7,442; ENFORCEMENT COORDINATOR: Epifanio Villareal, (361) 825-3421; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(3) COMPANY: Aqua Utilities, Incorporated; DOCKET NUMBER: 2016-0817-PWS-E; IDENTIFIER: RN102678612; LOCATION: Burleson, Tarrant County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.41(c)(3)(O), by failing to protect the well with an intruder-resistant fence with a lockable gate or enclose the well in a locked and ventilated well house to exclude possible contamination or damage to facilities by trespassers; PENALTY: \$157; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: AZTECA MILLING, L.P.; DOCKET NUMBER: 2016-0830-IWD-E; IDENTIFIER: RN100215086; LOCATION: Plainview, Hale County; TYPE OF FACILITY: corn flour mill; RULES VIOLATED: 30 TAC §305.125(1) and TCEQ Permit Number WQ0003111000, Special Provision R, by failing to install a flow meter at the storage lagoon irrigation pumps and coordinate with the TCEQ Lubbock Regional Office to verify the installation and proper functioning of the flow meter device within 90 days of permit issuance; 30 TAC §319.7(a) and TCEQ Permit Number WQ0003111000, Monitoring Requirement 3.c, by failing to maintain records for each measurement or sample taken; 30 TAC §305.125(1) and TCEQ Permit Number WQ0003111000, Special Provision H, by failing to prevent the application of wastewater within 24 hours after a measured rainfall of 0.5 inches or greater, or to any zone containing standing water; 30 TAC §305.125(1) and TCEQ Permit Number WQ0003111000, Special Provision K, by failing to analyze semi-annual soil samples within 30 days of sample collection and provide annual soil sampling information regarding amendment addition recommendations from an analytical laboratory; 30 TAC §305.125(1) and TCEQ Permit Number WQ0003111000, Special Provisions F and G, by failing to maintain a viable year-round vegetative cover over the wastewater irrigated area and harvest the irrigated fields at least four times per year to prevent contamination of ground or surface waters and to prevent the occurrence of nuisance conditions; 30 TAC §317.7(e), by failing to provide adequate fencing around the storage lagoons; 30 TAC §305.125(1) and TCEQ Permit Number WQ0003111000, Special Provision C, by failing to provide a minimum irrigation area of 475 acres exclusive of buffer zones, roadways, ponds, embankment areas, and other area accessories; and 30 TAC §305.125(1) and TCEQ Permit Number WQ0003111000, Special Provision M, by failing to maintain a minimum buffer of 500 feet from the irrigation fields and wastewater holding ponds and any public water supply well and 150 feet from any private water supply well; PENALTY: \$25,812; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3421, (806) 796-7092.

(5) COMPANY: Blanchard Refining Company LLC; DOCKET NUMBER: 2016-0603-AIR-E; IDENTIFIER: RN102535077; LOCATION:

Texas City, Galveston County; TYPE OF FACILITY: petroleum refining plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.715(a), and 122.143(4), Texas Health and Safety Code, §382.085(b), and Flexible Permit Numbers 47256 and PSDTX402M3, Special Conditions Number 1, by failing to prevent unauthorized emissions; PENALTY: \$13,125; Supplemental Environmental Project offset amount of \$5,250; ENFORCEMENT COORDINATOR: Raime Hayes-Falero, (713) 767-3567; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(6) COMPANY: Burleson County Municipal Utility District 1; DOCKET NUMBER: 2016-0875-PWS-E; IDENTIFIER: RN101397131; LOCATION: Frenstat, Burleson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the executive director regarding the failure to submit a Disinfectant Level Quarterly Operating Report and the failure to conduct groundwater source monitoring; and 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$460; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(7) COMPANY: Calumet Penreco, LLC; DOCKET NUMBER: 2016-1323-AIR-E; IDENTIFIER: RN100221282; LOCATION: Dickinson, Galveston County; TYPE OF FACILITY: petroleum and coal products 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 O1297, General Terms and Conditions, by failing to submit a Permit Compliance Certification no later than 30 days after the end of the certification period; PENALTY: \$3,638; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: Christopher L. Guerrero, Sr.; DOCKET NUMBER: 2016-1418-WOC-E; IDENTIFIER: RN104772447; LOCATION: Crosbyton, Crosby County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(9) COMPANY: Cimarron Self Storage, LLC; DOCKET NUMBER: 2016-1154-EAQ-E; IDENTIFIER: RN109153932; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: storage facility; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$8,438; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(10) COMPANY: City of Avery; DOCKET NUMBER: 2016-0643-MWD-E; IDENTIFIER: RN101720829; LOCATION: Avery, Red River 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 (TPDES) Permit Number WQ0010733002, Effluent Limitations and Monitoring Requirements Numbers 1 and 6, by failing to comply with permitted effluent limitations; 30 TAC §§305.125(1) and (17), 319.1, and 319.7(d) and TPDES Permit Number WQ0010733002, Monitoring and Reporting Requirements Number 1, by failing to timely submit effluent

monitoring results at the intervals specified in the permit; and 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0010733002, Sludge Provisions, by failing to timely submit an annual sludge report for the monitoring period ending July 31, 2015, by September 30, 2015; PENALTY: \$5,400; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2601; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(11) COMPANY: City of Gainesville; DOCKET NUMBER: 2016-1242-PWS-E; IDENTIFIER: RN101389898; LOCATION: Gainesville, Cooke 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 0.060 milligrams per liter for haloacetic acids, based on the locational running annual average; PENALTY: \$702; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(12) COMPANY: City of Gordon; DOCKET NUMBER: 2016-0389-MLM-E; IDENTIFIER: RN101406957; LOCATION: Gordon, Palo Pinto County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(2)(B) and (e)(1) and Texas Health and Safety Code, §341.0315(c), by failing to provide a treatment plant capacity of 0.6 gallon per minute per connection and failing to provide enough production, treatment and service pumping capacity to meet or exceed the combined maximum daily commitments specified in contractual agreements; and 30 TAC §290.42(i) and TWC, §26.121(d), by failing to obtain authorization for the discharge of a pollutant into or adjacent to any water in the state; PENALTY: \$1,238; ENFORCEMENT COORDINATOR: Michaelle Garza, (210) 403-4076; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(13) COMPANY: City of Los Fresnos; DOCKET NUMBER: 2016-1005-PWS-E; IDENTIFIER: RN101392009; LOCATION: Los Fresnos, Cameron County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.111(e)(3)(B) and (C) and §290.122(c)(2)(A) and (f), by failing to measure and record the turbidity level of the combined filter effluent at least every four hours, and failing to continuously monitor the filtered water turbidity at the effluent of each individual filter and record the turbidity value every 15 minutes, and failing to provide public notification and submit a copy of the public notification to the executive director; PENALTY: \$3,600; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(14) COMPANY: City of Pflugerville; DOCKET NUMBER: 2016-1123-MWD-E; IDENTIFIER: RN101611440; LOCATION: Pflugerville, Travis 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 (TPDES) Permit Number WQ0011845002, Interim 1 Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; and 30 TAC §305.125(1) and (17) and TPDES Permit Number WQ0011845002, Chronic Biomonitoring Requirements: Freshwater Number 3, b.3, by failing to timely submit monitoring results at the intervals specified in the permit; PENALTY: \$29,450; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 12100 Park 35 Circle, Building A, Austin, Texas 78753, (512) 339-2929.

(15) COMPANY: City of Roxton; DOCKET NUMBER: 2016-0976-PWS-E; IDENTIFIER: RN101391795; LOCATION: Roxton, Lamar County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety

Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter (mg/L) for total trihalomethanes, based on a locational running annual average; and 30 TAC §290.115(f)(1) and THSC, §341.0315(c), by failing to comply with the MCL of 0.060 mg/L for total haloacetic acids, based on a locational running annual average; PENALTY: \$345; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(16) COMPANY: City of Stamford; DOCKET NUMBER: 2016-1221-MWD-E; IDENTIFIER: RN101920189; LOCATION: Stamford, Jones 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 WQ0010472002, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$1,650; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(17) COMPANY: City of Star Harbor; DOCKET NUMBER: 2016-0859-PWS-E; IDENTIFIER: RN101392025; LOCATION: Star Harbor, Henderson 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 0.060 milligrams per liter for haloacetic acids, based on the locational running annual average; and 30 TAC §290.117(c)(2)(C), (h), and (i)(1), by failing to collect lead and copper tap samples at the required five sample sites, have the samples analyzed, and report the results to the executive director for the January 1, 2013 - December 31, 2015, monitoring period; PENALTY: \$450; ENFORCEMENT COORDINATOR: James Fisher, (512) 239-2537; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(18) COMPANY: Geosouthern Energy Corporation; DOCKET NUMBER: 2016-1119-AIR-E; IDENTIFIER: RN109102111; LOCATION: Westoff, Dewitt County; TYPE OF FACILITY: oil and gas production plant; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing and operating a source of air emissions; PENALTY: \$1,625; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(19) COMPANY: HIGHLAND WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-0503-PWS-E; IDENTIFIER: RN101263747; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(c)(2)(A), (h), and (i)(1) and 40 Code of Federal Regulations (CFR) §141.86 and §141.90(a), by failing to collect lead and copper tap samples at the required ten sample sites for two consecutive six-month monitoring periods (January 1, 2015, through June 30, 2015, and July 1, 2015 - December 31, 2015) following the January 1, 2012 - December 31, 2014, monitoring period during which the copper action level was exceeded, have the samples analyzed, and report the results to the executive director (ED); 30 TAC §290.117(d)(2)(A), (h), and (i)(2) and §290.122(c)(2)(A) and (f) and 40 CFR §141.88 and §141.90(b), by failing to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the copper action level was exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect one lead and copper sample from each of the facility's

entry points; 30 TAC §290.117(g)(2)(A) and §290.122(b)(2)(A) and (f) and 40 CFR §141.83 and §141.90(d)(1), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the copper action level was exceeded, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for source water treatment; 30 TAC §290.117(f)(3)(A) and §290.122(b)(2)(A) and (f) and 40 CFR §§141.81(e)(1), 141.82(a), and 141.90(c)(2), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2012 - December 31, 2014, monitoring period during which the copper action level was exceeded, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for optimal corrosion control treatment; and 30 TAC §290.117(e)(2), (h), and (i)(3) and §290.122(c)(2)(A) and (f) and 40 CFR §141.87 and §141.90(a), by failing to conduct water quality parameter sampling at each of the facility's entry points and at the required distribution sample sites for two consecutive six-month periods (January 1, 2015 - June 30, 2015, and July 1, 2015 - December 31, 2015) following the January 1, 2012 - December 31, 2014, monitoring period during which the copper action level was exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to conduct all of the required water quality parameter sampling for the January 1, 2015 - June 30, 2015, monitoring period; PENALTY: \$935; ENFORCEMENT COORDINATOR: Sarah Kim, (512) 239-4728; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: Jagoe-Public Company; DOCKET NUMBER: 2016-1120-AIR-E; IDENTIFIER: RN102745213; LOCATION: Denton, Denton County; TYPE OF FACILITY: asphalt production; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code, §382.0518(a) and §382.085(b), by failing to obtain authorization prior to operating a source of air contaminants; PENALTY: \$12,500; ENFORCEMENT COORDINATOR: Tiffany Maurer, (512) 239-2696; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(21) COMPANY: Laith Jabali dba LJS Food Store; DOCKET NUMBER: 2016-1320-PST-E; IDENTIFIER: RN100767946; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Steven Van Landingham, (512) 239-5717; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(22) COMPANY: Little Elm Valley Water Supply Corporation; DOCKET NUMBER: 2016-1240-PWS-E; IDENTIFIER: RN101377489; LOCATION: Cameron, Bell County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$172; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(23) COMPANY: MAHARD EGG FARM, INCORPORATED; DOCKET NUMBER: 2016-0989-AGR-E; IDENTIFIER:

RN102570389; LOCATION: Chillicothe, Wilbarger County; TYPE OF FACILITY: concentrated animal feeding operation; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §§321.31(a), 321.37(d), and 321.39(f), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number TXG920750 Part III.A.11.(c) and Part III.B.4, by failing to properly dispose of poultry carcasses; and TWC, §26.121(a)(1), 30 TAC §321.31(a) and §321.37(d), and TPDES Permit Number TXG920750 Part III.B.4, by failing to prevent an unauthorized discharge; PENALTY: \$3,376; ENFORCEMENT COORDINATOR: Ross Luedtke, (512) 239-3157; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(24) COMPANY: Mansfield Independent School District; DOCKET NUMBER: 2016-1097-PST-E; IDENTIFIER: RN105547640; LOCATION: Mansfield, Johnson County; TYPE OF FACILITY: fleet refueling; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once every month; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Larry Butler, (512) 239-2543; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(25) COMPANY: MCALLEN HOSPITALS, L.P.; DOCKET NUMBER: 2016-1194-PST-E; IDENTIFIER: RN101687051; LOCATION: McAllen, Hidalgo County; TYPE OF FACILITY: emergency generator; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(b), by failing to provide release detection for the suction piping associated with the underground storage tank system; PENALTY: \$2,567; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(26) COMPANY: MOUNT OLIVET CEMETERY ASSOCIATION dba Greenwood Memorial Park; DOCKET NUMBER: 2016-0994-PST-E; IDENTIFIER: RN101543551; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$3,251; ENFORCEMENT COORDINATOR: Holly Kneisley, (817) 588-5856; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(27) COMPANY: Nerro Supply, LLC; DOCKET NUMBER: 2016-1009-PWS-E; IDENTIFIER: RN105232078; LOCATION: Baytown, Chambers 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 §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfectant Level Quarterly Operating Report to the executive director by the tenth day of the month following the end of the fourth quarter of 2015; PENALTY: \$539; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(28) COMPANY: OIL PATCH PETROLEUM, INCORPORATED; DOCKET NUMBER: 2016-1339-PST-E; IDENTIFIER: RN102455672; LOCATION: Bishop, Nueces County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULE VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued underground storage tank (UST) delivery certificate by submitting a properly completed UST registration and

self-certification form at least 30 days before the expiration date; PENALTY: \$1,295; ENFORCEMENT COORDINATOR: Melissa Castro, (512) 239-0855; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(29) COMPANY: PANTRY CONVENIENCE STORES, INCORPORATED dba Pantry South; DOCKET NUMBER: 2016-0959-PST-E; IDENTIFIER: RN103015913; LOCATION: Beeville, Bee County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month; and 30 TAC §334.10(b)(1)(B), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; PENALTY: \$6,000; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(30) COMPANY: Pat Baker Company, Incorporated; DOCKET NUMBER: 2016-0978-PST-E; IDENTIFIER: RN102019213; LOCATION: Kingsbury, Guadalupe County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Caleb Olson, (512) 239-2541; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(31) COMPANY: Pinak Corporation dba Korner Food Mart 4; DOCKET NUMBER: 2016-0998-PST-E; IDENTIFIER: RN102233046; LOCATION: Dickinson, Galveston County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tank for releases at a frequency of at least once every month; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(32) COMPANY: RH of Texas Limited Partnership; DOCKET NUMBER: 2016-0698-WQ-E; IDENTIFIER: RN106394331; LOCATION: Cibolo, Guadalupe County; TYPE OF FACILITY: residential home building site; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §281.25(a)(4), and Texas Pollution Discharge Elimination System General Permit Number TXR15XB93, Part III, Sections F.6(a) and (d) and G.1, by failing to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants and failing to remove sediment accumulations at a frequency that minimizes off-site impacts in the event that sediment escapes the site; PENALTY: \$876; ENFORCEMENT COORDINATOR: Farhaud Abbaszadeh, (512) 239-0779; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(33) COMPANY: Rockwall Independent School District; DOCKET NUMBER: 2016-1191-PST-E; IDENTIFIER: RN104346846; LOCATION: Rockwall, Rockwall County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) for releases of a frequency of at least once every month; and 30 TAC §334.605(a), by failing to ensure that a certified Class A and Class B Operator is retrained within three years of their last training date; PENALTY: \$3,488; ENFORCEMENT COORDINATOR: Jessica Bland, (512) 239-4967; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(34) COMPANY: Savage Water Services, LLC; DOCKET NUMBER: 2016-0510-PWS-E; IDENTIFIER: RN101184877; LOCATION: Somerville, Washington County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(i)(6) and (j) and 40 Code of Federal Regulations (CFR) §141.85(d) and §141.90(f)(3), by failing to provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested and failing to mail a copy of the consumer notification of tap results to the executive director (ED) along with certification that the consumer notification has been distributed for the January 1, 2015 - June 30, 2015, monitoring period; 30 TAC §290.117(i)(5) and (k) and §290.122(b)(2)(A) and (f) and 40 CFR §141.85(a) and (b) and §141.90(f)(1), by failing to deliver the public education materials following the lead action level exceedance that occurred during the January 1, 2014 - December 31, 2014, monitoring period, and failing to provide the ED with copies of the public education materials and certification that distribution of said materials is being conducted in a manner consistent with TCEQ requirements, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to deliver the public education materials; 30 TAC §290.117(c)(2)(A), (h), and (i)(1) and 40 CFR §141.86 and §141.90(a), by failing to collect lead and copper tap samples at the required ten sample sites for the second six-month monitoring period (July 1, 2015 - December 31, 2015) following the January 1, 2014 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED; 30 TAC §§290.272, 290.273, and 290.274(a) and (c), by failing to meet the adequacy, availability, and/or content requirements for the Consumer Confidence Report (CCR) for the year of 2014; 30 TAC §290.117(g)(2)(A) and §290.122(b)(2)(A) and (f) and 40 CFR §141.83 and §141.90(d)(1), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2014 - December 31, 2014, monitoring period during which the lead action level was exceeded, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for source water treatment; 30 TAC §290.117(d)(2)(A), (h), and (i)(2) and §290.122(c)(2)(A) and (f) and 40 CFR §141.88 and §141.90(b), by failing to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2014 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect one lead and copper sample from each of the facility's entry points no later than 180 days after the end of the January 1, 2014 - December 31, 2014, monitoring period; 30 TAC §290.117(e)(2), (h), and (i)(3) and §290.122(c)(2)(A) and (f) and 40 CFR §141.87 and §141.90(a), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites for two consecutive six-month periods (January 1, 2015 - June 30, 2015, and July 1, 2015 - December 31, 2015) following the January 1, 2014 - December 31, 2014, monitoring period during which the lead action level was exceeded, have the samples analyzed, and report the results to the ED, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to conduct all of the required water quality parameter sampling during the January 1, 2015 - June 30, 2015, monitoring period; and 30 TAC §290.117(f)(3)(A) and §290.122(b)(2)(A) and (f) and 40 CFR §§141.81(e)(1), 141.82(a), and 141.90(c)(2), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2014 - December 31, 2014, monitoring period during which the lead action level was exceeded, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to submit a recommendation to the ED for optimal corro-

sion control treatment; PENALTY: \$1,281; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(35) COMPANY: Skidmore Water Supply Corporation; DOCKET NUMBER: 2016-0930-MWD-E; IDENTIFIER: RN102342201; LOCATION: Skidmore, Bee 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 (TPDES) Permit Number WQ0014112001, Effluent Limitations and Monitoring Requirements Numbers 1 and 3, by failing to comply with permitted effluent limitations; and 30 TAC §§305.125(1) and (11)(A), 319.4 and 319.5(b), and TPDES Permit Number WQ0014112001, Monitoring and Reporting Requirements Number 1, by failing to collect and analyze effluent samples; PENALTY: \$12,600; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5503, (361) 825-3100.

(36) COMPANY: SOUTHERN C-STORE CORPORATION dba Clark Road Mobil; DOCKET NUMBER: 2016-1177-PST-E; IDENTIFIER: RN100535368; LOCATION: Duncanville, Dallas County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$3,692; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(37) COMPANY: STUEBNER EXPRESS INCORPORATED dba H and M Food Market; DOCKET NUMBER: 2016-0880-PST-E; IDENTIFIER: RN101447191; LOCATION: Spring, Harris County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.241(b)(4) and Texas Health and Safety Code, §382.085(b), by failing to notify in writing the TCEQ Regional Office no later than ten calendar days after the completion of all decommissioning activities; 30 TAC §334.48(b), by failing to ensure that the underground storage tank (UST) system is operated, maintained, and managed in accordance with accepted industry practices; 30 TAC §334.10(b), by failing to maintain UST records and make them immediately available for inspection upon request by agency personnel; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs for releases at a frequency of at least once every month; PENALTY: \$5,114; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(38) COMPANY: Sweny, Incorporated dba Pleasanton RD Food Mart; DOCKET NUMBER: 2016-1050-PST-E; IDENTIFIER: RN102355823; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every month, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,130; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(39) COMPANY: The Premcor Refining Group Incorporated; DOCKET NUMBER: 2016-0678-AIR-E; IDENTIFIER: RN102584026; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: refinery; RULES VIOLATED: 30 TAC §116.115(b)(2)(F) and (c) and §122.143(4), Texas Health and Safety Code, §382.085(b), and New Source Review Permit Numbers 6825A, PSDTX49, and N65, Special Conditions Number 1, Federal Operating

Permit Number O1498 and O2229, Special Terms and Conditions Number 14 and 18, by failing to prevent unauthorized emissions; PENALTY: \$69,689; Supplemental Environmental Project offset amount of \$34,844; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1892, (409) 898-3838.

(40) COMPANY: WEST HARRISON WATER SUPPLY CORPORATION; DOCKET NUMBER: 2016-0823-PWS-E; IDENTIFIER: RN101451532; LOCATION: Hallsville, Harrison 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 a locational running annual average; PENALTY: \$172; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(41) COMPANY: Wolf Hollow Services, LLC; DOCKET NUMBER: 2016-0854-IWD-E; IDENTIFIER: RN100219195; LOCATION: Grandbury, Hood County; TYPE OF FACILITY: combined cycle electric power generating facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0004288000, Effluent Limitations and Monitoring Requirements Number 1 and 2, Outfall Number 001 and 101, by failing to comply with permitted effluent limitations; PENALTY: \$48,937; ENFORCEMENT COORDINATOR: James Boyle, (512) 239-2527; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-201605030

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: September 27, 2016



Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0014488003

**APPLICATION AND PRELIMINARY DECISION.** City of Dripping Springs, P.O. Box 384, Dripping Springs, Texas 78620, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014488003, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 995,000 gallons per day. TCEQ received this application on October 20, 2015.

The facility will be located at 23127 Ranch-to-Market Road 150, in the City of Dripping Springs, Hays County, Texas 78620. The treated effluent will be discharged to Walnut Springs; thence to Onion Creek in Segment No. 1427 of the Colorado River Basin. The unclassified receiving water use is minimal aquatic life use for Walnut Springs. The designated uses for Segment No. 1427 are high aquatic life use, public water supply, aquifer protection, and primary contact recreation. In accordance with Title 30 Texas Administrative Code §307.5 and the TCEQ Procedures to Implement the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Onion Creek, which has been identified as having high aquatic life use. Existing uses will

be maintained and protected. The preliminary determination can be re-examined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Dripping Springs City Hall, Front Desk, 511 Mercer Street, Dripping Springs, Texas. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.154166&lng=-98.08&zoom=13&type=r>

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

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

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

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

**Thursday, November 10, 2016, at 7:00 P.M.**

**Dripping Springs Ranch Park**

**Special Events Venue Room**

**1042 Event Center Drive**

**Dripping Springs, Texas 78620**

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

*contested case hearing or reconsideration of the Executive Director's decision. A contested case hearing is a legal proceeding similar to a civil trial in a state district court.*

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

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. *If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.*

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

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

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

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

Further information may also be obtained from City of Dripping Springs at the address stated above or by calling Mr. Robert Callegari, P.E., CMA Engineering, Inc., at (512) 432-1000.

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.

Issuance Date: September 23, 2016

TRD-201605049

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 28, 2016



## Enforcement Orders

An agreed order was adopted regarding City of Calvert, Docket No. 2015-0903-PWS-E on September 27, 2016, assessing \$617 in administrative penalties with \$123 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 Texas Health Arlington Memorial Hospital, Docket No. 2015-1607-PST-E on September 27, 2016, assessing \$3,000 in administrative penalties with \$600 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 Texas Department of Aging and Disability Services, Docket No. 2016-0164-PWS-E on September 27, 2016, assessing \$200 in administrative penalties with \$40 deferred. Information concerning any aspect of this order may be obtained by contacting Jason Fraley, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SAM RAYBURN WATER, INC., Docket No. 2016-0363-PWS-E on September 27, 2016, assessing \$525 in administrative penalties with \$105 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 Ronald Hays, Jr. and Matthew Tamplen Construction, LLC, Docket No. 2016-0501-MSW-E on September 27, 2016, assessing \$1,250 in administrative penalties with \$250 deferred. Information concerning any aspect of this order may be obtained by contacting Jessica Bland, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Mohammed Nadeem dba Stop N Drive, Docket No. 2016-0509-PST-E on September 27, 2016, assessing \$3,692 in administrative penalties with \$738 deferred. Information concerning any aspect of this order may be obtained by contacting Huan Nguyen, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Arrowhead Hill Water Supply Corporation, Docket No. 2016-0565-PWS-E on September 27, 2016,

assessing \$500 in administrative penalties with \$100 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 Baytown Travel Center, L.I.c. dba Baytown Express Travel Center, Docket No. 2016-0618-PST-E on September 27, 2016, assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Keith Frank, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Central Bowie County Water supply corporation, Docket No. 2016-0656-PWS-E on September 27, 2016, assessing \$146 in administrative penalties with \$29 deferred. Information concerning any aspect of this order may be obtained by contacting Raimé 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 Chief's Store & Restaurant Llc dba Chief's Food Market & Restaurant, Docket No. 2016-0662-PST-E on September 27, 2016, assessing \$2,568 in administrative penalties with \$513 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 Sheza Izel Inc. dba EZ Mart 390, Docket No. 2016-0684-PST-E on September 27, 2016, assessing \$6,750 in administrative penalties with \$1,350 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 SES Holdings, LLC, Docket No. 2016-0696-PST-E on September 27, 2016, assessing \$4,734 in administrative penalties with \$946 deferred. Information concerning any aspect of this order may be obtained by contacting Anthony Rios, 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 Baylor Health Care System, Docket No. 2016-0757-PST-E on September 27, 2016, assessing \$2,813 in administrative penalties with \$562 deferred. Information concerning any aspect of this order may be obtained by contacting Tiffany Maurer, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Performance Food Group, Inc. dba PFG of Texas, Docket No. 2016-0777-PST-E on September 27, 2016, assessing \$3,000 in administrative penalties with \$600 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 Mt. Vernon Enterprises, Inc. dba Food Mart, Docket No. 2016-0799-PST-E on September 27, 2016, assessing \$3,380 in administrative penalties with \$676 deferred. Information concerning any aspect of this order may be obtained by contacting Catherine Grutsch, 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 East Central Independent School District, Docket No. 2016-0804-PST-E on September 27, 2016, assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Abigail Lindsey, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Blue Bell Creameries, L.P., Docket No. 2016-0890-PST-E on September 27, 2016, assessing \$3,375 in administrative penalties with \$675 deferred. Information concerning any aspect of this order may be obtained by contacting Abigail Lindsey, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Euleess Pennysaver Inc dba Smart Savers Store, Docket No. 2016-0898-PST-E on September 27, 2016, assessing \$2,438 in administrative penalties with \$487 deferred. Information concerning any aspect of this order may be obtained by contacting Jessica Bland, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Pleasanton Stop, Inc., Docket No. 2016-0900-PST-E on September 27, 2016, assessing \$4,188 in administrative penalties with \$837 deferred. Information concerning any aspect of this order may be obtained by contacting Danielle Porras, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Calhoun Port Authority, Docket No. 2016-0904-AIR-E on September 27, 2016, assessing \$2,438 in administrative penalties with \$487 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 Old Dominion Freight Line, Inc., Docket No. 2016-0919-PST-E on September 27, 2016, assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Catherine Grutsch, 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 Jport Llc dba Wonder 2, Docket No. 2016-0968-PST-E on September 27, 2016, assessing \$3,504 in administrative penalties with \$700 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.

A field citation was adopted regarding Carl W. Wampler, Docket No. 2016-1124-WOC-E on September 27, 2016, assessing \$175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Walter B. Williams, Docket No. 2016-1125-WOC-E on September 27, 2016, assessing \$175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding John K. Sheffield, Docket No. 2016-1128-OSI-E on September 27, 2016, assessing \$175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Austin Henck, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Brent K. Ellison, Docket No. 2016-1178-WOC-E on September 27, 2016, assessing \$175 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Carney, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Brauntex Materials, Inc., Docket No. 2016-1180-WQ-E on September 27, 2016, assessing \$875 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator, at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-201605050  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: September 28, 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 **November 7, 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 November 7, 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: City of Elsa; DOCKET NUMBER: 2016-0085-PWS-E; TCEQ ID NUMBER: RN101219665; LOCATION: 500 West Fifth Street, Elsa, Hidalgo County; TYPE OF FACILITY: public water

system; RULES VIOLATED: 30 TAC §290.46(f)(3)(C)(iii) and (4), by failing to submit routine reports and any additional documentation that the executive director (ED) may require to determine compliance with the requirements of this chapter; 30 TAC §290.110(e)(2) and (5) and §290.111(h)(2)(B) and (9), by failing to submit a Surface Water Monthly Operating Report with the required turbidity and disinfectant residual data to the ED by the tenth day of the month following the end of the reporting period; 30 TAC §290.117(c)(2)(C) and (i)(1), by failing to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed at an approved laboratory, and submit the results to the ED; and 30 TAC §290.117(c)(2)(B) and (i)(1) and §290.122(c)(2)(A) and (f), by failing to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed at an approved laboratory, and submit the results to the ED and by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect lead and copper tap samples; PENALTY: \$1,952; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(2) COMPANY: City of Joaquin; DOCKET NUMBER: 2015-1223-MWD-E; TCEQ ID NUMBER: RN102095437; LOCATION: approximately 2,800 feet east of North Chalk Street, Faulkville Road and approximately 2,700 feet northeast of the intersection of Jackson Street and United States Highway 84, Joaquin, Shelby County; TYPE OF FACILITY: wastewater treatment plant; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1) and (5), and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0012718001, Permit Conditions Number 2.g., by failing to prevent the unauthorized discharge of untreated wastewater into or adjacent to any water in the state; and TWC, §26.039(b), 30 TAC §305.125(1) and (9)(A), and TPDES Permit Number WQ0012718001, Monitoring and Reporting Requirements Numbers 7.a. and 7.b., by failing to report any noncompliance which may endanger human health or safety, or the environment to the TCEQ within 24 hours of becoming aware of the noncompliance; PENALTY: \$37,287; Supplemental Environmental Project offset amount of \$37,287 applied to the Waste Water Treatment Plant Repairs and Upgrades; STAFF ATTORNEY: Amanda Patel, Litigation Division, MC 175, (512) 239-3990; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(3) COMPANY: Juan G. Garza d/b/a Platinum Plumbing; DOCKET NUMBER: 2016-0035-SLG-E; TCEQ ID NUMBER: RN107159139; LOCATION: 4553 Winchester Lane, Robstown, Nueces County; TYPE OF FACILITY: registered sludge transporter business; RULE VIOLATED: 30 TAC §312.145(a) and (b), by failing to properly and correctly maintain a record of each individual collection and deposit of sewage sludge; PENALTY: \$41,986; STAFF ATTORNEY: Elizabeth Carroll Harkrider, Litigation Division, MC 175, (512) 239-2008; REGIONAL OFFICE: Corpus Christi Regional Office, NRC Building, Suite 1200, 6300 Ocean Drive, Unit 5839, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(4) COMPANY: KAS INVESTMENTS, LTD. d/b/a CONVENIENCE PLUS; DOCKET NUMBER: 2016-0331-PST-E; TCEQ ID NUMBER: RN101761039; LOCATION: 6422 Stephen F. Austin Road, Jones Creek, Brazoria 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 least once every month (not to exceed 35 days between each monitoring); PENALTY: \$5,325; STAFF ATTORNEY: Eric Grady, Litigation Division, MC 175, (512) 239-0655; REGIONAL OFFICE:

Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(5) COMPANY: LKQ Auto Parts of North Texas, L.P. d/b/a LKQ Auto Parts of Central Texas; DOCKET NUMBER: 2016-0151-MSW-E; TCEQ ID NUMBER: RN103784567; LOCATION: 7800 North Interstate Highway 35, New Braunfels, Comal County; TYPE OF FACILITY: auto salvage yard; RULES VIOLATED: TWC, §26.121(a)(1) and 30 TAC §330.15(c), by causing, suffering, allowing, or permitting the unauthorized discharge and spill of waste into the environment; PENALTY: \$3,750; STAFF ATTORNEY: David A. Terry, Litigation Division, MC 175, (512) 239-0619; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-201605028

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: September 27, 2016



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Order (S/DO). Texas Water Code (TWC), §26.3475 authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be noncompliant with release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the release detection, spill and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an executive director's preliminary report and petition (EDPRP) to an entity outlining the alleged violations, the proposed penalty, the proposed technical requirements necessary to bring the entity back into compliance, and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. In accordance with TWC, §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **November 7, 2016**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed S/DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed S/DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the S/DO shall be sent to the attorney designated for the S/DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on November 7, 2016**. Written comments may also be sent by facsimile machine to

the attorney at (512) 239-3434. The commission attorneys is available to discuss the S/DO and/or the comment procedure at the listed phone number; however, comments on the S/DO shall be submitted to the commission in **writing**.

(1) COMPANY: HIRA LAKHANI HOLDINGS, INC. d/b/a STOP N DRIVE; DOCKET NUMBER: 2016-0126-PST-E; TCEQ ID NUMBER: RN102253036; LOCATION: 8227 Highway 6, Hitchcock, Galveston County; TYPE OF FACILITY: underground storage tank (UST) system and convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the UST system; and 30 TAC §334.54(b)(1) and (2), by failing to assure that the vent lines are kept open and functioning, and to maintain all piping, pumps, manways, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons; PENALTY: \$9,375; STAFF ATTORNEY: Isaac Ta, Litigation Division, MC 175, (512) 239-0683; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201605027

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: September 27, 2016



### Notice of Public Hearing

on Assessment of Administrative Penalties and Requiring Certain Actions of James McIntire D/B/A Holiday Trav L Park

SOAH Docket No. 582-17-0162

TCEQ Docket No. 2015-1751-PWS-E

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

10:00 a.m. - October 20, 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 April 21, 2016, concerning assessing administrative penalties against and requiring certain actions of James McIntire d/b/a Holiday Trav L Park, for violations in Val Verde County, Texas, of: 30 Tex. Admin. Code §§290.109(c)(3)(A)(ii), 290.110(e)(4)(A) and (f)(3), 290.117(c)(2)(B), (c)(2)(C), and (i)(1), and 290.122(c)(2)(A) and (f).

The hearing will allow James McIntire d/b/a Holiday Trav L Park, 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, and to afford James McIntire d/b/a Holiday Trav L Park, 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 James McIntire d/b/a Holiday Trav L Park 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. James McIntire d/b/a Holiday Trav L Park, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Health & Safety Code §341.049 and 30 Tex. Admin. Code chs. 70 and 290; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Tex. Admin. Code §70.108 and §70.109 and ch. 80, and 1 Tex. Admin. Code ch. 155.

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

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

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

TRD-201605048

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 28, 2016



### Notice of Public Hearing on Proposed Revisions to 30 TAC Chapter 290

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed amended §§290.38, 290.42, 290.46, 290.47, 290.102 - 290.104, 290.106 - 290.119, 290.121, 290.122, 290.272, and 290.275 of 30 TAC Chapter 290, Public Drinking Water.

The proposed rulemaking would incorporate the new federal Revised Total Coliform Rule (RTCR) requirements; address comments from the United States Environmental Protection Agency regarding state implementation of the federal Ground Water Rule; clarify state implementation of the federal Lead and Copper Rule, Total Organic Carbon Rule, and Public Notification Rule; clarify the state monitoring requirements for nitrite during a compliance period and compliance cycle; amend state analytical requirements as required under the federal RTCR; clarify and streamline existing state rules; and would make other minor changes for internal consistency, grammatical correction, and compliance with *Texas Register* requirements.

The commission will hold a public hearing on this proposal in Austin on November 7, 2016 at 2:00 p.m. in Building E, at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RE-LAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Sherry Davis, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at: <http://www1.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the eComments system. All comments should reference Rule Project Number 2015-035-290-OW. The comment period closes November 22, 2016. Copies of the proposed rulemaking can be obtained from the commission's website at [http://www.tceq.texas.gov/rules/propose\\_adopt.html](http://www.tceq.texas.gov/rules/propose_adopt.html). For further information, please contact James Beauchamp, Public Drinking Water, (512) 239-6174.

TRD-201604975  
Robert Martinez  
Director, Environmental Law Division  
Texas Commission on Environmental Quality  
Filed: September 23, 2016



#### Notice of Public Hearing Regarding the HGB Attainment Demonstration and Reasonable Further Progress Requirements for the 2008 Eight-Hour Ozone NAAQS

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code Chapter 115, Subchapter B, Division 1, §§115.112, 115.114, 115.118, and 115.119; and revisions to the state implementation plan (SIP) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) regulations concerning SIPs.

The proposed rulemaking would update the reasonably available control technology (RACT) requirements for storage tanks in the Houston-Galveston-Brazoria (HGB) 2008 eight-hour ozone nonattainment area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties) for consistency with existing rules in the Dallas-Fort Worth area. The proposed rule changes include: updating the control efficiency requirement for control devices other than vapor recovery units or flares; expanding the applicability to include the aggregate of storage tanks at a pipeline breakout station into the control requirements prescribing flashed gas controls; and adding inspection, repair, and recordkeeping requirements. (Rule Project No. 2016-039-115-AI)

The proposed HGB Attainment Demonstration (AD) SIP revision for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) contains Federal Clean Air Act requirements including a photochemical modeling analysis, a weight of evidence analysis, a

RACT analysis, a reasonably available control measures analysis, a motor vehicle emissions budget (MVEB) for 2017, and a contingency plan. (Non-Rule Project No. 2016-016-SIP-NR)

The proposed HGB Reasonable Further Progress (RFP) SIP revision would include an analysis of reasonable further progress toward attainment of the 2008 eight-hour ozone NAAQS demonstrating a 15% emissions reduction in ozone precursors from the 2011 base year through the 2017 attainment year, a 3% emissions reduction for contingency in 2018, and updated RFP MVEBs. (Non-Rule Project No. 2016-017-SIP-NR)

The commission will hold a public hearing on these proposals in Houston on October 24, 2016, at 2:00 p.m. in the auditorium of the Texas Department of Transportation located at 7600 Washington Avenue. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposals 30 minutes prior to the hearing. The comment period closes October 24, 2016.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Joyce Spencer-Nelson, Air Quality Division at (512) 239-5017 or 1-800-RE-LAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Derek Baxter, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at: <http://www1.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the eComments system.

All comments pertaining to the proposed rulemaking should reference Project No. 2016-039-115-AI. Copies of the proposed rulemaking can be obtained from the commission's website at [https://www.tceq.texas.gov/rules/propose\\_adopt.html](https://www.tceq.texas.gov/rules/propose_adopt.html). For further information regarding the proposed rulemaking, please contact Graham Bates, Air Quality Division, (512) 239-2606. All comments pertaining to the proposed AD SIP revision should reference Project No. 2016-016-SIP-NR. For further information regarding the AD SIP revision, please contact Lola Brown, Air Quality Division, (512) 239-0348. All comments pertaining to the proposed RFP SIP revision should reference Project No. 2016-017-SIP-NR. For further information regarding the proposed RFP SIP revision, please contact Dan Robicheaux, Air Quality Division, (512) 239-4959. Copies of the proposed SIP revisions can be obtained from the commission's website at <https://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone>.

TRD-201604977  
Robert Martinez  
Director, Environmental Law Division  
Texas Commission on Environmental Quality  
Filed: September 23, 2016



#### Notice of Public Meeting for Land Use Compatibility Determination for a New Municipal Solid Waste Permit, Proposed Permit No. 2391

**APPLICATION.** Pintail Landfill, LLC, 134 Riverstone Terrace, Suite 203, Canton, Cherokee County, Georgia, 30114-1705, a waste management company, has applied to the Texas Commission on Environmental Quality (TCEQ) for a separate land use compatibility determination (Parts I and II) on a new permit to authorize the ac-

ceptance of municipal solid waste, special waste, and Class 2 and 3 non-hazardous industrial waste. The facility is located approximately 860 feet east of State Highway 6 between Wendt Road and Kelley Road, approximately 1 mile North of US Highway 290 in Waller County Texas 77445. The TCEQ received the land use compatibility portion of the application on July 5, 2016. This application is available for viewing and copying at the Waller County Library, 2331 11th Street, Hempstead, Waller County, Texas 77445, and may be viewed online at <http://www.biggsandmathews.com/permits.php>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://www.tceq.texas.gov/assets/public/hb610/index.html?lat=30.136944&lng=-96.068611&zoom=13&type=r>. For exact location, refer to application.

**ADDITIONAL NOTICE.** The TCEQ Executive Director has determined that Parts I and II of the application are administratively complete and will conduct a substantive technical review of this portion of the application. During the substantive technical review, the TCEQ will make a determination on the question of land use compatibility, including review of whether any local ordinance or order prohibits the processing or disposal of municipal solid waste in the area of the proposed landfill. If the site is determined to be compatible with the surrounding land uses, the TCEQ may at another time consider conformity with other regulatory requirements. If the Parts I and II of the application are declared technically complete, the TCEQ will issue a Notice of Application and Preliminary Decision.

*Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.*

**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 permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Response will be provided orally during the Informal Discussion Period. During the Formal Discussion Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all formal comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address.

Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

**The Public Meeting is to be held: Tuesday, October 25, 2016, at 7:00 p.m. Hempstead High School Auditorium 801 Donoho, Hempstead, Texas 77445.**

**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 permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at

(800) 687-4040. General information can be found at our Web site at [www.tceq.texas.gov](http://www.tceq.texas.gov).

*Si desea información en español, puede llamar al (800) 687-4040.*

Further information may also be obtained from Pintail Landfill, LLC at the address stated above or by calling Mr. David Green, President at (770) 720-2717.

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

TRD-201605047

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 28, 2016



## Notice of Water Rights Application

Notice issued September 23, 2016

APPLICATION NO. 08-3356B; City of Weatherford, P.O. Box 255, Weatherford, Texas 76086, Owner and Applicant, seeks to amend Certificate of Adjudication No. 08-3356 to authorize the use of the bed and banks of Lake Weatherford on the Clear Fork Trinity River, Trinity River Basin, and/or an unnamed tributary of Lake Weatherford to convey surface water-based return flows for subsequent diversion and use for multiple purposes; to divert anywhere along the perimeter of Lake Weatherford on the Clear Fork Trinity River; and to increase the rate of diversion from Lake Weatherford. The application and partial fees were received on March 31, 2015. Additional information and fees were received on August 3, 2015. The application was declared administratively complete and filed with the Office of the Chief Clerk on February 19, 2016. Additional information was received on May 27, 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 October 24, 2016.

### INFORMATION SECTION

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

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

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

hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided 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.state.tx.us](http://www.tceq.state.tx.us). Si desea información en español, puede llamar al (800) 687-4040.

TRD-201605041

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 27, 2016



## Texas Ethics Commission

### List of Late Filers

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

#### **Deadline: Monthly Report due April 5, 2016, for Committees**

Jeffrey T. Nielsen, Houston Contractors Assn. PAC, 4001 Sherwood Ln., Houston, Texas 77092-7976

David C. Walker, M.D., U.S. Anesthesia Partners of Texas PAC, 1500 City West Blvd., Ste. 300, Houston, Texas 77042-2549

#### **Deadline: 8-Day Pre-Election Report due April 29, 2016, for Candidates**

Jarvis Johnson, P.O. Box 924346, Houston, Texas 77292

#### **Deadline: Semiannual Report due July 15, 2016, for Candidates**

Mari Aguirre-Rodriguez, P.O. Box 15346, San Antonio, Texas 78212

Veronica Aleman, 217 Segovia Dr., Laredo, Texas 78046

Beverly Watts Davis, 217 Cactus St., San Antonio, Texas 78203

Emmett Gary Merwin, 5009 Sugarberry Dr., McKinney, Texas 75071

Darren J. Mieskoski, 10120 Palmbrook Dr., Austin, Texas 78717

Richard J. Phillips, 2504 Lakehurst Road, Spicewood, Texas 78669

Nathan Webb, 5817 1/2 Victor St., Dallas, Texas 75214

Patrick D. Wentworth, 3804 Levee Circle East 253, Benbrook, Texas 76109

David Wylie, P.O. Box 170321, Arlington, Texas 76003

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

Christine A. Jager, Citizens for Judicial Reform, 330 Rayford Rd., #164, Spring, Texas 77386

Robert E. Johnson, Jr., Gulf Greyhound Partners and Employees PAC, 1122 Colorado #208, Austin, Texas 78701

Jared G. LeBlanc, New Leaders Texas PAC, 3900 Essex Ln, Ste. 1111, Houston, Texas 77027-5100

Wendy L. Lewis, Momentum PAC, 5339 Fairgreen Ln., Houston, Texas 77048-2717

Sean M. McDonald, Second Chance Democrats, 814 W. Euclid, San Antonio, Texas 78212

Corey W. Nation, Poker in Texas, P.O. Box 763, Pflugerville, Texas 78691

Derrick Osobase, Texas Working People CWA Political Action Committee, 4301 W. William Cannon Dr., Ste. B-150, #126, Austin, Texas 78749

Kimberly Pettit, Uptown PAC, 1600 Post Oak Blvd., Ste. 700, Houston, Texas 77056

Sam Raia, Jr., Fort Bend GOP Conservatives, 1 Turnabout Ct., Sugar Land, Texas 77478

Scott Salmans, Fiscal Conservative PAC, 5045 Franklin, Waco, Texas 76710

Veronica F. Thibideaux, Alief Federation of Teachers Committee on Political Education, 12769 Beechnut St., Ste. A600, Houston, Texas 77072

Joshua C. Tompkins, Associated Builders & Contractors - Central Texas Chapter PAC, 01 SW Richardson St., Portland, Oregon 97239

Wyatt Truscheit, Friends of Charters, 505 Angelita, Ste. 9, Weslaco, Texas 78599

Ted A. Waterston, The Texas Blue Dog Coalition, 3924 Kimbrough Ln., Plano, Texas 75025

John R. Wennerstrom, Jr., Friends of ACC Bond, 1088 Bethany Ln., Alvin, Texas 77511

Virginia White, Midland County Texas Democratic Women, 2807 Ann Dr., Midland, Texas 79705

Robbin K. Voight, Geo-PAC, 1102 S. Austin Ave., #110-120, Georgetown, Texas 78626

TRD-201604966

Natalia Luna Ashley

Executive Director

Texas Ethics Commission

Filed: September 22, 2016



## Texas Facilities Commission

### Request for Proposals #303-7-20574

The Texas Facilities Commission (TFC), on behalf of the General Land Office (GLO), the Texas Commission on Environmental Quality (TCEQ) and the Texas Department of Parks and Wildlife Department (TPWD), announces the issuance of Request for Proposals (RFP) #303-7-20574. TFC seeks a five (5) or ten (10) year lease of office space in Corpus Christi, Texas.

The deadline for questions is October 28, 2016 and the deadline for proposals is November 4, 2016 at 3:00 p.m. The award date is December 21, 2016. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at [http://esbd.cpa.state.tx.us/bid\\_show.cfm?bidid=127332](http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=127332).

TRD-201605001

Kay Molina

General Counsel

Texas Facilities Commission

Filed: September 23, 2016



### Request for Proposals #303-7-20581

The Texas Facilities Commission (TFC), on behalf of the Department of Public Safety (DPS), announces the issuance of Request for Proposals (RFP) #303-7-20581. TFC seeks a five (5) or ten (10) year lease of approximately 11,455 square feet of usable space that consists of 11,260 square feet of office space and 195 square feet of outdoor employee lounge area space in Irving or Grand Prairie, Texas.

The deadline for questions is October 17, 2016, and the deadline for proposals is October 26, 2016, at 3:00 p.m. The award date is November 16, 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=127352](http://esbd.cpa.state.tx.us/bid_show.cfm?bidid=127352).

TRD-201605029

Kay Molina

General Counsel

Texas Facilities Commission

Filed: September 27, 2016



## General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 Federal Register pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of August 11, 2016, through August 22, 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, September 30, 2016. The public comment period for this project will close at 5:00 p.m. on Sunday, October 30, 2016.

FEDERAL AGENCY ACTIONS:

**Applicant:** BHP Billiton (BHPB)

**Location:** Outer Continental Shelf, Alaminos Canyon Area

**Project Description:** This initial exploration plan is for BHPB to drill and mudline suspend seventeen (17) wells in the Alaminos Canyon Area, Blocks 326, 369, and 370, Leases OCS-G 15759, 35761, and 35762. BHPB is requesting approval for additional seventeen (17) wells (Respuds) in the event an issue arises during drilling of the original well(s).

**CMP Project No:** 17-1012-F4

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-201605043

Anne L. Idsal

Chief Clerk/Deputy Land Commissioner

General Land Office

Filed: September 27, 2016



## Texas Health and Human Services Commission

### Notice of Public Hearing on Proposed Medicaid Payment Rates for Diagnostic Radiology Services, which includes Hospital Outpatient Diagnostic Radiology Services

This notice supersedes the publication in the September 30, 2016, issue of the *Texas Register* regarding Notice of Public Hearing on Proposed Medicaid Payment Rates for Diagnostic Radiology Services. Below is the revised notice.

**Hearing.** The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on December 15, 2016, at 9:00 a.m., to receive comment on proposed Medicaid payment rates for Diagnostic Radiology Services, which includes Hospital Outpatient Diagnostic Radiology Services.

The public hearing will be held in the Public Hearing Room of the John H. Winters Building at 701 West 51st Street, Austin, Texas. Entry is through security at the front of the building facing West 51st Street. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

**Proposal.** The payment rates for Diagnostic Radiology Services are proposed to be effective February 1, 2017.

**Methodology and Justification.** The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

Section 355.8061, which addresses the reimbursement methodology for outpatient hospital services; and

Section 355.8085, which addresses the reimbursement methodology for physicians and other practitioners.

**Briefing Package.** A briefing package describing the proposed payment rates will be available at <http://legacy-hhsc.hhsc.state.tx.us/rad/rate-packets.shtml> on or after December 1, 2016. Interested parties may obtain a copy of the briefing

package prior to the hearing by contacting HHSC Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by email at [RADAcuteCare@hhsc.state.tx.us](mailto:RADAcuteCare@hhsc.state.tx.us). The briefing package will also be available at the public hearing.

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

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 730-7401 at least 72 hours in advance so appropriate arrangements can be made.

TRD-201605039

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: September 27, 2016



#### Notice of Public Hearing on Proposed Medicaid Payment Rates for Hospice Services

**Hearing.** The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on October 26, 2016, at 2:00 p.m. to receive public comment on proposed Medicaid payment rates for hospice routine home care, continuous home care, inpatient respite care, general inpatient care, dual routine home care and the service intensity add-on.

The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice and hearings on proposed Medicaid reimbursements. The hearing will be held in the Department of Aging and Disability Services Public Hearing Room, John H. Winters Building, located at 701 West 51st Street, Austin, Texas. Entry is through Security at the main entrance of the building, which faces 51st Street.

**Proposal.** HHSC proposes to increase the payment rates for hospice routine home care, continuous home care, inpatient respite care, general inpatient care, dual routine home care and the service intensity

add-on. The payment rates are proposed to be effective October 1, 2016, in accordance with the final Medicare hospice rule published in the *Federal Register* on August 5, 2016 (CMS-1652-F).

**Methodology and Justification.** The proposed payment rates were calculated in accordance with the hospice reimbursement methodology located at the Code of Federal Regulations, Title 42, Part 418, Subpart G.

**Briefing Package.** A briefing package describing the proposed payment rates will be available at <http://www.hhsc.state.tx.us/rad/rate-packets.shtml> on or after October 14, 2016. Interested parties also may obtain a copy of the briefing package before the hearing by contacting Tesa Delemater by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail to [RAD-LTSS@hhsc.state.tx.us](mailto:RAD-LTSS@hhsc.state.tx.us). The briefing package will also be available at the public hearing.

**Written Comments.** Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5:00 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Rate Analysis Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Rate Analysis at (512) 730-7475; or by e-mail to [RAD-LTSS@hhsc.state.tx.us](mailto:RAD-LTSS@hhsc.state.tx.us). In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Rate Analysis Department, Mail Code H-400, Brown Heatly Building, 4900 North Lamar Blvd., Austin, Texas 78751-2316.

Persons requiring Americans with Disability Act (ADA) accommodation or auxiliary aids or services should contact Rate Analysis by calling (512) 730-7401 at least 72 hours prior to the hearing so appropriate arrangements can be made.

TRD-201605051

Karen Ray

General Counsel

Texas Health and Human Services Commission

Filed: September 28, 2016



#### Department of State Health Services

Licensing Actions for Radioactive Materials

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

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

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

NEW LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Austin	Bridgeport Instruments L.L.C.	L06805	Austin	00	09/08/16
Houston	Methodist Health Centers dba Houston Methodist West Hospital	L06806	Houston	00	09/09/16
Throughout TX	Thermo Process Instruments L.P.	L06804	Sugar Land	00	09/07/16

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Austin	Austin Radiological Association	L00545	Austin	189	09/14/16
Austin	Austin Nuclear Pharmacy Inc.	L05591	Austin	22	09/14/16
Austin	ARA St. Davids Imaging L.P.	L05862	Austin	67	09/01/16
Baytown	San Jacinto Methodist Hospital dba Houston Methodist San Jacinto Hospital	L02388	Baytown	66	09/06/16
Beaumont	Baptist Hospital of Southeast Texas	L00358	Beaumont	147	09/07/16
Beaumont	Baptist Hospital of Southeast Texas	L00358	Beaumont	148	09/13/16
Beaumont	Exxonmobil Oil Corporation	L00603	Beaumont	99	09/08/16
Bedford	Texas Oncology P.A.	L05606	Bedford	30	09/13/16
College Station	Energy Laboratories Inc.	L06171	College Station	08	09/13/16
Conroe	Adnan Afzal M.D., P.A. dba Healing Hearts	L06071	Conroe	10	09/13/16
Dallas	Baylor University Medical Center	L01290	Dallas	139	09/14/16
Dallas	University of Texas Southwestern Medical Center at Dallas	L05947	Dallas	34	09/09/16

AMENDMENTS TO EXISTING LICENSES ISSUED (continued):

Dallas	Texas Health Physicians Group dba Texas Health Presbyterian Heart and Vascular Group	L06578	Dallas	03	09/08/16
Earth	Savage-Tolk Corporation	L02672	Earth	28	09/07/16
El Paso	El Paso Cardiology Associates P.A.	L05162	El Paso	14	09/12/16
Fort Worth	BTDI JV L.L.P. dba Touchstone Imaging Downtown Fort Worth PET	L06728	Fort Worth	04	09/01/16
Galveston	The University of Texas Medical Branch	L01299	Galveston	102	09/13/16
Harlingen	Texas Oncology P.A. dba South Texas Cancer Center Harlingen	L00154	Harlingen	46	09/01/16
Houston	Memorial Hermann Health System dba Memorial Hermann Memorial City Medical Center	L01168	Houston	163	09/02/16
Houston	Memorial Hermann Health System dba Memorial Hermann Northeast Hospital	L02412	Houston	114	09/12/16
Houston	Memorial Hermann Health System dba Memorial Hermann Katy Hospital	L03052	Houston	77	09/08/16
Houston	Memorial Hermann Health System dba Memorial Hermann Sugar Land Hospital	L03457	Houston	58	09/02/16
Houston	Memorial Hermann Health System dba Memorial Hermann Hospital The Woodlands	L03772	Houston	135	09/08/16
Houston	Harris County Hospital District dba Lyndon Baines Johnson General Hospital	L04412	Houston	45	09/15/16
Houston	Methodist Health Centers dba Houston Methodist Willowbrook Hospital	L05472	Houston	57	09/08/16
Houston	Medi Physics Inc. dba GE Healthcare	L05517	Houston	26	09/01/16
Houston	The University of Texas MD Anderson Cancer Center	L06227	Houston	35	09/01/16
Houston	Memorial Hermann Medical Group	L06430	Houston	19	09/02/16
Houston	Memorial Hermann Health System dba Memorial Hermann Texas Medical Center	L06439	Houston	11	09/06/16
Houston	Advanced Cardiovascular Care Center	L06654	Houston	01	09/14/16
Humble	Cardiovascular Association P.L.L.C.	L05421	Humble	21	09/14/16
Irving	Baylor Medical Center at Irving dba Baylor Scott & White Medical Ctr. Irving	L02444	Irving	105	09/02/16
La Grange	Lower Colorado River Authority	L02738	La Grange	54	09/12/16
Lubbock	University Medical Center	L04719	Lubbock	149	09/12/16
Marble Falls	Scott & White Hospital – Marble Falls dba Baylor Scott & White Medical Center – Marble Falls	L06722	Marble Falls	04	09/15/16
N. Richland Hills	Heartplace P.A.	L05548	N. Richland Hills	26	09/13/16
Odessa	Ector County Hospital District dba Medical Center Hospital	L01223	Odessa	98	09/06/16
Pasadena	Equistar Chemicals L.P.	L01854	Pasadena	47	09/02/16
Plano	Texas Health Resources dba Heart First	L06480	Plano	11	09/06/16
Port Arthur	S. K. Rao M.D., P.A.	L05415	Port Arthur	23	09/12/16
Round Rock	Texas Oncology P.A.	L06240	Round Rock	04	09/09/16
San Antonio	VHS San Antonio Partners L.L.C. dba Baptist Health System	L00455	San Antonio	239	09/07/16
San Antonio	VHS San Antonio Partners L.L.C. dba Baptist Health System	L00455	San Antonio	240	09/13/16
San Antonio	Christus Santa Rosa Health Care	L02237	San Antonio	160	09/14/16

AMENDMENTS TO EXISTING LICENSES ISSUED (continued):

San Antonio	BHS Physicians Network Inc. dba Heart & Vascular Institute of Texas	L06750	San Antonio	03	09/13/16
Texarkana	Collom & Carney Clinic Association	L05524	Texarkana	12	09/13/16
Throughout TX	H & H X-Ray Services Inc.	L02516	Flint	92	09/14/16
Throughout TX	T Smith Inspection and Testing L.L.C.	L05697	Fort Worth	20	09/13/16
Throughout TX	General Inspection Services Inc.	L02319	Hempstead	49	09/08/16
Throughout TX	QC Laboratories Inc.	L04750	Houston	30	09/07/16
Throughout TX	Allied Wireline Services L.L.C.	L06374	Houston	15	09/02/16
Throughout TX	Baker Hughes Oilfield Operations Inc.	L06453	Houston	21	09/01/16
Throughout TX	The Chemours Company F.C., L.L.C.	L06745	Ingleside	01	09/07/16
Throughout TX	City of Killeen	L04668	Killeen	12	09/01/16
Throughout TX	Acuren Inspection Inc.	L01774	La Porte	291	09/01/16
Throughout TX	The Dow Chemical Company	L00451	Lake Jackson	100	09/13/16
Throughout TX	FTI Industries L.P.	L06714	Mansfield	03	09/07/16
Throughout TX	Turner Specialty Services L.L.C.	L05417	Nederland	48	09/06/16
Throughout TX	Petrochem Inspection Services Inc. dba TUV SUD America Chemical Oil and Gas	L04460	Pasadena	126	09/08/16
Throughout TX	Diamond Shamrock Refining Company L.P.	L04398	Sunray	25	09/02/16
Throughout TX	Pumpco Energy Services Inc.	L06507	Valley View	11	09/13/16

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Gatesville	Coryell County Memorial Hospital Authority dba Coryell Memorial Healthcare System	L02391	Gatesville	35	09/14/16
Throughout TX	Paradigm Consultants Inc.	L04875	Houston	15	09/07/16
Throughout TX	Etech Environmental & Safety Solutions Inc.	L05957	Midland	04	09/15/16

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
Throughout TX	Physical Science Laboratory of New Mexico State University Columbia Scientific Balloon Facility	L04717	Las Cruces	11	09/07/16
Tyler	Sigal Heart Center	L05704	Tyler	10	09/07/16

TRD-201605024  
 Lisa Hernandez  
 General Counsel  
 Department of State Health Services  
 Filed: September 26, 2016

**Texas Department of Insurance**

Company Licensing

Application for incorporation in the State of Texas by CRONUS INSURANCE COMPANY, a domestic fire and/or casualty company. The home office is in Irving, Texas.

Application for GRAND LODGE OF THE ORDER OF THE SONS OF HERMANN IN THE STATE OF TEXAS, a domestic life, accident and/or health company, DBA (doing business as) Hermann Sons Life. The home office is in San Antonio, 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-201605046  
 Norma Garcia  
 General Counsel  
 Texas Department of Insurance  
 Filed: September 28, 2016



## Notice of Informal Stakeholder Meeting

The Texas Department of Insurance provides notice of an informal stakeholder meeting to discuss and gather information relating to the determination of rates of assessments for: (1) expenses of examination of foreign and domestic insurance companies and workers' compensation self-insurance groups; and (2) insurance maintenance taxes.

Insurance Code §§401.151, 401.152, 401.155, and 401.156, and Labor Code §407A.252 require the commissioner of insurance to determine rates for the assessments for expenses of examination of foreign and domestic insurance companies and workers' compensation self-insurance groups. Insurance Code Title 3, Subtitles C and D, and Labor Code Chapters 403, 405, 407, and 407A require the commissioner of insurance to determine the rates for the assessments of insurance maintenance taxes.

TDI has scheduled an informal stakeholder meeting to be held 2 p.m. to 3 p.m., Central time, on Wednesday, October 26, 2016, in Room H3-102A at the William P. Hobby, Jr., State Office Building, 333 Guadalupe Street, Austin, Texas. Stakeholders unable to attend the meeting in person may participate remotely through teleconferencing. Please email Ann Paclik at [ann.paclik@tdi.texas.gov](mailto:ann.paclik@tdi.texas.gov) or call (512) 676-6168 for the conference line number and access code.

The purpose of the informal meeting is for TDI to provide information to and receive comments and information from all interested parties. Staff and stakeholders will informally discuss the preliminary estimates of the projected rates of assessment, the supporting documentation and methodology of the process for determining the estimated projected rates of assessment and fees, and the draft rules to establish the rates of each tax and assessment.

Shortly after the informal stakeholder meeting, TDI will make available the proposed amendments to the rules that establish the rates of assessments and fees. TDI will post the rule proposals on its website at <http://www.tdi.texas.gov/> and submit the proposals for publication and formal public comment in the *Texas Register*. Interested persons may view the rule proposals on the TDI website, or obtain copies of the rule proposals by submitting a written request to the Office of the Chief Clerk, Texas Department of Insurance, MC113-2A, P.O. Box 149104, Austin, Texas 78714-9104.

If you have any questions about this matter, please contact the Office of the Chief Clerk at (512) 676-6584.

TRD-201605044  
Norma Garcia  
General Counsel  
Texas Department of Insurance  
Filed: September 28, 2016



## Texas Lottery Commission

### Scratch Ticket Game Number 1775 "Royal Riches"

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

A. The name of Scratch Ticket Game No. 1775 is "ROYAL RICHES". The play style is "key number match".

#### 1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1775 shall be \$2.00 per Scratch Ticket.

#### 1.2 Definitions in Scratch Ticket Game No. 1775.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, DIAMOND SYMBOL, \$2.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$1,000 and \$30,000.

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

Figure 1: GAME NO. 1775 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
<b>DIAMOND SYMBOL</b>	<b>WINALL</b>
\$2.00	TWOS\$
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$30.00	TRTY\$

\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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 \$2.00, \$5.00, \$10.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$30.00, \$50.00, \$60.00, \$100 or \$120.

H. High-Tier Prize - A prize of \$1,000 or \$30,000.

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-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1775), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 1775-0000001-001.

K. Pack - A Pack of "ROYAL RICHES" Scratch Game Tickets contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack.

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 Ticket Game, Scratch Ticket or Ticket - Texas Lottery "ROYAL RICHES" Scratch Ticket Game No. 1775.

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 "ROYAL RICHES" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 27 (twenty-seven) Play Symbols. A player must scratch the entire play area to reveal 3 LUCKY NUMBERS Play Symbols and 12 YOUR NUMBERS Play Symbols. If the player matches any of YOUR NUMBERS Play Symbols to any of the LUCKY NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "DIAMOND" Play Symbol, the player WINS ALL 12 PRIZES INSTANTLY! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly 27 (twenty-seven) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly 27 (twenty-seven) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the 27 (twenty-seven) Play Symbols must be exactly one of those described in §1.2.C of these Game Procedures;
17. Each of the 27 (twenty-seven) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket 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 twelve (12) times.

D. On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$30,000 will each appear at least once, except on Tickets winning twelve (12) times.

E. No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

F. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

G. On all Tickets, a Prize Symbol will not appear more than two (2) times except as required by the prize structure to create multiple wins.

H. No matching LUCKY NUMBERS Play Symbols will appear on a Ticket.

I. The "DIAMOND" (WINALL) Play Symbol will never appear as a LUCKY NUMBERS Play Symbol.

J. The "DIAMOND" (WINALL) Play Symbol will win all 12 prizes on a Ticket and will win as per the prize structure.

K. The "DIAMOND" (WINALL) Play Symbol will never appear more than once on a Ticket.

L. The "DIAMOND" (WINALL) Play Symbol will never appear on a Non-Winning Ticket.

M. On Tickets winning with the "DIAMOND" (WINALL) Play Symbol, no YOUR NUMBERS Play Symbols will match any of the LUCKY NUMBERS Play Symbols.

N. YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e. 5 and \$5, 10 and \$10, 15 and \$15, 20 and \$20, 30 and \$30).

## 2.3 Procedure for Claiming Prizes.

A. To claim a "ROYAL RICHES" Scratch Ticket Game prize of \$2.00, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$60.00, \$100 or \$120, 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, \$50.00, \$60.00, \$100 or \$120 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 §2.3.B and §2.3.C of these Game Procedures.

B. To claim a "ROYAL RICHES" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning 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 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 "ROYAL RICHES" 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 §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 "ROYAL RICHES" 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 "ROYAL RICHES" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A

Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 1775. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1775 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2	806,400	8.93
\$5	652,800	11.03
\$10	230,400	31.25
\$20	38,400	187.50
\$30	8,700	827.59
\$50	3,600	2,000.00
\$60	1,500	4,800.00
\$100	4,800	1,500.00
\$120	1,200	6,000.00
\$1,000	16	450,000.00
\$30,000	8	900,000.00

\*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 4.12. 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. 1775 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. 1775, 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-201605033

Bob Biard

General Counsel

Texas Lottery Commission

Filed: September 27, 2016



### Scratch Ticket Game Number 1816 "Veterans Cash"

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

A. The name of Scratch Ticket Game No. 1816 is "VETERANS CASH". The play style is "key number match".

#### 1.1 Price of Scratch Ticket Game.

A. Tickets for Scratch Ticket Game No. 1816 shall be \$2.00 per Scratch Ticket.

#### 1.2 Definitions in Scratch Ticket Game No. 1816.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, \$\$ SYMBOL, FLAG SYMBOL, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$1,000 and \$30,000.

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

Figure 1: GAME NO. 1816 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
\$\$ SYMBOL	DBL
FLAG SYMBOL	WIN
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$

\$50.00	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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 \$2.00, \$4.00, \$5.00, \$10.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$50.00 or \$100.

H. High-Tier Prize - A prize of \$1,000 or \$30,000.

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 (1816), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 1816-0000001-001.

K. Pack - A Pack of "VETERANS CASH" Scratch Game Tickets contains 125 Scratch Tickets, packed in plastic shrink-wrapping and fan-folded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. Please note the books will be in an A, B, C and D configuration.

L. Non-Winning 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 - A Texas Lottery "VETERANS CASH" Scratch Ticket Game No. 1816.

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 "VETERANS CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 23 (twenty-three) Play Symbols. If the player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "FLAG" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a "\$\$" Play Symbol, the player wins DOUBLE the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly 23 (twenty-three) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;

2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;

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

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

5. The Scratch Ticket shall be intact;

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

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the 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 Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

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

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

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

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

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

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

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

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

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

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

## 2.2 Programmed Game Parameters.

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

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

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

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

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

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

G. The "FLAG" (WIN) and "\$\$" (DBL) Play Symbols will never appear in the "WINNING NUMBERS" Play Symbol spots.

H. The "\$\$" (DBL) Play Symbol will only appear as dictated by the prize structure.

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

J. No prize amount in a non-winning spot will correspond with the "YOUR NUMBERS" Play Symbol (e.g., 5 and \$5).

## 2.3 Procedure for Claiming Prizes.

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

B. To claim a "VETERANS CASH" Scratch Ticket Game prize of \$1,000 or \$30,000, 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 "VETERANS CASH" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

D. if the claim is subject to any deduction from the payment otherwise due, as described in §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 "VETERANS CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

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

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

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

3.0 Scratch Ticket Ownership.

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

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 5,040,000 Scratch Tickets in the Scratch Ticket Game No. 1816. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1816 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2	524,160	9.62
\$4	483,840	10.42
\$5	80,640	62.50
\$10	60,480	83.33
\$20	40,320	125.00
\$50	27,216	185.19
\$100	2,100	2,400.00
\$1,000	63	80,000.00
\$30,000	4	1,260,000.00

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

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

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 1816 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 Game 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. 1816, 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-201605034  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: September 27, 2016



Scratch Ticket Game Number 1818 "Holiday Countdown Super Ticket™"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 1818 is "HOLIDAY COUNTDOWN SUPER TICKET™". The play style is "multiple games".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 1818 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 1818.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35,

36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, FIREPLACE SYMBOL, MONEY BAG SYMBOL, HOLLY SYMBOL, GINGERBREAD MAN SYMBOL, ORNAMENT SYMBOL, SLED SYMBOL, TREE SYMBOL, BOW SYMBOL, STAR SYMBOL, BELL SYMBOL, MITTEN SYMBOL, STOCKING SYMBOL, WREATH SYMBOL, SCARF SYMBOL, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$20,000 and \$250,000.

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

Figure 1: GAME NO. 1818 - 1.2D

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

38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRT0
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
56	FFSX
57	FFSV
58	FFET
59	FFNI
60	SXTY
FIREPLACE SYMBOL	WIN
MONEY BAG SYMBOL	WINX5
HOLLY SYMBOL	WIN
GINGERBREAD MAN SYMBOL	GNGBRD
ORNAMENT SYMBOL	ORNAM
SLED SYMBOL	SLED
TREE SYMBOL	TREE
BOW SYMBOL	BOW
STAR SYMBOL	STAR
BELL SYMBOL	WIN\$20
MITTEN SYMBOL	MITTEN
STOCKING SYMBOL	STOCKING
WREATH SYMBOL	WREATH
SCARF SYMBOL	SCARF
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$

\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$20,000	20TH
\$250,000	250TH

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

F. Low-Tier Prize - A prize of \$10.00 or \$20.00.

G. Mid-Tier Prize - A prize of \$30.00, \$50.00, \$100, \$200 or \$500.

H. High-Tier Prize - A prize of \$1,000, \$20,000 or \$250,000.

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-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (1818), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 1818-0000001-001.

K. Pack - A Pack of the "HOLIDAY COUNTDOWN SUPER TICKET™" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 050 will be shown on the back of the Pack.

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 Ticket Game, Scratch Ticket or Ticket - Texas Lottery "HOLIDAY COUNTDOWN SUPER TICKET™" Scratch Ticket Game No. 1818.

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 "HOLIDAY COUNTDOWN SUPER TICKET™" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 109 (one hundred nine) Play Symbols. In GAME 1: 25 DAYS TO WIN - A player scratches each of the 25 numbered play spots in the play area. If a player reveals a "FIREPLACE" Play Symbol, the player wins the prize for that

symbol instantly. If a player reveals a "MONEY BAG" Play Symbol, the player wins five (5) TIMES the prize for that symbol. GAME 2: GOLDEN RINGS - If a player reveals a "HOLLY" Play Symbol in any play spot, the player wins the prize for that symbol. GAME 3: HOLIDAY RICHES - If a player matches any of the YOUR NUMBERS Play Symbols to any of the HOLIDAY NUMBERS Play Symbols, the player wins the prize for that number. If a player reveals a "HOLLY" Play Symbol, the player wins the prize for that symbol instantly. If a player reveals a "MONEY BAG" Play Symbol, the player wins five (5) TIMES the prize for that symbol. BONUS: GIFT OF GREEN - If a player reveals a "BELL" Play Symbol, the player wins \$20 instantly! No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

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

- Exactly 109 (one hundred nine) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
- 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;
- Each of the Play Symbols must be present in its entirety and be fully legible;
- Each of the Play Symbols must be printed in black ink except for dual image games;
- The Scratch Ticket shall be intact;
- The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
- The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
- The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
- The Scratch Ticket must not be counterfeit in whole or in part;
- The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
- 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;
- 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 109 (one hundred nine) 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 109 (one hundred nine) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 109 (one hundred nine) 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.

Programmed Game Parameters.

A. A Ticket can win up to fifty-two (52) times in accordance with the approved prize structure.

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

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

D. GAME 1: 25 DAYS TO WIN - Non-winning Play Symbols will all be different.

E. GAME 1: 25 DAYS TO WIN - Non-winning Prize Symbols will never appear more than three (3) times.

F. GAME 1: 25 DAYS TO WIN - The "MONEY BAG" (WINX5) Play Symbol will only appear as dictated by the approved prize structure.

G. GAME 1: 25 DAYS TO WIN - Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

H. GAME 2: 5 GOLDEN RINGS - Non-winning Play Symbols will all be different.

I. GAME 2: 5 GOLDEN RINGS - Non-winning Prize Symbols will never appear more than one (1) time.

J. GAME 2: 5 GOLDEN RINGS - Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

K. GAME 3: HOLIDAY RICHES: Each Ticket will have six (6) different "HOLIDAY NUMBERS" Play Symbols.

L. GAME 3: HOLIDAY RICHES - Non-winning "YOUR NUMBERS" Play Symbols will all be different within a GAME.

M. GAME 3: HOLIDAY RICHES - None of the "HOLIDAY NUMBERS" or "YOUR NUMBERS" will have the same numerical value as any of the Game 1 Play Symbols, unless restricted by other parameters, play action or prize structure.

N. GAME 3: HOLIDAY RICHES - Non-winning Prize Symbols will never appear more than three (3) times.

O. GAME 3: HOLIDAY RICHES - The "HOLLY" (WIN) and "MONEY BAG" (WINX5) Play Symbols will never appear in the "HOLIDAY NUMBERS" Play Symbol spots.

P. GAME 3: HOLIDAY RICHES - The "MONEY BAG" (WINX5) Play Symbol will only appear as dictated by the approved prize structure.

Q. GAME 3: HOLIDAY RICHES - Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

R. GAME 3: HOLIDAY RICHES - No prize amount in a non-winning spot will correspond with the "YOUR NUMBERS" Play Symbol (i.e., 10 and \$10).

S. BONUS: GIFT OF GREEN - The "BELL" (WIN\$20) Play Symbol will only appear as dictated by the approved prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "HOLIDAY COUNTDOWN SUPER TICKET™" Scratch Ticket Game prize of \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200 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 \$30.00, \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "HOLIDAY COUNTDOWN SUPER TICKET™" Scratch Ticket Game prize of \$1,000, \$20,000 or \$250,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper

identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "HOLIDAY COUNTDOWN SUPER TICKET™" 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 "HOLIDAY

COUNTDOWN SUPER TICKET™" 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 "HOLIDAY COUNTDOWN SUPER TICKET™" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 5,280,000 Scratch Tickets in Scratch Ticket Game No. 1818. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 1818 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10	686,400	7.69
\$20	448,800	11.76
\$30	211,200	25.00
\$50	105,600	50.00
\$100	70,400	75.00
\$200	5,280	1,000.00
\$500	880	6,000.00
\$1,000	100	52,800.00
\$20,000	6	880,000.00
\$250,000	3	1,760,000.00

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

\*\*The overall odds of winning a prize are 1 in 3.45. 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. 1818 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. 1818, 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-201605036  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: September 27, 2016



**Texas Lottery Lone Star Lineup Promotion**

The Texas Lottery Commission is offering a draw game promotion called Lone Star Lineup that includes the All or Nothing game, beginning September 25, 2016. The Lone Star Lineup promotion is a draw game value package available to Texas Lottery players to purchase \$6 worth of draw games for \$5. The games included in the Lone Star Lineup are All or Nothing (\$2), Texas Triple Chance (\$2), Cash Five (\$1), Pick 3 (\$.50) and Daily 4 (\$.50). All game tickets included in the

package are quick picks and cannot be canceled. The Texas Lottery has not established an end date for the Lone Star Lineup promotion. When a promotion end date is established, it will be communicated to the public.

TRD-201605052  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: September 28, 2016



**Public Utility Commission of Texas**

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

On September 16, 2016, Windstream KDL, Inc. filed an application with the Public Utility Commission of Texas to amend service provider certificate of operating authority number 60810, approving a name change.

Docket Style and Number: Application of Windstream KDL, Inc. to Amend its Service Provider Certificate of Operating Authority, Docket Number 46390.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 no later than October 14, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46390.

TRD-201605011

Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 26, 2016



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

On September 16, 2016, PaeTec Communications, Inc. filed an application with the Public Utility Commission of Texas to amend service provider certificate of operating authority number 60263, approving a name change.

Docket Style and Number: Application of PaeTec Communications, Inc. to Amend its Service Provider Certificate of Operating Authority, Docket Number 46391.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 no later than October 14, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46391.

TRD-201605012  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 26, 2016



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

On September 16, 2016, Talk America, Inc. filed an application with the Public Utility Commission of Texas to amend service provider certificate of operating authority number 60118, approving a name change.

Docket Style and Number: Application of Talk America, Inc. to Amend its Service Provider Certificate of Operating Authority, Docket Number 46392.

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 no later than October 14, 2016. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46392.

TRD-201605013  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 26, 2016



#### Notice of Intent to Serve Decertified Area

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) on September 19, 2016, Aqua Texas, Inc.'s (Aqua) notice of intent to provide sewer service to area decertified from Gulf Coast Waste Disposal Authority's (GCWDA) sewer certificate of convenience number 20465 in Chambers County.

Docket Style and Number: Aqua Texas, Inc.'s Notice of Intent to Provide Sewer Service to Area Decertified from Gulf Coast Waste Disposal Authority in Chambers County, Docket Number 46378.

The Application: Pursuant to Tex. Water Code §13.254 and 16 Tex. Admin. Code §24.113, Aqua filed a notice of intent to provide sewer service to 2,809 acres decertified from GCWDA. Aqua and GCWDA agreed to a determination that no property was rendered useless or valueless, no compensation is owed, and no appraisal is needed for just compensation to GCWDA.

Persons wishing to comment should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46378.

TRD-201605003  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 23, 2016



#### Notice of Intent to Serve Decertified Area

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) on September 19, 2016, Aqua Texas, Inc.'s (Aqua) notice of intent to provide sewer service to area decertified from Gulf Coast Waste Disposal Authority's (GCWDA) sewer certificate of convenience number 20465 in Chambers County.

Docket Style and Number: Aqua Texas, Inc.'s Notice of Intent to Provide Sewer Service to Area Decertified from Gulf Coast Waste Disposal Authority in Chambers County, Docket Number 46379.

The Application: On September 19, 2016, pursuant to Tex. Water Code §3.254 and 16 Tex. Admin. Code §4.113, Aqua filed a notice of intent to provide sewer service to a 42.943-acre tract of land decertified from GCWDA. Aqua and GCWDA agreed to a determination that no property was rendered useless or valueless, no compensation is owed, and no appraisal is needed for just compensation to GCWDA.

Persons wishing to comment should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46379.

TRD-201605004  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 23, 2016



#### Notice of Intent to Serve Decertified Area

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) on September 19, 2016, Aqua Texas, Inc.'s (Aqua) notice of intent to provide sewer service to area decertified from Gulf Coast Waste Disposal Authority's (GCWDA) sewer certificate of convenience number 20465 in Chambers County.

Docket Style and Number: Aqua Texas, Inc.'s Notice of Intent to Provide Sewer Service to Area Decertified from Gulf Coast Waste Disposal Authority in Chambers County, Docket Number 46380.

The Application: Pursuant to Tex. Water Code §13.254 and 16 Tex. Admin. Code §4.113, Aqua filed a notice of intent to provide sewer service to a 94.247-acre tract of land decertified from GCWDA. Aqua and GCWDA agreed to a determination that no property was rendered useless or valueless, no compensation is owed, and no appraisal is needed for just compensation to GCWDA.

Persons wishing to comment should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46380.

TRD-201605005  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 23, 2016



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

Notice is given to the public of the filing with the Public Utility Commission of Texas on September 26, 2016, a petition to amend a certificate of convenience and necessity in Kaufman County by expedited release.

Docket Style and Number: Petition of Heartland 1100 Investment Land, L.P., to Amend the City of Crandall's Water Certificate of Convenience and Necessity in Kaufman County by Expedited Release, Docket No. 46401.

The Application: Heartland 1100 Investment Land, L.P., filed with the Commission an application for expedited release from the City of Crandall's water certificate of convenience and necessity No. 11295 pursuant to Texas Water Code §13.254(a-5).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas no later than October 26, 2016, by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll-free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 46401.

TRD-201605045  
Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: September 28, 2016



### Texas Department of Transportation

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

The City of Hondo, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a qualified firm for professional services. This solicitation is subject to 49 U.S.C. §47107(a)(17) and will be administered in the same manner as a solicitation conducted under Chapter 2254, Subchapter A, of the Texas Government Code. Tx-

DOT Aviation Division will solicit and receive qualifications for professional services as described below:

Airport Sponsor: City of Hondo, South Texas Regional at Hondo Airport, TxDOT CSJ No. 1715HONDO. Scope: Prepare an Airport Development Plan which includes, but is not limited to, information regarding existing and future conditions, proposed facility development to meet existing and future demand, constraints to development, anticipated capital needs, financial considerations, management structure and options, as well as an updated Airport Layout Plan. The Airport Development Plan should be tailored to the individual needs of the airport.

The Agent, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all respondents that it will affirmatively ensure that any contract entered into pursuant to this advertisement, that disadvantaged business enterprises will be afforded full and fair opportunity to submit in response to this solicitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The proposed contract is subject to 49 CFR Part 26 concerning the participation of Disadvantaged Business Enterprises. The DBE goal is set at 0%. TxDOT Project Manager is Megan McLellan.

#### AVN-551 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-551, titled "Qualifications for Aviation Planning Services." The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number, 1-800-68-PILOT (74568). The form may be emailed by request or downloaded from the TxDOT website at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>. The form may not be altered in any way. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-551 template. The AVN-551 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-551. If a prime provider submits more than one AVN-551, that provider will be disqualified. Responses to this solicitation WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-551, firms are encouraged to download Form AVN-551 from the TxDOT website as addressed above. Utilization of Form AVN-551 from a previous download may not be the exact same format. Form AVN-551 is a PDF Template.

The completed Form AVN-551 **must be received** in the TxDOT Aviation eGrants system no later than November 8, 2016, 11:59 p.m. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

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

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

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

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-551s.

The committee will review all AVN-551s and rate and rank each. The evaluation criteria for airport planning projects can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations. The selection committee does, however, reserve the right to conduct interviews for the top rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

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

For questions regarding responding to this solicitation in eGrants, please contact the

TxDOT Aviation help desk at 1-800-687-4568 or [avn-egrantshelp@txdot.gov](mailto:avn-egrantshelp@txdot.gov)

TRD-201604971

Joanne Wright

Deputy General Counsel

Texas Department of Transportation

Filed: September 22, 2016



#### Public Notice - Aviation

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

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

[www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings.html](http://www.txdot.gov/inside-txdot/get-involved/about/hearings-meetings.html).

Or visit [www.txdot.gov](http://www.txdot.gov), and under How Do I, choose Find Hearings and Meetings, then choose Hearings and Meetings, and then choose Schedule.

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

TRD-201604963

Joanne Wright

Deputy General Counsel

Texas Department of Transportation

Filed: September 22, 2016



### Workforce Solutions for the Heart of Texas

#### Request for Quote #13160401 Rapid Response Services for Dislocated Workers

The Heart of Texas Workforce Development Board, Inc. (dba Workforce Solutions for the Heart of Texas) is soliciting quotes from vendor/vendors to provide Rapid Response Services for Dislocated Workers under the Workforce Innovation Opportunity Act (WIOA). Bidders to this Request for Quote (RFQ) must be capable of providing services in the event of a substantial layoff or company closure (affecting 50 or more workers) in our six county service area which includes Bosque, Falls, Freestone, Hill, Limestone, and McLennan Counties.

Issue Date: September 21, 2016

Quote Due Date/Time: Friday, October 14, 2016 no later than 4:30 p.m. (CST) via mail, hand-delivery or courier delivery to: Workforce Solutions for the Heart of Texas, 801 Washington Avenue, Suite 700, Waco, Texas 76701; ATTN: Kary Kuecker

The Heart of Texas Workforce Board, Inc. is an equal opportunity employer/programs and auxiliary aids and services are available upon request to include individuals with disabilities. TTY/TDD via RELAY Texas service at 711 or (TDD) 1-800-735-2989/1-800-735-2988 (voice).

TRD-201604938

Anthony Billings

Executive Director

Workforce Solutions for the Heart of Texas

Filed: September 21, 2016

