

IN ADDITION

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

Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - July 2020

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period July 2020 is \$17.86 per barrel for the three-month period beginning on April 1, 2020, and ending June 30, 2020. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of July 2020, from a qualified low-producing oil lease, is eligible for a 100% credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period July 2020 is \$0.74 per mcf for the three-month period beginning on April 1, 2020, and ending June 30, 2020. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of July 2020, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of July 2020 is \$40.77 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of July 2020, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of July 2020 is \$1.77 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of July 2020, from a qualified low-producing gas well.

TRD-202003364
William Hamner
Special Counsel for Tax Administration
Comptroller of Public Accounts
Filed: August 13, 2020

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, 303.009 and 304.003, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/24/20 - 08/30/20 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 08/24/20 - 08/30/20 is 18% for Commercial over \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 09/01/20 - 09/30/20 is 5.00% for Consumer/Agricultural/Commercial credit through \$250,000.

The judgment ceiling as prescribed by §304.003 for the period of 09/01/20 - 09/30/20 is 5.00% for commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-202003392
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: August 18, 2020

Credit Union Department

Application to Expand Field of Membership

Notice is given that the following applications have been filed with the Credit Union Department (Department) and is under consideration.

An application was received from First Central Credit Union, Waco, Texas, to expand its field of membership. The proposal would permit persons who reside, work, worship, or attend school within the boundaries of Bosque, Callahan, Coleman, Comanche, Coryell, Eastland, McCulloch and San Saba Counties, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202003398
John J. Kolhoff
Commissioner
Credit Union Department
Filed: August 19, 2020

Notice of Final Action Taken

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

Application to Expand Field of Membership - Approved

Rio Grande Valley Credit Union, #1, Harlingen, Texas - See *Texas Register* issue dated June 26, 2020.

Rio Grande Valley Credit Union, #2, Harlingen, Texas - See *Texas Register* issue dated June 26, 2020.

Texell Credit Union, Temple, Texas - See *Texas Register* issue dated May 29, 2020.

Merger or Consolidation - Withdrawn

Third Coast Federal Credit Union (Corpus Christi) and Navy Army Community Credit Union (Corpus Christi) - See *Texas Register* issue dated January 24, 2020.

TRD-202003397

John J. Kolhoff

Commissioner

Credit Union Department

Filed: August 19, 2020

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **September 29, 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 commissions 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 commissions 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 **September 29, 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: Aguado Stone Incorporated; DOCKET NUMBER: 2020-0930-WR-E; IDENTIFIER: RN109375014; LOCATION: Lueders, Jones County; TYPE OF FACILITY: construction site; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to impound, divert, or use state water without a required permit; PENALTY: \$350; ENFORCEMENT COORDINATOR: Steven Van LANDINGHAM, (512) 239-5717; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(2) COMPANY: Angus Water Supply Corporation; DOCKET NUMBER: 2020-0455-PWS-E; IDENTIFIER: RN101436566; LOCATION: Corsicana, Navarro County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes based on the locational running annual average; PENALTY: \$862; ENFORCEMENT COORDINATOR: Julianne Dewar, (817) 588-5861; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: City of Graham; DOCKET NUMBER: 2019-1323-MWD-E; IDENTIFIER: RN101916880; LOCATION: Graham, Young County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0010487001, Final Effluent Limitations and Monitoring Requirements Number 1 and 6, by failing to comply with permitted effluent limitations; PENALTY: \$30,825; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$24,660; ENFORCEMENT COORDINATOR: Katelyn Tubbs, (512) 239-2512; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(4) COMPANY: Eddie Clark Contractors, LLC; DOCKET NUMBER: 2020-0863-WQ-E; IDENTIFIER: RN107919169; LOCATION: Tyler, Smith County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit (stormwater); PENALTY: \$875; ENFORCEMENT COORDINATOR: Ellen Ojeda, (512) 239-2581; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(5) COMPANY: Fred A. Mitchell dba Fred Mitchell Mobile Home Park; DOCKET NUMBER: 2020-0448-PWS-E; IDENTIFIER: RN105905004; LOCATION: Cleburne, Johnson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement that covers the land within 150 feet of the facility's well; 30 TAC §290.41(c)(3)(K), by failing to provide a well casing vent for the well that is covered with a 16-mesh or finer corrosion-resistant screen, facing downward, elevated, and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.45(b)(1)(F)(i) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute (gpm) per connection; 30 TAC §290.45(b)(1)(F)(ii) and THSC, §341.0315(c), by failing to provide a total storage capacity of 200 gallons per connection; 30 TAC §290.45(b)(1)(F)(iii) and THSC, §341.0315(c), by failing to provide two or more service pumps with a total capacity of 2.0 gpm per connection; and 30 TAC §290.45(b)(1)(F)(iv) and THSC, §341.0315(c), by failing to provide a pressure tank capacity of 20 gallons per connection; PENALTY: \$4,838; ENFORCEMENT COORDINATOR: Epifanio Villarreal, (361) 825-3421; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: GCM The Big Store Incorporated dba Winnie Food Mart; DOCKET NUMBER: 2020-0694-PST-E; IDENTIFIER: RN101848620; LOCATION: Winnie, Chambers County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.48(c) and §334.50(b)(1)(B) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks (USTs) installed on or after January 1, 2009, in a manner which will detect a release at a frequency of at least once every 30 days, and failing to conduct effective manual or automatic inventory control procedures for all USTs involved in the retail sales of petroleum substances used as motor fuel; PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Hailey Johnson, (512) 239-1756; REGIONAL

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

(7) COMPANY: Irving Molina; DOCKET NUMBER: 2019-0600-MSW-E; IDENTIFIER: RN110513710; LOCATION: El Paso, El Paso County; TYPE OF FACILITY: unauthorized tire storage facility; RULES VIOLATED: 30 TAC §328.59(b)(1) and §328.60(a) and Texas Health and Safety Code, §361.112(a), by failing to obtain a scrap tire storage site registration for the site prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in containers; PENALTY: \$7,875; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

(8) COMPANY: Jimmy Ray Bland; DOCKET NUMBER: 2020-0551-WQ-E; IDENTIFIER: RN111005716; LOCATION: Denton, Denton County; TYPE OF FACILITY: auto crushing and salvage facility; RULES VIOLATED: 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 TWC, §5.702 and §26.0291, by failing to pay outstanding stormwater permit fees and associated late fees for TCEQ Financial Account Number 20045525 for Fiscal Years 2018, 2019, and 2020; PENALTY: \$2,500; ENFORCEMENT COORDINATOR: Stephanie Frederick, (512) 239-1001; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(9) COMPANY: Legacy Reserves Operating LP; DOCKET NUMBER: 2020-0759-AIR-E; IDENTIFIER: RN100212646; LOCATION: Dew, Freestone County; TYPE OF FACILITY: natural gas compressor station; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Federal Operating Permit Number O2152/General Operating Permit Number 514, Site-wide Requirements (b)(3), and Texas Health and Safety Code, §382.085(b), by failing to submit a permit compliance certification within 30 days of any certification period; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(10) COMPANY: Linde Gas North America LLC; DOCKET NUMBER: 2020-0216-AIR-E; IDENTIFIER: RN103080487; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: bulk industrial gas production plant; RULES VIOLATED: 30 TAC §§116.115(c), 116.116(a)(1), and 122.143(4), New Source Review Permit Number 4056, Special Conditions Number 9, Federal Operating Permit Number O1329, General Terms and Conditions and Special Terms and Conditions Number 12, and Texas Health and Safety Code, §382.085(b), by failing to comply with the representations with regard to construction plans and operation procedures in a permit application; PENALTY: \$7,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$3,000; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(11) COMPANY: Martin Operating Partnership L.P.; DOCKET NUMBER: 2020-0341-IWD-E; IDENTIFIER: RN102362092; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0001058000, Effluent Limitations and Monitoring Requirements Number 1, Outfall Number 001A, by failing to comply with permitted effluent limitations; PENALTY: \$4,687; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$1,875; ENFORCEMENT COORDINATOR: Alejandro Laje, (512) 239-2547; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: PANJWANI ENERGY, LLC dba Star Stop 36 and Star Stop 81; DOCKET NUMBER: 2020-0586-PST-E; IDENTIFIERS: RN104784087 and RN102465465; LOCATIONS: Austin, Travis County and Georgetown, Williamson County; TYPE OF FACILITY: convenience stores with retail sales of gasoline; RULES VIOLATED: 30 TAC §115.225 and Texas Health and Safety Code, §382.085(b), by failing to conduct the required annual Stage I testing; PENALTY: \$6,830; ENFORCEMENT COORDINATOR: John Fennell, (512) 239-2616; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(13) COMPANY: PENSKE TRUCK LEASING CO., L.P.; DOCKET NUMBER: 2020-0474-PST-E; IDENTIFIER: RN107464133; LOCATION: Houston, Harris County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §115.225 and Texas Health and Safety Code, §382.085(b), by failing to comply with annual Stage I vapor recovery testing requirements; PENALTY: \$1,463; ENFORCEMENT COORDINATOR: Tyler Richardson, (512) 239-4872; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(14) COMPANY: Ricardo Ceja dba Talked About Customs; DOCKET NUMBER: 2020-0380-MSW-E; IDENTIFIER: RN101757573; LOCATION: Bridge City, Orange County; TYPE OF FACILITY: car stereo installation and custom detail service business; RULES VIOLATED: 30 TAC §324.6 and 40 Code of Federal Regulations §279.22(c)(1), by failing to mark or clearly label used oil storage containers with the words "Used Oil"; and 30 TAC §324.15 and 40 Code of Federal Regulations §279.22(d), by failing to clean up and properly manage a release of used oil to the environment; PENALTY: \$950; ENFORCEMENT COORDINATOR: Berenice Munoz, (915) 834-4976; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(15) COMPANY: Rodrigo Gonzales Jr. dba G & H Rentals; DOCKET NUMBER: 2019-1734-SLG-E; IDENTIFIER: RN108856667; LOCATION: Ozona, Crockett County; TYPE OF FACILITY: sludge transportation service; RULES VIOLATED: 30 TAC §312.145(a), by failing to record all required information on trip tickets; and 30 TAC §312.145(b)(4), by failing to submit to the executive director a complete and accurate annual summary of sludge transport activities; PENALTY: \$5,906; ENFORCEMENT COORDINATOR: Had Darling, (512) 239-2520; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(16) COMPANY: SAAHEL, INCORPORATED dba Snappy Foods 20 and dba Snappy Foods 22; DOCKET NUMBER: 2020-0427-PST-E; IDENTIFIERS: RN105021364 and RN105909402; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: convenience stores with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(2), by failing to assure that all underground storage tank (UST) recordkeeping requirements are met; 30 TAC §334.42(i) and TWC, §26.3475(c)(2), by failing to inspect all sumps, manways, overspill containers, or catchment basins associated with a UST system at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid tight and remove any liquid or debris found in them within 96 hours of discovery; 30 TAC §334.45(c)(3)(A), by failing to securely anchor emergency shutoff valves (also called shear or impact valves) at the base of all dispensers; 30 TAC §334.49(a)(4) and TWC, §26.3475(d), by failing to provide corrosion protection to all underground metal components of the UST system; 30 TAC §334.50(b)(1)(A) and (2) and (d)(4)(A)(ii)(II) and TWC, §26.3475(a) and (c)(1), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, and failing to ensure that the automatic tank gauging equipment is capable of performing an automatic test for substance

loss that can detect a release of 0.2 gallons per hour from any portion of the tank which contains regulated substances. Additionally, failing to provide release detection for the pressurized piping associated with the UST system; 30 TAC §334.50(b)(2)(A)(iii) and TWC, §26.3475(a), by failing to monitor each pressurized pipe installed on or after January 1, 2009, for releases at a frequency of at least once every 30 days by using interstitial monitoring; 30 TAC §334.51(b)(2)(C) and TWC, §26.3475(c)(2), by failing to equip each UST with a valve or other appropriate device designed to automatically shut off the flow of regulated substances into the tank when the liquid level in the tank reaches no higher than 95% capacity; 30 TAC §334.72, by failing to report suspected releases to the agency within 24 hours of discovery; 30 TAC §334.74, by failing to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TAC §334.72 (relating to Reporting of Suspected Releases) within 30 days; and 30 TAC §334.77 and §334.78, by failing to initiate required abatement measures and submit a report to the TCEQ within 20 days after a release of a regulated substance from an UST system; PENALTY: \$36,505; ENFORCEMENT COORDINATOR: Hailey Johnson, (512) 239-1756; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(17) COMPANY: Solvay Specialty Polymers USA, L.L.C.; DOCKET NUMBER: 2020-0758-AIR-E; IDENTIFIER: RN102305505; LOCATION: Orange, Orange County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c), New Source Review Permit Number 9224A, Special Conditions Number 1, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$2,087; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(18) COMPANY: STEPHENSON, CLIFF; DOCKET NUMBER: 2020-1002-OSS-E; IDENTIFIER: RN111057063; LOCATION: Jasper, Jasper County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Alyssa Loveday, (512) 239-5504; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(19) COMPANY: Susan E. Cole dba Harmony Water System and Donald R. Cole dba Harmony Water System; DOCKET NUMBER: 2020-0176-PWS-E; IDENTIFIER: RN105197024; LOCATION: Weatherford, Parker 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 91840166 for Fiscal Years 2017 through 2019; 30 TAC §290.106(e) and §290.122(c)(2)(A) and (f), by failing to provide the results of asbestos sampling for the January 1, 2016 - December 31, 2018, monitoring period and the results of cyanide sampling for the January 1, 2015 - December 31, 2017, monitoring period to the executive director (ED), and failing to provide 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 cyanide sampling for the January 1, 2015 - December 31, 2017, monitoring period; 30 TAC §290.107(e), by failing to provide the results of metals, minerals, synthetic organic chemical contaminants, and volatile organic chemical contaminants sampling to the ED for the January 1, 2013 - December 31, 2015, and January 1, 2016 - December 31, 2018, monitoring periods; 30 TAC §290.108(e), by failing to provide the results of radionuclides sampling to the ED for the January 1, 2013 - December 31, 2018, monitoring period; and 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 first quarter of 2018; PENALTY: \$1,014; ENFORCEMENT COORDINATOR: Miles Wehner, (512) 239-2813; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: ZAM, INCORPORATED and ZNJ ENTERPRISES, INCORPORATED dba Circle A Grocery; DOCKET NUMBER: 2019-0879-PST-E; IDENTIFIER: RN102446713; LOCATION: Angleton, Brazoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.7(d)(3), by failing to update the underground storage tank (UST) registration within 30 days from the date of the occurrence of the change or addition; and 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the UST for releases at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$2,784; ENFORCEMENT COORDINATOR: Tyler Richardson, (512) 239-4872; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202003389

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: August 18, 2020



Combined Notice of Public Meeting and Notice of Receipt of Application and Intent to Obtain Water Quality Permit (NORI) and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater: New Permit No. WQ0015787001

APPLICATION AND PRELIMINARY DECISION. Kendall West Utility, LLC, P.O. Box 1335, Boerne, Texas 78006, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015787001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 490,000 gallons per day. TCEQ received this application on April 17, 2019.

This combined notice is being issued because the applicant has changed its requested flow volume since the original NORI was issued from a daily average flow not to exceed 500,000 gallons per day to a daily average flow not to exceed 490,000 gallons per day.

The facility will be located approximately 500 feet north of Eagle Drive, 1,375 feet east-southeast of the intersection of Eagle Drive and Tapatío Drive East, in Kendall County, Texas 78006. The treated effluent will be discharged via Outfall 001 to an unnamed tributary, thence to Masters Lake, thence to Frederick Creek, thence to Lake Oz, thence to Frederick Creek, thence to Upper Cibolo Creek in Segment 1908 of the San Antonio River Basin; and via Outfall 002 to an unnamed tributary, thence to Smith Investment Co. Lake No. 1, thence to Smith Investment Co. Lake No. 3, thence to Masters Lake, thence to Frederick Creek, thence to Lake Oz, thence to Frederick Creek, thence to Upper Cibolo Creek in Segment No. 1908 of the San Antonio River Basin. The unclassified receiving water uses are limited aquatic life use for the unnamed tributary and high aquatic life use for Masters Lake and Frederick Creek, which receive discharges from Outfall 001, and minimal aquatic life use for the unnamed tributary and high aquatic life use for Masters Lake and Frederick Creek, which receive discharges from Outfall 002. The designated uses for Segment No. 1908 are primary contact recreation, public water supply, aquifer protection, and high aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and the TCEQ's *Procedures to*

Implement the Texas Surface Water Quality Standards (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Masters Lake, Smith Investment Co. Lake No. 1 and No.3, and Frederick Creek, which have been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-98.806944%2C29.768888&level=12>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Patrick Heath Public Library, 451 North Main Street, Boerne, Texas.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments about this application. The TCEQ will hold a public meeting on this application because of significant public interest.

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

The Public Meeting is to be held:

Monday, September 21, 2020 at 7:00 p.m.

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 343-706-651. It is recommended that you join the webinar and register for the public meeting at least 15 minutes before the meeting begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the meeting for assistance in accessing the meeting and participating telephonically. Members of the public who wish to only listen to the meeting may call, toll free, (415) 655-0060 and enter access code 619-234-349. 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>.

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

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

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

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

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

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

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk.

In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www14.tceq.texas.gov/epic/eComment/ within 30 days from the date of newspaper publication of this notice or by the date of the public meeting, whichever is later.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040 or visit their website at www.tceq.texas.gov/goto/pep.

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

Further information may also be obtained from Kendall West Utility, LLC at the address stated above or by calling Ms. Jamie Miller, P.E., Integrated Water Services, Inc., at (303) 993-3713.

Issuance Date: August 12, 2020

TRD-202003405

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Enforcement Orders

An agreed order was adopted regarding DILSHAD STORES, INC. dba Alvin Food Mart, Docket No. 2019-0930-PST-E on August 18, 2020, assessing \$7,389 in administrative penalties with \$1,477 deferred. Information concerning any aspect of this order may be obtained by contacting Hailey Johnson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Rio Water Supply Corporation, Docket No. 2019-0970-PWS-E on August 18, 2020, assessing \$1,365 in administrative penalties with \$273 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding THE ORIGINAL GRANT, INC. dba SUNSHINE MARKET, Docket No. 2019-0993-PST-E on August 18, 2020, assessing \$3,874 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Christopher Mullins, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding HERITAGE OAKS PROPERTY, LLC dba Columbia Lakes Country Club, Docket No. 2019-1153-AIR-E on August 18, 2020, assessing \$2,166 in administrative penalties with \$433 deferred. Information concerning any aspect of this order may be obtained by contacting Alain Elegebe, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Tri-Star Galveston, Inc. dba Tristar 3, Docket No. 2019-1157-PST-E on August 18, 2020, assessing \$3,751 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting John Fennell, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Concrete Sand and Gravel, Inc., Docket No. 2019-1190-WQ-E on August 18, 2020, assessing \$4,263 in administrative penalties with \$852 deferred. Information concerning any aspect of this order may be obtained by contacting Christopher Moreno, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ARSH FOODSTORE, INC. dba First Stop Foodstore, Docket No. 2019-1454-PST-E on August 18, 2020, assessing \$6,841 in administrative penalties with \$1,368 deferred. Information concerning any aspect of this order may be obtained by contacting Carlos Molina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding KOHINOOR BUSINESS, INC. dba Chevron Food Mart, Docket No. 2019-1646-PST-E on August 18, 2020, assessing \$7,489 in administrative penalties with \$1,497 deferred. Information concerning any aspect of this order may be obtained by contacting Karolyn Kent, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Reynaldo Madera, Docket No. 2019-1694-WOC-E on August 18, 2020, assessing \$812 in administrative penalties with \$162 deferred. Information concerning any aspect of this order may be obtained by contacting Alejandro Laje, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding UNIVERSAL FOREST PRODUCTS TEXAS LLC, Docket No. 2019-1783-MWD-E on August 18, 2020, assessing \$5,250 in administrative penalties with \$1,050 deferred. Information concerning any aspect of this order may be obtained by contacting Katelyn Tubbs, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Marion J. Smith dba Town North Village Water System and Cox Addition Water System, Docket No. 2019-1791-PWS-E on August 18, 2020, assessing \$791 in administrative penalties with \$158 deferred. Information concerning any aspect of this order may be obtained by contacting Epifanio Villarreal, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Arkema Inc., Docket No. 2020-0007-AIR-E on August 18, 2020, assessing \$4,350 in administrative penalties with \$870 deferred. Information concerning any aspect of this order may be obtained by contacting Richard Garza,

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

An agreed order was adopted regarding KOTT LIVEOAKS INC., Docket No. 2020-0017-PWS-E on August 18, 2020, assessing \$1,773 in administrative penalties with \$354 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Duncan, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Equistar Chemicals, LP, Docket No. 2020-0058-AIR-E on August 18, 2020, assessing \$4,800 in administrative penalties with \$960 deferred. Information concerning any aspect of this order may be obtained by contacting Margarita Dennis, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Mobile Home Management, LLC, Docket No. 2020-0142-PWS-E on August 18, 2020, assessing \$2,250 in administrative penalties with \$450 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Duncan, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Lone Star, Docket No. 2020-0180-MWD-E on August 18, 2020, assessing \$1,563 in administrative penalties with \$312 deferred. Information concerning any aspect of this order may be obtained by contacting Had Darling, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Sunnyside RV LLC, Docket No. 2020-0198-PWS-E on August 18, 2020, assessing \$310 in administrative penalties with \$62 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Duncan, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SOUTHERN HORIZONS DEVELOPMENT, INC., Docket No. 2020-0210-PWS-E on August 18, 2020, assessing \$922 in administrative penalties with \$184 deferred. Information concerning any aspect of this order may be obtained by contacting Steven Hall, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Dwk Group Holdings, LLC, Docket No. 2020-0225-PWS-E on August 18, 2020, assessing \$1,746 in administrative penalties with \$349 deferred. Information concerning any aspect of this order may be obtained by contacting Aaron Vincent, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Aqua Texas, Inc., Docket No. 2020-0260-MWD-E on August 18, 2020, assessing \$1,437 in administrative penalties with \$287 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie Frederick, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ashley and Fagan Investments Co. Inc. dba Rio Brazos Water System, Docket No. 2020-0265-PWS-E on August 18, 2020, assessing \$1,431 in administrative penalties with \$286 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer,

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

An agreed order was adopted regarding DCP Operating Company, LP, Docket No. 2020-0311-AIR-E on August 18, 2020, assessing \$1,438 in administrative penalties with \$287 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lehigh Gas Wholesale Services, Inc. dba Snax Basket 2 TX0314, Docket No. 2020-0316-PST-E on August 18, 2020, assessing \$6,750 in administrative penalties with \$1,350 deferred. Information concerning any aspect of this order may be obtained by contacting Carolyn Kent, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding STRATEGIC MATERIALS, INC., Docket No. 2020-0319-MSW-E on August 18, 2020, assessing \$1,325 in administrative penalties with \$265 deferred. Information concerning any aspect of this order may be obtained by contacting Hailey Johnson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Silverton, Docket No. 2020-0352-MSW-E on August 18, 2020, assessing \$1,125 in administrative penalties with \$225 deferred. Information concerning any aspect of this order may be obtained by contacting Tyler Richardson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding OXEA Corporation, Docket No. 2020-0354-AIR-E on August 18, 2020, assessing \$5,916 in administrative penalties with \$1,183 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Victoria City Power LLC, Docket No. 2020-0408-AIR-E on August 18, 2020, assessing \$2,813 in administrative penalties with \$562 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202003410

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Notice of Application and Opportunity to Request a Public Meeting for a New Municipal Solid Waste Facility: Registration Application No. 40315

Application. City of Dalhart P.O. Box 2005, Dalhart, Texas 79022-2005 has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Registration No. 40315, to construct and operate a Type V municipal solid waste transfer station. The proposed facility, City of Dalhart Municipal Solid Waste Landfill Transfer Station, will be located at Macky Rd. (Nortex Rd.) & U.S. HWY. 87 North (3.9 Miles NW of Dalhart) 79022, in Dallam County. The Applicant is requesting authorization to transfer municipal solid waste that includes household

waste, yard waste, commercial waste, industrial waste (non-hazardous Class 2 and Class 3), construction demolition waste, and some special wastes. The registration application is available for viewing and copying at the Dalhart City Hall, 205 Rock Island Avenue, Dalhart, Texas 79022, Dallam County and may be viewed online at <http://www.dalharttx.gov/page/Sanitation>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice <https://arcg.is/08aimG>. For the exact location, refer to application.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. Written public comments or written requests for a public meeting must be submitted to the Office of the Chief Clerk at the address included in the information section below. If a public meeting is held, comments may be made orally at the meeting or submitted in writing by the close of the public meeting. A public meeting will be held by the executive director if requested by a member of the legislature who represents the general area where the development is to be located, or if there is a substantial public interest in the proposed development. The purpose of the public meeting is for the public to provide input for consideration by the commission, and for the applicant and the commission staff to provide information to the public. A public meeting is not a contested case hearing. The executive director will review and consider public comments and written requests for a public meeting submitted during the comment period. The comment period shall begin on the date this notice is published and end 30 calendar days after this notice is published. The comment period shall be extended to the close of any public meeting. The executive director is not required to file a response to comments.

Executive Director Action. The executive director shall, after review of an application for registration, determine if the application will be approved or denied in whole or in part. If the executive director acts on an application, the chief clerk shall mail or otherwise transmit notice of the action and an explanation of the opportunity to file a motion to overturn the executive director's decision. The chief clerk shall mail this notice to the owner and operator, the public interest counsel, to adjacent landowners as shown on the required land ownership map and landowners list, and to other persons who timely filed public comment in response to public notice. Not all persons on the mailing list for this notice will receive the notice letter from the Office of the Chief Clerk.

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the registration number for this application, which is provided at the top of this notice.

Mailing List. If you submit public comments, you will be added to the mailing list for this application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. To be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

Agency Contacts and Information. All public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/ or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. 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. For more information about this registration application or the registration process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040

or visit their webpage, www.tceq.texas.gov/goto/pep. General information regarding the TCEQ can be found on our website at www.tceq.texas.gov/. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from City of Dalhart at the address stated above or by calling Mr. James Stroud at (806) 244-5511.

TRD-202003403

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Notice of District Petition

TCEQ Internal Control No. D-09272019-042; Ramana Juvvadi, Sridevi Juvvadi, and Kiranmai Yalamanchili (Petitioners) filed a petition for creation of Collin County Municipal Utility District No. 4 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) petition and additional information provided indicates, there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 250.874 acres located within Collin County, Texas; and (4) all of the land within the proposed District is within Collin County, Texas, and no portion of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city, town or village in Texas.

The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created.

According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$36,430,000.

INFORMATION SECTION

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

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and

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

TRD-202003402

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Notice of Opportunity to Comment on an Agreed Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. 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 **September 29, 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 the 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 the 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 September 29, 2020**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; how-

ever, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: KM Liquids Terminals LLC; DOCKET NUMBER: 2017-1722-AIR-E; TCEQ ID NUMBER: RN100224815; LOCATION: 530 Witter Street, Pasadena, Harris County; TYPE OF FACILITY: bulk liquids terminal facility; RULES VIOLATED: Texas Health and Safety Code (THSC), §382.085(b), 30 TAC §116.115(b)(2)(E) and (c) and §122.143(4), New Source Review (NSR) Permit Number 5171, Special Conditions (SC) Number 41, and Federal Operating Permitting (FOP) Number O984, Special Terms and Conditions (STC) Number 17, by failing to comply with the calculation methods for emissions associated with roof landings; THSC, §382.085(b), 30 TAC §122.143(4) and §122.145(2)(A), and FOP Number O984, General Terms and Conditions, by failing to report all instances of deviations; THSC, §382.085(b), 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 5171, SC Number 27, and FOP Number O984, STC Number 17, by failing to maintain the minimum one-hour average temperature of 1,053 degrees Fahrenheit for Emission Point Number (EPN) Vapor Combustor Unit-1 (VCU) and 1,446 degrees Fahrenheit for EPN VCU-2; and THSC, §382.085(b), 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 5171, SC Number 27, and FOP Number O984, STC Number 17, by failing to maintain the minimum one-hour average temperature of 1,550 degrees Fahrenheit for EPN VCU-3A and 1,551 degrees Fahrenheit for EPN VCU-3B; PENALTY: \$80,277; STAFF ATTORNEY: Jess Robinson, Litigation Division, MC 175, (512) 239-0455; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202003390

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: August 18, 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 **September 29, 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 September 29, 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: ASLAM CORPORATION dba Xpress Beer & Wine; DOCKET NUMBER: 2018-0567-PST-E; TCEQ ID NUMBER: RN101378206; LOCATION: 6100 Independence Parkway, Plano, Collin County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery. Specifically, the line tightness test for the diesel tank on December 27, 2017, indicated a suspected release that was not investigated; 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery. Specifically, the line tightness test for the diesel tank on December 27, 2017, indicated a suspected release that was not reported; 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); Texas Health and Safety Code, §382.085(b) and 30 TAC §115.225, by failing to comply with annual Stage I vapor recovery testing requirements. Specifically, the annual testing of the Stage I equipment was not conducted; TWC, §26.3475(c)(2) and 30 TAC §115.225, by failing to ensure that all spill and overfill prevention devices are maintained in good operating condition. Specifically, the spill buckets for the regular unleaded and the diesel USTs were cracked and damaged; 30 TAC §334.7(d)(1)(A) and (B) and (3), by failing to provide an amended registration for any change or additional information to the agency regarding the USTs within 30 days from the date on which the owner or operator first became aware of the change or addition. Specifically, the registration was not updated to reflect the current operational status of the USTs Numbers 1 and 5; 30 TAC §334.54(b), by failing to maintain all piping, pumps, manway, tank access points, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fill port for UST Number 1 was not properly secured; and 30 TAC §334.54(e)(4), by failing to maintain UST records for UST Number 5 demonstrating compliance with temporary removal from service; PENALTY: \$30,962; STAFF ATTORNEY: Ben Warms, Litigation Division, MC 175, (512) 239-5144; REGIONAL

OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(2) COMPANY: Brandon Bass dba Brando Custom Paint; DOCKET NUMBER: 2019-0464-AIR-E; TCEQ ID NUMBER: RN110256591; LOCATION: 315 Cub Drive near Marion, Guadalupe County; TYPE OF FACILITY: auto body refinishing facility; 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 constructing or modifying a source of air contaminants; PENALTY: \$1,312; STAFF ATTORNEY: Kevin Bartz, Litigation Division, MC 175, (512) 239-6225; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-202003391
 Charmaine Backens
 Director, Litigation Division
 Texas Commission on Environmental Quality
 Filed: August 18, 2020



Notice of Public Meeting for an Air Quality Permit: Proposed Air Quality Permit Numbers 158420, PSDTX1572, and GHGPSDTX198

APPLICATION. Port Arthur LNG, LLC, 2925 Briarpark Drive, Suite 900, Houston, Texas 77042-3781, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit PSDTX1572, and Greenhouse Gas Prevention of Significant Deterioration (GHGPSD) A ir Q uality P ermit GHGPS-DTX198, which would authorize construction of the Port Arthur LNG, located from the intersection of TX 82 and TX 87 in Port Arthur, travel south on TX 87 for 5.3 miles to oil field road, turn right and Port Arthur LNG is on the left, Port Arthur, Jefferson County, Texas 77642. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This application was submitted to the TCEQ on September 12, 2019. The proposed facility will emit the following air contaminants in a significant amount: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and particulate matter with diameters of 2.5 microns or less, sulfur dioxide, sulfuric acid mist, and greenhouse gases. In addition, the facility will emit the following air contaminants: ammonia.

The degree of PSD increment predicted to be consumed by the proposed facility and other increment-consuming sources in the area is as follows:

PM_{2.5}

Maximum Averaging Time	Maximum Increment Consumed (µg/m ³)	Allowable Increment (µg/m ³)
24-hour	8.8	9

The executive director has determined that the emissions of air contaminants from the proposed facility which are subject to PSD review will not violate any state or federal air quality regulations and will not have any significant adverse impact on soils, vegetation, or visibility.

All air contaminants have been evaluated, and "best available control technology" will be used for the control of these contaminants.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate.

INFORMATION AVAILABLE ONLINE. These documents are accessible through the Commission's Web site at www.tceq.texas.gov/goto/cid: the executive director's preliminary decision which includes the draft permit, the executive director's preliminary determination summary, the air quality analysis, and, once available, the executive director's response to comments and the final decision on this application. Access the Commissioners' Integrated Database (CID) using the above link and enter the permit number for this application. The public location mentioned below, *Effie & Wilton Hebert Public Library*, provides public access to the internet. 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=29.785277&lng=-93.948888&zoom=13&type=r>.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments to the Office of the Chief Clerk at the address below. The TCEQ will consider all public comments in developing a final decision on the application. A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. At the conclusion of the comment period, all formal comments will be considered before a decision is reached on the permit application. A written response to all formal comments will be prepared by the executive director and will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Tuesday, September 15, 2020 at 7:00 p.m.

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 913-343-147. It is recommended that you join the webinar and register for the public meeting at least 15 minutes before the meeting begins. You will be given the option to use your computer audio or to use your phone for participating in the webinar.

Those without internet access may call (512) 239-1201 at least one day prior to the meeting for assistance in accessing the meeting and participating telephonically. Members of the public who wish to only listen to the meeting may call, toll free, (562) 247-8321 and enter access code 756-338-132. 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>.

INFORMATION. Citizens are encouraged to submit written comments anytime during the public meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/>. If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program,

toll free, at (800) 687-4040. General information can be found at our Web site at www.tceq.texas.gov. *Si desea información en español, puede llamar al (800) 687-4040.*

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www14.tceq.texas.gov/epic/eComment/, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. 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. For more information about this permit application or the permitting process, please call the Public Education Program toll free at (800) 687-4040. *Si desea información en español, puede llamar al (800) 687-4040.*

The permit application, executive director's preliminary decision, draft permit, and the executive director's preliminary determination summary and executive director's air quality analysis, will be available for viewing and copying at the TCEQ central office, the TCEQ Beaumont regional office, and at the Effie & Wilton Hebert Public Library, 2025 Merriman Street, Port Neches, Jefferson County, Texas. The facility's compliance file, if any exists, is available for public review at the TCEQ Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas. Further information may also be obtained from Port Arthur LNG, LLC at the address stated above or by calling Mr. Kerry Higgins, Vice President Technical Services, The WCM Group, Inc. at (281) 446-7070.

Notice Issuance Date: August 14, 2020

TRD-202003404

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Notice of Receipt of Application and Intent to Obtain a Municipal Solid Waste Permit Major Amendment: Proposed Permit No. 420B

Application. City of Colorado City, P.O. Box 912, Colorado City, Mitchell County, Texas 79512, a municipal solid waste processing and disposal landfill, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major permit amendment to authorize a lateral expansion of the Colorado City Municipal Landfill. The facility is located at 222 East County Road 141, Colorado City, Texas 79512 in Mitchell County, Texas. The TCEQ received this application on June 26, 2020. The permit application is available for viewing and copying at the Colorado City Hall, 180 West 3rd, Colorado City, Texas 79512. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <https://arcg.is/1ufTje0>. For exact location, refer to application.

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public

meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Opportunity for a Contested Case Hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period, and the statement "(I/we) request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

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

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at <www.tceq.texas.gov/goto/cid>. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

Agency Contacts and Information. All public comments and requests must be submitted either electronically at <www14.tceq.texas.gov/epic/eComment/> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. 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. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at <www.tceq.texas.gov/goto/pep/>. Si desea información en español, puede llamar al (800) 687- 4040.

Further information may also be obtained from the City of Colorado City at the address stated above or by calling Mr. Dave Hoover, City Manager at (325) 728-3464.

TRD-202003407
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 19, 2020



Notice of Receipt of Application and Intent to Obtain Municipal Solid Waste Permit Amendment: Proposed Limited Scope Amendment to Permit No. 218C

Application. The City of Fort Worth, 4100 Columbus Trail, Fort Worth, Tarrant County, Texas 76133, has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit amendment to authorize an alternative liner at the Fort Worth Southeast Landfill. The facility is located at 6288 Salt Road, Fort Worth, Texas 76140, in Tarrant County, Texas. The TCEQ received this application on June 17, 2020. The permit application is available for viewing and copying at the Fort Worth Public Library - East Regional Branch, 6301 Bridge Street, Fort Worth, in Tarrant County, Texas 76112, and may be viewed online at <<http://www.ftwweaverboos.com>>. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice: <<https://arcg.is/1Cm5Kv>>. For exact location, refer to application.

Additional Notice. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.

Public Comment/Public Meeting. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

Opportunity for a Contested Case Hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed

to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A person who may be affected by the facility is entitled to request a contested case hearing from the commission. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

To Request a Contested Case Hearing, You Must Include The Following Items in Your Request: your name, address, phone number; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "(I/we) request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application submitted during the comment period.

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

Information Available Online. For details about the status of the application, visit the Commissioners' Integrated Database (CID) at <www.tceq.texas.gov/goto/cid>. Once you have access to the CID using the above link, enter the permit number for this application, which is provided at the top of this notice.

Agency Contacts and Information. All public comments and requests must be submitted either electronically at <www14.tceq.texas.gov/epic/eComment/> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. 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. For more information about this permit application or the permitting process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at <www.tceq.texas.gov/goto/pep>. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from the City of Fort Worth at the address stated above or by calling Mr. Robert Smouse, Assistant Director - Solid Waste Services at (817) 392-5153.

TRD-202003408

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Notice of Water Quality Application

The following notices were issued between August 12, 2020 thru August 14, 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 10 DAYS OF THIS NOTICE ISSUED IN THE *TEXAS REGISTER*.

INFORMATION SECTION

U.S. Department of the Air Force has applied for a minor amendment to the TCEQ permit to authorize the addition of an Interim phase. The existing permit authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 690,000 gallons per day during the months of April through November and 370,000 gallons per day during the months of December through March via surface application, irrigation and evaporation of 189.75 acres of non-public access adjacent grassland. This permit will not authorize a discharge of pollutants into water in the state. The wastewater treatment facility and disposal site are located approximately 3.4 miles northeast of the intersection of Farm-to-Market Road 1604 and Interstate Highway 10, in Bexar County, Texas 78257.

P.O. Box 13087, Austin Texas 78711-3087 WITHIN 30 DAYS OF THE ISSUED DATE OF THE NOTICE.

INFORMATION SECTION

Praxair, Inc., which operates Praxair Facility, a producer of liquid and gaseous oxygen, nitrogen, and argon by a cryogenic air separation process, has applied for a minor amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0002529000 to add liquid hydrogen by cryogenic air separation to their production process. The draft permit authorizes the discharge of utility wastewater, compressor condensate, stormwater, domestic wastewater, and truck and maintenance wash water at a daily average flow not to exceed 540,000 gallons per day via Outfall 001. The facility is located at 100 Strang Road, at the intersection of Strang Road and State Highway 225 in the City of La Porte, Harris County, Texas 77571.

WOLF'S LEGENDAIRY, LLC, FRANK GEORGE WOLF AND JOYCE KAY WOLF for a minor amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0005202000, for a Concentrated Animal Feeding Operation (CAFO), to authorize the applicant to decrease the acreage of land management unit #2 from 14 to 12 acres in order to expand the production area; change the property boundary and decrease the total land application area from 163 to 161 acres; replace the freestall barns with confinement barns; reconfigure the retention control structure drainage area; and construct four settling basins, of which three will be concrete and one will have concrete bottom and earthen side walls. The authorized maximum capacity of 2,400 head, of which 2,000 head are milking cows remains unchanged. The facility is located at 337 Scot-Tex Lane, Scotland in Archer County, Texas.

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

TRD-202003409

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 2020



Notice of Water Rights Application

Notice issued August 12, 2020

APPLICATION NO. 13520; LH Wildridge, LLC, 400 Las Colinas Blvd E, Suite 1075, Irving, Texas 75039, Applicant, seeks authorization to maintain an existing reservoir on an unnamed tributary of Elm Fork Trinity River, Trinity River, Trinity River Basin in Denton County and to use the bed and banks of the unnamed tributary of Elm Fork Trinity River to convey groundwater for storage in the reservoir for recreational purposes, and also seeks an exempt interbasin transfer to the Colorado River Basin within Travis County. More information on the application and how to participate in the permitting process is given below.

The application and fees were received on August 27, 2018. Additional information was received on May 10, 2019, and May 21, 2019. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on May 31, 2019. The Executive Director has completed the technical review of the application and prepared a draft permit. The draft Water Use Permit, if granted, would contain special conditions, including but not limited to, maintaining the alternate source of water. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at: www.tceq.texas.gov/permitting/water_rights/wr-permitting/wr-apps-pub-notice. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. To view the complete issued notice, view the notice on our web site at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the web site, type in the issued date range shown at the top of this document to obtain search results.

A public meeting is intended for the taking of public comment, and is not a contested case hearing. The Executive Director can consider approval of an application unless a written request for a contested case hearing is filed. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement [I/we] request a contested case hearing; and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested application which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below. If a hearing request is filed, the Executive Director will not issue the requested permit and may forward the

application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

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

TRD-202003406

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: August 19, 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 February 10, 2020

#00083269 - Benjamin B. Melson, Jr., 701 Avenida de las Americas, Ste. 900, Houston, Texas 77010

Deadline: Lobby Activities Report due January 10, 2020

#00058420 - Joseph McMahan, 1108 Lavaca St., Ste. 100 1A-139, Austin, Texas 78701

#00070903 - Justin Edward Neumann, 370 17th St., Ste. 1700, Denver, Colorado 80202

#00029221 - James F. Shearer, 1122 Colorado, Ste. 200, Austin, Texas 78701

Deadline: Lobby Activities Report due January 10, 2019

#00070903 - Justin Edward Neumann, 370 17th St., Ste. 1700, Denver, Colorado 80202

Deadline: Lobby Activities Report due January 10, 2018

#00070903 - Justin Edward Neumann, 370 17th St., Ste. 1700, Denver, Colorado 80202

Deadline: Monthly Report due March 5, 2020 for Committees

#00083277 - Prisylla Ann Jasso, Strategic International Development PAC, 612 W. Nolana, Suite 250, McAllen, Texas 78504

#00059068 - Anthony Heath Wester, Grand Prairie Police Association PAC, PO Box 531184, Grand Prairie, TX 75053

Deadline: Monthly Report due April 6, 2020 for Committees

#00083277 - Prisylla Ann Jasso, Strategic International Development PAC, 612 W. Nolana, Suite 250, McAllen, Texas 78504

#00059068 - Anthony Heath Wester, Grand Prairie Police Association PAC, PO Box 531184, Grand Prairie, TX 75053

Deadline: Monthly Report due May 5, 2020 for Committees

#00083277 - Prisylla Ann Jasso, Strategic International Development PAC, 612 W. Nolana, Suite 250, McAllen, Texas 78504

#00059068 - Anthony Heath Wester, Grand Prairie Police Association PAC, PO Box 531184, Grand Prairie, TX 75053

TRD-202003369

Anne Temple Peters

Executive Director

Texas Ethics Commission

Filed: August 14, 2020



General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of August 3, 2020 to August 14, 2020. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, August 21, 2020. The public comment period for this project will close at 5:00 p.m. on Sunday, September 20, 2020.

FEDERAL AGENCY ACTIONS:

Applicant: Texas Eastern Transmission, LP

Location: The project site is located Harris County, Texas.

Latitude & Longitude (NAD 83): 29.76804, -95.00969

Project Description: The applicant requests to expand the main valve line site and install a 4-foot by 6-foot skid mounted remote terminal/telemetry unit (RTU) building to the existing main line valve site.

Type of Application: Federal Energy Regulatory Commission (FERC)# FERC-2014-1226 (Docket CP82-535). This application will be reviewed pursuant to Section 7 of the Natural Gas Act for Blanket Certificates.

CMP Project No: 20-1350-F1

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from the Texas General Land Office Public Information Officer at 1700 N. Congress Avenue, Austin, Texas 78701, or via email at pialegal@glo.texas.gov. Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at federal.consistency@glo.texas.gov.

TRD-202003396

Mark A. Havens

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: August 19, 2020



Texas Health and Human Services Commission

Maximum Fees Allowed for Providing Health Care Information Effective September 1, 2020

The Health and Human Services Commission licenses and regulates the operation of general and special hospitals in accordance with Chapter 241 of the Texas Health and Safety Code. In 1995, the Texas Legislature amended this law to address the release and confidentiality of health care information. In 2009, the Texas Legislature amended the statute again to change the definition of health care information and to add a category of fees for records provided on digital or other electronic media and delivered electronically.

In accordance with Health and Safety Code, §241.154(e), the fee that was effective as of September 1, 2019, for providing a patient's health care information is increasing by 1.0% to reflect the most recent changes to the consumer price index that measures the average changes in prices of goods and services purchased by urban wage earners and clerical workers as published by the Bureau of Labor Statistics of the United States Department of Labor.

This information is provided only as a courtesy to licensed hospitals. Hospitals are responsible for verifying that fees for health care information are charged in accordance with Health and Safety Code Chapters 241, 311, and 324.

The current fees are effective as of September 1, 2020 and relate to Health and Safety Code §241.154(b) - (d) as follows:

(b) Except as provided by subsection (d), the hospital or its agent may charge a reasonable fee for providing the health care information except payment information and is not required to permit the examination, copying, or release of the information requested until the fee is paid unless there is a medical emergency. The fee may not exceed the sum of:

(1) a basic retrieval or processing fee, which must include the fee for providing the first 10 pages of copies and which may not exceed \$49.26; and

(A) a charge for each page of:

(i) \$1.66 for the 11th through the 60th page of provided copies;

(ii) \$.81 for the 61st through the 400th page of provided copies;

(iii) \$.44 for any remaining pages of the provided copies; and

(B) the actual cost of mailing, shipping, or otherwise delivering the provided copies;

(2) if the requested records are stored on microform, a retrieval or processing fee, which must include the fee for providing the first 10 pages of the copies and which may not exceed \$75.04; and

(A) \$1.71 per page thereafter; and

(B) the actual cost of mailing, shipping, or otherwise delivering the provided copies; or

(3) if the requested records are provided on a digital or other electronic medium and the requesting party requests delivery in a digital or electronic medium, including electronic mail:

(A) a retrieval or processing fee, which may not exceed \$89.24; and

(B) the actual cost of mailing, shipping, or otherwise delivering the provided copies.

(c) In addition, the hospital or its agent may charge a reasonable fee for:

(1) execution of an affidavit or certification of a document, not to exceed the charge authorized by Civil Practice and Remedies Code, §22.004; and

(2) written responses to a written set of questions, not to exceed \$10.00 for a set.

(d) A hospital may not charge a fee for:

- (1) providing health care information under subsection (b) to the extent the fee is prohibited under Health and Safety Code, Chapter 161, Subchapter M;
- (2) a patient to examine the patient's own health care information;
- (3) providing an itemized statement of billed services to a patient or third-party payer, except as provided under Health and Safety Code, §311.002(f); or
- (4) health care information relating to treatment or hospitalization for which workers' compensation benefits are being sought, except to the extent permitted under Labor Code, Chapter 408.

The statutes referenced in this notice may be found on the Internet at:

Health and Safety Code Chapter 241:

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.241.htm>

Health and Safety Code Chapter 311:

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.311.htm>

Health and Safety Code, Chapter 324:

<https://statutes.capitol.texas.gov/Docs/HS/htm/HS.324.htm>

Labor Code Chapter 408:

<https://statutes.capitol.texas.gov/Docs/LA/htm/LA.408.htm>

Civil Practice and Remedies Code Chapter 22:

<https://statutes.capitol.texas.gov/Docs/CP/htm/CP.22.htm>

Should you have questions, you may contact the Health and Human Services Commission, Health Facility Licensing Unit, Mail Code 1868, P.O. Box 149347, Austin, Texas 78714-9347, (512) 834-6648, healthfacilitylicensing@hhsc.state.tx.us.

TRD-202003413

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 19, 2020



Public Notice - Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit an amendment to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The amendment is proposed to be effective September 1, 2020.

The proposed amendment will ensure that a Federally Qualified Health Center (FQHC) is reimbursed for a covered telemedicine medical service or telehealth service delivered by a health care provider to a Medicaid recipient at the facility. A medical visit for an FQHC, as "medical visit" is defined in Attachment 4.19-B, will include covered telemedicine medical services. The proposed amendment will also clarify how rates are set for multiple FQHCs that are authorized to file a consolidated cost report.

As this proposal represents a change in methodology rather than rates, there is no estimated fiscal impact.

Copy of Proposed Amendment. Interested parties may obtain a copy of the proposed amendment and/or additional information about the amendment by contacting Cynthia Henderson, State Plan Coordinator, by mail at the Texas Health and Human Services Commission, P.O.

Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 428-1932; by facsimile at (512) 730-7472; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendment will be available for review at the local county offices of HHSC, (which were formerly the local offices of the Department of Aging and Disability Services).

Written Comments. Written comments about the proposed amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax or email:

U.S. Mail:

Texas Health and Human Services Commission

Attention: Rate Analysis Department, Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery:

Texas Health and Human Services Commission

Attention: Rate Analysis Department, Mail Code H-400 Brown-Heatly Building

4900 North Lamar Blvd.

Austin, Texas 78751

Phone number for package delivery: (512) 730-7401

Fax: Attention: Rate Analysis Department at (512) 730-7475

Email: Kevin.Niemeyer@hhsc.state.tx.us

TRD-202003380

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: August 14, 2020



Department of State Health Services

Orders Placing FUB-AMB into Schedule I and Lemborexant into Schedule IV

The Drug Enforcement Administration (DEA) issued a final rule placing methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (other names: FUB-AMB, MMB-FUBINACA, AMB-FUBINACA), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, into schedule I of the Controlled Substances Act (CSA). This final rule was published in the *Federal Register*, Volume 85, Number 61, pgs. 17494-17497. The effective date of the final rule was March 30, 2020. This action was taken for the following reasons:

1. FUB-AMB has a high potential for abuse that is comparable to other schedule I substances such as Δ^9 -tetrahydrocannabinol and JWH-018;
2. FUB-AMB has no currently accepted medical use in treatment in the United States (US); and
3. There is a lack of accepted safety for use of FUB-AMB under medical supervision.

The DEA issued an interim final rule placing lemborexant, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible in schedule IV of the CSA. This rule was published in the *Federal Register*, Volume 85, Number

67, pages 19387-19391. The effective date of the interim final rule was April 7, 2020. This action was taken for the following reasons:

1. Lemborexant has a low potential for abuse relative to the drugs or other substances in schedule III;
2. Lemborexant has a currently accepted medical use in the US; and
3. Lemborexant may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*. In the capacity as Commissioner of the Texas Department of State Health Services, John Hellerstedt, M.D., does hereby order that substance FUB-AMB be placed into schedule I and the substance lemborexant be placed into schedule IV.

-Schedule I hallucinogenic substances

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, position, and geometric isomers):

- (1) α -Ethyltryptamine (Other names: etryptamine; Monase; α -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; AET);
- (2) 4-Bromo-2,5-dimethoxyamphetamine (Other names: 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA);
- (3) 4-Bromo-2,5-dimethoxyphenethylamine (Other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; α -desmethyl DOB);
- (4) 2,5-Dimethoxyamphetamine (Other names: 2,5-dimethoxy- α -methylphenethylamine; 2,5-DMA);
- (5) 2,5-Dimethoxy-4-ethylamphetamine (Other name: DOET);
- (6) 2,5-Dimethoxy-4-(n)-propylthiophenethylamine, its optical isomers, salts and salts of isomers (Other name: 2C-T-7);
- (7) 4-Methoxyamphetamine (Other names: 4-methoxy- α -methylphenethylamine; paramethoxyamphetamine; PMA);
- (8) 5-Methoxy-3,4-methylenedioxy-amphetamine;
- (9) 4-Methyl-2,5-dimethoxyamphetamine (Other names: 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; "STP");
- (10) 3,4-Methylenedioxy-amphetamine;
- (11) 3,4-Methylenedioxy-methamphetamine (Other names: MDMA; MDM);
- (12) 3,4-Methylenedioxy-N-ethylamphetamine (Other names: N-ethyl- α -methyl-3,4-(methylenedioxy)phenethylamine; N-ethyl MDA; MDE; MDEA);
- (13) N-Hydroxy-3,4-methylenedioxyamphetamine (Other name: N-hydroxy MDA);
- (14) 3,4,5-Trimethoxyamphetamine;
- (15) 5-Methoxy-N,N-dimethyltryptamine (Other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole, 5-MeO-DMT);

- (16) α -Methyltryptamine (Other name: AMT);
- (17) Bufotenine (Other names: 3- β -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N,N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine);
- (18) Diethyltryptamine (Other names: N,N-Diethyltryptamine; DET);
- (19) Dimethyltryptamine (Other name: DMT);
- (20) 5-Methoxy-N,N-diisopropyltryptamine (Other name: 5-MeO-DIPT);
- (21) Ibogaine (Other names: 7-Ethyl-6,6- β -7,8,9,10,12,13-octhydro-2-methoxy-6,9-methano-5H-pyrido[1',2':1,2] azepino [5,4-b] indole; Tabernanthe iboga);
- (22) Lysergic acid diethylamide;
- (23) Marihuana. The term marihuana does not include hemp, as defined Title 5, Agriculture Code, Chapter 121.
- (24) Mescaline;
- (25) Parahexyl (Other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl);
- (26) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora williamsii* Lemaire, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;
- (27) N-ethyl-3-piperidyl benzilate;
- (28) N-methyl-3-piperidyl benzilate;
- (29) Psilocybin;
- (30) Psilocyn;
- (31) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis* (cannabis plant), except for tetrahydrocannabinols in hemp (as defined under Section 297A(1) of the Agricultural Marketing Act of 1946), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:
 - 1 cis or trans tetrahydrocannabinol, and their optical isomers;
 - 6 cis or trans tetrahydrocannabinol, and their optical isomers;
 - 3,4 cis or trans tetrahydrocannabinol, and its optical isomers;(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions are covered.);
- (32) Ethylamine analog of phencyclidine (Other names: N-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; N-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);
- (33) Pyrrolidine analog of phencyclidine (Other names: 1-(1-phenylcyclohexyl)-pyrrolidine; PCPy; PHP, rolicyclidine);
- (34) Thiophene analog of phencyclidine (Other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);
- (35) 1-[1-(2-Thienyl)cyclohexyl]pyrrolidine (Other name: TCPy);
- (36) 4-Methylmethcathinone (Other names: 4-methyl-N-methylcathinone; mephedrone);

- (37) 3,4-methylenedioxypropylvalerone (Other name:MDPV);
- (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (Other name: 2C-E);
- (39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (Other name: 2C-D);
- (40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (Other name: 2C-C);
- (41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (Other name: 2C-I);
- (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (Other name: 2C-T-2);
- (43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (Other name: 2C-T-4);
- (44) 2-(2,5-Dimethoxyphenyl)ethanamine (Other name: 2C-H);
- (45) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (Other name: 2C-N);
- (46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (Other name: 2C-P);
- (47) 3,4-Methylenedioxy-N-methylcathinone (Other name: Methylone);
- (48) (1-Pentyl-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other names: UR-144, 1-pentyl-3-(2,2,3,3-tetramethylcyclopropyl)indole);
- (49) [1-(5-Fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144, 5-F-UR-144, XLR11, (5-fluoro-pentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole);
- (50) N-(1-Adamantyl)-1-pentyl-1H-indazole-3-carboxamide (Other names: APINACA, AKB48);
- (51) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate (Other names: PB-22; QUPIC);
- (52) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate (Other names: 5-fluoro-PB-22; 5F-PB-22);
- (53) N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other name: AB-FUBINACA);
- (54) N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (Other name: ADB-PINACA);
- (55) 2-(4-Iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2CI-NBOMe; 25I; Cimbi-5);
- (56) 2-(4-Chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);
- (57) 2-(4-Bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);
- (58) Marijuana extract, meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, other than the separated resin (whether crude or purified) obtained from the plant;
- (59) 4-Methyl-N-ethylcathinone (4-MEC);
- (60) 4-Methyl- α -pyrrolidinopropiophenone (4-MePPP);
- (61) α -Pyrrolidinopentiophenone ([α]-PVP);
- (62) 1-(1,3-Benzodioxol-5-yl)-2-(methylamino)butan-1-one (Other names: butylone; bk-MBDB);
- (63) 2-(Methylamino)-1-phenylpentan-1-one (Other name: pentadrone);
- (64) 1-(1,3-Benzodioxol-5-yl)-2-(methylamino)pentan-1-one (Other names: pentylone; bk-MBDP);
- (65) 4-Fluoro-N-methylcathinone (Other names: 4-FMC; flephedrone);
- (66) 3-Fluoro-N-methylcathinone (Other name: 3-FMC);
- (67) 1-(Naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (Other name: naphyrone);
- (68) α -Pyrrolidinobutiophenone (Other name: [α]-PBP);
- (69) N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other name: AB-CHMI-NACA);
- (70) N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (Other name: AB-PINACA);
- (71) [1-(5-Fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone (Other name: THJ-2201);
- (72) 1-Methyl-4-phenyl-1,2,5,6-tetrahydro pyridine (MPTP);
- (73) N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (Other names: MAB-CHMI-NACA, ABD-CHMINACA);
- (74) Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB, 5F-MDMB-PINACA);
- (75) Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other name: 5F-AMB);
- (76) N-(Adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (Other names: 5F-APINACA; 5F-AKB48);
- (77) N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (Other name: ADB-FUBINACA);
- (78) Methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-CHMICA; MMB-CHMI-NACA);
- (79) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other name: MDMB-FUBINACA); and
- * (80) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: FUB-AMB; MMB-FUBINACA; AMB-FUBINACA).

-Schedule IV depressants

Except as provided by the Texas Controlled Substances Act, Health and Safety Code, Section 481.033, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

- (1) Alfaxalone (5 α -pregnan-3 α -ol-11,20-dione);
- (2) Alprazolam;
- (3) Barbitol;
- (4) Brexanolone (3 α -hydroxy-5 α -pregnan-20-one) (Other name: allo-pregnanolone);
- (5) Bromazepam;

- (6) Camazepam;
- (7) Chloral betaine;
- (8) Chloral hydrate;
- (9) Chlordiazepoxide;
- (10) Clobazam;
- (11) Clonazepam;
- (12) Clorazepate;
- (13) Clotiazepam;
- (14) Cloxazolam;
- (15) Delorazepam;
- (16) Diazepam;
- (17) Dichloralphenazone;
- (18) Estazolam;
- (19) Ethchlorvynol;
- (20) Ethinamate;
- (21) Ethyl loflazepate;
- (22) Fludiazepam;
- (23) Flunitrazepam;
- (24) Flurazepam;
- (25) Fospropofol;
- (26) Halazepam;
- (27) Haloxazolam;
- (28) Ketazolam;
- * (29) Lemborexant;
- (30) Loprazolam;
- (31) Lorazepam;
- (32) Lormetazepam;
- (33) Mebutamate;
- (34) Medazepam;
- (35) Meprobamate;
- (36) Methohexital;
- (37) Methylphenobarbital (mephobarbital);
- (38) Midazolam;
- (39) Nimetazepam;
- (40) Nitrazepam;
- (41) Nordiazepam;
- (42) Oxazepam;
- (43) Oxazolam;
- (44) Paraldehyde;
- (45) Petrichloral;
- (46) Phenobarbital;
- (47) Pinazepam;
- (48) Prazepam;

- (49) Quazepam;
- (50) Suvorexant;
- (51) Temazepam;
- (52) Tetrazepam;
- (53) Triazolam;
- (54) Zaleplon;
- (55) Zolpidem; and
- (56) Zopiclone, its salts, isomers, and salts of isomers.

Changes indicated by an *

TRD-202003414

Barbara L. Klein

General Counsel

Department of State Health Services

Filed: August 19, 2020

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Texas Department of Housing and Community Affairs

Release of the Notice of Funding Availability (NOFA) for the Texas Department of Housing and Community Affairs Fiscal Year 2021 Amy Young Barrier Removal Program

I. Source of Funds.

The Amy Young Barrier Removal (AYBR) Program is funded through the Housing Trust Fund, which was established by the 72nd Legislature, Senate Bill 546, in Texas Government Code §2306.201 *et seq.*, to develop and rehabilitate affordable housing for low- and very low-income households. Funding sources consist of appropriations or transfers made to the fund, unencumbered fund balances, and public or private gifts, grants, or donations.

II. Notice of Funding Availability (NOFA) Summary.

The Texas Department of Housing and Community Affairs (the Department) announces \$1,699,531 in Texas Housing Trust Fund for the Amy Young Barrier Removal (AYBR) Program Fiscal Year 2021. \$1,545,028.18 is made available for Project Costs, and \$154,502.82 is made available for Administration. The funding will be available for reservation using a geographic dispersion method beginning Tuesday, September 1, 2020, at 10:00 a.m. Austin local time.

The AYBR Program provides one-time grants of up to \$22,500 to Persons with Disabilities in a household qualified as earning 80% or less of the Area Median Family Income. Grants are for home modifications that increase accessibility, eliminate life-threatening hazards, and correct unsafe conditions.

Eligible nonprofit organizations, units of local government, councils of government, Colonia Self-Help Centers, local mental health authorities, and public housing authorities are eligible entities that may apply to become an Administrator of the AYBR Program. To be able to reserve AYBR Program funds on behalf of an eligible Person with Disabilities, the entities must complete the Reservation System Access Application found on the Program website and then execute a Reservation System Agreement with the Department.

III. Additional Information.

The Fiscal Year 2021 AYBR Program NOFA is on the Department's website at <http://www.tdhca.state.tx.us/hf/single-family/amy-young.htm>. Please contact Diana Velez, Administrator of the

Amy Young Barrier Removal Program, at (512) 475-4828 or via email at HTF@tdhca.state.tx.us.

TRD-202003412

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: August 19, 2020

◆ ◆ ◆
Texas Department of Insurance

Company Licensing

Application for Pacific Pioneer Insurance Company, a foreign fire and/or casualty company, to change its name to Lio Insurance Company. The home office is in Aliso Viejo, California.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register* publication, addressed to the attention of Robert Rudnai, 333 Guadalupe Street, MC 103-CL, Austin, Texas 78701.

TRD-202003411

James Person

General Counsel

Texas Department of Insurance

Filed: August 19, 2020

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Texas Department of Licensing and Regulation

Correction of Error

The Texas Department of Licensing and Regulation proposed new rules at 16 TAC Chapter 112, Subchapter C, §112.21 and §112.22; repeal of existing rules at Subchapter C, §112.21 and §112.22; and amendments to existing rules at Subchapter C, 16 TAC §§112.23 - 112.26, regarding Examinations, under the Hearing Instrument Fitters and Dispensers program. These proposed rules were published in the February 21, 2020, issue of the *Texas Register* (45 TexReg 1134). Due to an error by the Texas Register, the text of §112.25(b) was incorrectly published. The correct text should read as follows:

(b) Qualifications of Test [~~Examination~~] Proctor.

This Correction of Error relates to the adoption notice for these proposed rules published elsewhere in this issue of the *Texas Register*.

TRD-202003415

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Public Utility Commission of Texas

Notice of Application to Adjust High Cost Support Under 16 TAC §26.407(H)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on August 13, 2020, to adjust

the high-cost support it receives from the Small and Rural Incumbent Local Exchange Company Universal Service Plan without effect to its current rates.

Docket Title and Number: Application of Blossom Telephone Company, Inc. to Adjust High Cost Support under 16 Texas Administrative Code §26.407(h), Docket Number 51165.

Blossom requests a high-cost support adjustment increase of \$32,525. The requested adjustment complies with the cap of 140% of the annualized support the provider received in the previous 12 months, as required by 16 Texas Administrative Code §26.407(g)(1).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas, 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 51165.

TRD-202003384

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: August 17, 2020

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Notice of Intent to File LRIC Study Under 16 TAC §26.214

Notice is given to the public of the filing on June 24, 2020, with the Public Utility Commission of Texas (the commission), of a notice of intent to file a long run incremental cost (LRIC) study under 16 Texas Administrative Code (TAC) §26.214. The applicant will file the LRIC study on or before July 15, 2020.

Docket Title and Number: Application of Consolidated Communications of Texas for Approval of LRIC Study Under 16 TAC §26.214, Docket No. 50982.

Any person who demonstrates a justiciable interest may file written comments or recommendations concerning the LRIC study referencing Docket No. 50982. Written comments or recommendations should be filed no later than forty-five (45) days after the date of a sufficient study and should be filed at the commission, by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 50982.

TRD-202003366

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: August 14, 2020