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.

Capital Area Rural Transportation System

RFP for a General Contractor

Capital Area Rural Transportation System (CARTS) invites qualified General Contractors to submit proposals for the construction of the CARTS's Eastside Bus Plaza in Austin, Texas.

RFP and construction documents will be available on the CARTS Website beginning at 2:00 p.m., Friday, October 11th, 2019. Go to: http://ridecart.weebly.com/procurement.html, select the Eastside Bus Plaza link and follow the instructions.

A non-mandatory pre-proposal meeting will be held at CARTS Headquarters, located at 3500 Ticker Hill Lane, Cedar Creek, Texas 78612 at 10:00 a.m., October 18th, 2019.

The schedule is:
Friday, October 11 2:00 p.m. - RFP Documents available for download
Friday, October 18 10:00 a.m. - Pre-proposal conference at CARTS
Friday, October 25 2:00 p.m. - Deadline for proposal questions

Tuesday, October 29 Responses to questions posted on website
Friday, November 22 2:00 p.m. - Proposals due at CARTS

Proposals will be evaluated on cost, qualifications, experience, the quality and content of the submittal.

TRD-201903358
Dave Marsh
CARTS General Manager
Capital Area Rural Transportation System
Filed: September 18, 2019

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 Premier America Credit Union, Chatsworth, California to expand its field of membership. The proposal would permit persons who live, work, attend school in Harris County, Texas to be eligible for membership in the credit union.

An application was received from ECU Credit Union, Seminole, Florida to expand its field of membership. The proposal would permit employees of Walgreens Boots who live or work in Texas to be eligible for membership in the credit union.

An application was received from Texell Credit Union, Temple, Texas, to expand its field of membership. The proposal would permit persons who live, work, worship or attend school in Travis County, Texas to be eligible for membership in the credit union.

An application was received from Mobility Credit Union, Irving, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school or work in Hunt and Fannin Counties, Texas to be eligible for membership in the credit union.

An application was received from Memorial Credit Union, Houston, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school or work in Harris County, Texas to be eligible for membership in the credit union.

An application was received from Mobility Credit Union, Irving, Texas, to expand its field of membership. The proposal would permit persons who live, worship, attend school or work in Waco and Ellis 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-201903354
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 28, 2019. 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 28, 2019. 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: Angelina County Water Control and Improvement District Number 4; DOCKET NUMBER: 2017-0726-WQ-E; IDENTIFIER: RN102952223; LOCATION: Diboll, Angelina County; TYPE OF FACILITY: collection system; RULES VIOLATED: 30 TAC §§217.36(h) and TWC, §26.121(a)(1), by failing to prevent the unauthorized discharge of wastewater into or adjacent to any water in the state; and TWC, §26.039(b), by failing to provide notification to the TCEQ of an accidental discharge which may cause pollution as soon as possible and not later than 24 hours after the occurrence; PENALTY: $6,700; ENFORCEMENT COORDINATOR: Christopher Moreno, (254) 761-3038; REGIONAL OFFICE: 3870 East Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(2) COMPANY: Apex Blasting, Incorporated; DOCKET NUMBER: 2018-1084-IHW-E; IDENTIFIER: RN109912592; LOCATION: Baytown, Chambers County; TYPE OF FACILITY: hydroblasting facility; RULES VIOLATED: 30 TAC §§335.2(b) and §335.4, by failing to not cause, suffer, allow, or permit the disposal of industrial solid waste (ISW) at an unauthorized facility, and failing to not cause, suffer, allow, or permit the unauthorized disposal of ISW; and 30 TAC §§335.62, 335.503(a), and 335.504 and 40 Code of Federal Regulations §262.11, by failing to conduct hazardous waste determinations and waste classifications; PENALTY: $48,750; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: BP AERO SERVICES, LLC; DOCKET NUMBER: 2019-0384-IHW-E; IDENTIFIER: RN106137821; LOCATION: Irving, Dallas County; TYPE OF FACILITY: aircraft repair station;
RULES VIOLATED: 30 TAC §335.9(a)(1)(B) and (2), by failing to keep records of all hazardous and industrial solid waste activities regarding the quantities generated, stored, processed, and disposed of on-site or off-site, and failing to submit to the executive director a complete and correct Annual Waste Summary detailing the management of each hazardous and Class I waste generated on-site during the reporting calendar year; and 30 TAC §335.513(c) and 40 Code of Federal Regulations §262.40(c), by failing to maintain documentation of hazardous waste determinations and waste classifications; PENALTY: $5,250; ENFORCEMENT COORDINATOR: Ken Moller, (512) 239-6111; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: City of Comanche; DOCKET NUMBER: 2019-0759-PWS-E; IDENTIFIER: RN101200962; LOCATION: Comanche, Comanche County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(e)(2), by failing to conduct an operation evaluation and submit a written operation evaluation report to the executive director within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for total trihalomethanes (TTHM) for Stage 2 Disinfection Byproducts at Site 2 during the fourth quarter of 2018; and 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for TTHM, based on the locational running annual average; PENALTY: §742; ENFORCEMENT COORDINATOR: Julienne Dewar, (817) 588-5861; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(5) COMPANY: City of Sonora; DOCKET NUMBER: 2019-0417-PWS-E; IDENTIFIER: RN101384261; LOCATION: Sonora, Sutton County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(h)(2) and (3), by failing to notify the executive director (ED) in writing before the start of construction and upon completion of the water works project and attest to the fact that the completed work is substantially in accordance with the plans and change orders on file with the commission; 30 TAC §290.41(c)(3)(A), by failing to furnish a copy of well completion data for review and approval by the ED prior to placing the two public drinking water wells at Love's Country Store 700 into service; 30 TAC §290.41(c)(3)(I), by failing to fine grade the well site so that the site is free from depressions, reverse grades, or areas too rough for proper ground maintenance so as to ensure that surface water will drain away from the well; 30 TAC §290.41(c)(3)(N), by failing to provide flow-measuring devices, located to facilitate daily reading, for each well to measure production yields and provide for the accumulation of water production data; 30 TAC §290.42(e)(4)(A), by failing to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage readily available outside the chlorinator room and immediately available to the operator in the event of an emergency; 30 TAC §290.42(e)(4)(C), by failing to provide forced air ventilation, which includes both high level and floor level screening and louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent; 30 TAC §290.43(c)(3), by failing to cover the overflow's discharge opening with a gravity-hinged and weighted cover, an elastomeric duct-bill valve, or other approved device to prevent the entrance of insects and other nuisances, which closes automatically and fits tightly with no gap over 1/16 inches; 30 TAC §290.43(c)(4), by failing to provide all clearwells and water storage tanks with a liquid level indicator located at the tank site; 30 TAC §290.44(d)(4), by failing to provide accurate metering devices at each residential, commercial, or industrial service connection for the accumulation of water usage data; 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; 30 TAC §290.46(n)(1), by failing to maintain accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank at the public water system until the facility is decommissioned; 30 TAC §290.46(t), by failing to post a legible sign at the facility's production, treatment, and storage facilities in plain view of the public and which provides the name of the water supply and an emergency telephone number where a responsible official can be contacted; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: $4,467; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.


(7) COMPANY: Friedman Recycling of El Paso, LP; DOCKET NUMBER: 2019-0755-MSW-E; IDENTIFIER: RN105231880; LOCATION: El Paso, El Paso County; TYPE OF FACILITY: recycling facility; RULES VIOLATED: 30 TAC §330.15(a) and (c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of municipal solid waste; PENALTY: $1,500; ENFORCEMENT COORDINATOR: Tyler Richardson, (512) 239-4872; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

(8) COMPANY: Happy Hoa Chuong, LLC; DOCKET NUMBER: 2019-0887-PWS-E; IDENTIFIER: RN102674827; LOCATION: Houston, Harris County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.106(e) and §290.122(c)(2)(A) and (F), by failing to provide the results of nitrate sampling to the executive director (ED) for the January 1, 2017 – December 31, 2017, and January 1, 2018 - December 31, 2018, monitoring periods, and failing to issue public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the ED regarding the failure to provide the results of nitrate sampling to the ED for the January 1, 2017 - December 31, 2017, monitoring period; PENALTY: $110; ENFORCEMENT COORDINATOR: Julienne Dewar, (817) 588-5861; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(9) COMPANY: James Lake Midstream LLC; DOCKET NUMBER: 2019-0729-AIR-E; IDENTIFIER: RN107088759; LOCATION: Goldsmith, Ector County; TYPE OF FACILITY: oil and gas production plant; RULES VIOLATED: 30 TAC §§116.115(b)(2)(F), 116.152(5), and 122.143(4), Standard Permit Registration Number 116553, Federal Operating Permit Number O3771/General Operating Permit Number 514, Site-wide Requirements Numbers (b)(2) and (9)(E)(ii), and Texas Health and Safety Code, §382.085(b), by failing to comply with the maximum emissions rate; PENALTY: §3,713; ENFORCEMENT COORDINATOR: Soraya Bun, (713) 422-8912; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(10) COMPANY: Jim Eanes dba Midway Grocery; DOCKET NUMBER: 2019-0769-PST-E; IDENTIFIER: RN102965480; LOCATION: Rockdale, Milam County; TYPE OF FACILITY: convenience
store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.8(c)(5)(C), by failing to ensure that a legible tag, label, or marking with the tank number is permanently applied upon or affixed to either the top of the fill tube or to a non-removable point in the immediate area of the fill tube according to the underground storage tank (UST) registration and self-certification form; 30 TAC §334.10(b)(2), by failing to assure all UST recordkeeping requirements are met; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1) and TCEQ Agreed Order Docket Number 2016-1508-PST-E, Ordering Provision Number 2.a.i., by failing to monitor the USTs for releases at a frequency of at least once every 30 days; PENALTY: $2,750; ENFORCEMENT COORDINATOR: Carlos Molina, (512) 239-2557; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(11) COMPANY: Kathie Lou Daniels; DOCKET NUMBER: 2019-0863-PWS-E; IDENTIFIER: RN101183077; LOCATION: Somerville, Burleson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to operate the disinfection equipment to maintain a minimum disinfectant residual of 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; and 30 TAC §290.46(e)(4)(A) and THSC, §341.033(a), by failing to use an operator with a Class D or higher license for groundwater systems serving no more than 250 connections; PENALTY: $637; ENFORCEMENT COORDINATOR: Samantha Duncan, (512) 239-2511; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(12) COMPANY: Kuraray America, Incorporated; DOCKET NUMBER: 2019-0859-AIR-E; IDENTIFIER: RN107305922; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 4445, Special Conditions Number 1, Federal Operating Permit Number O1911, General Terms and Conditions and Special Terms and Conditions Number 17, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: $2,813; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: Oil Patch Group, Incorporated; DOCKET NUMBER: 2019-0823-PWS-E; IDENTIFIER: RN109985614; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: public water supply; RULE VIOLATED: 30 TAC §290.440(i)(2), by failing to obtain approval from the executive director for the equipment used to haul water when drinking water is distributed by tank truck or trailer; PENALTY: $100; ENFORCEMENT COORDINATOR: Juliannne Dewar, (817) 588-5861; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(14) COMPANY: Oxy Vinlys, LP; DOCKET NUMBER: 2019-0166-AIR-E; IDENTIFIER: RN100224674; LOCATION: La Porte, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 3855B, Special Conditions Number 1, Federal Operating Permit Number O1324, General Terms and Conditions and Special Terms and Conditions Number 24, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: $5,213; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: $2,085; ENFORCEMENT COORDINATOR: Rebecca Johnson, (713) 767-3567; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(15) COMPANY: Perry Hostetter dba Allrounder Dairy; DOCKET NUMBER: 2019-0507-AGR-E; IDENTIFIER: RN102286325; LOCATION: Pickton, Hopkins County; TYPE OF FACILITY: concentrated animal feeding operation; RULES VIOLATED: 30 TAC §321.39(b)(2), and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXG921282, Part III, A.6(f)(6), 10(a)(2), by failing to ensure that the required retention capacity is available to contain rainfall and rainfall runoff from the design rainfall event; and 30 TAC §321.39(c)(1), and TPDES General Permit Number TXG921282, Part III, 10(e), by failing to remove sludge in accordance with the design schedule for cleanout; PENALTY: $3,125; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(16) COMPANY: SPIDLE & SPIDLE, INCORPORATED; DOCKET NUMBER: 2018-0481-PST-E; IDENTIFIER: RN100519644; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: common carrier; RULES VIOLATED: 30 TAC §334.5(b)(1)(A) and TWCD, §26.3475(d), by failing to deposit a regulated substance into a regulated underground storage tank system that was covered by a valid, current TCEQ delivery certificate; PENALTY: $19,231; ENFORCEMENT COORDINATOR: Hailey Johnson, (512) 239-2506; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(17) COMPANY: Syed Amjad Ali Shah dba MN Grocery & Hardware; DOCKET NUMBER: 2019-0837-PST-E; IDENTIFIER: RN102012705; LOCATION: Willis, Montgomery County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(2) and TWCD, §26.3475(d), by failing to ensure the underground storage tank (UST) corrosion protection system is operated and maintained in a manner that will provide continuous corrosion protection; and 30 TAC §334.50(b)(1)(A) and (2) and TWCD, §26.3475(a) and (e)(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 provide release detection for the pressurized piping associated with the UST system; PENALTY: $6,517; ENFORCEMENT COORDINATOR: Berenice Munoz, (915) 834-4976; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(18) COMPANY: Trent Water Works, Incorporated; DOCKET NUMBER: 2019-0816-PWS-E; IDENTIFIER: RN101202752; LOCATION: Brazoria, Brazoria County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the executive director (ED) and receive an approval prior to making any significant change or addition to the system’s production, treatment, storage, pressure maintenance, or distribution facilities; 30 TAC §290.42(b)(2) and (e)(3), by failing to provide treatment facilities for the groundwater supply for the purpose of meeting TCEQ drinking water standards; 30 TAC §290.46(f)(2) and (3)(A)(i)(II), by failing to maintain water works operation and maintenance records and make them readily available for review by the ED upon request; 30 TAC §290.46(n)(1), by failing to maintain at the facility accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the wells remain in service; PENALTY: $314; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-201903332
Charmaine Backens  
Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: September 17, 2019  
 enforcement Orders  
An agreed order was adopted regarding B & W United, LLC dba Cash & Carry, Docket No. 2018-0789-PST-E on September 17, 2019, assessing $3,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting John S. Merculief II, 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 5510 Acorn, L.L.C., Docket No. 2018-0820-PWS-E on September 17, 2019, assessing $150 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kevin R. Bartz, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.  
TRD-201903356  
Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: September 18, 2019  
Notice of Correction to Agreed Order Number 16  
In the April 19, 2019, issue of the Texas Register (44 TexReg 2072), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 16, for Motiva Enterprises LLC. The error is as submitted by the commission.  
The reference to the Supplemental Environmental Project Offset Amount should be corrected to read: "$91,157."  
For questions concerning these errors, please contact Michael Parrish at (512) 239-2548.  
TRD-201903331  
Charmaine Backens  
Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: September 17, 2019  
Notice of Hearing Markum Land Properties, LLC:  
SOAH Docket No. 582-20-0152; TCEQ Docket No. 2019-0666-MWD; Permit No. WQ0015697001  
APPLICATION.  
Markum Land Properties, LLC, 17018 Interstate 20, Cisco, Texas 76437, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0015697001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 40,000 gallons per day. TCEQ received this application on June 15, 2018.  
The facility will be located approximately 0.46 mile south of the intersection of Interstate 20 and Markum Ranch Road, on the east side, in Tarrant County, Texas 76126. The treated effluent will be discharged a pipe to a natural drainage way; thence to an unnamed tributary; thence to Walnut Creek; thence to Mary's Creek; thence to Clear Fork Trinity River Below Benbrook Lake in Segment 0829 of the Trinity River Basin. The unclassified receiving water uses are minimal aquatic life use for the natural drainageway, limited aquatic life use for the unnamed tributary, and high aquatic life use for Walnut Creek. The designated uses for Segment No. 0829 are high aquatic life use, public water supply, and primary contact recreation. In accordance with TAC §307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Walnut Creek, which has 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. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: www.tceq.texas.gov/assets/public/hb610/index.html?lat=32.688055&lng=-97.516944&zoom=13&type=r. For the exact location, refer to the application.  
The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Tarrant County Clerk's Office, 100 West Weatherford Street, Suite 130, Fort Worth, Texas.  
CONTESTED CASE HEARING.  
The State Office of Administrative Hearings (SOAH) will conduct a formal contested case hearing at:  
10:00 a.m. - October 30, 2019  
William P. Clements Building  
300 West 15th Street, 4th Floor  
Austin, Texas 78701  
The contested case hearing will be a legal proceeding similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on August 15, 2019. In addition to these issues, the judge may consider additional issues if certain factors are met.  
The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 26, Texas Water Code; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied. To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.  
In accordance with 1 TAC §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."
INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 687-4040. General information about the TCEQ can be found at our web site at www.tceq.texas.gov.

Further information may also be obtained from Markum Land Properties, LLC at the address stated above or by calling Mr. Kyle Wilks at (817) 850-3600.

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

Issued: September 13, 2019

TRD-201903352
Bridget C. Bohac
Chief Clerk
Texas Commission on Environmental Quality

Notice of Public Hearing on Proposed Revisions to 30 Texas Administrative Code Chapters 115 and 117 and to the State Implementation Plan

The Texas Commission on Environmental Quality will offer a public hearing in Houston on October 14, 2019, at 2:00 p.m. at the Texas Department of Transportation auditorium located at 7600 Washington Avenue. The hearing is offered to receive testimony regarding proposed air quality rules and state implementation plan (SIP) revisions resulting from reclassification of the Dallas-Fort Worth (DFW) and Houston-Galveston-Brazoria (HGB) areas from moderate to serious nonattainment for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) by the United States Environmental Protection Agency (EPA). The hearing for the proposed revisions is required by Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the EPA concerning SIPs.

The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposals 30 minutes prior to the hearing.

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

The proposed rulemakings concern amendments to 30 Texas Administrative Code (TAC) Chapter 115, Control of Air Pollution from Volatile Organic Compounds (Project No. 2019-075-115-AI) and 30 TAC Chapter 117, Control of Air Pollution from Nitrogen Compounds (Project No. 2019-074-117-AI) to implement reasonably available control technology requirements. In addition, the proposed amendments to 30 TAC Chapter 117 would clarify applicability for exempt stationary diesel and dual-fuel engines and update emission test methods.

Proposed revisions to the SIP include a demonstration that the HGB (Project No. 2019-077-SIP-NR) ozone nonattainment area will attain the 2008 eight-hour ozone NAAQS and a demonstration that the DFW and HGB areas will meet emission reduction milestone requirements that constitute reasonable further progress toward attainment (Project No. 2019-079-SIP-NR).

Information concerning the proposed rules, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/rules/proposal_adopt.html. Information concerning the proposed SIP revisions, including proposal documents and instructions for providing public comment, is available at https://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone.

The comment period for these revisions closes October 28, 2019. Written comments will be accepted through the eComments system at https://www6.tceq.texas.gov/rules/ecomments/. For additional submission methods, please contact the project manager for the proposed rule or SIP revision for: Project No. 2019-075-115-AI, contact Graham Bates at (512) 239-2606; Project No. 2019-074-117-AI, contact Javier Galván at (512) 239-1492; Project No. 2019-077-SIP-NR, contact Alison Stokes at (512) 239-4902; and for Project No. 2019-079-SIP-NR, contact Denise Calvin at (512) 239-0613.

TRD-201903240
Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality

Notice of Public Hearing on Proposed Revisions to 30 Texas Administrative Code Chapters 115 And 117 and to the State Implementation Plan

The Texas Commission on Environmental Quality will offer a public hearing in Arlington on October 17, 2019, at 2:00 p.m. at the Arlington City Council Chambers located at 101 Abram Street. The hearing is offered to receive testimony regarding proposed air quality rules and state implementation plan (SIP) revisions resulting from reclassification of the Dallas-Fort Worth (DFW) and Houston-Galveston-Brazoria (HGB) areas from moderate to serious nonattainment for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) by the United States Environmental Protection Agency (EPA). The hearing for the proposed revisions is required by Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the EPA concerning SIPs.

The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposals 30 minutes prior to the hearing.

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The comment period for these revisions closes October 28, 2019. Written comments will be accepted through the eComments system at https://www6.tceq.texas.gov/rules/ecomments/. For additional submission methods, please contact the project manager for the proposed rule or SIP revision for: Project No. 2019-075-115-AI, contact Graham Bates at (512) 239-2606; Project No. 2019-074-117-AI, contact Javier Galván at (512) 239-1492; Project No. 2019-077-SIP-NR, contact Alison Stokes at (512) 239-4902; and for Project No. 2019-079-SIP-NR, contact Denise Calvin at (512) 239-0613.

TRD-201903240
Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality

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The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposals 30 minutes prior to the hearing.

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

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Proposed revisions to the SIP include a demonstration that the DFW (Project No. 2019-078-SIP-NR) ozone nonattainment area will attain the 2008 eight-hour ozone NAAQS and a demonstration that the DFW and HGB areas will meet emission reduction milestone requirements that constitute reasonable further progress toward attainment (Project No. 2019-079-SIP-NR).

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The comment period for these revisions closes October 28, 2019. Written comments will be accepted through the eComments system at https://www6.tceq.texas.gov/rules/eComments/. For additional submission methods, please contact the project manager for the proposed rule or SIP revision for: Project No. 2019-075-115-AI, contact Graham Bates at (512) 239-2606; Project No. 2019-074-117-AI, contact Javier Galván at (512) 239-1492; Project No. 2019-078-SIP-NR, contact Kristin Jacobsen at (512) 239-4907; and for Project No. 2019-079-SIP-NR, contact Denine Calvin at (512) 239-0613.

TRD-201903241
Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: September 13, 2019

Notice of Public Hearings and Opportunity for Comment on the Edwards Aquifer Protection Program

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) will conduct public hearings to receive comments from the public on actions the commission should take to protect the Edwards Aquifer from pollution, as required under Texas Water Code, §26.046.

Annual public hearings are held for the Edwards Aquifer Protection Program and the TCEQ rules, found at 30 Texas Administrative Code, Chapter 213, which regulate development over the delineated contributing, recharge and transition zones of the Edwards Aquifer. These annual public hearings assist the commission in its shared responsibility with local governments, such as cities, counties and groundwater conservation districts, to protect the water quality of the aquifer. The TCEQ is specifically seeking feedback on the following topics related to the Edwards Aquifer Protection Program:

- Revisions to the Edwards Aquifer Protection Program technical guidance manual, RG-348, including the method for calculating removal of total suspended solids;
- Review of innovative technology applications;
- Regulation of aggregate production operations (APOs) located over the Edwards Aquifer; and
- Compliance monitoring of plan-related best management practices following installation.

The hearings will be held at the following times and locations:

Monday, October 28, 2019, at 2:00 p.m. at the Tesoro Building, Alamo Area Council of Governments, Room 1A, 8700 Tesoro Drive, Suite 100, San Antonio; and

Tuesday, October 29, 2019, at 1:30 p.m. at the TCEQ Park 35 Office Complex, 12100 Park 35 Circle, Building E, Room 201S, Austin.

These hearings will be structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon. There will be no open discussion during the hearings; however, agency staff members will be available to answer questions 30 minutes prior to and 30 minutes after the conclusion of the hearing. Registration will begin 30 minutes prior to the hearing.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the Austin hearing should contact the Office of Administrative Services Facilities Liaison at (512) 239-0080. Persons requesting accommodations for the San Antonio hearing should contact Ms. Anne Ruthstrom at (512) 239-1336. Requests should be made as far in advance as possible.

Written comments should reference the Edwards Aquifer Protection Program and may be sent to Ms. Anne Ruthstrom, Texas Commission on Environmental Quality, Program Support Section, MC 174, P.O. Box 13087, Austin, Texas 78711-3087, faxed to (512) 239-2249, or e-mailed to anne.ruthstrom@tceq.texas.gov. Comments must be received by 5:00 p.m., October 29, 2019. For further information or questions concerning these hearings, please contact Ms. Ruthstrom, or visit https://www.tceq.texas.gov/permitting/eapp/history.html.

TRD-201903335
Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: September 17, 2019

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 26, 2019 to September 13, 2019. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, September 20, 2019. The public comment period for this project will close at 5:00 p.m. on Sunday, October 20, 2019.

FEDERAL AGENCY ACTIONS:

Applicant: Galveston County

Location: The project site is located along the beach-front of Bolivar Peninsula, in Galveston County, Texas.


Project Description: The applicant proposes to perform mechanized beach maintenance associated with the removal of Sargassum and
other vegetation-based debris along approximately 25 miles of beach frontage. Removal will be conducted with tractor-towed three-point agricultural rakes, tractor-towed beach cleaning/sand sifting machines, front end loaders, and/or other bladed machinery. These activities will involve the discharge of fill material due to more than minimal incidental fallback into the Gulf of Mexico. The Sargassum and other debris will be relocated on the upper beach in non-jurisdictional areas near the base or south toe of dunes to naturally decompose.

**Type of Application:** U.S. Army Corps of Engineers (USACE) permit application # SWG-2018-00388. 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:** 19-1427-F1

**Applicant:** City of Beaumont

**Location:** The project site is located in the Neches River, approximately 1-mile south of the I-10 bridge, within Jefferson County, Texas.

**Latitude & Longitude (NAD 83):**

**Project Description:** The applicant proposes to discharge 7,521 cubic yards of rip-rap into the 0.75 acres of the Neches River and 12,332 cubic yards of dredge material into Dredge Material Placement Area 25, to facilitate the reconstruction of the Riverfront Park shoreline along the Neches River. Anchored sheet pile bulkhead will be installed with rip-rap toe-walls in some areas. The total length of shoreline reconstruction is 2,197 linear feet. The purpose of the proposed project is to restore the shoreline from damages that resulted from Hurricane Harvey.

**Type of Application:** U.S. Army Corps of Engineers (USACE) permit application # SWG-2010-00630. 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:** 19-1411-F1

**FEDERAL AGENCY ACTIVITIES:**

**Applicant:** Bureau of Ocean Energy Management (BOEM)

**Project Description:** BOEM proposes to offer for lease in proposed Gulf of Mexico (GOM) Region-wide Lease Sale 254 all available unleased blocks in the Western and Central Planning Areas (WPA and CPA, respectively), and a small portion of the Eastern Planning Area (EPA) not subject to Congressional moratorium. The proposed GOM region-wide lease sale area includes all available unleased blocks within the WPA, CPA, and EPA with the exception of whole blocks and portions of blocks deferred by the Gulf of Mexico Energy Security Act of 2006; blocks that are adjacent to or beyond the U.S. Exclusive Economic Zone in the area known as the northern portion of the Eastern Gap; and whole blocks and partial blocks within the boundary of the Flower Garden Banks National Marine Sanctuary.

The proposed region-wide lease sale area encompasses about 95 million acres. The estimated amount of resources projected to be developed as a result of this proposed region-wide lease sale is 0.211-1.118 billion barrels of oil and 0.547-4.424 trillion cubic feet of gas.

**CMP Project No:** 20-1000-F4

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from Ms. Allison Buchten P.O. Box 12873, Austin, Texas 78711-2873, or via email at federal.consistency@glo.texas.gov. Comments should be sent to Ms. Buchten at the above address or by email.

**TRD-201903359**

Mark A. Havens
Chief Clerk and Deputy Land Commissioner
General Land Office

**Filed:** September 18, 2019

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**Texas Health and Human Services Commission**

Notice of Public Hearing on Proposed Medicaid Payment Rates for Medicaid Community Hospice

**Hearing.** The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on October 2, 2019, at 9:30 a.m., to receive public comments on proposed Medicaid Community Hospice payment rates. The public hearing will be held in the Public Hearing Room of the Brown-Healy Building located at 4900 N. Lamar Boulevard, Austin, Texas. Entry is through security at the main entrance of the building, which faces Lamar Boulevard. Free parking is available in front of the building and in the adjacent parking garage. HHSC also will broadcast the public hearing; the broadcast can be accessed at https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings. The broadcast will be archived and can be accessed on demand at the same website. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

**Proposal.** HHSC proposes to increase payment rates for Medicaid Community Hospice for routine home, continuous home, inpatient respite, and general inpatient care services to be effective October 1, 2019.

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

**Briefing Package.** A briefing package describing the proposed payment rates will be available at https://rad.hhs.texas.gov/long-term-services-supports/hospice on or after September 20, 2019. Interested parties may obtain a copy of the briefing package before the hearing by contacting the HHSC Rate Analysis Department by telephone at (512) 424-6637; by fax at (512) 730-7475; or by e-mail at RAD-LTSS@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

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

*Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis by calling (512)*
Proposed Medicaid Payment Rate for the Truman W. Smith Pediatric Care Facility

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing October 2, 2019, at 9:00 a.m., to receive comment on Proposed Medicaid Payment Rate for the Truman W. Smith Pediatric Care Facility.

The public hearing will be held in the Brown-Healy Building Public Hearing Room, located at 4900 North Lamar Boulevard, Austin, Texas, 78751. Entry is through security at the main entrance of the building, which faces Lamar Boulevard. HHSC will broadcast the public hearing. Persons watching remotely can submit written comments. The broadcast can be accessed at https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings, and it will be archived for access on demand at the same website. The public hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. HHSC proposes to increase the daily payment rate for all pediatric care facility special reimbursement class services to $296.63, effective retroactive to September 1, 2019. The current payment rate is $291.17 per day.

Methodology and Justification. The proposed payment rate was calculated in accordance with Title 1 of the Texas Administrative Code §355.307(c), which addresses the reimbursement methodology for the pediatric care facility special reimbursement class.

Briefing Package. A briefing package describing the proposed payment rate will be available at http://rad.hhs.texas.gov/rate-packets on September 20, 2019. Interested parties may obtain a copy of the briefing package before the hearing by contacting the HHSC Rate Analysis Department by telephone at (512) 424-6637; by fax at (512) 730-7475; or by e-mail at RAD-LTSS@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

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

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 424-6637 at least 72 hours prior to the hearing so that appropriate arrangements can be made.

Department of State Health Services

Amendment Adding a Separate Listing for Noroxymorphone in Schedule II

The Drug Enforcement Administration issued a rule amending the Code of Federal Regulations (CFR), specifically section 1308.12(b)(1), by adding a separate listing for noroxymorphone. Noroxymorphone already is included as a Schedule II controlled substance because 21 CFR 1308.12(b)(1) controls any salt, compound, derivative, or preparation of opium and opiates. Accordingly, noroxymorphone has been controlled as a derivative of the listed substances and this rule will not result in adding any new substances into the schedules. Listing noroxymorphone does not alter its status as a Schedule II controlled substance. This rule was published in the Federal Register, Volume 84, Number 159, pages 41913-41914. The effective date of the rules is August 16, 2019. This action is taken for the following reason:

-DEA is amending the CFR to reflect the current practice of using the DEA Controlled Substances Code Number 9668 for noroxymorphone.

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 noroxymorphone be listed separately from other substances in Schedule II.

-Schedule II substances, vegetable origin or chemical synthesis

The following substances, however produced, except those narcotic drugs listed in other schedules:
Paragraph (1) of Schedule II substances, vegetable origin or chemical synthesis, other than the isoquinoline alkaloids of opium;
(3) Opium poppy and poppy straw;
(4) Cocaine, including:
(4-1) its salts, its optical, position, and geometric isomers, and the salts of those isomers;
(4-2) coca leaves and any salt, compound, derivative, or preparation of coca leaves and ecgonine and their salts, isomers, derivatives and salts of isomers and derivatives and any salt, compound derivative or preparation thereof which is chemically equivalent or identical to a substance described by this paragraph, except that the substances shall not include:
(4-2-1) decocainized coca leaves or extractions of coca leaves which extractions do not that do not contain cocaine or ecgonine; or
(4-2-2) ioflupane.
(5) Concentrate of poppy straw, meaning the crude extract of poppy straw in liquid, solid, or powder form that contains the phenanthrene alkaloids of the opium poppy.

Changes indicated by an *
TRD-201903360
Barbara L. Klein
General Counsel
Department of State Health Services
Filed: September 18, 2019

Licensing Actions for Radioactive Materials
During the first half of August, 2019, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading “Location” indicates the city in which the radioactive material may be possessed and/or used. The location listing “Throughout TX [Texas]” indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

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

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

NEW LICENSES ISSUED:

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RENEWAL OF LICENSES ISSUED:

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TERMINATIONS OF LICENSES ISSUED:

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Licensing Actions for Radioactive Materials
During the second half of August, 2019, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading “Location” indicates the city in which the radioactive material may be possessed and/or used. The location listing “Throughout TX [Texas]” indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

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

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

NEW LICENSES ISSUED:

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AMENDMENTS TO EXISTING LICENSES ISSUED:

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TRD-201903254

IN ADDITION  September 27, 2019  44 TexReg 5667
Texas Department of Insurance

Company Licensing

Application to do business in the state of Texas for Society Insurance, A Mutual Company, a foreign fire and/or casualty company. The home office is in Fond du Lac, Wisconsin.

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-201903357
James Person
General Counsel
Texas Department of Insurance
Filed: September 18, 2019

Notice of Public Hearing

TWIA Adjustments to Maximum Liability Limits

TWIA Adjustments to Maximum Liability Limits

DOCKET NO. 2815

The Texas Windstorm Insurance Association (TWIA) made its annual filing for proposed adjustments to its maximum liability limits on August 14, 2019. The adjustments would apply to policies covering residential dwellings and individually owned townhouses and associated contents; contents of apartments, condominiums or townhouses; and commercial structures and associated contents, effective January 1, 2020, for new and renewal policies. This filing is not a rate filing.

By statute, the proposed adjustments are subject to review by the Commissioner of Insurance. Texas Insurance Code §2210.504 requires the Commissioner to approve, disapprove, or modify TWIA's proposed adjustments to the maximum liability limits.

The Commissioner will hold a public hearing to consider TWIA's petition for adjustments to maximum liability limits under Docket No. 2815. The hearing will begin at 10:00 a.m. central time, October 7, 2019, in Room 100 of the William P. Hobby Jr. State Office Building, 333 Guadalupe Street in Austin, Texas.

How to review, request copies, and comment:

To review or get copies of TWIA’s proposed adjustments to its maximum liability limits filings:

--Online: Go to tdi.texas.gov/submissions/indextwia.html#limit

--In person: You can review the filing in the Office of the Chief Clerk, Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78701 during regular business hours.

--By mail: Write to the Office of the Chief Clerk, Mail Code 112-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104.

TDI requests written comments on or before 5:00 p.m., central time, on October 7, 2019. You may also submit written and oral comments and exhibits at the public hearing. Please include the docket number on any comments or exhibits. Submit your comments by mail to the Office of the Chief Clerk, MC 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104; or by email to Chief-Clerk@tdi.texas.gov.

TRD-201903357
James Person
General Counsel
Texas Department of Insurance
Filed: September 18, 2019

Texas Department of Licensing and Regulation

Notice of Applications for Motor Fuels Stakeholder Workgroup

The Texas Department of Licensing and Regulation (Department) is accepting applications to fill twelve positions on the Motor Fuels Workgroup (Workgroup) established by Senate Bill 2119 of the 86th Legislative Session. The purpose of the Workgroup is to provide input, advice, and recommendations to the Texas Department of Licensing and Regulation and Texas Department of Agriculture on the orderly transfer of powers, duties, functions, programs, and activities related to the motor fuel quality and metering program. Service as a Workgroup member is voluntary, and compensation is not authorized by law. This announcement is for:

Two Licensed Service Companies or their representative:
--one from an area with a population of 250,000 or greater;
--one from an area with a population of less than 250,000.

Three Convenience Store Operators or their representative:
--one operator with 100 or fewer motor fuel pump devices (meters);
--one operator with greater than 100 motor fuel pump devices (meters), but less than 1,000 motor fuel pump devices (meters); and
--one with 1,000 or more motor fuel pump devices (meters).

One bulk meter operator or their representative.

One liquid propane gas operator or their representative.

Two Fuel Marketers (includes suppliers, distributors or wholesalers) or their representative.

One Law Enforcement Agency Representative experienced in skimmer investigations.

Two Financial Institution representatives or Credit Card issuer representatives.

The Workgroup will consist of a total of fifteen members appointed by the Executive Director of the Department. Members' terms expire on October 1, 2020. A member of the Department staff will serve as the Presiding Officer of the Workgroup. The Workgroup is composed of the following members:

Two Licensed Service Companies or their representative:
--one from an area with a population of 250,000 or greater;
--one from an area with a population of less than 250,000.

Three Convenience Store Operators or their representative:
--one operator with 100 or fewer motor fuel pump devices (meters);
--one operator with greater than 100 motor fuel pump devices (meters), but less than 1,000 motor fuel pump devices (meters); and
--one with 1,000 or more motor fuel pump devices (meters).
One bulk meter operator or their representative.
One liquid propane gas operator or their representative.
Two Fuel Marketers (includes suppliers, distributors or wholesalers) or their representative.
One Department staff member.
One Law Enforcement Agency Representative experienced in skimmer investigations.
Two Financial Institution representatives or Credit Card issuer representatives.
One Ex Officio member from Texas Department of Agriculture.
One Ex Officio member from Texas Attorney General.

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 telephone (800) 803-9202 or by e-mail advisory.boards@tdlr.texas.gov.

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

TRD-201903350
Brian E. Francis
Executive Director
Texas Department of Licensing and Regulation
File: September 17, 2019

Texas Lottery Commission 
Scratch Ticket Game Number 2181 "WINTER WINNINGS"

1.0 Name and Style of Scratch Ticket Game.
A. The name of Scratch Ticket Game No. 2181 is "WINTER WINNINGS". The play style is "multiple games".

1.1 Price of Scratch Ticket Game.
A. The price for Scratch Ticket Game No. 2181 shall be $10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2181.
A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.
B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.
C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 2X SYMBOL, $10.00, $20.00, $40.00, $50.00, $100, $200, $500, $1,000, $10,000 and $250,000.
D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:
<table>
<thead>
<tr>
<th>PLAY SYMBOL</th>
<th>CAPTION</th>
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</thead>
<tbody>
<tr>
<td>01</td>
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<tr>
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<td>SXON</td>
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<tr>
<td>62</td>
<td>SXTO</td>
</tr>
</tbody>
</table>

2X SYMBOL

$10.00
$20.00
$40.00
$50.00
$100
$200
$500
$1,000
$10,000
$250,000

WINX2

TEN$
TWY$
FRTY$
FFTY$
ONHN
TOHN
FVHN
ONTH
10TH
250TH

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

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.
G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2181), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2181-0000001-001.

H. Pack - A Pack of the "WINTER WINNINGS" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wraping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "WINTER WINNINGS" Scratch Ticket Game No. 2181.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "WINTER WINNINGS" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose ninety-nine (99) Play Symbols. GAME 1: The player scratches the entire BOW play area to reveal 4 WINNING NUMBERS Play Symbols and 10 YOUR NUMBERS Play Symbols. If the player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. GAMES 2-26: The player scratches each of the 25 ORNAMENT play areas to reveal 25 GAMES. If the player reveals 2 matching numbers in the same GAME, the player wins the prize for that GAME. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly ninety-nine (99) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly ninety-nine (99) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the ninety-nine (99) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the ninety-nine (99) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

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

2.2 Programmed Game Parameters.

A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket can win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to thirty-five (35) times.

D. GENERAL: On winning and Non-Winning Tickets, the top cash prizes of $1,000, $10,000 and $250,000 will each appear at least once, except on Tickets winning thirty-four (34) times or more, with respect to other parameters, play action or prize structure.
E. GENERAL: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

F. GAME 1: The "2X" (WINX2) Play Symbol will only appear in GAME 1.

G. GAME 1: GAME 1 can win up to ten (10) times.

H. GAME 1: No matching non-winning YOUR NUMBERS Play Symbols will appear on a Ticket.

I. GAME 1: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

J. GAME 1: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

K. GAME 1: Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

L. GAME 1: YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 10 and $10, 20 and $20, 40 and $40, and 50 and $50).

M. GAME 1: The "2X" (WINX2) Play Symbol will never appear on a Non-Winning Ticket.

N. GAME 1: The "2X" (WINX2) Play Symbol will never appear more than once on a Ticket.

O. GAME 1: The "2X" (WINX2) Play Symbol will DOUBLE the prize and will win as per the prize structure.

P. GAME 1: The "2X" (WINX2) Play Symbol will only appear as a YOUR NUMBERS Play Symbol.

Q. GAMES 2-26: On all Tickets, a Prize Symbol will not appear more than six (6) times, except as required by the prize structure to create multiple wins.

R. GAMES 2-26: GAMES 2-26 can win up to twenty-five (25) times: once in each GAME.

S. GAMES 2-26: On winning and Non-Winning Tickets, all non-winning Play Symbols will be different.

T. GAMES 2-26: A non-winning Play Symbol will never match a winning Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "WINTER WINNINGS" Scratch Ticket Game prize of $10.00, $20.00, $40.00, $50.00, $100, $200 or $500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a $40.00, $50.00, $100, $200 or $500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "WINTER WINNINGS" Scratch Ticket Game prize of $1,000, $10,000 or $250,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of $600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "WINTER WINNINGS" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
B. if there is any question regarding the identity of the claimant;
C. if there is any question regarding the validity of the claim presented for payment; or
D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

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

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

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

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

3.0 Scratch Ticket Ownership.

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

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 4,560,000 Scratch Tickets in Scratch Ticket Game No. 2181. The approximate number and value of prizes in the game are as follows:

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<th>Prize Amount</th>
<th>Approximate Number of Winners*</th>
<th>Approximate Odds are 1 in **</th>
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</tbody>
</table>

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

**The overall odds of winning a prize are 1 in 3.58. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2181 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2181, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

Bob Biard
General Counsel
Texas Lottery Commission
Filed: September 17, 2019

Scratch Ticket Game Number 2182 "FROSTY FUN"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2182 is "FROSTY FUN". The play style is "match 3 of X".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2182 shall be $1.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2182.

TRD-201903337
A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are:

<table>
<thead>
<tr>
<th>PLAY SYMBOL</th>
<th>CAPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.00</td>
<td>ONE$</td>
</tr>
<tr>
<td>$2.00</td>
<td>TWO$</td>
</tr>
<tr>
<td>$4.00</td>
<td>FOR$</td>
</tr>
<tr>
<td>$5.00</td>
<td>FIV$</td>
</tr>
<tr>
<td>$10.00</td>
<td>TEN$</td>
</tr>
<tr>
<td>$20.00</td>
<td>TWY$</td>
</tr>
<tr>
<td>$50.00</td>
<td>FIFTY$</td>
</tr>
<tr>
<td>$100</td>
<td>ONHN</td>
</tr>
<tr>
<td>$1,000</td>
<td>ONTH</td>
</tr>
<tr>
<td>SNOWFLAKE SYMBOL</td>
<td>WINX2</td>
</tr>
</tbody>
</table>

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

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

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

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2182), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 150 within each Pack. The format will be: 2182-000001-001.

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

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "FROSTY FUN" Scratch Ticket Game No. 2182.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "FROSTY FUN" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose six (6) Play Symbols. If the player reveals 3 matching prize amounts, the player wins the that amount. If the player reveals 2 matching prize amounts and a SNOWFLAKE Play Symbol, the player wins DOUBBLE that amount. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly six (6) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

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

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

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

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

13. The Scratch Ticket must be complete and not miscut, and have exactly six (6) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the six (6) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the six (6) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

Programmed Game Parameters.

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

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

C. A Prize Symbol will not appear more than three (3) times on any Ticket.

D. A Ticket will not contain two (2) sets of three (3) matching Prize Symbols.

E. Winning Tickets will contain three (3) matching Prize Symbols or two (2) matching Prize Symbols and a "SNOWFLAKE" (WINX2) Play Symbol.

F. On winning Tickets, all non-winning Prize Symbols will be different from the winning Prize Symbols.

G. Non-Winning Tickets will never have more than two (2) matching Prize Symbols.

H. The "SNOWFLAKE" (WINX2) Play Symbol will never appear on a Non-Winning Ticket.

I. The "SNOWFLAKE" (WINX2) Play Symbol will never appear more than once on a Ticket.

J. The "SNOWFLAKE" (WINX2) Play Symbol will never appear on a Ticket that wins with three (3) matching Prize Symbols.

K. The "SNOWFLAKE" (WINX2) Play Symbol will never appear on a Ticket that has more than one (1) pair of matching Prize Symbols.

2.3 Procedure for Claiming Prizes.

A. To claim an "FROSTY FUN" Scratch Ticket Game prize of $1.00, $2.00, $4.00, $5.00, $8.00, $10.00, $20.00, $40.00, $50.00 or $100, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a $40.00, $50.00 or $100 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim an "FROSTY FUN" Scratch Ticket Game prize of $1,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of $600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming an "FROSTY FUN" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:
1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

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

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

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

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

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

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

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

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

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

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

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 9,000,000 Scratch Tickets in Scratch Ticket Game No. 2182. The approximate number and value of prizes in the game are as follows:
Figure 2: GAME NO. 2182 - 4.0

<table>
<thead>
<tr>
<th>Prize Amount</th>
<th>Approximate Number of Winners*</th>
<th>Approximate Odds are 1 in **</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1</td>
<td>1,020,000</td>
<td>8.82</td>
</tr>
<tr>
<td>$2</td>
<td>540,000</td>
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<td>$4</td>
<td>250,000</td>
<td>36.00</td>
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<td>$40</td>
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<tr>
<td>$50</td>
<td>1,000</td>
<td>9,000.00</td>
</tr>
<tr>
<td>$100</td>
<td>2,250</td>
<td>4,000.00</td>
</tr>
<tr>
<td>$1,000</td>
<td>35</td>
<td>257,142.86</td>
</tr>
</tbody>
</table>

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

**The overall odds of winning a prize are 1 in 4.48. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

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

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2182 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2182, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401, and all final decisions of the Executive Director.

TRD-201903355
Bob Biard
General Counsel
Texas Lottery Commission
Filed: September 18, 2019

North Central Texas Council of Governments

Call for Projects for the North Texas Freight Terminal Electrification Project

The North Central Texas Council of Governments (NCTCOG), under the Environmental Protection Agency’s (EPA) Clean Diesel Funding Assistance Program, plans to offer approximately $1 million in grant funding for installing EPA verified electrified parking spaces and related infrastructure including electric power kits and power monitoring equipment at freight terminals and distribution centers that primarily receive heavy-duty trucks with Transport Refrigeration Units in the Dallas-Fort Worth (DFW) ten-county nonattainment region. Eligible projects may receive federal funds for up to 30 percent of total project costs for electrified parking spaces, power monitoring equipment and electric power kits. Selected subrecipients will be responsible for: following all applicable federal procurement guidelines; meeting cost-share requirements; and granting appropriate security interest to NCTCOG for all grant funded vehicles and/or equipment. NCTCOG may consider applications received in response to this solicitation for future funding opportunities or programs. More information and application materials for this Call for Projects can be obtained online at www.nctcog.org/aqfunding.

Application materials must be received no later than 5:00 p.m., Central Standard Time (CST), on Friday, December 13, 2019, to Huong Duong, Air Quality Planner, North Central Texas Council of Governments, 616 Six Flags Drive, Arlington, Texas 76011.

NCTCOG encourages participation by minority business enterprises and women’s business enterprises, and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-201903325
R. Michael Eastland
Executive Director
North Central Texas Council of Governments
Filed: September 16, 2019