

# 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.

## Texas Animal Health Commission

### Correction of Error

The Texas Animal Health Commission adopted new 4 TAC §40.3 in the September 1, 2023, issue of the *Texas Register* (48 TexReg 4839). Due to an error by the Texas Register, the text for 4 TAC §40.3(g)(3)(A) was published incorrectly. The word "commissions" should have been "commission's".

The correct text for subparagraph (A) is as follows:

(A) To appeal the decision of the executive director, the herd owner must file a notice of appeal within 15 days of the decision in writing with the executive director at the commission's office in Austin. The notice of appeal must specifically state the issues for consideration on appeal.

TRD-202303241

## 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, 303.005, 303.008, and 303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/11/23 - 09/17/23 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/11/23 - 09/17/23 is 18.00% for commercial<sup>2</sup> credit.

The monthly ceiling as prescribed by §303.005<sup>3</sup> and §303.009 for the period of 09/01/23 - 09/30/23 is 18.00%.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 10/01/23 - 12/31/23 is 18.00% for consumer<sup>1</sup> credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 10/01/23 - 12/31/23 is 18.00% for commercial<sup>2</sup> credit.

The annualized ceiling as prescribed by §303.008 and §303.009<sup>4</sup> for the period of 10/01/23 - 12/31/23 is 18.00% for consumer<sup>1</sup> credit.

The annualized ceiling as prescribed by §303.008 and §303.009<sup>4</sup> for the period of 10/01/23 - 12/31/23 is 18.00% for commercial<sup>2</sup> credit.

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

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

<sup>3</sup> Only for variable rate commercial transactions, as provided by §303.004(a).

<sup>4</sup> Only for open-end credit as defined in §301.002(14), as provided by §303.007.

TRD-202303247

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: September 6, 2023

## Texas Council for Developmental Disabilities

### Request for Applications: TCDD Building Capacity for Culturally Competent Family Supports

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for activities to support specific capacity-building and information-sharing activities lead by an organization who is considered a leader and trusted source for the cultural group with which they seek to connect. Activities will support individuals with developmental disabilities (DD) and families of individuals with DD to become active participants and advocates in the delivery of community-based services. Projects will also improve understanding of the different values, cultures, and customs that exist in Texas and inform how these factors may influence best practices in service delivery. This work is viewed as a necessary step towards TCDD's mission to create change so that all people with DD are fully included in their communities.

TCDD has approved funding for up to five organizations for up to five years. Funding is approved for up to \$125,000 per year. Funds available for this project are provided to TCDD by the Administration for Community Living (ACL), U.S. Department of Health and Human Services, with 100% federal funding pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 25% of total project costs are required for projects. Non-federal matching funds at a reduced rate of 10% of the total project costs are required for project activities conducted in federally designated poverty areas.

Additional information concerning this Request for Applications (RFA) and TCDD is available at <https://tcdd.texas.gov/grants-rfas/funding-available-for-grants/>. All questions pertaining to this RFA should be directed in writing to TCDD via email at [apply@tcdd.texas.gov](mailto:apply@tcdd.texas.gov) or via telephone at (512) 437-5432.

Deadline: Proposals must be submitted through <https://tcdd.smapply.org/prog/1st/>. Proposals are due by 11:59 p.m. on November 17, 2023. Proposals will not be accepted outside of these due dates.

TRD-202303258

Beth Stalvey

Executive Director

Texas Council for Developmental Disabilities

Filed: September 6, 2023

### Request for Applications: TCDD Storytelling Project: Understanding the Experience of Individuals with DD and their Families

The Texas Council for Developmental Disabilities (TCDD) announces the availability of funds for activities to collect, summarize, and distribute stories and personal experiences of people with developmental disabilities (DD). The project will seek professional writers and photographers to connect with people with DD including young adults, college students, adults, employees, entrepreneurs, siblings, parents,

and others about their experiences across multiple issue areas related to TCDD Public Policy Priorities and other topics in the TCDD State Plan. Activities will also include technical assistance to TCDD state plan sub-grantees on collecting and summarizing both individual and system change stories within their projects.

TCDD has approved funding for one organization for up to five years. Funding is approved for up to \$300,000 per year. Funds available for this project are provided to TCDD by the Administration for Community Living (ACL), U.S. Department of Health and Human Services, with 100% federal funding pursuant to the Developmental Disabilities Assistance and Bill of Rights Act. Funding for the project is dependent on the results of a review process established by TCDD and on the availability of funds. Non-federal matching funds of at least 25% of total project costs are required for projects. Non-federal matching funds at a reduced rate of 10% of the total project costs are required for project activities conducted in federally designated poverty areas.

Additional information concerning this Request for Applications (RFA) and TCDD is available at <https://tcdd.texas.gov/grants-rfas/funding-available-for-grants/>. All questions pertaining to this RFA should be directed in writing to TCDD via email at [apply@tcdd.texas.gov](mailto:apply@tcdd.texas.gov) or via telephone at (512) 437-5432.

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TRD-202303259

Beth Stalvey

Executive Director

Texas Council for Developmental Disabilities

Filed: September 6, 2023

## Texas Education Agency

### Correction of Error

The Texas Education Agency (TEA) adopted an amendment to 19 TAC §127.17 in the September 1, 2023, issue of the *Texas Register* (48 TexReg 4851). The amendment was effective September 10, 2023.

Due to an error by the Texas Register, incorrect information was published in the signature block at the end of the adoption. The correct information should have been published as follows:

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Effective date: September 10, 2023

Proposal publication date: May 12, 2023

For further information, please call (512) 475-1497

TRD-202303250

## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC,

§7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **October 16, 2023**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **October 16, 2023**. 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: City of Hudson; DOCKET NUMBER: 2021-1501-MWD-E; IDENTIFIER: RN101517878; LOCATION: Hudson, Angelina County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.65 and §305.125(2) and TWC, §26.121(a)(1), by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$2,125; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: FLORES, MATTHEW; DOCKET NUMBER: 2023-1026-WOC-E; IDENTIFIER: RN110701299; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Miles Caston, (512) 239-4593; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(3) COMPANY: Fort Bend County Municipal Utility District Number 50; DOCKET NUMBER: 2022-1053-WQ-E; IDENTIFIER: RN105143002; LOCATION: Richmond, Fort Bend County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §281.25(a)(4) and TWC, §26.121(a)(1), by failing to obtain authorization under the Multi-Sector General Permit Number TXR05FT71; PENALTY: \$1,575; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: GRANDE 2151 LLC; DOCKET NUMBER: 2023-1094-WQ-E; IDENTIFIER: RN111752499; LOCATION: Tyler, Smith County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$875; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(5) COMPANY: IRIBARREN INK CORP; DOCKET NUMBER: 2023-0991-WR-E; IDENTIFIER: RN111601266; LOCATION: Vidor,

Orange County; TYPE OF FACILITY: operator; RULE VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to appropriating any state water or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(6) COMPANY: LAQUEY, STEPHEN G; DOCKET NUMBER: 2023-1036-OSI-E; IDENTIFIER: RN103837753; LOCATION: Blanket, Brown County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §285.61(4), by failing to ensure that an authorization to construct has been issued prior to beginning construction of an on-site sewage facility; PENALTY: \$175; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(7) COMPANY: LION ELASTOMERS LLC; DOCKET NUMBER: 2021-0875-AIR-E; IDENTIFIER: RN100224799; LOCATION: Port Neches, Jefferson County; TYPE OF FACILITY: synthetic rubber manufacturing plant; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and §122.143(4), Federal Operating Permit (FOP) Number O1224, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 2.F, and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event no later than 24 hours after the discovery of an emissions event; 30 TAC §116.115(c) and §122.143(4), New Source Review (NSR) Permit Number 9908, Special Conditions (SC) Number 1, FOP Number O1224, GTC and STC Number 14, and THSC, §382.085(b), by failing to prevent unauthorized emissions; and 30 TAC §116.115(c) and §122.143(4), NSR Permit Number 9908, SC Number 10, FOP Number O1224, GTC and STC Number 14, and THSC, §382.085(b), by failing to comply with the storage tank throughput limits; PENALTY: \$59,376; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$29,688; ENFORCEMENT COORDINATOR: Amanda Diaz, (713) 422-8912; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(8) COMPANY: MERP LLC; DOCKET NUMBER: 2023-1070-WQ-E; IDENTIFIER: RN111532677; LOCATION: Lockhart, Caldwell County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$875; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(9) COMPANY: PIPELINE PLASTICS LLC; DOCKET NUMBER: 2023-1093-WQ-E; IDENTIFIER: RN107309353; LOCATION: Decatur, Wise County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit for stormwater discharges; PENALTY: \$875; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(10) COMPANY: RELIANCE AEROPRODUCTS INTERNATIONAL; DOCKET NUMBER: 2023-1071-WQ-E; IDENTIFIER: RN100547611; LOCATION: Mansfield, Johnson County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit for stormwater discharges; PENALTY: \$875; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(11) COMPANY: SKIDMORE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-0104-MWD-E; IDENTIFIER: RN102342201; LOCATION: Skidmore, Bee 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 WQ0014112001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401-0318, (361) 881-6900.

(12) COMPANY: SouthWaste Disposal, LLC dba SouthWaste Disposal South Plains Facility; DOCKET NUMBER: 2022-0975-MSW-E; IDENTIFIER: RN101289171; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: Type V grease and grit trap processing facility; RULES VIOLATED: 30 TAC §330.15(h)(1) and TWC, §26.121(a), by failing to not cause, suffer, allow, or permit the unauthorized discharge of municipal solid waste into or adjacent to waters in the state; and 30 TAC §330.209(a), by failing to maintain the integrity of waste storage areas; PENALTY: \$4,000; ENFORCEMENT COORDINATOR: Courtney Gooris, (817) 588-5863; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(13) COMPANY: TURNER, ROY L; DOCKET NUMBER: 2023-0962-WOC-E; IDENTIFIER: RN104787908; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Aaren Owens, (409) 899-8741; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(14) COMPANY: USAR LLC; DOCKET NUMBER: 2023-1092-WQ-E; IDENTIFIER: RN111005062; LOCATION: Wilmer, Dallas County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit for stormwater discharges; PENALTY: \$875; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(15) COMPANY: WOODALL, RAMSEY; DOCKET NUMBER: 2023-1037-WR-E; IDENTIFIER: RN111745659; LOCATION: Mineola, Smith County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §334.49(a)(1), by failing to provide corrosion protection for the underground storage tank system; PENALTY: \$350; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

TRD-202303240

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: September 5, 2023



#### Enforcement Orders

An agreed order was adopted regarding Jorge Arturo Vasquez De La Garza, Docket No. 2022-0312-PST-E on September 5, 2023 assessing \$7,200 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Erandi Ratnayake, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.



## Enforcement Orders

An agreed order was adopted regarding CIRCLE K STORES INC. dba Circle K Store 2704686 and dba Circle K Store 2704676, Docket No. 2019-1448-PST-E on September 6, 2023 assessing \$29,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cynthia Sirois, 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 Ruby Hamilton Minard, Executrix of the Estate of Ralph A. Minard II and MINARD II, LLC, Docket No. 2020-1297-PST-E on September 6, 2023 assessing \$11,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, 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 Wing Dingers Texas Llc, Docket No. 2021-0200-PWS-E on September 6, 2023 assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, 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 Dayton Lakes, Docket No. 2021-0770-PWS-E on September 6, 2023 assessing \$12,820 in administrative penalties with \$2,564 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 City of Mount Vernon, Docket No. 2021-0853-MWD-E on September 6, 2023 assessing \$17,188 in administrative penalties with \$3,437 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Nortex RediMix, LLC, Docket No. 2021-1029-AIR-E on September 6, 2023 assessing \$27,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katherine Keithley, 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 Conecsus LLC, Docket No. 2021-1628-AIR-E on September 6, 2023 assessing \$35,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Waynette Pollock Brasuell a/k/a Waynette Isaacks, Docket No. 2022-0086-PST-E on September 6, 2023 assessing \$3,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katherine Keithley, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Sheri Chapman, Docket No. 2022-0116-PST-E on September 6, 2023 assessing \$3,937 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, 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 El Paso Water Utilities Public Service Board, Docket No. 2022-0310-MWD-E on September 6, 2023 assessing \$2,016,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Dolores Luke dba Little Big Horn Services, Docket No. 2022-0412-MLM-E on September 6, 2023 assessing \$1,491 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Kurnath, 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 Monarch Utilities I L.P., Docket No. 2022-0430-MWD-E on September 6, 2023 assessing \$43,875 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SRC Water Supply Inc, Docket No. 2022-1259-UTL-E on September 6, 2023 assessing \$510 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SRC Water Supply Inc, Docket No. 2022-1266-UTL-E on September 6, 2023 assessing \$650 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SRC Water Supply Inc, Docket No. 2022-1277-UTL-E on September 6, 2023 assessing \$610 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SRC Water Supply Inc, Docket No. 2022-1328-UTL-E on September 6, 2023 assessing \$560 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SRC Water Supply Inc, Docket No. 2022-1329-UTL-E on September 6, 2023 assessing \$560 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding SRC Water Supply Inc, Docket No. 2022-1332-UTL-E on September 6, 2023 assessing \$640 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Megan Grace, 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 Crystal Farms CRYSTAL FARMS WATER SUPPLY CORPORATION, Docket No. 2023-0183-PWS-E on September 6, 2023 assessing \$1,462 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Ilia Perez-Ramirez, 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 Westwood Shores Municipal Utility District, Docket No. 2023-0338-PWS-E on September 6, 2023 assessing \$2,975 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, 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 Cameron, Docket No. 2023-0396-PWS-E on September 6, 2023 assessing \$3,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Chiara Ballam, 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 Mando Concrete Partners Llc, Docket No. 2023-0852-AIR on September 6, 2023 assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Amanda Kraynok, 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 Rockwall County Municipal Utility District 11, Docket No. 2023-0858-DIS on September 6, 2023 assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harrison Malley, 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 290 Betka Municipal Management District No 1, Docket No. 2023-0861-DIS on September 6, 2023 assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Bobby Salehi, 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 Golden Triangle Polymers Company Llc, Docket No. 2023-0956-MWD on September 6, 2023 assessing \$0 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kathy Humphreys, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202303257

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 6, 2023



Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Proposed Air Quality Registration Number 173471

**APPLICATION.** Lauren Concrete Inc, 2001 Picadilly Drive, Round Rock, Texas 78664-9511 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit

for a Concrete Batch Plant with Enhanced Controls Registration Number 173471 to authorize the operation of a concrete batch plant. The facility is proposed to be located at 6101 Oilfield Road, Sealy, Austin County, Texas 77474. 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. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.20996833527613,29.692116713721745&level=18>. This application was submitted to the TCEQ on July 26, 2023. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on August 30, 2023.

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

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

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

**Monday, October 9, 2023, at 6:00 p.m.**

**Snock Education Center**

**10471 Grotto Road**

**Sealy, Texas 77474**

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

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

**CENTRAL/REGIONAL OFFICE.** The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Houston Regional Office, located at 5425 Polk St. Ste H, Houston, Texas 77023-1452, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

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

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

Further information may also be obtained from Lauren Concrete, Inc., 2001 Picadilly Dr, Round Rock, Texas 78664-9511, or by calling Mr. Paul Henry, Engineer at (512) 281-6555.

Notice Issuance Date: August 30, 2023

TRD-202303251

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 6, 2023



**Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Proposed Air Quality Registration Number 173552**

**APPLICATION.** David Murphy, P.O. Box 4099, Sargent, Texas 77404-4099 has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 173552 to authorize the operation of a permanent concrete batch plant with enhanced controls. The facility is proposed to be located at the following driving directions: From the intersection of Farm to Market Road 457 and Sargent Ranch Road, go south on Farm to Market Road 457 for approximately 0.37 miles. Site entrance will be on the left, Sargent, Matagorda County, Texas 77414. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. 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. <https://gisweb.tceq.texas.gov/Location-Mapper/?marker=-95.646385,28.817592&level=13>. This application was submitted to the TCEQ on August 3, 2023. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on August 25, 2023.

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

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

ments or an oral statement about the application. **The public hearing is not an evidentiary proceeding.**

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

**Thursday, October 5, 2023, at 6:00 p.m.**

**Sargent Volunteer Fire Department**

**22001 Farm to Market Road 457**

**Sargent, Texas 77414**

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

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

**CENTRAL/REGIONAL OFFICE.** The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Houston Regional Office, located at 5425 Polk St Ste H, Houston, Texas 77023-1452, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice.

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

Further information may also be obtained from David Murphy, P.O. Box 4099, Sargent, Texas 77404-4099, or by calling Mr. Josh Butler, Principal Consultant, Elm Creek Environmental, LLC, at (469) 946-8195.

Notice Issuance Date: August 31, 2023

TRD-202303253

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 6, 2023



**Notice of District Petition**

Notice issued August 31, 2023

TCEQ Internal Control No. D-07112023-012; Theon Ranches, LP, a Texas limited partnership, Daniel S. Voss, and Kathryn S. Voss (Petitioners) filed a petition for the creation of Theon Ranch Municipal Utility District No. 3 (District) in Williamson County, Texas 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) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 271.34 acres of land located within Williamson County, Texas; and (4) none of the land to be included within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the work to be done by the proposed District at the present time is to purchase, construct, acquire, provide, operate, maintain, repair, 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, industrial and commercial purposes; to collect, transport, process, dispose of and control domestic, industrial and commercial wastes; to gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; to construct, maintain, improve and operate graveled or paved roads or turnpikes that serve or are intended to serve as an arterial or main feeder roads, or works, facilitates, or improvements in aid of those roads or turnpikes inside or outside the boundaries of the proposed District to the extent authorized by Article III, Section 52 of the Texas Constitution; to purchase, construct, acquire, provide, operate, maintain, repair, improve, extend and develop park and recreational facilities for the inhabitants of the District; and to purchase, construct, acquire, provide, operate, maintain, repair, 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 proposed District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$70,967,000 (\$65,200,000 for water, wastewater, and drainage plus \$3,702,000 for roads and \$2,065,000 for recreational facilities).

#### 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](http://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](http://www.tceq.texas.gov).

TRD-202303252

Laurie Gharis  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: September 6, 2023



#### Notice of District Petition

Notice issued August 31, 2023

TCEQ Internal Control No. D-06082023-020; Circle S Midlothian, LLC, a Texas limited liability company, (Petitioner) filed a petition for creation of Circle S North Municipal Utility District of Ellis County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 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 Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, AgTexas Farm Credit Service, on the property to be included in the proposed District and the aforementioned entity has consented to the creation of the District; (3) the proposed District will contain approximately 343.2 acres of land, more or less, located within Ellis County, Texas; and (4) all of the land to be included within the proposed District is within the extraterritorial jurisdiction of the City of Midlothian (City). The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks system, including the purchase and sale of water, for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment, and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase, and operate drainage and roadway facilities and improvements; and (4) construct, install, maintain, purchase, and operate such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created. It further states that the planned residential and commercial development of the area and the present and future inhabitants of the area will be benefited by the above-referenced work, which will promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

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 \$60,400,000 (\$44,500,000 for water, wastewater, and drainage facilities and \$15,900,000 for road facilities). In accordance with Local Government Code § 42.042 and Texas Water Code § 54.016, a petition was submitted to the City, requesting the City's consent to the creation of the District. After more than 90 days passed without receiving consent, a petition was submitted to the City to provide water and sewer services to the District. The 120-day period for reaching a mutually agreeable contract as established by the Texas Water Code § 54.016(c) expired and information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Water Code § 54.016(d), failure to execute such an agreement constitutes authorization for the Petitioner to proceed to the TCEQ for inclusion of the land into the District.

#### 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](http://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](http://www.tceq.texas.gov).

TRD-202303254

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 6, 2023



## Notice of District Petition

Notice issued August 31, 2023

TCEQ Internal Control No. D-07262023-060; Janie Barnhardt (Petitioner) filed a petition for creation of Golden Barn Ranch Municipal Utility District of Hunt County (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 Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 285 acres located within Hunt County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. 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 proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, 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 all of the purposes for which the proposed 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 Petitioners that the cost of said project will be approximately \$42,658,369 (\$35,986,296 for water, wastewater, and drainage plus \$6,672,073 for roads).

## 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](http://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](http://www.tceq.texas.gov).

TRD-202303255

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: September 6, 2023



## 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 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of August 21, 2023 to August 25, 2023. 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 §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office website. The notice was published on the website on Friday, September 1, 2023. The public comment period for this project will close at 5:00 p.m. on Sunday, October 1, 2023.

Federal License and Permit Activities:

**Applicant:** J.W. Kelso Company, Inc.

**Location:** The project site is located in Galveston Bay, at 6200 Harborside Drive, in Galveston, Galveston County, Texas.

**Latitude and Longitude:** 29.298546, -94.84496

**Project Description:** The applicant proposes to expand the existing facility to provide additional space for ongoing operations/equipment staging and the construction of a new decontamination facility. The components include construction of a concrete pad and access road as follows: a 345-foot by 525-foot concrete pad consisting of 1,335 linear feet (LF) of 30-foot-wide rock slope stabilization (approximately 38,250 square feet), and 480 LF of bulkhead resulting in the discharge of approximately 61,979 cubic yards (CY) of material below the mean high water (MHW). The 61,979 CY would consist of 53,667 CY of clean sand and 8,312 CY of rock. The applicant also proposes to construct a 45-foot by 700-foot access road consisting of 700 LF of 30-foot-wide rock slope stabilization and 450 LF of bulkhead extending from the proposed expansion pad to an existing bulkhead. The installation of the access road and slope stabilization would result in the discharge of approximately 13,897 CY of material below MHW which would consist of 9,334 CY of clean sand and 4,563 CY of rock. Additionally, the applicant proposes to install 45, 24-inch steel pipe piles around the perimeter of the access road and operations pad. The applicant is not proposing any new compensatory mitigation.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-1993-00525. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 23-1360-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](mailto: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](mailto:federal.consistency@glo.texas.gov).

TRD-202303211

Mark Havens

Chief Clerk

General Land Office

Filed: August 30, 2023

## Texas Department of Insurance

Company Licensing

Application for Amrock Title Insurance Company, a foreign title company, to change its name to Ultra National Title Insurance Company. The home office is in Detroit, Michigan.

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 John Carter, 1601 Congress Ave., Suite 6.900, Austin, Texas 78711.

TRD-202303249

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: September 6, 2023

### Notice of Public Hearing Proposed Changes to the Title Insurance Basic Manual Docket No. 2841

On September 1, 2023, the Texas Land Title Association (TLTA) filed a petition requesting amendments to the *Basic Manual of Rules, Rates and Forms for the Writing of Title Insurance in the State of Texas* (Basic Manual). The TLTA proposal includes the following:

- Rate increases for assignment of mortgage endorsements, loan modification endorsements, and down date endorsements
- A rate increase for access endorsements
- A revision to the residential owner's policy form
- Revisions to the loan policy aggregation endorsement form
- Revisions to endorsement forms insuring surface damage related to mineral extraction and development
- Revisions to the owner's policy form and the loan policy form to state when survey coverage is not included
- Revisions to the insured closing service letter for lenders
- Amendments to the procedural rule for insuring taxes not yet due and payable
- Repealing the severable improvements endorsement form, replacing it with a series of endorsement forms for electricity-generating facilities, and adding a new rate rule and procedural rule for the new endorsements
- Amendments to the procedural rule for additional insured endorsements
- Amendments to the definition of "residential property" and related revisions to the rate rule for amendment of the area and boundaries exception
- Revisions to the survey affidavit, adding a new form for using an unsworn declaration as an alternative, and a related revision to the procedural rule for amendment of the area and boundaries exception
- A revision to the equity loan mortgage endorsement form
- A rule amendment related to title company signature requirements on endorsements
- Amendments to the procedural rule for issuing revolving credit endorsements and related revisions to the endorsement form and rate rule
- A request that TDI remove notarization requirements on title licensing forms
- Adding a new endorsement form, rate rule, and procedural rule for insuring surface damage related to mineral extraction and development when a title policy includes an endorsement for electricity generating facilities

- Amendments to the rate rule for simultaneous issuance of owner's policies and loan policies (including certain transactions in which a loan policy is issued within 90 days after an owner's policy)
- An amendment to an escrow check signature rule to allow electronic signatures

In addition, TDI proposes the following:

- An amendment to an escrow check signature rule to allow electronic signatures
- Revisions to the escrow account auditor's opinion letter form
- A revision to the Policy of Title Insurance (USA) form to correct a clerical error
- A revision to the title agent minimum capitalization bond form to update TDI's address
- Revisions to title licensing forms to remove the notarization requirements
- Revisions to the statistical plan to correct the transaction descriptions for refinance transactions and to collect data related to certain new or revised items being proposed by TLTA

The commissioner of insurance will hold a public hearing to consider amendments to the Basic Manual. The hearing will begin at 1:00 p.m., central time, November 15, 2023, in Room 2.029 of the Barbara Jordan Building, 1601 Congress Avenue in Austin, Texas.

The commissioner has jurisdiction over this hearing under Insurance Code §§2703.153, 2703.201, 2703.202, and 2703.203.

You can view the TLTA and TDI proposals at [www.tdi.texas.gov/rules/2023/index.html](http://www.tdi.texas.gov/rules/2023/index.html)

You may submit written comments or make oral comments on this rulemaking at the hearing, or you may submit your written comments to TDI on or before 5:00 p.m., central time, on November 15, 2023. Send your comments to [ChiefClerk@tdi.texas.gov](mailto:ChiefClerk@tdi.texas.gov) or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030. Please include the docket number on any written or emailed comments.

TRD-202303261  
 Jessica Barta  
 General Counsel  
 Texas Department of Insurance  
 Filed: September 6, 2023

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## Texas Department of Insurance, Division of Workers' Compensation

### Proposed Fiscal Year 2024 Research Agenda Workers' Compensation Research and Evaluation Group

#### Introduction

Texas Labor Code §405.0026 requires the commissioner of workers' compensation to adopt a research agenda each year for the Workers' Compensation Research and Evaluation Group (REG) at the Texas Department of Insurance (TDI).

Labor Code §405.0026 requires the REG to prepare a research agenda each year for the commissioner to review, approve, and publish in the *Texas Register*.

Labor Code §405.0025 requires the REG to conduct professional studies and research related to how effectively the workers' compensation system operates.

Texas Insurance Code §1305.502 requires the REG to develop and issue an informational report card each even-numbered year that objectively identifies and compares certified health care networks with each other and with claims outside of those networks.

#### Proposed Fiscal Year 2024 Research Agenda

The REG proposes the following research projects:

1. Completion and publication of the 17th Edition of the Workers' Compensation Health Care Network Report Card (required under Insurance Code §1305.502(a)-(d) and Labor Code §405.0025(b)).
2. An update of the 2022 biennial study to estimate employer participation in the Texas workers' compensation system.
3. An update of key workers' compensation system trends to meet the requirements for the DWC Biennial Report required under Labor Code §402.066, including medical costs and utilization of care, return-to-work rates for injured employees, access to care for injured employees, and medical dispute resolution trends.
4. Income benefit adequacy in the Texas workers' compensation system.
5. An update of medical costs and utilization in the Texas workers' compensation system.

The REG will consider expanding the scope of the research projects or conducting more projects to accommodate stakeholder suggestions, subject to the resources and data available.

#### Request for Comments or Public Hearing

You may submit comments on the Proposed Fiscal Year 2024 Research Agenda or request a public hearing in writing no later than 5 p.m., Central time, on October 16, 2023. A hearing request must be on a separate page from any written comments.

Email your comments or hearing request to [RuleComments@tdi.texas.gov](mailto:RuleComments@tdi.texas.gov) or mail them to DWC Legal Services, MC-LS, Texas Department of Insurance, Division of Workers' Compensation, P.O. Box 12050, Austin, Texas 78711-2050.

Copies of the proposed research agenda are on the TDI website. Please email any questions about this agenda to Botao Shi at [wcresearch@tdi.texas.gov](mailto:wcresearch@tdi.texas.gov).

TRD-202303238  
 Kara Mace  
 General Counsel  
 Texas Department of Insurance, Division of Workers' Compensation  
 Filed: September 1, 2023

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## Texas Department of Licensing and Regulation

### Notice of Vacancies on Used Automotive Parts Recycling Advisory Board

The Texas Department of Licensing and Regulation (Department) announces two vacancies on the Used Automotive Parts Recycling Advisory Board (Board) established by Texas Occupations Code, Chapter 2309. The purpose of the Board is to provide advice and recommendations to the Texas Commission of Licensing and Regulation (Commission) and the Department on technical matters relevant to the administration and enforcement of Chapter 2309, including licensing standards. Service as a Board member is voluntary, and compensation is not authorized by law. **This announcement is for:**

**- a member who represents a used automotive parts business owned by a domestic entity**

**- a member who represents a used automotive parts business owned by a foreign entity.**

The Board is composed of five members appointed by the presiding officer of the Commission, with the Commission's approval. Members serve terms of six years, with the terms of one or two members expiring on February 1 of each odd-numbered year. The Board consists of the following:

- (1) four members who represent used automotive parts businesses owned by domestic entities, as defined by Section 1.002, Business Organizations Code;
- (2) one member who represents a used automotive parts business owned by a foreign entity, as defined by Section 1.002, Business Organizations Code; and
- (3) may not include more than one member from any one used automotive parts business entity.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202 or e-mail [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**This is not a paid position and there is no compensation or reimbursement for serving on the Board.**

TRD-202303236  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023



**Notice of Vacancy on Board of Boiler Rules**

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Board of Boiler Rules (Board) established by 16 Texas Administrative Code §110.14. The purpose of the Board of Boiler Rules is to provide advice and recommendations to the commission in the adoption of definitions and rules relating to the safe construction, installation, inspection, operating limits, alteration, and repair of boilers and appurtenances. **This announcement is for:**

**- one public member.**

The Board is composed of eleven members appointed by the presiding officer of the Commission, with the approval of the Commission. Members serve staggered six-year terms, with the terms of two or three members expiring on January 31 of each odd-numbered year. The Board is composed of the following members:

1. three members representing persons who own or use boilers in this state;
2. three members representing companies that insure boilers in this state;
3. one member representing boiler manufacturers or installers;
4. one member representing organizations that repair or alter boilers in this state;
5. one member representing a labor union; and
6. two public members.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application via e-mail at [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**This is not a paid position and there is no compensation or reimbursement for serving on the Board.**

TRD-202303219  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023



**Notice of Vacancy on Code Enforcement Officers Advisory Committee**

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Code Enforcement Officers Advisory Committee (Committee) established by 16 Texas Administrative Code §62.65. The purpose of the Code Enforcement Officers Advisory Committee is to provide advice and recommendations to the Department on technical matters relevant to the administration of this chapter.

**This announcement is for:**

**- one structural engineer or licensed architect.**

The Committee is composed of nine members appointed by the presiding officer of the Commission, with the approval of the Commission. Members serve staggered six-year terms, with the terms of three members expiring on February 1 of each odd-numbered year. The Committee is composed of the following members:

- (1) five registered code enforcement officers;
- (2) one structural engineer or licensed architect;
- (3) two consumers, one of which must be a certified building official; and
- (4) one person involved in the education and training of code enforcement officers.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application via e-mail at [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**This is not a paid position and there is no compensation or reimbursement for serving on the Committee.**

TRD-202303220  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023



**Notice of Vacancy on Combative Sports Advisory Board**

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Combative Sports Advisory Board (Board) established by 16 Texas Administrative Code §61.120. The purpose of the Combative Sports Advisory Board is to provide advice and recommendations to the Texas Commission of Licensing and Regulation (Commission) and the Department on the health and safety of contestants and other matters relevant to the administration and enforcement of this Chapter. This announcement is for:

**- one physician.**

The Board is composed of nine members appointed by the presiding officer of the Commission, with the approval of the Commission. Members serve staggered six-year terms, with the terms of two or three

members expiring on February 1 of each odd-numbered year. The Board is composed of the following members:

- (1) four physicians;
- (2) one representative of a boxing promoter;
- (3) one representative of a mixed martial arts promoter;
- (4) one combative sports referee or judge licensed at least three years;
- (5) one former combative sports contestant; and
- (6) one public member.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by telephone (800) 803-9202 or e-mail [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**These are not paid positions and there is no compensation or reimbursement for serving on the Board.**

TRD-202303237  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023

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**Notice of Vacancy on Electrical Safety and Licensing Advisory Board**

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Electrical Safety and Licensing Advisory Board (Board) established by Texas Occupations Code, Chapter 1305. The purpose of the Electrical Safety and Licensing Advisory Board is to provide advice and recommendations to the Department on technical matters relevant to the administration of this chapter. **This announcement is for:**

**- one Master Electrician with a Statewide Association.**

The Board is composed of nine members appointed by the presiding officer of the Texas Commission of Licensing and Regulation (Commission), with the approval of the Commission. Members serve staggered six-year terms. The terms of three members begin on February 1 of each odd-numbered year. The Board is composed of the following members:

1. three master electrician members;
2. three journeyman electrician members;
3. one master sign electrician member; and
4. two public members.

The Board members must include:

1. two members who are affiliated with a statewide association of electrical contractors not affiliated with a labor organization;
2. three members who are affiliated with a labor organization;
3. one member who is not affiliated with a statewide association of electrical contractors or with a labor organization;
4. one member who is affiliated with a historically underutilized business, as that term is defined by Section 2161.001, Government Code; and
5. one public member who is a building contractor principally engaged in home construction and is a member of a statewide building trade association.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application via e-mail at [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**This is not a paid position and there is no compensation or reimbursement for serving on the Board.**

TRD-202303232  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023

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**Notice of Vacancy on Midwives Advisory Board**

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Midwives Advisory Board (Board) established by Texas Occupations Code, Chapter 203. The pertinent rules may be found in 16 Texas Administrative Code Chapter 55. The purpose of the Midwives Advisory Board is to provide advice and recommendations to the Department on technical matters relevant to the administration of this chapter. **This announcement is for:**

**- one midwife.**

The Board consists of nine members appointed by the presiding officer of the Texas Commission of Licensing and Regulation (Commission), with the approval of the Commission. Members serve staggered terms of six years. The terms of three members expire on January 31 of each odd-numbered year. The Board consists of the following members:

1. five licensed midwives each of whom has at least three years' experience in the practice of midwifery;
2. one physician who is certified by a national professional organization of physicians that certifies obstetricians and gynecologists;
3. one physician who is certified by a national professional organization of physicians that certifies family practitioners or pediatricians; and
4. two members who represent the public and who are not practicing or trained in a health care profession, one of whom is a parent with at least one child born with the assistance of a midwife.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application via e-mail at [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**These are not paid positions and there is no compensation or reimbursement for serving on the Board.**

TRD-202303233  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023

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**Notice of Vacancy on Orthotists and Prosthetists Advisory Board**

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Orthotists and Prosthetists Advisory Board (Board) established by Texas Occupations Code, Chapter 605. The purpose of the Orthotists and Prosthetists Advisory Board is to provide advice and recommendations to the Department on technical matters

relevant to the administration of this chapter. **This announcement is for:**

**- one member who is a representative of the public who uses an orthosis.**

The Board consists of seven members appointed by the presiding officer of the Texas Commission of Licensing and Regulation (Commission), with the approval of the Commission. Members serve staggered six-year terms with the terms of two or three members expiring on February 1 of each odd-numbered year. The Board is composed of the following members:

1. two licensed orthotists who each have practiced orthotics for the five years preceding the date of appointment;
2. two licensed prosthetists who each have practiced prosthetics for the five years preceding the date of appointment;
3. one licensed prosthetist orthotist who has practiced orthotics and prosthetics for the five years preceding the date of appointment;
4. one member who is a representative of the public who uses an orthosis; and
5. one member who is a representative of the public who uses a prosthesis.

Interested persons should submit an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application via e-mail at [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**These are not paid positions and there is no compensation or reimbursement for serving on the Board.**

TRD-202303234  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023



#### Notice of Vacancy on Towing and Storage Advisory Board

The Texas Department of Licensing and Regulation (Department) announces one vacancy on the Towing and Storage Advisory Board (Board) established by Texas Occupations Code, Chapter 2308 and Chapter 2303. The pertinent rules may be found in 16 Texas Administrative Code §85.650 and §86.650. The purpose of the Board is to provide advice and recommendations to the Texas Commission of Licensing and Regulation (Commission) and the Department on technical matters relevant to the administration and enforcement of Chapter 2308 and Chapter 2303, including examination content,

licensing standards, and continuing education requirements. Service as a Board member is voluntary, and compensation is not authorized by law. **This announcement is for:**

**- one peace officer from a county with a population of less than one million**

The Board is composed of the following nine members appointed by the presiding officer of the Commission, with the Commission's approval. Members serve terms of six years, with the terms of two or three members, as appropriate, expiring on February 1 of each odd-numbered year. The Board is composed of the following members:

- (1) one representative of a towing company operating in a county with a population of less than one million;
- (2) one representative of a towing company operating in a county with a population of one million or more;
- (3) one representative of a vehicle storage facility located in a county with a population of less than one million;
- (4) one representative of a vehicle storage facility located in a county with a population of one million or more;
- (5) one parking facility representative;
- (6) one peace officer from a county with a population of less than one million;
- (7) one peace officer from a county with a population of one million or more;
- (8) one representative of a member insurer, as defined by Section 462.004, Insurance Code, of the Texas Property and Casualty Insurance Guaranty Association who writes automobile insurance in this state; and
- (9) one person who operates both a towing company and a vehicle storage facility.

Interested persons should complete an application on the Department website at: <https://www.tdlr.texas.gov/AdvisoryBoard/login.aspx>. Applicants can also request an application from the Department by e-mailing [advisory.boards@tdlr.texas.gov](mailto:advisory.boards@tdlr.texas.gov).

**This is not a paid position and there is no compensation or reimbursement for serving on the Board.**

TRD-202303235  
Mike Arismendez  
Executive Director  
Texas Department of Licensing and Regulation  
Filed: September 1, 2023

