

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.

Department of Aging and Disability Services

Correction of Error

The Executive Commissioner of the Texas Health and Human Services Commission (HHSC) adopted amendments to 40 TAC §44.302 and §44.442 in the May 1, 2020, issue of the *Texas Register* (45 TexReg 2888). Due to an error by the Texas Register, the effective date was published as May 9, 2020. The correct effective date for each adoption is May 10, 2020.

TRD-202001883



Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and the Texas Health and Safety Code. Before the State may enter into such a voluntary settlement agreement, pursuant to Section 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: *Texas Commission on Environmental Quality v. All Phase Electrical Service, Inc., et al.*; Cause No. D-1-GN-18-007696; in the 419th Judicial District Court, Travis County, Texas.

Background: This suit seeks to recover from responsible parties the cleanup costs incurred by the Texas Commission on Environmental Quality ("TCEQ") at the San Angelo Electric Service Company ("SESCO") State Superfund Site in San Angelo, Tom Green County, Texas (the "Site"). During SESCO's evolution from an electric engine

repair shop to a facility building, repairing, and servicing electrical transformers, contaminants were spilled onto the soil and groundwater on and adjacent to the Site. Defendants in this suit were persons who allegedly arranged for disposal of waste at the Site. On October 31, 2019, an agreed final judgment was entered with 13 settling entities. Now, two more parties have agreed to reimburse TCEQ for part of the response costs expended.

Proposed Settlement: The parties propose an Agreed Final Judgment, which provides for a total monetary contribution of \$22,500 from the two settling entities, awarding the TCEQ a total of \$17,325.00 as reimbursement for its response costs and \$5,175.00 as attorney's fees.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Thomas Edwards, 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-202001868

Lesley French

General Counsel

Office of the Attorney General

Filed: May 11, 2020



State Bar of Texas

Committee on Disciplinary Rules and Referenda Proposed Rule Changes: Rule 13.05, Texas Rules of Disciplinary Procedure

Committee on Disciplinary Rules and Referenda Proposed Rule Changes

Texas Rules of Disciplinary Procedure

Rule 13.05. Voluntary Appointment of Custodian Attorney to Act During Disability

The Committee on Disciplinary Rules and Referenda, or CDRR, was created by Government Code section 81.0872 and is responsible for overseeing the initial process for proposing a disciplinary rule. Pursuant to Government Code section 81.0876, the Committee publishes the following proposed rule. The Committee will accept comments concerning the proposed rule through July 6, 2020. Comments can be submitted at texasbar.com/cdrd or by email to cdrr@texasbar.com. The Committee will hold a public hearing on the proposed rule by teleconference at 10:30 a.m. CDT on June 18, 2020. For teleconference participation information, please go to texasbar.com/cdrd/participate.

Proposed Rule (Redline Version)

13.05. Voluntary Appointment of Custodian Attorney to Act During Disability: In lieu of the procedures set forth in Rules 13.02 and 13.03, and in addition to the appointment of a custodian attorney to assist with the closure of an attorney's practice as provided in Rule 13.04, an appointing attorney planning for a possible temporary cessation of practice may voluntarily designate a Texas attorney licensed and in good standing to act as custodian attorney to assist in the disposition of active client matters for a period of time not to exceed 120 days without closing the appointing attorney's practice, but only: (1) when the appointing attorney experiences a Disability, as defined in Rule 1.06; and (2) if the custodian attorney has a reasonable expectation the appointing attorney will resume the practice of law when the Disability ceases. The terms of the appointing documents, which shall be signed and acknowledged by the appointing attorney and custodian attorney, may include any of the following duties assumed by the custodian attorney during the period of the Disability:

- A. Examine the client matters, including files and records of the appointing attorney's practice, and obtain information about any matters that may require attention.
- B. Notify persons and entities that appear to be clients of the appointing attorney of the cessation of the law practice, and suggest that they obtain other legal counsel.
- C. Apply for extension of time before any court or any administrative body pending the client's employment of other legal counsel.
- D. With the prior consent of the client, file such motions and pleadings on behalf of the client as are required to prevent prejudice to the client's rights.

- E. Give appropriate notice to persons or entities that may be affected other than the client.
- F. Arrange for surrender or delivery to the client of the client's papers, files, or other property.

If the appointing attorney's Disability does not cease before the end of the 120-day period, or if the appointing attorney otherwise does not return to the practice fully competent to provide the legal services necessary to protect the interests of the appointing attorney's clients before the end of the 120-day period, then the custodian attorney shall proceed to assist thereafter only in the final resolution and closure of the appointing attorney's practice in accordance with Rule 13.04, unless the custodian attorney seeks and obtains a court order extending the period under which the custodian attorney can continue to act as custodian for a specified duration under this Rule.

The custodian attorney shall observe the attorney-client relationship and privilege as if the custodian were the attorney of the client and may make only such disclosures as are necessary to carry out the purposes of this Rule. Except for intentional misconduct or gross negligence, no person acting as custodian attorney under this Rule shall incur any liability by reason of the actions taken pursuant to this Rule.

The privileges and limitations of liability contained herein shall not apply to any legal representation taken over by the custodian attorney.

Proposed Rule (Clean Version)

13.05. Voluntary Appointment of Custodian Attorney to Act During Disability: In lieu of the procedures set forth in Rules 13.02 and 13.03, and in addition to the appointment of a custodian attorney to assist with the closure of an attorney's practice as provided in Rule 13.04, an appointing attorney planning for a possible temporary cessation of practice may voluntarily designate a Texas attorney licensed and in good standing to act as custodian attorney to assist in the disposition of active client matters for a period of time not to exceed 120 days without closing the appointing attorney's practice, but only: (1) when the appointing attorney experiences a Disability, as defined in Rule 1.06; and (2) if the custodian attorney has a reasonable expectation the appointing attorney will resume the practice of law when the Disability ceases. The terms of the appointing documents, which shall be signed and acknowledged by the appointing attorney and custodian attorney, may include any of the following duties assumed by the custodian attorney during the period of the Disability:

- A. Examine the client matters, including files and records of the appointing attorney's practice, and obtain information about any matters that may require attention.
- B. Notify persons and entities that appear to be clients of the appointing attorney of the cessation of the law practice, and suggest that they obtain other legal counsel.
- C. Apply for extension of time before any court or any administrative body pending

the client's employment of other legal counsel.

- D. With the prior consent of the client, file such motions and pleadings on behalf of the client as are required to prevent prejudice to the client's rights.
- E. Give appropriate notice to persons or entities that may be affected other than the client.
- F. Arrange for surrender or delivery to the client of the client's papers, files, or other property.

If the appointing attorney's Disability does not cease before the end of the 120-day period, or if the appointing attorney otherwise does not return to the practice fully competent to provide the legal services necessary to protect the interests of the appointing attorney's clients before the end of the 120-day period, then the custodian attorney shall proceed to assist thereafter only in the final resolution and closure of the appointing attorney's practice in accordance with Rule 13.04, unless the custodian attorney seeks and obtains a court order extending the period under which the custodian attorney can continue to act as custodian for a specified duration under this Rule.

The custodian attorney shall observe the attorney-client relationship and privilege as if the custodian were the attorney of the client and may make only such disclosures as are necessary to carry out the purposes of this Rule. Except for intentional misconduct or gross negligence, no person acting as custodian attorney under this Rule shall incur any liability by reason of the actions taken pursuant to this Rule.

The privileges and limitations of liability contained herein shall not apply to any legal representation taken over by the custodian attorney.

TRD-202001808
Brad Johnson
Disciplinary Rules and Referenda Attorney
State Bar of Texas
Filed: May 7, 2020

Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: May 12, 2020

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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 05/18/20 - 05/24/20 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 05/18/20 - 05/24/20 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-202001880

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Court of Criminal Appeals

Availability of Grant Funds

The Court of Criminal Appeals announces the availability of funds to be provided in the form of grants to entities for the purpose of providing continuing legal education courses, programs, and technical assistance projects for prosecutors, prosecutor office personnel, criminal defense attorneys and criminal defense attorney office personnel who regularly represent indigent defendants in criminal matters, clerks, judges, and other court personnel of the appellate courts, district courts, county courts at law, county courts, justice courts and municipal courts of this State, individuals responsible for providing court security, or other persons as provided by statute.

The Court of Criminal Appeals also announces the availability of funds to be provided in the form of grants to entities for the purpose of providing continuing legal education courses, programs, and technical assistance projects on actual innocence for law enforcement officers, law

students, criminal defense attorneys, prosecuting attorneys, judges, or other persons as provided by statute.

Funds are subject to the provisions of Chapter 56 of the Texas Government Code and the General Appropriations Act. The grant period is September 1, 2020 through August 31, 2021. The deadline for applications is July 1, 2020. Applicants may request an application packet by contacting the Judicial Education Section of the Texas Court of Criminal Appeals: 201 West 14th Street, Suite 103, Austin, Texas 78701, (512) 475-2312, judicialeducation@txcourts.gov.

TRD-202001807

Megan Molleur

Grant Attorney & Administrator

Court of Criminal Appeals

Filed: May 7, 2020



Texas Education Agency

Correction of Error

The Texas Education Agency adopted new 19 TAC §61.1011 in the May 8, 2020, issue of the *Texas Register* (45 TexReg 3052). Due to an error by the Texas Register, the effective date was published as June 17, 2020. The correct effective date for the adoption is May 17, 2020.

TRD-202001839



Notice of Correction: Request for Applications (RFA) Concerning the 2020-2021 School Action Fund - Implementation Grant Program

Filing Authority. The availability of grant funds under RFA #701-20-121 is authorized by P.L. 114-95, Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001, Section 1003-School Improvement, and will be contingent on federal appropriations.

Texas Education Agency (TEA) published RFA Concerning the 2020-2021 School Action Fund - Implementation Grant Program in the May 15, 2020 issue of the *Texas Register* (45 TexReg 3376).

TEA is amending the applicant eligibility as follows.

Eligible Applicants. TEA is requesting applications under RFA #701-20-121 from local educational agencies with schools designated by TEA as 2018-2019 Comprehensive Schools and D- and F-rated 2018-2019 Targeted Schools. A campus may not receive funding concurrently from Texas Title I Priority School (TTIPS) Cycle 4 or 5 grant funds, a School Redesign grant, a School Transformation Fund grant, or a School Action Fund grant.

Issued in Austin, Texas, on May 13, 2020.

TRD-202001895

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: May 13, 2020



Notice of Correction: Request for Applications (RFA) Concerning the 2020-2021 School Action Fund - Planning Grant Program

Filing Authority. The availability of grant funds under RFA #701-20-120 is authorized by P.L. 107-110, Elementary and Secondary Educa-

tion Act of 1965, as amended by the No Child Left Behind Act of 2001, Section 1003(g), and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and will be contingent on federal appropriations and approval of the Texas Education Agency's (TEA's) application for CARES Act funding.

TEA published RFA Concerning the 2020-2021 School Action Fund - Planning Grant Program in the May 15, 2020 issue of the *Texas Register* (45 TexReg 3377).

TEA is amending the applicant eligibility as follows.

Eligible Applicants. TEA is requesting applications under RFA #701-20-120 from local educational agencies with schools designated by TEA as 2018-2019 Comprehensive Schools and D- and F-rated 2018-2019 Targeted Schools for new schools, restarts, and reassigns and schools designated by TEA as C- and D-rated campuses for redesigns. A campus may not receive funding concurrently from Texas Title I Priority School (TTIPS) Cycle 4 or 5 grant funds, a School Redesign grant, a School Transformation Fund grant, or a School Action Fund grant.

TRD-202001894

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: May 13, 2020



Texas Commission on Environmental Quality

Agreed Orders

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 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 **June 23, 2020**. 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 **June 23, 2020**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's 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: AAAIS REAL ESTATE, INCORPORATED dba Oasis Travel Plaza Angleton; DOCKET NUMBER: 2020-0090-PWS-E;

IDENTIFIER: RN106678329; LOCATION: Angleton, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(K), by failing to ensure that wellheads and pump bases are sealed by a gasket or sealing compound and properly vented with an opening that is covered with 16-mesh or finer corrosion-resistant screen to prevent the possibility of contaminating the well water; 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.44(h)(1)(A), by failing to ensure additional protection was provided at all residences or establishments where an actual or potential contamination hazard exists in the form of an air gap or a backflow prevention assembly, as identified in 30 TAC §290.47(f); 30 TAC §290.45(d)(2)(B)(ii) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a ground storage capacity which is equal to 50% of the maximum daily demand (MDD); 30 TAC §290.45(d)(2)(B)(iii) and THSC, §341.0315(c), by failing to provide at least one service pump with a capacity of three times the MDD, if the MDD is less than 15 gallons per minute; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and THSC, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; 30 TAC §290.46(f)(2) and (3)(A)(i)(III) and (ii)(III), (B)(iii) and (iv), and (D)(ii), by failing to maintain water works operation and maintenance records and make them readily available for review by the executive director upon request; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; 30 TAC §290.46(n)(1), by failing to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank at the public water system until the facility is decommissioned; 30 TAC §290.46(n)(2), by failing to maintain an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$8,738; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Albemarle Corporation; DOCKET NUMBER: 2020-0059-AIR-E; IDENTIFIER: RN100218247; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: chemical processing plant; RULES VIOLATED: 30 TAC §117.8140(a)(2) and Texas Health and Safety Code, §382.085(b), by failing to test the nitrogen oxides and carbon monoxide emissions from a stationary internal combustion engine on a biennial calendar basis; PENALTY: \$6,874; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,750; ENFORCEMENT COORDINATOR: Amanda Diaz, (512) 239-2601; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: Aqua Utilities, Incorporated; DOCKET NUMBER: 2020-0051-PWS-E; IDENTIFIER: RN102680543; LOCATION: Springtown, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(B)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data for Well Number 2, as defined in 30 TAC §290.41(c)(3)(A), for as long

as the well remains in service; PENALTY: \$1,000; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: Austin White Lime Company; DOCKET NUMBER: 2020-0006-AIR-E; IDENTIFIER: RN100214337; LOCATION: Austin, Travis County; TYPE OF FACILITY: quarry; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 6629 and PSDTX114, Special Conditions Number 14.B(1), Federal Operating Permit Number O2866, General Terms and Conditions and Special Terms and Conditions Number 11, and Texas Health and Safety Code, §382.085(b), by failing to calibrate the monitoring device for the continuous measurement of pressure loss of the gas stream through the scrubbers at least annually; PENALTY: \$3,533; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(5) COMPANY: Calles Enterprises, Incorporated dba Frio City Food Mart; DOCKET NUMBER: 2019-1314-PST-E; IDENTIFIER: RN102761350; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Julianne Dewar, (817) 588-5861; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(6) COMPANY: City of Laredo; DOCKET NUMBER: 2019-1661-PWS-E; IDENTIFIER: RN100524099; LOCATION: Laredo, Webb County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the systems facilities and equipment; and 30 TAC §290.46(q)(1) and (5), by failing to issue a boil water notice to customers of the facility within 24 hours of a low disinfectant residual using the prescribed format as specified in 30 TAC §290.47(c); PENALTY: \$2,767; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(7) COMPANY: City of Willow Park; DOCKET NUMBER: 2020-0049-PWS-E; IDENTIFIER: RN101242444; LOCATION: Willow Park, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide two or more wells having a total well capacity of 0.6 gallons per minute per connection; PENALTY: \$157; ENFORCEMENT COORDINATOR: Aaron Vincent, (512) 239-0855; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(8) COMPANY: Global Precision Systems LLC; DOCKET NUMBER: 2020-0034-MLM-E; IDENTIFIER: RN109095794; LOCATION: El Paso, El Paso County; TYPE OF FACILITY: transportation station; RULES VIOLATED: 30 TAC §111.149(b) and Texas Health and Safety Code, §382.085(b), by failing to pave or uniformly cover in gravel site's parking lot with more than five parking spaces within the City of El Paso; 30 TAC §281.25(a)(4), TWC, §26.121, and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; and 30 TAC §324.1 and §324.4(1) and 40 Code of Federal Regulations §279.22(d)(3), by failing to prevent the disposal of used oil onto the ground, and failing to clean up and manage properly the released used oil; PENALTY: \$6,075; ENFORCEMENT COORDINATOR: Carlos

Molina, (512) 239-2557; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

(9) COMPANY: High Point Village, Incorporated; DOCKET NUMBER: 2020-0086-PWS-E; IDENTIFIER: RN108174434; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(e)(1) and (h)(1) and Texas Health and Safety Code, §341.035(a), by failing to submit plans and specifications to the executive director for review and approval prior to the construction of a new public water supply; 30 TAC §290.41(c)(3)(A), by failing to submit well completion data for review and approval prior to placing the facility's public drinking water well into service; and 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; PENALTY: \$635; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(10) COMPANY: JBS Live Pork, LLC; DOCKET NUMBER: 2020-0022-PWS-E; IDENTIFIER: RN102852654; LOCATION: Dalhart, Dallam County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(2) and Texas Health and Safety Code, §341.031(a), by failing to comply with the acute maximum contaminant level of ten milligrams per liter for nitrate; PENALTY: \$1,800; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(11) COMPANY: Jim Wells County Fresh Water Supply District 1; DOCKET NUMBER: 2020-0021-PWS-E; IDENTIFIER: RN102673506; LOCATION: Ben Bolt, Jim Wells County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(f)(3)(C) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.010 milligrams per liter for arsenic based on a running annual average; 30 TAC §290.122(b)(3)(A) and (f), by failing to provide public notification and submit a copy of the notification, accompanied with a signed Certificate of Delivery, to the executive director (ED) regarding the failure to comply with the MCL for gross alpha for the first quarter of 2019; 30 TAC §290.122(c)(2)(A) and (f), by failing to provide public notification and submit a copy of the notification, accompanied with a signed Certificate of Delivery, to the ED regarding the failure to submit a Disinfection Level Quarterly Operating Report for the second quarter 2018; PENALTY: \$1,769; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(12) COMPANY: KISHAN N. KABIR, LLC; DOCKET NUMBER: 2020-0085-PWS-E; IDENTIFIER: RN102692241; LOCATION: Conway, Carson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.51(a)(6) and TWC, §5.702, by failing to pay annual Public Health Service fees and/or any associated late fees for TCEQ Financial Administration Account Number 90330016 for Fiscal Year 2020; and 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the executive director (ED) regarding the failure to report the results of nitrate sampling to the ED for the January 1, 2015 - December 31, 2015, monitoring period, and failing to collect at least one raw groundwater source *Escherichia coli* (or other approved fecal indicator) sample from the active groundwater source in use at the time the distribution coliform-positive samples were collected during the month of May 2018; PENALTY: \$105; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(13) COMPANY: MarkWest Javelina Company, L.L.C.; DOCKET NUMBER: 2020-0056-AIR-E; IDENTIFIER: RN102190139; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: gas processing plant; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; and 30 TAC §116.115(c), New Source Review Permit Number 19296, Special Conditions Number 1, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$11,408; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(14) COMPANY: Odfjell Terminals (Houston) Incorporated; DOCKET NUMBER: 2019-1280-AIR-E; IDENTIFIER: RN100218411; LOCATION: Seabrook, Harris County; TYPE OF FACILITY: organic liquid storage terminal; RULES VIOLATED: 30 TAC §§101.20(1), 116.115(c), and 122.143(4), 40 Code of Federal Regulations §60.18(c)(5), New Source Review (NSR) Permit Number 8865, Special Conditions (SC) Number 14.A, Federal Operating Permit (FOP) Number O3027, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 17, and Texas Health and Safety Code (THSC), §382.085(b), by failing to design and operate air-assisted flares with an exit velocity less than the maximum permitted velocity; and 30 TAC §§116.115(b)(2)(F) and (c) and 122.143(4), NSR Permit Number 8865, SC Number 1, FOP Number O3027, GTC and STC Number 17, and THSC, §382.085(b), by failing to comply with maximum allowable emissions rate; PENALTY: \$31,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$12,600; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: Pearland Malibu Enterprises, LLC; DOCKET NUMBER: 2020-0048-PWS-E; IDENTIFIER: RN101233997; LOCATION: Pearland, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(A)(ii) and Texas Health and Safety Code, §341.0315(c), by failing to provide a pressure tank capacity of 50 gallons per connection; 30 TAC §290.46(n)(1), by failing to maintain at the facility accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data for Well Number 3, as defined in 30 TAC §290.41(c)(3)(A), for as long as the well remains in service; PENALTY: \$175; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(16) COMPANY: Praxair, Incorporated; DOCKET NUMBER: 2020-0065-IWD-E; IDENTIFIER: RN102146446; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical plant; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0002529000, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$16,875; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$6,750; ENFORCEMENT COORDINATOR: Stephanie Frederick, (512) 239-1001; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(17) COMPANY: Riviana Foods Incorporated; DOCKET NUMBER: 2019-1595-AIR-E; IDENTIFIER: RN101734267; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: rice milling and

parboiling facility; RULES VIOLATED: 30 TAC §116.115(c), New Source Review (NSR) Permit Number 9766, Special Conditions (SC) Number 20, and Texas Health and Safety Code (THSC), §382.085(b), by failing to comply with the annual solvent usage limit; and 30 TAC §116.115(c), NSR Permit Number 9766, SC Number 7, and THSC, §382.085(b), by failing to comply with the maximum annual throughput limit; PENALTY: \$8,438; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(18) COMPANY: Scout Energy Management LLC; DOCKET NUMBER: 2019-1296-AIR-E; IDENTIFIER: RN100211580; LOCATION: Borger, Carson County; TYPE OF FACILITY: petroleum and natural gas compressor station; RULES VIOLATED: 30 TAC §122.143(4) and §122.144(1), Federal Operating Permit (FOP) Number O3161, General Terms and Conditions (GTC) and Special Terms and Conditions Number 3.A(iv)(1), and Texas Health and Safety Code (THSC), §382.085(b), by failing to conduct quarterly visible emissions observations; and 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O3161, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; PENALTY: \$23,602; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$9,441; ENFORCEMENT COORDINATOR: Amanda Diaz, (512) 239-2601; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(19) COMPANY: The Consolidated Water Supply Corporation; DOCKET NUMBER: 2020-0020-PWS-E; IDENTIFIER: RN101281632; LOCATION: Latexo, Houston 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 milligram per liter for total trihalomethanes based on the locational running annual average; PENALTY: \$2,325; ENFORCEMENT COORDINATOR: Samantha Salas, (512) 239-1543; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(20) COMPANY: Troy L. Williams dba Bell and Ford Marina Campground; DOCKET NUMBER: 2019-1630-PWS-E; IDENTIFIER: RN101220390; LOCATION: Huntsville, Walker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(f)(4) and §290.106(e), by failing to provide the results of nitrate sampling to the executive director (ED) for the January 1, 2015 - December 31, 2015, monitoring period; 30 TAC §§290.46(f)(4), 290.106(e), and 290.107(e), by failing to provide the results of nitrate and volatile organic chemical (VOC) contaminants sampling to the ED for the January 1, 2016 - December 31, 2016, monitoring period; 30 TAC §290.106(e), by failing to provide the results of nitrate sampling to the ED for the January 1, 2017 - December 31, 2017, and January 1, 2018 - December 31, 2018, monitoring periods; 30 TAC §§290.46(f)(4), 290.106(e), 290.107(e), and 290.122(c)(2)(A) and (f), by failing to provide the results of metals, minerals, cyanide and synthetic organic chemical (SOC) (methods 504, 515, and 531) contaminants sampling to the ED for the January 1, 2014 - December 31, 2016, monitoring period, and failing to issue public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the ED; 30 TAC §290.110(e)(4)(A) and (f)(3), by failing to submit a Disinfection Level Quarterly Operating Report (DLQOR) to the ED by the tenth day of the month following the end of each quarter for the second and third quarters of 2017; 30 TAC §290.117(c)(2)(B), (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 ED for the January 1, 2017 - December 31, 2017, monitoring period; 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of

the public notification to the ED regarding the failure to report the results of Stage 2 Disinfection Byproducts sampling to the ED for the January 1, 2014 - December 31, 2016, monitoring period; 30 TAC §290.122(c)(2)(A) and (f), by failing to issue public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the ED regarding the failure to provide the results of SOC (group 5) contaminants sampling to the ED for the January 1, 2015 - December 31, 2017, monitoring period; and 30 TAC §290.122(c)(2)(A) and (f) and TCEQ Agreed Order Docket Number 2017-0691-PWS-E, Ordering Provision Number 2.a.iv, by failing to issue public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the ED regarding the failure to submit a DLQOR to the ED by the tenth day of the month following the end of each quarter for the second quarter of 2017 through the first quarter of 2018, regarding the failure to provide the results of nitrate and VOC contaminants sampling to the ED for the January 1, 2017 - December 31, 2017, monitoring period, and regarding the failure to collect the lead and copper tap samples at the required five sample sites, have the samples analyzed and report the results to the ED for the January 1, 2017 - December 31, 2017, monitoring period; PENALTY: \$2,276; ENFORCEMENT COORDINATOR: Marla Waters, (512) 239-4712; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: Utilities Investment Company, Incorporated; DOCKET NUMBER: 2020-0023-PWS-E; IDENTIFIER: RN101235562; LOCATION: Huntsville, Trinity County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and §290.122(b)(2)(A) and (f) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter for total trihalomethanes (TTHM), based on the locational running annual average, and failing to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the executive director regarding the failure to comply with the MCL for TTHM for Stage 2 Disinfection Byproducts at Site 1 for the second quarter of 2019; PENALTY: \$1,755; ENFORCEMENT COORDINATOR: Amanda Conner, (512) 239-2521; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-202001873
Charmaine Backens
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: May 12, 2020



Amended Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant With Enhanced Controls: Proposed Air Quality Registration Number 159751

APPLICATION. Spindletop Concrete, Incorporated, 400 Gulfway Drive, Port Arthur, Texas 77640-3441 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 159751 to authorize the operation of a concrete batch plant. The facility is proposed to be located at 8000 Old Ferry Road, Port Arthur, Jefferson County, Texas 77642. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.963801&lng=-93.871311&zoom=13&type=r>. This application was submitted to the TCEQ on January 15, 2020. The

primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on February 10, 2020.

PUBLIC COMMENT / PUBLIC HEARING. Public written comments about this application may be submitted at any time during the public comment period. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A public hearing has been scheduled, that will consist of two parts, an informal discussion period and a formal comment period. During the informal discussion period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application, but comments made during the informal period will not be considered by the executive director before reaching a decision on the permit, and no formal response will be made to the informal comments. During the formal comment period, members of the public may state their comments into the official record. **Written comments about this application may also be submitted at any time during the hearing.** The purpose of a public hearing is to provide the opportunity to submit written comments or an oral statement about the application. **The public hearing is not an evidentiary proceeding.**

The Public Hearing is to be held:

Monday, June 15, 2020, at 6:00 p.m.

Members of the public may listen to the hearing by calling, toll free, (631) 992-3221 and entering access code 325-561-161. Members of the public who would like to ask questions or provide comments during the hearing may access the hearing via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 141-989-931. Those without internet access may call (512) 239-1201 before the hearing begins for assistance in accessing the hearing and participating telephonically.

Additional information will be available on the agency calendar of events at the following link: <https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

RESPONSE TO COMMENTS. A written response to all formal comments will be prepared by the executive director after the comment period closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and the response to comments will be posted in the permit file for viewing.

The executive director shall approve or deny the application not later than 35 days after the date of the public hearing, considering all comments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

CENTRAL/REGIONAL OFFICE. The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Beaumont Regional Office, located at 3870 Eastex Freeway, Beaumont, Texas 77703-1830, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

INFORMATION. If you need more information about this permit application or the permitting process, please call the Public Edu-

cation Program toll free at (800) 687-4040. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Spindletop Concrete, Incorporated, 400 Gulfway Drive, Port Arthur, Texas 77640-3441, or by calling Mr. Josh Butler, Principal Consultant, Elm Creek Environmental, LLC at (972) 768-9093.

Amended Notice Issuance Date: May 5, 2020

TRD-202001888

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 13, 2020



Amended Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant With Enhanced Controls: Proposed Air Quality Registration Number 159968

APPLICATION. BHH Sand and Gravel, L.L.C., 7054 Pipestone, Schertz, Texas 78154-3209 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 159968 to authorize the operation of a permanent concrete batch plant. The facility is proposed to be located at 8182 Old Pearsall Road, San Antonio, Bexar County, Texas 78252. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <http://www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.309185&lng=-98.650846&zoom=13&type=r>. This application was submitted to the TCEQ on February 4, 2020. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on February 24, 2020.

PUBLIC COMMENT / PUBLIC HEARING. Public written comments about this application may be submitted at any time during the public comment period. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at www14.tceq.texas.gov/epic/eComment/. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A public hearing has been scheduled, that will consist of two parts, an informal discussion period and a formal comment period. During the informal discussion period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application, but comments made during the informal period will not be considered by the executive director before reaching a decision on the permit, and no formal response will be made to the informal comments. During the formal comment period, members of the public may state their comments into the official record. **Written comments about this application may also be submitted at any time during the hearing.** The purpose of a public hearing is to provide the opportunity to submit written comments or an oral statement about the application. **The public hearing is not an evidentiary proceeding.**

The Public Hearing is to be held:

Monday, June 22, 2020, at 6:00 p.m.

Members of the public may listen to the meeting by calling, toll free, (415) 655-0052 and entering access code 258-077-940. Members of the public who would like to ask questions or provide comments during the meeting may access the meeting via webcast by following this link: <https://www.gotomeeting.com/webinar/join-webinar> and entering Webinar ID 341-506-131. Those without internet access may call (512) 239-1201 before the meeting begins for assistance in accessing the meeting and participating telephonically.

Additional information will be available on the agency calendar of events at the following link: <https://www.tceq.texas.gov/agency/decisions/hearings/calendar.html>.

RESPONSE TO COMMENTS. A written response to all formal comments will be prepared by the executive director after the comment period closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and the response to comments will be posted in the permit file for viewing.

The executive director shall approve or deny the application not later than 35 days after the date of the public hearing, considering all comments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

CENTRAL/REGIONAL OFFICE. The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ San Antonio Regional Office, located at 14250 Judson Road, San Antonio, Texas 78233-4480, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

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

Further information may also be obtained from BHH Sand and Gravel, L.L.C., 7054 Pipestone, Schertz, Texas 78154-3209, or by calling Mrs. Melissa Fitts, Vice President, Westward Environmental, Inc. at (830) 249-8284.

Amended Notice Issuance Date: May 8, 2020

TRD-202001887
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: May 13, 2020



Correction of Error

The Texas Commission on Environmental Quality adopted amendments to 30 TAC §§330.57, 330.69, and 330.411 in the May 8, 2020, issue of the *Texas Register* (45 TexReg 3119). In the preamble (45 TexReg 3120), the following language, beginning with the request for public comment as the last sentence under the Final Regulatory Impact Determination, followed by language for Takings Impact Assessment, Consistency with Coastal Management Program, Effect on Site Subject to the Federal Operating Permits Program, and Public Comment was inadvertently omitted from publication and should read as follows:

"The commission invited public comment regarding the Draft Regulatory Impact Analysis Determination during the public comment period. No comments were received on the Draft Regulatory Impact Analysis Determination.

Takings Impact Assessment

The commission evaluated the adopted rulemaking and performed an analysis of whether Texas Government Code, Chapter 2007, is applicable. The adopted amendments do not affect private property in a manner that restricts or limits an owner's right to the property that would otherwise exist in the absence of a governmental action. Consequently, this rulemaking action does not meet the definition of a taking under Texas Government Code, §2007.002(5). The adopted amendments do not directly prevent a nuisance or prevent an immediate threat to life or property. Therefore, this rulemaking action will not constitute a taking under Texas Government Code, Chapter 2007.

Consistency with the Coastal Management Program

The commission reviewed the adopted rulemaking and found the adoption is a rulemaking identified in the Coastal Coordination Act implementation rules, 31 TAC §505.11(b)(4) relating to rules subject to the Coastal Management Program, and will, therefore, require that goals and policies of the Texas Coastal Management Program (CMP) be considered during the rulemaking process.

The commission reviewed this rulemaking for consistency with the CMP goals and policies in accordance with the regulations of the Coastal Coordination Advisory Committee and determined that the rulemaking is procedural in nature and will have no substantive effect on commission actions subject to the CMP and is, therefore, consistent with CMP goals and policies.

The commission invited public comment regarding the consistency with the CMP during the public comment period. No comments were received regarding the CMP.

Effect on Sites Subject to the Federal Operating Permits Program

Sections 330.57, 330.69, and 330.411 are not applicable requirements under 30 TAC Chapter 122 (Federal Operating Permits Program) and, therefore, no effect on sites subject to the Federal Operating Permits Program is expected.

Public Comment

The commission offered a public hearing on December 10, 2019. The comment period closed on December 16, 2019. No comments were received on the rulemaking."

TRD-202001884



Notice of Opportunity to Comment on a Shutdown/Default Order of an Administrative Enforcement Action

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 compli-

ance, 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 **June 23, 2020**. 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 June 23, 2020**. Written comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission attorney is available to discuss the S/DO and/or the comment procedure at the listed phone number; however, comments on the S/DO shall be submitted to the commission **in writing**.

(1) COMPANY: P&U KING CORPORATION dba Quick Track 7; DOCKET NUMBER: 2017-1650-PST-E; TCEQ ID NUMBER: RN102027372; LOCATION: 1934 North Interstate 35, Gainesville, Cooke County; TYPE OF FACILITY: UST system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; 30 TAC §334.605(a), by failing to ensure that a certified Class A/B Operator was re-trained within three years of their last training date; PENALTY: \$4,946; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202001877

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 12, 2020



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 **June**

23, 2020. 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 June 23, 2020**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission **in writing**.

(1) COMPANY: CIRCLE K STORES INC. dba Circle K Store 2706981; DOCKET NUMBER: 2018-0227-PST-E; TCEQ ID NUMBER: RN101635357; LOCATION: 9111 North Interstate Highway 35, Jarrell, Williamson County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to ensure that all UST recordkeeping requirements are met. Specifically, release detection and corrosion protection records were not available for review; TWC, §26.3475(d) and 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the UST system. Specifically, the rectifier was not functioning; TWC, §26.3475(c)(2) and 30 TAC §334.51(a)(6), by failing to ensure that all installed spill and overflow prevention devices are maintained in good operating condition. Specifically, the spill buckets for Tank 4, Tank 5, and Tank 6 were damaged; 30 TAC §334.72, by failing to report to the agency within 24 hours after monitoring results from a release detection method indicated a release may have occurred. Specifically, respondent did not report to TCEQ within 24 hours after inventory control records for Tank 4 for February and March 2017, Tank 1 for March and April 2017, and Tank 3 for March and April 2017 indicated releases may have occurred; and 30 TAC §334.74, by failing to investigate and confirm within 30 days, and failing to file a report containing the investigation results with the commission within 45 days, after monitoring results from a release detection method indicated a release may have occurred. Specifically, respondent did not investigate within 30 days after inventory control records for Tank 4 for February and March 2017, Tank 1 for March and April 2017, and Tank 3 for March and April 2017 indicated releases may have occurred; PENALTY: \$48,302; STAFF ATTORNEY: Clayton Smith, Litigation Division, MC 175, (512) 239-6224; REGIONAL OFFICE: Austin Regional Office, 12100 Park 35 Circle, Building A, Room 179, Austin, Texas 78753, (512) 339-2929.

(2) COMPANY: CLIFTON FOOD MART, L.L.C. dba Clifton Food Mart; DOCKET NUMBER: 2019-0361-PST-E; TCEQ ID NUMBER: RN101662724; LOCATION: 714 South Avenue G, Clifton, Bosque 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), 30 TAC §334.50(b)(1)(A), and TCEQ AO Docket Number 2016-1158-PST-E, Ordering Provision Number 2.b.i., by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each mon-

itoring); PENALTY: \$31,500; STAFF ATTORNEY: Clayton Smith, Litigation Division, MC 175, (512) 239-6224; REGIONAL OFFICE: Waco Regional Office, 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

TRD-202001878

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 12, 2020



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 23, 2020**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on June 23, 2020**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Andra J. Odom; DOCKET NUMBER: 2019-0538-MLM-E; TCEQ ID NUMBER: RN110488814; LOCATION: 155 Private Road 8128, Newton, Newton County; TYPE OF FACILITY: property; RULES VIOLATED: 30 TAC §330.15(a) and (c), by causing, suffering, allowing or permitting the unauthorized disposal of municipal solid waste; and Texas Health and Safety Code §382.085(b) and 30 TAC §111.201, by causing, suffering, allowing, or permitting outdoor burning within the state of Texas; PENALTY: \$2,722; STAFF ATTORNEY: Audrey Liter, Litigation Division, MC 175, (512) 239-0684; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: Gustavo Garcia dba Gugaru's Body Shop, Car Wash, and Detail; DOCKET NUMBER: 2017-1538-AIR-E; TCEQ ID NUMBER: RN109717827; LOCATION: 531 Talbot Avenue, Canutillo, El Paso County; TYPE OF FACILITY: auto body shop and car wash; RULES VIOLATED: Texas Health and Safety Code, §382.0518(a) and §382.085(b) and 30 TAC §116.110(a), by failing to obtain authorization prior to operating a source of air contaminants; PENALTY: \$1,312; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: El Paso Regional Office, 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

(3) COMPANY: Rapid Marine Fuels, LLC; DOCKET NUMBER: 2019-0438-MLM-E; TCEQ ID NUMBER: RN101061422; LOCATION: 7815 Highway 225, La Porte, Harris County; TYPE OF FACILITY: used oil and used oil filter handling and processing facility; RULES VIOLATED: 30 TAC §§37.2011, 37.2021, 324.22(c), and 328.24(e), by failing to provide evidence of financial responsibility with registration to assure the facility has sufficient assets to provide for proper closure; 30 TAC §324.22(d)(3) and 40 Code of Federal Regulations (CFR), §279.45(d) and (e) and §279.54(c) and (d), by failing to provide a secondary containment to all areas where used oil is stored, transferred, or otherwise handled; 30 TAC §324.12(4) and §328.24(c)(4) and 40 CFR, §279.57(b), by failing to submit a report of used oil operations on a biennial basis; 30 TAC §328.28 and 40 CFR, §§279.22, 279.52(b), and 279.54, by failing to develop a plan to prevent spills and respond to spills in accordance with the spill prevention, control, and countermeasure requirements; 30 TAC §324.12(3) and 40 CFR, §279.55, by failing to develop and maintain a written analysis plan for sampling and analyzing, keeping records, and complying with analytical requirements for documenting that used oil is not hazardous waste and/or that used oil to be burned for energy recovery meets on specification requirements; 30 TAC §335.6(c), by failing to submit a Notice of Registration regarding waste processing activities; 30 TAC §335.9(a)(2), by failing to submit to the executive director a complete and correct Annual Waste Summary detailing the management of each hazardous and Class 1 waste generated on-site during the reporting calendar year; and 30 TAC §§335.62, 335.503(a), 335.504, 335.511, and 335.513 and 40 CFR §262.11 and §279.47, by failing to conduct hazardous waste determinations and waste classifications; PENALTY: \$50,875; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202001879

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 12, 2020



Notice of Opportunity to Comment on Settlement of Environmental Claims under the Texas Health and Safety Code

The Texas Commission on Environmental Quality (TCEQ) is providing an opportunity for written public comment on an Administrative Settlement Agreement and Order on Consent for Certain Response Action Activities by Bona Fide Prospective Purchaser (Settlement) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the TCEQ may approve the Settlement, the TCEQ shall allow the public an opportunity to submit written comments on the Settlement. 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 June 23, 2020. Pursuant to TWC, §7.075, the TCEQ will promptly consider any written comments received and may withdraw or withhold approval of the Settlement if a comment discloses facts or considerations that indicate that the Settlement is inappropriate, improper, inadequate, or inconsistent with the TCEQ's jurisdiction or the TCEQ's orders and permits issued in accordance with the TCEQ's regulatory authority. Additional notice of changes to the Settlement is not required to be published if those changes are made in response to written comments.

The Conroe Creosoting federal Superfund Site (Site) is a 147-acre former wood treating facility in Conroe, Montgomery County, Texas. In response to soil and groundwater contamination at the Site, the Environmental Protection Agency (EPA) conducted a removal action in 2002 pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA). All contaminated soils were placed in an on-site Resource Conservation and Recovery Act (RCRA) vault. The final remedy for the site includes ongoing monitored natural attenuation of contaminants in the groundwater and long-term maintenance of the RCRA vault conducted by the TCEQ.

Trammell Crow Company (Purchaser) plans to purchase and redevelop portions of the Site, and the EPA and TCEQ have agreed to settle certain environmental claims which may arise as a result of the purchase of the property. The Settlement is based on the EPA's model Bona Fide Prospective Purchaser (BFPP) agreement. The Settlement provides liability protection to the Purchaser from certain claims of the TCEQ related to existing contamination at the Site in consideration of the Purchaser conducting limited remedial activities at the Site and paying a cash settlement in the amount of \$180,000 to TCEQ.

STAFF ATTORNEY: Theda Stricker, Litigation Division, TCEQ, P.O. Box 13087, MC 175, Austin, Texas 78711-3087, (512)-239-3400, *superfnd@tceq.texas.gov*.

A copy of the Settlement may be obtained by mail or email. Requests for a copy of the agreement should be directed to the staff attorney.

The TCEQ will accept written comments relating to the Settlement for thirty days from the date of publication of this notice. Written comments about the Settlement should be sent to the staff attorney by mail or electronic mail and must be received by 5:00 p.m. on June 23, 2020. Comments may also be sent by facsimile machine to the staff attorney at (512) 239-3434. The staff attorney is available to discuss the Settlement and/or the comment procedure at the listed phone number; however, TWC, §7.075 provides that comments shall be submitted to the TCEQ **in writing**.

TRD-202001874

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 12, 2020



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of SHRISHUBH, LLC Dba Super Food Mart: SOAH Docket No. 582-20-3433; TCEQ Docket No. 2017-0898-PST-E

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

10:00 a.m. - June 4, 2020

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed June 12, 2018, concerning assessing administrative penalties against and requiring certain actions of SHRISHUBH, LLC dba Super Food Mart, for violations in Dallas County, Texas, of: Tex. Water Code §§26.3475(a), (c)(1), and (d) and 30 TAC §§334.49(a)(1), 334.50(b)(1)(A) and (b)(2), 334.602(a), and 334.605(a) and (b).

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

Legal Authority: Tex. Water Code §7.054, Tex. Water Code chs. 7 and 26, and 30 Tex. Admin. Code chs. 70 and 334; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 TAC §§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 Christopher Mullins, 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 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.

In accordance with 1 TAC §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

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

Issued: May 5, 2020

TRD-202001890

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 13, 2020



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Star Container Company Inc.: SOAH Docket No. 582-20-3374; TCEQ Docket No. 2019-0679-IHW-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. - June 4, 2020

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 December 2, 2019 concerning assessing administrative penalties against and requiring certain actions of Star Container Company Inc., for violations in Mason County, Texas, of: Tex. Water Code §26.121(a)(1), 30 Texas Administrative Code §335.2 and §335.4, and TCEQ Agreed Order Docket No. 2016-1084-MLM-E, Ordering Provisions Nos. 2.a., 2.b., and 2.c.

The hearing will allow Star Container Company Inc., the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Star Container Company Inc., 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 Star Container Company Inc. 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.** Star Container Company Inc., the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code §7.054 and chs. 7 and 26, Tex. Health & Safety Code ch. 361, and 30 Texas Administrative Code chs. 70 and 335; 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 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at 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.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

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

Issued: May 5, 2020

TRD-202001891

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 13, 2020



Notice of Public Hearing on Proposed Revisions to 30 TAC Chapter 111 and to the State Implementation Plan

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 111, Control of Air Pollution From Visible Emissions and Particulate Matter, §111.209, and corresponding 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 concerning SIPs.

The proposed rulemaking would implement House Bill 2386, 85th Texas Legislature, 2017, by amending §111.209(5) to include volunteer firefighters, acting within the scope of their duties, to fulfill the requirements for providing supervision of the burning of waste.

The commission will hold a public hearing on this proposal in Austin on June 1, 2020, at 2:00 p.m. in Building E, Room 201S at the commission's central office located at 12100 Park 35 Circle or remotely on the same day and time if necessary due to COVID-19 restrictions. 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 (800) RELAY-TX (TDD). Requests should be made as far in advance as possible.

Written comments may be submitted to Andreea Vasile, 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: <https://www6.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 2019-124-111-CE. The comment period closes June 23, 2020. Copies of the proposed rulemaking can be obtained from the commission's website at https://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Keith Sheedy, P.E., Program Support and Environmental Assistance Division, (512) 239-1556.

Please check https://www.tceq.texas.gov/rules/propose_adopt.html or <https://www.tceq.texas.gov/rules/hearings.html> before the hearing date for information about accommodations if the hearing must be conducted remotely due to COVID-19 restrictions.

TRD-202001811

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: May 8, 2020



Notice of Water Quality Application

The following notices were issued on May 04, 2020.

The following does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin Texas 78711-3087 WITHIN 30 DAYS OF THIS NOTICE BEING PUBLISHED IN THE *TEXAS REGISTER*.

INFORMATION SECTION

Jack A. Fusco Energy Center, LLC and Calpine Operating Services Company, Inc., which operate Jack A. Fusco Energy Center, a combined cycle natural gas-fired steam electric generating facility, have applied for a minor amendment to Texas Pollutant Discharge Elimination System Permit No. WQ0004258000 to authorize a change in the effluent monitoring location of internal Outfall 301. The draft permit authorizes the discharge of cooling tower blowdown, water treatment wastes, wastewater from the internal cooling coils of the inlet air chiller, heat recovery steam generator (HRSG) blowdown, and low volume wastewater at a daily average flow not to exceed 1,500,000 gallons per day via Outfall 001 (Phase I), and cooling tower blowdown, water treatment wastes, wastewater from the internal cooling coils of the inlet air chiller, HRSG blowdown, and low volume wastewater at a daily average flow not to exceed 3,000,000 gallons per day via Outfall 001 (Phase II). The facility is located at 3440 Lockwood Road, near the City of Richmond, Fort Bend County, Texas 77469.

The following does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin Texas 78711-3087 WITHIN 10 DAYS OF THE ISSUED DATE OF THE NOTICE.

INFORMATION SECTION

THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY staff has initiated a minor amendment of Permit No. WQ0015473001 issued to VTC Addie, LLC, to authorize correcting Attachment A of the permit. The existing permit authorizes the disposal of treated do-

mestic wastewater at a daily average flow not to exceed 9,000 gallons per day via a public access subsurface area drip dispersal system with a minimum area of 90,000 square feet, which will remain the same. This permit will not authorize a discharge of pollutants into water in the state. The wastewater treatment facility and disposal site will be located at 800 North Capital of Texas Highway, in the City of West Lake Hills, Travis County, Texas 78746.

TRD-202001886

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 13, 2020



Second Amended Notice of Hearing (to Change Hearing Date and Location) Lealco, Inc.: SOAH Docket No. 582-20-2399; TCEQ Docket No. 2018-1759-MSW; Proposed Permit No. 2398

APPLICATION.

Lealco, Inc., 7118 U.S. Highway 59 South, Goodrich, Polk County, Texas, 77335, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Type V Municipal Solid Waste Transfer Station permit. The facility is proposed to be located on approximately 20.5 acres of property located off County Road (CR) 130, approximately 0.8 miles northwest of the intersection of CR 130 and Chandler Road, in an unincorporated area of Williamson County, Texas, and within the extraterritorial jurisdiction of the City of Hutto, Texas. The transfer station facility would accept and transfer municipal solid waste which includes wastes resulting from or incidental to municipal, community, commercial, institutional, and recreational activities; construction or demolition waste; special waste that does not interfere with site operations; and other wastes such as Class 2 and Class 3 industrial waste. The TCEQ received this application on August 11, 2017. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bb-ddd360f8168250f&marker=-97.56%2C30.5976&level=12>>. For the exact location, refer to the application.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Hutto City Secretary's office located at 500 West Live Oak Street, Hutto, Texas. These documents may be viewed online at <http://www.scsengineers.com/State/williamson-transfer-station>.

DIRECT REFERRAL.

The Notice of Application and Preliminary Decision was published on December 20, 2018; January 3, 2019; January 10, 2019; and January 17, 2019. On January 21, 2020, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

CONTESTED CASE HEARING.

Considering directives to protect public health, the State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via

Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

10:00 a.m. - June 18, 2020

To join the Zoom meeting via computer:

www.zoom.us/join

Meeting ID: 935-8855-7045

Password: 1Q^uV\$

or

To join the Zoom meeting via telephone:

(346) 248-7799

Meeting ID: 935-8855-7045

Password: 665594

or

To join the Zoom meeting via Smart Device:

Download the free app

Meeting ID: 935-8855-7045

Password: 1Q^uV\$

Additional details and methods for joining the Zoom meeting are available online in SOAH Order No. 2 at: https://www.tceq.texas.gov/assets/public/comm_exec/agendas/comm/backup/MISC/2018-1759-MSW-Order2.pdf

Persons with questions regarding the Zoom videoconference should call the SOAH Docketing Department at (512) 475-3445.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 361, Texas Health and Safety Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 330; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155.

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

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

INFORMATION.

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

Further information may also be obtained from Lealco, Inc. at the address stated above or by calling Mr. Chris Ruane, Region Engineering Manager at (832) 442-2204.

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

Issued: May 12, 2020

TRD-202001889

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 13, 2020

Texas Ethics Commission

List of Late Filers

Below is a list from the Texas Ethics Commission naming the filers who failed to pay the penalty fine for failure to file the report in reference to the specified filing deadline. If you have any questions, you may contact Sue Edwards at (512) 463-5800.

Deadline: Lobby Activities Report due January 10, 2020

James Andrew Campbell, P.O. Box 195892, Dallas, Texas 75219

Anthony Chapple, 401 W. 15th St., Austin, Texas 78701

Michael W. Hamilton, Jr., 5790 Townhouse Ln., Beaumont, Texas 77707

Lisa Bowlin Hobbs, 3307 Northland, Ste. 310, Austin, Texas 78731

Jason Johnson, 210 Black Stone Cove, Driftwood, Texas 78619

Justin R. Jordan, 1800 West Loop S., Houston, Texas 77027

Dana Kervin, 3693 Southwest Freeway, Houston, Texas 77027

Christina Phamvu, 8614 Kosta Browne, San Antonio, Texas 78249

Dieu Xuan Phan, 912 S. Capitol of Texas Highway, Ste. 300, West Lake Hills, Texas 78746

Andrew M. Wise, 10900 Stonelake Blvd., Ste. 225, Austin, Texas 78759

TRD-202001865

Anne Temple Peters

Executive Director

Texas Ethics Commission

Filed: May 11, 2020

General Land Office

Notice and Opportunity to Comment on the Coastal Management Program Section 309 Assessment and Strategies Draft Report

The Texas Coastal Management Program (CMP) is seeking public comments on its 2021-2025 Section 309 Program Assessment and Multi Year (Funding) Strategy.

Section 309 of the Coastal Zone Management Act establishes a voluntary grants program to encourage states with federally approved coastal management programs, to conduct a self-assessment to identify, develop and implement strategies to strengthen and enhance their programs in nine areas. These enhancement areas include: 1) wetlands, 2) coastal hazards, 3) public access, 4) marine debris, 5) cumulative and secondary impacts, 6) special area management plans, 7) ocean resources, 8) energy and government facility siting, and 9) aquaculture.

As a condition of receiving 309 CMP grant funding, the CMP must submit a Section 309 Assessment and Strategies Report to the National Oceanic and Atmospheric Administration Office for Coastal Management (NOAA-OCM) every five years. Development of the report follows the process outlined in NOAA's guidance document, *Coastal Zone Management Act, Section 309 Program Guidance, 2021 to 2025 Enhancement Cycle*. The report provides an assessment of the CMP in the nine enhancement areas, identifies program priorities, and proposes strategies that lead to tangible program enhancements for the identified high priority areas over the subsequent five years.

The 309 Assessment and Strategies process provides an opportunity for the CMP, with input from key stakeholders and the public, to determine where strategic opportunities exist for enhancing the CMP in identified high priority enhancement areas. CMP staff will work with partners to fully develop and implement the strategies over the next five years. NOAA-OCM funding is made available to the CMP each year to implement these strategies. Final strategy tasks are subject to change and dependent upon availability of funding.

To review and comment on the draft Section 309 Assessment and Strategies Report, please go to <https://s3.glo.texas.gov/glo/the-glo/public-information/notices/notices/notice-and-opportunity-to-comment-on-the-coastal-management-program-section-309-assessment-and-strategies-draft-report.html>. You may also obtain a copy of the document by contacting Dr. Ben Wilson, Texas General Land Office, P.O. Box 12873, Austin, Texas 78711-2873, (512) 463-5577, or via email at ben.wilson@glo.texas.gov.

All comments must be received by June 22, 2020, and should be sent to Dr. Wilson at the mailing address or email address listed above or by filling out the form on the GLO's website, which can be found at the link listed above. The final 309 Assessment and Strategies Report will be submitted to NOAA-OCM for approval on September 1, 2020.

TRD-202001899

Mark A. Havens

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: May 13, 2020



Texas Department of Housing and Community Affairs

Notice and Confirmation of Virtual Public Hearings on the Draft 2021 Low Income Home Energy Assistance Program State Plan

In the May 8, 2020, edition of the *Texas Register* (45 TexReg 3167), the Texas Department of Housing and Community Affairs (TDHCA) published a Notice of Public Comment Period and Public Hearings on the Draft 2021 Low Income Home Energy Assistance Program State Plan, which included a contingency plan should in person public hearings not be feasible due to COVID-19. The following notice is an update to the notice published on May 8, 2020, and confirms the use of virtual public hearings.

In accordance with the U. S. Department of Health and Human Services' requirements for the Low Income Home Energy Assistance Program (LIHEAP) and Texas Government Code, Chapter 2105, Subchapter B, the TDHCA will hold public hearings during a 25-day Public Comment period to accept public comment on the draft 2021 LIHEAP State Plan.

The LIHEAP State Plan describes the proposed use and distribution of LIHEAP funds for Federal Fiscal Year 2021. LIHEAP provides

funding for the Comprehensive Energy Assistance Program and the Weatherization Assistance Program.

The draft 2021 LIHEAP State Plan was presented and approved by the TDHCA Board of Directors on April 23, 2020. As part of the public information, consultation, and public hearing requirements for LIHEAP, the Community Affairs Division of TDHCA has posted the proposed draft 2021 LIHEAP State Plan on the TDHCA website <https://www.tdhca.state.tx.us/public-comment.htm>. A copy of the plan can be obtained by sending a request to TDHCA, P.O. Box 13941, Austin, Texas 78711-3941 or by calling (512) 936-7828.

Please visit the TDHCA Public Comment Center at <http://www.tdhca.state.tx.us/public-comment.htm> to access the draft Plan.

Public hearings provide the opportunity for comment from the public and the subrecipient network. Due to COVID-19 and social distancing guidelines, two virtual public hearings conducted via webinar will be held as follows:

Wednesday, May 27, 2020, from 2:00 p.m. - 3:00 p.m. via GoToWebinar

--To Register: <https://attendee.gotowebinar.com/register/6842808822375322637>

--Dial-in number: +1 (415) 930-5321, access code 351-573-674

--(Persons who use the dial-in number and access code without registering online will only be able to hear the public hearing and will not be able to ask questions or provide comments.)

Wednesday, May 27, 2020, from 5:15 p.m. - 6:15 p.m. via GoToWebinar

--To Register: <https://attendee.gotowebinar.com/register/8052177054929158157>

--Dial-in number: +1 (562) 247-8321, access code 210-536-015

--(Persons who use the dial-in number and access code without registering online will only be able to hear the public hearing and will not be able to ask questions or provide comments.)

At the hearings, the draft 2021 LIHEAP Plan will be presented for public comment. Persons may provide public comment on the Plan either through oral testimony or written testimony. A representative from TDHCA will be present at the hearings to explain the planning process and receive comments from interested citizens and affected groups regarding the Plan.

The public comment period to accept comments regarding the draft 2021 LIHEAP State Plan is open from Friday, May 8, 2020, through Monday, June 1, 2020, at 5:00 p.m., Austin local time. Written comments concerning the draft 2021 LIHEAP Plan may also be submitted to the Texas Department of Housing and Community Affairs, Community Affairs Division-Gavin Reid, P.O. Box 13941, Austin, TX 78711-3941, or by email to gavin.reid@tdhca.state.tx.us. Any questions regarding the public comment process may be directed to Gavin Reid, Manager of Planning and Training, in the Community Affairs Division at (512) 936-7828 or gavin.reid@tdhca.state.tx.us.

Individuals who require auxiliary aids, services or sign language interpreters for the hearing should contact Rita Gonzales-Garza, at (512) 475-3905 or Relay Texas at (800) 735-2989, at least three days before the hearing so that appropriate arrangements can be made.

Non-English speaking individuals who require interpreters for the public hearing should contact Rita Gonzales-Garza, (512) 475-3905 or by email at rita.garza@tdhca.state.tx.us, at least three days before the hearing so that appropriate arrangements can be made.

Aviso y Confirmación de Audiencia Virtual sobre el Anteproyecto de la Solicitud y el Plan Estatal para el Año Fiscal Federal 2021 del Low Income Home Energy Assistance Program (LIHEAP)

En la edición 8 de mayo del 2020 del *Registro de Texas* (45 TexReg 3167), el Departamento de Vivienda y Asuntos Comunitarios de Texas (TDHCA, por sus siglas en inglés) puso un aviso de período de comentarios públicos y audiencias públicas sobre el anteproyecto del Plan Estatal del programa federal del Low Income Home Energy Assistance Program para el año fiscal federal 2021 (LIHEAP, por sus siglas en inglés), incluyó un plan de contingencia en caso de que las audiencias públicas en persona no serían factibles debido a COVID-19. El siguiente aviso es una actualización del aviso publicado el 8 de mayo de 2020 y confirma el uso de audiencias públicas virtuales.

Conforme con los requisitos del Departamento de Salud y Servicios Humanos de los Estados Unidos (en inglés U.S. Department of Health and Human Services) para la programa federal del Low Income Home Energy Assistance Program (LIHEAP, por sus siglas en inglés) y el Capítulo 2105, Subcapítulo B del Código del Gobierno de Texas, el Departamento de Vivienda y Asuntos Comunitarios de Texas llevará a cabo audiencias públicas durante un período de comentarios públicos de 25 días para aceptar comentarios públicos sobre el anteproyecto del Plan Estatal LIHEAP para el año fiscal federal 2021.

El anteproyecto del Plan Estatal LIHEAP para el año fiscal federal 2021 detalla el propuesto uso y distribución de los fondos federales LIHEAP para el FFY 2021. El programa de LIHEAP provee fondos para los programas de Comprehensive Energy Assistance Program (CEAP, por sus siglas en inglés) y el Weatherization Assistance Program (WAP, por sus siglas en inglés).

El anteproyecto del Plan Estatal LIHEAP para el año fiscal federal 2021 fue presentado y aprobado por la junta directiva del TDHCA el 23 de abril del 2020. Como seguimiento a la provisión de información pública, asesoramiento y los requisitos de las audiencias públicas para el programa LIHEAP, la División de Asuntos Comunitarios del TDHCA a publicado el anteproyecto del plan Estatal LIHEAP para el año fiscal federal 2021 en el sitio web del TDHCA Public Comment Center en <http://www.tdhca.state.tx.us/public-comment.htm>. Para obtener una copia, por favor visite el sitio web mencionado anteriormente o llame al (512) 936-7828.

Visite el Centro Público de Comentarios de TDHCA en <http://www.tdhca.state.tx.us/public-comment.htm> para acceder al proyecto de plan.

Debido a la pandemia COVID-19, el Departamento no puede realizar audiencias públicas en persona, las audiencias públicas se llevarán a cabo a través de dos audiencias públicas virtuales a través de la siguiente manera:

miércoles, 27 de mayo del 2020, a las 2:00 p.m. - 3:00 p.m.

para inscribirse en la audiencia pública, visite a GoToWebinar a: <https://attendee.gotowebinar.com/register/6842808822375322637>

O pueden participar por teléfono al numero: (415) 930-5321 y entre el código de acceso 351573674

(Por favor de notar, que las personas que llamen registrarse via GoToWeb solo podrán escuchar la audiencia pública y no podrán hacer preguntas ni proporcionar comentario público.)

miércoles, 27 de mayo 2020, a las 5:15 p.m.- 6:15 p.m.

para inscribirse en la audiencia pública, visite a GoToWebinar a: <https://attendee.gotowebinar.com/register/8052177054929158157>

O pueden participar por teléfono al numero: (562) 247-8321 y entre el código de acceso 210-536-015

(Por favor de notar, que las personas que llamen registrarse via GoToWeb solo podrán escuchar la audiencia pública y no podrán hacer preguntas ni proporcionar comentario público.)

El proposito de las audiencias sobre el anteproyecto del Plan Estatal LIHEAP para el año fiscal federal 2021 es para solicitar comentario público. Personas interesadas pueden proveer comentario publico sobre el anteproyecto del Plan Estatal LIHEAP para el año fiscal federal 2021 en forma escrita o testimonio oral. Durante las audiencias, un representante del TDHCA explicara el proceso de planificación y como recibir comentario público de personas y grupos interesados respecto a los anteproyecto del plan estatal LIHEAP.

El período de comentario público sobre el anteproyecto del Plan Estatal LIHEAP para el año fiscal federal 2021 comienza el viernes, 8 de mayo del 2020 hasta el lunes, 1 de junio del 2020 a las 5:00 de la tarde hora local. Comentarios escritos sobre el anteproyecto del plan estatal tambien pueden ser presentados por correo al Texas Department of Housing and Community Affairs, Atención: Gavin Reid, P.O. Box 13941, Austin, Texas 78711-3941 o pueden enviarse a través de correo electrónico a gavin.reid@tdhca.state.tx.us o por fax al (512) 475-3935. Preguntas relacionada con el proceso de comentarios público pueden dirigirse a Gavin Reid, Gerente de Planificación y Capacitación, en la División de Asuntos Comunitarios al (512) 936-7828 o gavin.reid@tdhca.state.tx.us.

Las personas que requieren ayudas auxiliar, servicios o intérpretes de lenguaje de señas para la audiencia deben comunicarse con Rita Gonzales-Garza, al (512) 475-3905 o Relay Texas al (800) 735-2989, al menos tres días antes de la audiencia para que se puedan hacer los arreglos apropiados.

Personas que hablan español y requieren un intérprete, favor de llamar a Rita Gonzales-Garza al siguiente número (512) 475-3905 o enviarle un correo electrónico a rita.garza@tdhca.state.tx.us por lo tres cinco días antes de la junta para hacer los preparativos apropiados.

TRD-202001901

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: May 13, 2020

Texas State Library and Archives Commission

Correction of Error

(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure in 13 TAC §6.10(a) is not included in the print version of the Texas Register. The figure is available in the on-line version of the May 22, 2020, issue of the Texas Register.)

The Texas State and Library Archives Commission adopted an amendment to 13 TAC §6.10 in the May 1, 2020, issue of the *Texas Register* (45 TexReg 2831). The figure in 13 TAC §6.10(a) was submitted by the commission with incorrect text.

The correct version of the figure in 13 TAC §6.10(a) is as follows.

Figure: 13 TAC §6.10(a)

TRD-202001812

Panhandle Regional Planning Commission

Legal Notice

Beginning in May, 2020, the Panhandle Regional Planning Commission (PRPC) seeks to develop a list of training providers who may be solicited on an "as needed" basis to develop and conduct safety-related training for program participants being served through the Workforce Solutions office located in Amarillo, and throughout the 26-county area. The purpose of this solicitation is to gather information from area providers sufficient to identify their offerings and willingness to provide those services to meet the requirements of inclusion on a PRPC Training Provider List.

To qualify for inclusion on the list, providers should be a secondary or post-secondary educational institution; licensed career school or college; proprietary school; or other public, private non-profit, and private for-profit entity capable of developing and providing safety-related training required by PRPC. In addition, providers must document any special accreditation, licensing, or other credentials that might be legally required to provide the services listed in their information.

A copy of the RFI (Request for Information) is available from Leslie Hardin, Training Coordinator, Workforce Development Division, at (806) 372-3381/(800) 477-4562 or lhardin@theprpc.org.

TRD-202001898

Leslie Hardin

WFD Contracts Coordinator

Panhandle Regional Planning Commission

Filed: May 13, 2020

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Texas Water Development Board

Applications April 2020

Pursuant to Texas Water Code §6.195, the Texas Water Development Board provides notice of the following applications:

Project ID #62892, a request from the City of Rusk, 205 South Main Street, Rusk, Texas 75785-1363, received on April 7, 2020, for \$2,630,000 in financial assistance from the Drinking Water State Revolving Fund for water distribution system improvements and storage tank rehabilitation.

Project ID #21787, a request from the Palo Pinto County Water Control and Improvement District No. 1, 1693 Park Road 36, Grayford, Texas 76449-5510, received on April 22, 2020, for \$295,000 from the Texas Water Development Fund for the Farm-to-Market 2951 expansion project.

TRD-202001900

Joe Reynolds

Interim General Counsel

Texas Water Development Board

Filed: May 13, 2020

◆ ◆ ◆
Workforce Solutions for the Heart of Texas

Request for Proposal (RFP #13200102) Operation and Management of the Heart of Texas Workforce Center System

The Heart of Texas Workforce Development Board, Inc. dba Workforce Solutions for the Heart of Texas is soliciting proposals for the operation and management of the Heart of Texas Workforce Center System. Workforce Solutions for the Heart of Texas is the administrative entity for programs funded by the Texas Workforce Commission and Department of Labor. The Workforce Solutions for the Heart of Texas serves McLennan, Falls, Bosque, Freestone, Limestone and Hill Counties.

The initial contract period will begin on October 1, 2020. Eligible service providers must have extensive knowledge and experience including a successful track record in workforce development programs, state and federal laws and statutes.

The Request for Proposal (RFP) may be obtained by contacting Margie Cintron at (254) 855-6543, or emailing: jcintron@grandecom.net. The RFP is also available on the Workforce Solutions for the Heart of Texas website. A Virtual Bidders Conference will be held on May 19, 2020 at 10 a.m. Attendance is not mandatory, but strongly recommended.

Proposals are due no later than 12:00 noon (CST) Wednesday, June 24, 2020 to:

Workforce Solutions for the Heart of Texas

801 Washington Avenue, Suite 700

Waco, Texas 76701

(254) 296-5300

<http://www.hotworkforce.com>

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) (800) 735-2989 / (800) 735-2988 (voice).

TRD-202001864

Anthony Billings

Executive Director

Workforce Solutions for the Heart of Texas

Filed: May 11, 2020
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