

IN ADDITION

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

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/31/18 - 01/06/19 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 12/31/18 - 01/06/19 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

TRD-201805569

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: December 27, 2018



Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §§303.003, 303.005, and 303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 1/07/19 - 1/13/19 is 18% for Consumer¹/Agricultural/Commercial² credit through \$250,000.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 1/07/19 - 1/13/19 is 18% for Commercial over \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009³ for the period of 1/01/19 - 1/31/19 is 18% or Consumer/Agricultural/Commercial credit through \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009 for the period of 1/01/19 - 1/31/19 is 18% for Commercial over \$250,000.

¹ Credit for personal, family or household use.

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

³ For variable rate commercial transactions only.

TRD-201900004

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: January 2, 2019



Employees Retirement System of Texas

Correction of Error

The Employees Retirement System of Texas published a contract award announcement in the January 4, 2019, issue of the *Texas Register* (44 TexReg 136). In that announcement, the ending date for the term of the contract was incorrectly stated. The correct ending date should be December 31, 2024. The corrected sentence should read as follows:

"The term of the contract began on December 13, 2018 and will extend through December 31, 2024, subject to the terms of the contract."

TRD-201805587



ERS Infrastructure Consulting Services RFQ - Contract Award Announcement

This contract award announcement is being submitted by the Employees Retirement System of Texas (ERS) in relation to a contract award to provide infrastructure consulting services. The contractor's services will include assisting ERS on maintaining and monitoring an infrastructure investment strategy including development of a long-term infrastructure plan; market and investment analysis; portfolio monitoring and management; and training (Required Services).

The selected contractor is CBRE Caledon Capital Management Inc., 141 Adelaide Street West, Unit 1500, Toronto, Canada M5H 3L5. The value of the contract is estimated to be \$5,150,000.00. The contract was executed on December 21, 2018, and will be for a term beginning January 24, 2019, and extending through January 23, 2025, subject to the terms of the contract.

Deliverables will be based on the Required Services and determined by ERS on an annual basis.

TRD-201805551

Gabrielle Schreiber

Director of Procurement and Contract Oversight

Employees Retirement System of Texas

Filed: December 21, 2018



Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 12, 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 incon-

sistent 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 **February 12, 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: 7-ELEVEN, INCORPORATED dba 7-Eleven Store 40819; DOCKET NUMBER: 2018-1173-PST-E; IDENTIFIER: RN102346178; LOCATION: Orange Grove, Jim Wells County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: Rahim Momin, (512) 239-2544; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(2) COMPANY: Aaliyah, LLC dba K K Food Mart; DOCKET NUMBER: 2018-1189-PST-E; IDENTIFIER: RN103731220; LOCATION: San Augustine, San Augustine County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(2) and TWC, §26.3475(a), by failing to provide release detection for the pressurized piping associated with the underground storage tank system; PENALTY: \$2,937; ENFORCEMENT COORDINATOR: Carlos Molina, (512) 239-2557; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(3) COMPANY: Alan Matysiak dba Long Point Corner Store; DOCKET NUMBER: 2018-0802-PST-E; IDENTIFIER: RN102273646; LOCATION: Karnack, Harrison County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Christopher Moreno, (254) 761-3038; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(4) COMPANY: Alto Frio Baptist Encampment, Incorporated; DOCKET NUMBER: 2018-1030-PWS-E; IDENTIFIER: RN103779195; LOCATION: Leakey, Real County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(c)(1) and §290.111(a)(2), by failing to provide a minimum treatment consisting of coagulation with direct filtration and adequate disinfection for groundwater under the direct influence of surface water; PENALTY: \$2,250; ENFORCEMENT COORDINATOR: Ross Luedtke, (254) 761-3036; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(5) COMPANY: ARGYLE 5T RANCH, LLC; DOCKET NUMBER: 2018-1656-WQ-E; IDENTIFIER: RN109989210; LOCATION: Argyle, Denton County; TYPE OF FACILITY: construction site; RULE

VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit; PENALTY: \$875; ENFORCEMENT COORDINATOR: Caleb Olson, (817) 588-5856; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: Blanchard Refining Company LLC; DOCKET NUMBER: 2018-0307-AIR-E; IDENTIFIER: RN102535077; LOCATION: Texas City, Galveston County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 116.715(a), and 122.143(4), Federal Operating Permit (FOP) Number O1541, Special Terms and Conditions (STC) Number 23, Flexible Permit Numbers 47256 and PSDTX402M3, Special Conditions (SC) Number 1, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; 30 TAC §115.725(a)(1)(C) and §122.143(4), FOP Number O1541, STC Number 1.H, and THSC, §382.085(b), by failing to comply with the minimum oxygen content limit; 30 TAC §116.115(b)(2)(f) and (c) and §122.143(4), FOP Number O1541, STC Number 23, New Source Review (NSR) Permit Number 2612, SC Number 1, and THSC, §382.085(b), by failing to comply with the permitted hourly maximum allowable emissions rate; 30 TAC §116.115(c) and §122.143(4), FOP Number O1541, STC Number 23, NSR Permit Number 2612, SC Number 9, and THSC, §382.085(b), by failing to comply with the permitted emissions limit; 30 TAC §116.116(b)(1) and THSC, §382.085(b), by failing to comply with the permit representations for NSR Permit Number 2231; and 30 TAC §117.310(c)(1)(A) and THSC, §382.085(b), by failing to comply with the carbon monoxide concentration limit; PENALTY: \$68,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$34,062; ENFORCEMENT COORDINATOR: David Carney, (512) 239-2583; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: Bless Retail Incorporated dba Tick Tock Grocery #9; DOCKET NUMBER: 2018-1243-PST-E; IDENTIFIER: RN101434017; LOCATION: Alvin, Brazoria County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.7(d)(1)(C) and (3), by failing to provide written notice to the agency of any change or additional information concerning the underground storage tank (UST) system within 30 days from the date of the occurrence of the change or addition; and 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days; PENALTY: \$3,251; ENFORCEMENT COORDINATOR: Rahim Momin, (512) 239-2544; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(8) COMPANY: Burlington Resources Oil & Gas Company LP; DOCKET NUMBER: 2018-0676-AIR-E; IDENTIFIER: RN106454655; LOCATION: Runge, Karnes County; TYPE OF FACILITY: oil and gas processing facility; RULES VIOLATED: 30 TAC §101.201(b) and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit a final record for a reportable emissions event no later than two weeks after the end of the emissions event; and 30 TAC §116.615(2), Standard Permit Registration Number 115326, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$2,438; ENFORCEMENT COORDINATOR: Amanda Diaz, (512) 239-2601; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(9) COMPANY: City of Corpus Christi; DOCKET NUMBER: 2018-0201-MWD-E; IDENTIFIER: RN101610186; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.62(a) and §305.125(1) and (8), and Texas Pollutant Discharge Elimination (TPDES) Permit Number WQ0010401005, Permit Conditions

Numbers 2.e and 2.g, by failing to obtain authorization from the commission before beginning any change in the permitted facility or activity which may result in noncompliance with any permit requirement; 30 TAC §305.125(1) and §319.11(b), and TPDES Permit Number WQ0010401005, Monitoring and Reporting Requirements Number 2.a, by failing to properly analyze effluent samples; 30 TAC §305.125(1) and §319.11(d), and TPDES Permit Number WQ0010401005, Operational Requirements Number 1, by failing to install flow measurement devices in accordance with the Water Measurement Manual, United States Department of the Interior, Bureau of Reclamation, Washington D.C., or methods that are equivalent as approved by the executive director; and 30 TAC §305.125(1) and TPDES Permit Number WQ0010401005, Operational Requirements Number 1, by failing to ensure at all times that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained; PENALTY: \$19,689; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$15,752; ENFORCEMENT COORDINATOR: Sandra Douglas, (512) 239-2549; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(10) COMPANY: City of Luling; DOCKET NUMBER: 2018-1122-PWS-E; IDENTIFIER: RN101219301; LOCATION: Gonzales, Gonzales County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(l), by failing to provide a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(f)(2) and (3)(A)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by commission personnel during the investigation; 30 TAC §290.46(m)(1)(A), by failing to conduct an annual inspection of the facility's ground storage tank; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzer at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.110(f)(1)(B), by failing to ensure that all samples used for compliance are obtained at sampling sites designated in the monitoring plan; and 30 TAC §290.121(a) and (b), by failing to 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 public water system will use to comply with the monitoring requirements; PENALTY: \$640; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(11) COMPANY: COUNTRY TERRACE WATER COMPANY, INCORPORATED; DOCKET NUMBER: 2018-0903-MLM-E; IDENTIFIER: RN101282010; LOCATION: Highlands, Harris County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(iii) and (f)(5) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to provide two or more service pumps having a total capacity of 2.0 gallons per minute per connection; 30 TAC §290.45(b)(1)(D)(iv) and THSC, §341.0315(c), by failing to provide a pressure tank capacity of 20 gallons per connection; 30 TAC §290.45(h)(1)(D), by failing to provide one of the options of sufficient power to meet capacity requirements and in accordance with the affected utility's emergency preparedness plan; 30 TAC §290.46(j), by failing to complete a customer service inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exists; 30 TAC §290.46(l), by failing to flush all dead-end mains at monthly intervals; 30 TAC §290.46(z), by failing to create a nitrification action plan for a system distributing chloraminated water; and 30 TAC §291.93(3) and TWC, §13.139(d), by failing to submit to the executive director a planning report that clearly explains

how the retail public utility will provide the expected service demand to the remaining areas within the boundaries of its certificated area when the facility has reached 85% of its capacity; PENALTY: \$3,100; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: Day to Day Operations, LLC dba Stars; DOCKET NUMBER: 2018-1258-PST-E; IDENTIFIER: RN104525324; LOCATION: Orange, Orange County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.10(b)(1)(B), by failing to assure that all underground storage tank recordkeeping requirements are met; and 30 TAC §334.50(d)(1)(B)(ii) and (iii)(I) and TWC, §26.3475(c)(1), by failing to conduct reconciliation of detailed inventory control records at least once every 30 days, in a manner sufficiently accurate to detect a release as small as the sum of 1.0% of the total substance flow-through for the 30-day period plus 130 gallons, and failing to record inventory volume measurement for regulated substance inputs, withdrawals, and the amount still remaining in the tank each operating day; PENALTY: \$6,200; ENFORCEMENT COORDINATOR: Ken Moller, (512) 239-6111; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(13) COMPANY: DCP Operating Company, LP; DOCKET NUMBER: 2018-1385-AIR-E; IDENTIFIER: RN101980027; LOCATION: Spearman, Hansford County; TYPE OF FACILITY: natural gas compression station; RULES VIOLATED: 30 TAC §106.6(b), Permit by Rule Registration Number 73989, and Texas Health and Safety Code, §382.085(b), by failing to comply with all representations with regard to construction plans, operating procedures, and maximum emission rates in any certified registration; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Rebecca Johnson, (361) 825-3424; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(14) COMPANY: DIAMOND SHAMROCK REFINING COMPANY, L.P.; DOCKET NUMBER: 2018-1288-AIR-E; IDENTIFIER: RN100542802; LOCATION: Three Rivers, Live Oak County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(2), Federal Operating Permit Number O1450, General Terms and Conditions and Special Terms and Conditions Number 25, and Texas Health and Safety Code, §382.085(b), by failing to submit a permit compliance certification no later than 30 days after the end of the certification period; PENALTY: \$2,813; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(15) COMPANY: DRIVER LEASING, INCORPORATED; DOCKET NUMBER: 2018-1343-PST-E; IDENTIFIER: RN106870884; LOCATION: Amarillo, Potter County; TYPE OF FACILITY: fleet refueling facility; RULES VIOLATED: 30 TAC §37.815(a) and (b), by failing to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a petroleum underground storage tank (UST) system; 30 TAC §334.7(d)(3) and §334.8(c)(4)(A) and (C), by failing to obtain a UST delivery certificate by submitting a properly completed UST registration and self-certification form to TCEQ within 30 days of the change in ownership and the UST delivery certificate was not renewed annually; 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the UST system; 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the UST system; 30 TAC §334.50(b)(1)(A) and

TWC, §26.3475(c)(1), by failing to monitor the UST for releases at a frequency of at least once every 30 days; 30 TAC §334.51(b)(2)(C) and TWC, §26.3475(c)(2), by failing to equip each tank with a valve or other device designed to automatically shut off the flow of regulated substances into the tank when the liquid level in the tank reaches no higher than 95% capacity; and 30 TAC §334.602(a), by failing to identify and designate for the UST facility at least one named individual for each class of operator - Class A, Class B, and Class C; PENALTY: \$17,929; ENFORCEMENT COORDINATOR: Carlos Molina, (512) 239-2557; REGIONAL OFFICE: 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

(16) COMPANY: ECOWATER INDUSTRIES, LLC; DOCKET NUMBER: 2017-0117-IHW-E; IDENTIFIER: RN100594530; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: commercial recycling facility; RULES VIOLATED: 30 TAC §335.2(n), by failing to obtain a permit for discharging industrial solid waste (ISW) to a Publicly Owned Treatment Works; 30 TAC §335.6(c), by failing to update the facility's Notice of Registration; 30 TAC §335.9(a)(1), by failing to maintain records of all hazardous and ISW activities; 30 TAC §335.70(a) and §335.513(c) and 40 Code of Federal Regulations (CFR) §262.11(f), by failing to maintain records of any test results, waste analysis, or other determinations made in accordance with 30 TAC §335.62 for at least three years from the date that the waste was last sent to an on-site or off-site storage, processing, or disposal facility; 30 TAC §335.69(a)(1)(A) and 40 CFR §265.173(a), by failing to keep a container holding hazardous waste closed except when adding or removing waste; and 30 TAC §335.69(d)(2), by failing to label a hazardous waste container with the words "Hazardous Waste" or with other words that identify the contents of the containers; PENALTY: \$9,726; ENFORCEMENT COORDINATOR: Jonathan Nguyen, (512) 239-1661; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(17) COMPANY: Enterprise Refined Products Company LLC; DOCKET NUMBER: 2018-1232-AIR-E; IDENTIFIER: RN100219591; LOCATION: Baytown Terminal, Harris County; TYPE OF FACILITY: petroleum terminal; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(1) and (2), Federal Operating Permit Number O2725, General Terms and Conditions and Special Terms and Conditions Number 15, and Texas Health and Safety Code, §382.085(b), by failing to certify compliance with the terms and conditions of the permit for at least each 12-month period following initial permit issuance, and failing to submit a permit compliance certification no later than 30 days after the end of the certification period; PENALTY: \$2,438; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$975; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(18) COMPANY: Exxon Mobil Corporation; DOCKET NUMBER: 2018-0505-AIR-E; IDENTIFIER: RN102579307; LOCATION: Baytown, Harris County; TYPE OF FACILITY: petroleum refinery; RULES VIOLATED: 30 TAC §§101.20(3), 116.715(a), and 122.143(4), Federal Operating Permit (FOP) Number O1229, Special Terms and Conditions (STC) Number 32, Flexible Permit Numbers 18287, PSDTX730M4, and PAL7, Special Conditions Number 1, and Texas Health and Safety Code (THSC), §382.085(b), by failing to prevent unauthorized emissions; and 30 TAC §101.201(b)(1)(G) and §122.143(4), FOP Number O1229, STC Number 2.F, and THSC, §382.085(b), by failing to identify the compounds or mixtures of air contaminants from all emissions points involved in the emissions event on the final record for a reportable emissions event; PENALTY: \$13,330; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$5,332; ENFORCEMENT COORDINATOR:

Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(19) COMPANY: Grand Texas Homes, Incorporated; DOCKET NUMBER: 2018-1722-WQ-E; IDENTIFIER: RN110521911; LOCATION: Parker, Collin County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a construction general permit; PENALTY: \$875; ENFORCEMENT COORDINATOR: Aaron Vincent, (512) 239-0855; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(20) COMPANY: Gulf South Pipeline Company, LP; DOCKET NUMBER: 2018-1132-AIR-E; IDENTIFIER: RN108443706; LOCATION: Boling-Iago, Wharton County; TYPE OF FACILITY: gas compression site; RULES VIOLATED: 30 TAC §122.143(4) and §122.146(1) and (2), Federal Operating Permit (FOP) Number O3808/General Operating Permit (GOP) Number 514, Site-wide Requirements (b)(3), and Texas Health and Safety Code (THSC), §382.085(b), by failing to certify compliance with the terms and conditions of the permit for at least each 12-month period following initial permit issuance, and failing to submit the permit compliance certification no later than 30 days after the end of the certification period; and 30 TAC §122.143(4) and §122.145(2)(B) and (C), FOP Number O3808/GOP Number 514, Site-wide Requirements (b)(2), and THSC, §382.085(b), by failing to submit a deviation report for at least each six-month period after permit issuance, and failing to submit the deviation report no later than 30 days after the end of each reporting period; PENALTY: \$11,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$4,500; ENFORCEMENT COORDINATOR: Amanda Diaz, (512) 239-2601; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: J & S Materials, LLC; DOCKET NUMBER: 2018-1689-WQ-E; IDENTIFIER: RN109250217; LOCATION: Schertz, Bexar County; TYPE OF FACILITY: mining site; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit; PENALTY: \$875; ENFORCEMENT COORDINATOR: Christopher Moreno, (254) 761-3038; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(22) COMPANY: Jesus Matamoros dba Texas Truck Wash; DOCKET NUMBER: 2018-1177-WQ-E; IDENTIFIER: RN101612489; LOCATION: El Paso, El Paso County; TYPE OF FACILITY: commercial truck washing facility; RULES VIOLATED: 30 TAC §305.42(a), by failing to obtain authorization under TCEQ General Permit Number WQG100000 to dispose of wastewater by evaporation from surface impoundments adjacent to water in the state; PENALTY: \$10,625; ENFORCEMENT COORDINATOR: Aaron Vincent, (512) 239-0855; REGIONAL OFFICE: 401 East Franklin Avenue, Suite 560, El Paso, Texas 79901-1212, (915) 834-4949.

(23) COMPANY: Midland County; DOCKET NUMBER: 2018-1245-WQ-E; IDENTIFIER: RN105577951; LOCATION: Midland, Midland County; TYPE OF FACILITY: small municipal separate storm sewer system; RULES VIOLATED: 30 TAC §281.25(a)(4), TWC, §26.121(a), and 40 Code of Federal Regulations §122.26(a)(9)(i)(A), by failing to maintain authorization to discharge stormwater under Texas Pollutant Discharge Elimination System General Permit for Small Municipal Separate Storm Sewer Systems; PENALTY: \$21,250; ENFORCEMENT COORDINATOR: Claudia Corrales, (432) 620-6138; REGIONAL OFFICE: 9900 West IH-20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(24) COMPANY: NEW MUBIN, LLC dba Star Stop 6; DOCKET NUMBER: 2018-1228-PST-E; IDENTIFIER: RN101728624; LOCATION: Orange, Orange County; TYPE OF FACILITY: gasoline dispensing facility; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and

(2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) 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: \$2,934; ENFORCEMENT COORDINATOR: Marla Waters, (512) 239-4712; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(25) COMPANY: PCI Nitrogen, LLC; DOCKET NUMBER: 2017-1422-AIR-E; IDENTIFIER: RN101621944; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: fertilizer manufacturing plant; RULES VIOLATED: 30 TAC §101.201(a)(1)(B) and §122.143(4), Federal Operating Permit (FOP) Number O1252, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 2.F, and Texas Health and Safety Code (THSC), §382.085(b), by failing to submit an initial notification for a reportable emissions event within 24 hours after discovery; 30 TAC §101.201(b)(1)(H) and §122.143(4), FOP Number O1252, GTC and STC Number 2.F, and THSC, §382.085(b), by failing to report the estimated total quantities of compounds released during an emissions event; and 30 TAC §116.115(c) and §122.143(4), New Source Review Permit Number 4209A, Special Conditions Number 1, FOP Number O1252, GTC and STC Number 12, and THSC, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$7,951; ENFORCEMENT COORDINATOR: Trina Grieco, (210) 403-4006; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(26) COMPANY: Pure Utilities, L.C.; DOCKET NUMBER: 2018-1403-PWS-E; IDENTIFIER: RN101256998; LOCATION: Livingston, Tyler County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.108(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 15 picoCuries per liter (pCi/L) for gross alpha particle activity, based on the running annual average, and failing to comply with the MCL of 5 pCi/L for combined radium-226 and radium-228, based on the running annual average; PENALTY: \$1,462; ENFORCEMENT COORDINATOR: Julianne Dewar, (512) 239-1001; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(27) COMPANY: RBTQ, INCORPORATED; DOCKET NUMBER: 2018-1273-PWS-E; IDENTIFIER: RN101251775; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(e)(2), by failing to disinfect groundwater prior to distribution or storage in a manner consistent with the requirements of 30 TAC §290.110; 30 TAC §290.42(l), by failing to compile and maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter (mg/L) of free chlorine in each finished water storage tank and throughout the distribution system at all times; 30 TAC §290.46(f)(2) and (3)(A)(i)(III) and (ii)(III) and (3)(B)(iii), (D)(i) and (ii), by failing to maintain water works operation and maintenance records and make them readily available for review by commission personnel during the investigation; 30 TAC §290.46(n)(2), by failing to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.121(a) and (b), by failing to 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 public water system will use to comply with the monitoring requirements and maintain a copy at each plant site; and 30 TAC §291.76 and TWC, §5.702, by failing to fully pay regulatory as-

essment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 12891 for calendar year 2017; PENALTY: \$623; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(28) COMPANY: RIVER ROAD CAMP, INCORPORATED; DOCKET NUMBER: 2018-1206-PWS-E; IDENTIFIER: RN101285237; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(c)(1)(B)(i) and Texas Health and Safety Code, §341.0315(c), by failing to provide a well capacity of 0.6 gallons per minute per connection; 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; 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 well remains in service; PENALTY: \$200; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(29) COMPANY: SAI SACHIN INC dba Glad Mart; DOCKET NUMBER: 2018-1056-PST-E; IDENTIFIER: RN102586658; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$3,375; ENFORCEMENT COORDINATOR: Ken Moller, (512) 239-6111; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(30) COMPANY: SKIDMORE STORE, LLC dba Papa's Market; DOCKET NUMBER: 2018-1159-PST-E; IDENTIFIER: RN102048618; LOCATION: Skidmore, Bee County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the underground storage tanks (USTs) for releases at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$3,499; ENFORCEMENT COORDINATOR: Margarita Dennis, (817) 588-5892; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(31) COMPANY: Skip Sandell and Nancy Heaton; DOCKET NUMBER: 2018-1224-EAQ-E; IDENTIFIER: RN110412574; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Program plan prior to commencing regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$5,625; ENFORCEMENT COORDINATOR: Chase Davenport, (512) 239-2615; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(32) COMPANY: SLA Business, Incorporated dba Express Mart; DOCKET NUMBER: 2018-1095-PST-E; IDENTIFIER: RN101889533; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(b)(1)(A) and TWC, §26.3475(c)(1), by failing to monitor the underground storage tanks for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); PENALTY: \$3,563; ENFORCEMENT COORDINATOR: Rahim Momin, (512) 239-2544; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(33) COMPANY: Stevens Trucking, Incorporated; DOCKET NUMBER: 2018-1349-WQ-E; IDENTIFIER: RN107095168; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §281.25(a)(4), and Texas Pollutant Discharge Elimination System General Permit Number TXR05DK24, Part III, Section A.1(a), by failing to ensure that all required records are maintained onsite and made readily available for review upon request; and 30 TAC §342.25(d), by failing to renew the APO registration annually as regulated activities continued; PENALTY: \$6,000; ENFORCEMENT COORDINATOR: Chase Davenport, (512) 239-2615; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(34) COMPANY: Texas National Municipal Utility District; DOCKET NUMBER: 2018-1269-MWD-E; IDENTIFIER: RN102916749; LOCATION: Houston, Montgomery County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0011715001, Interim I Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$7,812; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(35) COMPANY: Texas Petroleum Group, LLC dba TPG 218 05; DOCKET NUMBER: 2018-1214-PST-E; IDENTIFIER: RN102849106; LOCATION: Humble, Harris County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.50(d)(1)(B)(ii) and TWC, §26.3475(c)(1), by failing to conduct reconciliation of detailed inventory control records at least once each month, in a manner sufficiently accurate to detect a release as small as the sum of 1.0% of the total substance flow-through for the month plus 130 gallons; 30 TAC §334.72, by failing to report a suspected release to the agency within 24 hours of discovery; and 30 TAC §334.74, by failing to investigate a suspected release of a regulated substance within 30 days of discovery; PENALTY: \$48,000; ENFORCEMENT COORDINATOR: Berenice Munoz, (512) 239-2617; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(36) COMPANY: Texmark Chemicals, Incorporated; DOCKET NUMBER: 2018-1283-AIR-E; IDENTIFIER: RN100238740; LOCATION: Galena Park, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.145(2)(C), Texas Health and Safety Code (THSC), §382.085(b), and Federal Operating Permit (FOP) Number O1363, General Terms and Conditions (GTC), by failing to submit a semi-annual deviation report no later than 30 days after the end of the reporting period; and 30 TAC §122.143(4) and §122.146(2), THSC, §382.085(b), and FOP O1363, GTC and Special Terms and Conditions Number 17, by failing to submit a permit compliance certification no later than 30 days after the end of the certification period; PENALTY: \$7,201; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,880; ENFORCEMENT COORDINATOR: Soraya Bun, (512) 239-2695; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(37) COMPANY: Utilities Investment Company, Incorporated; DOCKET NUMBER: 2018-1196-PWS-E; IDENTIFIER: RN101260669; LOCATION: Trinity, Walker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and §290.122(b)(2)(A) and (f) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter (mg/L) for total trihalomethanes (TTHM) based on the locational running annual

average, and failing to provide public notification and submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the executive director regarding the failure to comply with the MCL of 0.080 mg/L for TTHM during the first quarter of 2018; PENALTY: \$175; ENFORCEMENT COORDINATOR: Christopher Moreno, (254) 761-3038; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(38) COMPANY: WestRock Texas, L.P.; DOCKET NUMBER: 2018-1346-AIR-E; IDENTIFIER: RN102157609; LOCATION: Evadale, Jasper County; TYPE OF FACILITY: pulp and paper mill; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 20365 and PS-DTX785M7, Special Conditions Number 1, Federal Operating Permit Number O1265, General Terms and Conditions and Special Terms and Conditions Number 14, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$4,463; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

TRD-201900003

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 2, 2019



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 12, 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 A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 12, 2019**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Green Mobile Home Park, Inc.; DOCKET NUMBER: 2016-0652-MLM-E; TCEQ ID NUMBER: RN101242584;

LOCATION: 11410 University Avenue, Lubbock, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.43(d)(2), by failing to provide each pressure tank with a pressure release device and an easily readable pressure gauge; 30 TAC §290.43(e), by failing to ensure that potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates; 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; 30 TAC §290.46(f)(2) and (3)(A)(ii)(III), by failing to maintain water works operation and maintenance records and make them readily available for review by the executive director upon request; 30 TAC §290.46(n)(2), by failing to provide an accurate and up-to-date map of the distribution system so that valves and mains can be easily located during emergencies; 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meter at least once every three years; 30 TAC §290.39(l) and §290.42(g), by failing to obtain approval for an exception to utilize an innovative/alternative treatment process; 30 TAC §290.110(d)(1), by failing to have free chlorine reagents for the color comparator used to measure the free chlorine residual; and TWC, §26.121(a) and 30 TAC §290.42(i) and §305.42(a), by failing to obtain authorization from the commission prior to any discharge of wastewater; PENALTY: \$2,398; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(2) COMPANY: PRAIRIE GROVE WATER SUPPLY CORPORATION; DOCKET NUMBER: 2017-1167-PWS-E; TCEQ ID NUMBER: RN101459758; LOCATION: 3436 Farm-to-Market Road 1818 near Diboll, Angelina County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.271(b) and §290.274(a) and (c), by failing to mail or directly deliver one copy of the Consumer Confidence Report (CCR) to each bill paying customer by July 1st of each year, and failing to submit to the TCEQ by July 1st of each year a copy of the annual CCR and certification that the CCR has been distributed to the customers of the facility and that the information in the CCR is correct and consistent with compliance monitoring data; 30 TAC §§290.272, 290.273, and 290.274(a) and (c), by failing to meet the adequacy, availability, and/or content requirements for the CCR; Texas Health and Safety Code, §341.0315(c), 30 TAC §290.115(f)(1), and TCEQ AO Docket Number 2014-0128-PWS-E, Ordering Provision Number 2.d.ii., by failing to comply with the maximum contaminant level (MCL) of 0.080 milligrams per liter for total trihalomethanes (TTHM) based on the locational running annual average; 30 TAC §290.117(c)(2)(A), (h), and (i)(1) and §290.122(c)(2)(A) and (f), by failing to collect lead and copper tap samples at the required 20 sample sites, have the samples analyzed, and report the results to the executive director (ED) within ten days following the end of the monitoring period, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect lead and copper tap samples; 30 TAC §290.117(c)(2)(B), (h), and (i)(1) and §290.122(c)(2)(A) and (f), by failing to collect lead and copper tap samples at the required ten sample sites, have the samples analyzed, and report the results to the ED within ten days following the end of the monitoring period, and failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to collect lead and copper tap samples; 30 TAC §290.122(b)(2)(A) and (f), by failing to provide public notification and submit a copy of the public notification to the ED regarding the failure to comply with the MCL for TTHM; and 30 TAC §291.76 and TWC, §5.702, by failing to pay regulatory assess-

ment fees for the TCEQ Public Utility Account regarding Certificate of Convenience and Necessity Number 10407; PENALTY: \$2,205; STAFF ATTORNEY: Adam Taylor, Litigation Division, MC 175, (512) 239-3345; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(3) COMPANY: STAFF WATER SUPPLY CORPORATION; DOCKET NUMBER: 2018-0553-PWS-E; TCEQ ID NUMBER: RN101189918; LOCATION: at the 620 West Loop 254, Ranger, Eastland County; TYPE OF FACILITY: public water system; RULES VIOLATED: Texas Health and Safety Code, §341.0315(c) and 30 TAC §290.115(f)(1), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on a locational running annual average; PENALTY: \$486; STAFF ATTORNEY: Logan Harrell, Litigation Division, MC 175, (512) 239-1439; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

TRD-201900001

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 2, 2019



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

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 12, 2019**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 12, 2019**. Comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075 provides that comments on the DOs shall be submitted to the commission in **writing**.

(1) COMPANY: Country Stop, LLC.; DOCKET NUMBER: 2016-1376-PST-E; TCEQ ID NUMBER: RN102281417; LOCATION: 2610 Belle Plain Street, Brownwood, Brown County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: TWC, §26.3475(c)(1) and 30 TAC §334.50(b)(1)(A), by failing to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring); TWC, §26.3475(a) and 30 TAC §334.50(b)(2), by failing to provide release detection for the pressurized piping associated with the UST system; and 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements were met; PENALTY: \$6,637; STAFF ATTORNEY: John S. Mercurief II, Litigation Division, MC 175, (512) 239-6944; REGIONAL OFFICE: Abilene Regional Office, 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(2) COMPANY: ELM RIDGE WATER COMPANY, INC.; DOCKET NUMBER: 2015-0481-MLM-E; TCEQ ID NUMBER: RN101210672; LOCATION: 2040 Elm Ridge Drive, Spring Branch, Comal County; TYPE OF FACILITY: public water system; RULES VIOLATED: 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 facility; 30 TAC §290.110(c)(4)(A) and TCEQ Agreed Order (AO) Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.a.ii., by failing to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days; 30 TAC §290.46(v) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.b.vi., by failing to ensure that all electrical wiring is securely installed in compliance with a local or national electrical code; 30 TAC §290.41(c)(3)(K) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provisions Number 2.b.vii. and 2.b.viii., by failing to properly seal the wellhead with the use of gaskets or sealing compound, and to screen the well casing vent with an opening that is covered with a 16-gauge mesh or finer corrosion resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.43(c)(2) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.b.x., by failing to provide the facility's ground storage tank with a roof hatch that remains locked except during inspections and maintenance; 30 TAC §290.46(s)(1) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.b.xi., by failing to calibrate the facility's well meter at least once every three years; Texas Health and Safety Code (THSC), §341.033(a), 30 TAC §290.46(e)(4)(A), and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.b.xii., by failing to operate the facility under the direct supervision of a water works operator who holds a Class "D" or higher license; 30 TAC §290.46(f)(2), (3)(A)(i)(III), (ii)(III), and (iv), and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.b.xiii., by failing to maintain water works operation and maintenance records and make them available for review to commission personnel during the investigation; 30 TAC §290.43(c)(1) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.d.iii., by failing to provide the facility's ground storage tank with a goose neck vent or roof ventilator with an opening protected by a 16-gauge mesh or finer corrosion resistant screen to prevent entry of animals, birds, insects, and heavy air contaminants; 30 TAC §290.42(l) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.d.iv., by failing to maintain a thorough and up-to-date plant operator's manual for operator review and reference; 30 TAC §290.46(n)(2) and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.d.vi., by failing to provide an accurate and up-to-date map of the distribution system so that valves and mains can be located during emergencies; 30 TAC §290.46(i) and TCEQ AO Docket Number

2013-0280-MLM-E, Ordering Provision Number 2.f.i., by failing to adopt an adequate plumbing ordinance, regulations or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; THSC, §341.0315(c), 30 TAC §290.45(b)(1)(B)(i), and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.h., by failing to provide a minimum well capacity of 0.6 gallons per minute per connection; 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution lines, and related appurtenances in a watertight condition; and TWC, §11.1272(c), 30 TAC §288.20(a) and §288.30(5)(B), and TCEQ AO Docket Number 2013-0280-MLM-E, Ordering Provision Number 2.d.v., by failing to adopt a Drought Contingency Plan which includes all elements for municipal use by a retail public water supplier; PENALTY: \$15,759; STAFF ATTORNEY: Ryan Rutledge, Litigation Division, MC 175, (512) 239-0630; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(3) COMPANY: TEX-Q EXPRESS INC; DOCKET NUMBER: 2018-0361-MSW-E; TCEQ ID NUMBER: RN110061736; LOCATION: approximately 1.73 miles southeast of the intersection of Farm-to-Market Road 3463 and United States Highway 83, Menard, Menard County; TYPE OF FACILITY: trucking company; RULES VIOLATED: TWC, §26.039(b) and 30 TAC §327.3(b), by failing to notify the TCEQ as soon as possible but no later than 24 hours after the discovery of a spill or discharge; TWC, §26.266(a) and 30 TAC §327.5(a), by failing to immediately abate and contain a discharge or spill; and 30 TAC §327.5(c), by failing to submit written information, describing the details of the discharge or spill and supporting the adequacy of the response action, to the appropriate TCEQ Regional Manager within 30 working days of the discovery of the reportable discharge or spill; PENALTY: \$3,937; STAFF ATTORNEY: Audrey Liter, Litigation Division, MC 175, (512) 239-0684; REGIONAL OFFICE: San Angelo Regional Office, 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

TRD-201900002

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 2, 2019

Texas Ethics Commission

List of Late Filers

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

Deadline: 8-Day Pre-Election Report due October 29, 2018, for Candidates and Officeholders

Kevin P. Ludlow, 1235 Broadmoor Dr., Austin, Texas 78723

Jesse F. McClure, P.O. Box 53901, Houston, Texas 77052

Thresa A. Meza, P.O. Box 155076, Irving, Texas 75015

Francisco G. Nila, 19332 James Manor St., Manor, Texas 78653

Matthew S. Pina, 10907 Lisbon, San Antonio, Texas 78213

Lee W. Sharp, 7802 Redding Rd., Houston, Texas 77036

Demetrius Walker, 5719 Vinemont Ln., Houston, Texas 77084

Deadline: Semiannual Report due July 16, 2018, for Committees

Johnny Arrendondo, Republican Club of Bexar County, P.O. Box 691183, San Antonio, Texas 78269

Robert L. Bruce, Texas Association of Conservative Teachers, 1640 Briarcrest Dr., Ste. 122, Bryan, Texas 77802

Danielle Burrell, Houston Area COGIC PAC, 7863 Split Oak, Houston, Texas 77040

Amber Burton, Vote Local, 18482 Kuykendahl Rd., #199, Spring, Texas 77379

Stuart Campbell, Harris County Deputies Org. 1314 Texas St. #2000, Houston, Texas 77002

Brian D. Crumby, Conservative Coalition of Montgomery County, 14918 Timbershade Crossing, Magnolia, Texas 77355

Stephen V. David, Filipino American Caucus for Empowerment - PAC, c/o Nelvin Adriatico, 4655 Sweetwater Blvd., #100, Sugar Land, Texas 77479

Wilson Davis, Texans For Stem Cells, 4719 S. Congress Ave., Austin, Texas 78745

Leslie Ficke, Highland Park Community League, 25 Highland Park Village #100-533, Dallas, Texas 75205

Mary Kathryn Hailey, Democratic Women of Galveston County, 410 Clearview Ave., Friendswood, Texas 77546

Syed Fayyaz Hassan, DFW Dems, 601 Engleside Dr., Arlington, Texas 76018

Tiffany Frinzi, Mobile Health Alliance PAC, 3736 Bee Cave Rd., Ste. 1-164, West Lake Hills, Texas 78746

Linda M. Jackson, Alamo City Democrats PAC, 9406 Charter Pt., San Antonio, Texas 78250

Eric Knustrom, The Texas PAC, 1122 Colorado St., Ste. 102, Austin, Texas 78701

Ruth M. Leal, Mission Democrats of Bexar County, 6246 Deer Valley Dr., San Antonio, Texas 78242

Santiago Manrique, Opportunities for Brownsville PAC, P.O. Box 1894, Los Fresnos, Texas 78566

Darwin McKee, Central Texas PAC Centre Development, P.O. Box 14105, Austin, Texas 78761

Rick Miller, Texas Veterans Caucus, P.O. Box 2910, Austin, Texas 78768-2910

William E. Miller, Harris County Council of Organizations PAC, 9668 Westheimer 200-134, Houston, Texas 77063

Gary L. Moody, Neighbors For McLendon - Chisholm, P.O. Box 1954, Rockwall, Texas 75089

Lucius O'Dell, Texans for Conservative Government PAC, 2830 S. Hullen St., #229, Fort Worth, Texas 76109

Anne Pickle, Jasper County Republican Women, P.O. Box 894, Jasper, Texas 75957

Ken Reeves, Waco Police Association PAC, 408 S. 7th, Valley Mills, Texas 76689

Alan Sandersen, Fort Bend Business PAC, 130 Industrial Blvd., Ste. 130, Sugar Land, Texas 77478

John K. Sparks, Holly Lake - Hawkins Republican Club, 124 Bobwhite Ln., Holly Lake Ranch, Texas 75765

Sherri T. Statler, Abilene PAC, P.O. Box 2482, Abilene, Texas 79604

Terresa Stewart, Andrews County Republican Women, #1 Louis Cir., Andrews, Texas 79714

Jesus Urenda, Eastside Democrats, 10345 Luella, El Paso, Texas 79925
TRD-201805547

Seana Willing
Executive Director
Texas Ethics Commission
Filed: December 20, 2018

Office of the Governor

Notice of Available Funding Opportunities

Office of the Governor, Public Safety Office (PSO)

The Homeland Security Grants Division (HSGD), located in the PSO, is announcing the following funding opportunities for State Fiscal Year 2020. Details for each opportunity, including the open and close date for the solicitations, can be found on the eGrants Calendar (<https://eGrants.gov.texas.gov/fundopp.aspx>).

Nonprofit Security Program (NSGP)--The purpose of this solicitation is to integrate the preparedness activities of nonprofit organizations that are at high risk of a terrorist attack with broader state and local preparedness efforts. The NSGP supports projects for physical security enhancements and other security activities to nonprofit organizations that are at high risk of a terrorist attack based on the nonprofit organization's ideology, beliefs or mission. The NSGP also serves to promote emergency preparedness coordination and collaboration activities between public and private entities.

TRD-201900005
Aimee Snoddy
PSO Executive Director
Office of the Governor
Filed: January 2, 2019

Texas Groundwater Protection Committee

Adoption of Texas Groundwater Protection Strategy Update

Pursuant to Texas Water Code, §26.405(2), the Texas Groundwater Protection Committee (TGPC or committee) has completed the process of updating its *Texas Groundwater Protection Strategy (Strategy)* and adopted the updates to the *Strategy* at the quarterly public meeting on October 17, 2018.

The updates to the *Strategy* are adopted without change to the proposal that was noticed in the July 13, 2018, issue of the *Texas Register* (43 TexReg 4790).

Background and Summary of the Factual Basis for the Adopted *Strategy*

Created by the 71st Texas Legislature in 1989, the TGPC strives to identify areas where new or existing Texas groundwater programs could be enhanced, as well as improve coordination among the state agencies and statewide organizations involved in groundwater-related activities. The TGPC also provides a means for the public to interact with groundwater experts.

One of the TGPC's legislative mandates is to develop and update a comprehensive groundwater protection strategy for the state that provides guidelines for groundwater conservation and the prevention of groundwater contamination. The comprehensive strategy for protecting groundwater in Texas includes both the TGPC member's internal

programs and the TGPC's internal processes outlined in the adopted *Strategy* update.

The adopted updates streamline the *Strategy* for better integration into the TGPC's vision for all of the committee's mandated reports. By streamlining the documents, the TGPC has sought to reduce redundancy, and increase the inter-dependency between the mandated products of the legislation that created the committee. The adopted updates also represent an initial move toward a dynamic document that is capable of being updated rapidly to respond not only to the rapid advances in groundwater technology and contaminant detection and forecasting, but also to issues that are not anticipated at this time. The TGPC believes that a dynamic strategy, which facilitates addressing not only the "known" groundwater issues, but emerging groundwater issues, is critical to maintaining the protection of the resource.

The principles and the mechanisms that characterize groundwater for protection and conservation identified in the previous *Strategy*, (AS-188 (February 2003)), are not in any way invalid, amended, modified, or "repealed," and remain in effect. Similarly, no existing groundwater protection measure acquired, adopted, or incurred; nor any rule or order adopted; nor any proceeding instituted by the program areas of any member agency that were pursuant to AS-188 (February 2003), are affected by the adoption of the updated *Strategy*.

The updated *Strategy* addresses a new approach to the contents of the remaining chapters in AS-188 (February 2003), and, as mentioned previously, is the initial framework for a dynamic *Strategy* moving forward.

Public Comment

The comment period closed on August 13, 2018. At the TGPC's quarterly public meeting on October 17, 2018, the responses to the public comments regarding the proposed *Strategy* updates were presented and approved. The record of the meeting, including the committee's responses to the public comments, can be found at <https://tgpc.texas.gov/TGPCminutes17Oct2018.pdf>.

The updated *Strategy* can be found at https://www.tceq.texas.gov/as-sets/public/comm_exec/pubs/as/188.pdf.

The committee certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the committee's legal authority.

TRD-201805579

Cary Betz

Chair

Texas Groundwater Protection Committee

Filed: December 28, 2018

Texas Lottery Commission

Scratch Ticket Game Number 2052 "\$50,000 Bonus Cashword"

A. The name of Scratch Ticket Game No. 2052 is "\$50,000 BONUS CASHWORD". The play style is "crossword".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2052 shall be \$3.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2052.

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: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y and Z.

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. Crossword and Bingo style games do not typically have Play Symbol Captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2052 - 1.2D

PLAY SYMBOL	CAPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
Z	

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 Scratch Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Pack-Scratch Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2052), a seven (7) digit Pack number, and a three (3) digit Scratch Ticket number. Scratch Ticket

numbers start with 001 and end with 125 within each Pack. The format will be: 2052-0000001-001.

H. Pack - A Pack of "\$50,000 BONUS CASHWORD" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). There will be 2 fanfold configurations for this game. Configuration A will show the front of ticket 001 and the back of ticket 125. Configuration B will show the back of ticket 001 and the front of ticket 125.

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 "\$50,000 BONUS CASHWORD" Scratch Ticket Game No. 2052.

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 "\$50,000 BONUS CASHWORD" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose 101 (one hundred and one) Play Symbols. The player scratches all of the YOUR 20 LETTERS Play Symbols and the two BONUS LETTERS. Then the player scratches all the letters found in the \$50,000 BONUS CASHWORD puzzle that exactly match the YOUR 20 LETTERS and BONUS LETTERS. If the player has scratched at least 3 complete WORDS, the player wins the prize found in the PRIZE LEGEND. Only one prize paid per ticket. Only letters within the \$50,000 BONUS CASHWORD puzzle that are matched with the YOUR 20 LETTERS and BONUS LETTERS can be used to form a complete WORD. Every letter within an unbroken horizontal (left to right) or vertical (top to bottom) sequence must be matched with the YOUR 20 LETTERS and BONUS LETTERS to be considered a complete WORD. Words revealed in a diagonal sequence are not considered valid WORDS. Words within WORDS are not eligible for a prize. Words that are spelled from right to left or bottom to top are not eligible for a prize. A complete WORD must contain at least three letters. 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 101 (one hundred and one) 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; Crossword and Bingo games do not typically have Play Symbol Captions;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number, Retailer Validation Code and Pack-Scratch Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

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

13. The Scratch Ticket must be complete and not miscut, and have exactly 101 (one hundred and one) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number, exactly one Retailer Validation Code, and exactly one Pack-Scratch Ticket Number on the Scratch Ticket;

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

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

16. Each of the 101 (one hundred and one) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the 101 (one hundred and one) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Pack-Scratch Ticket Number must be printed in the Pack-Scratch Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

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

2.2 Programmed Game Parameters.

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

B. GENERAL: There is no correlation between any exposed data on a Ticket and its status as a winner or non-winner.

C. CROSSWORD GAMES: The grid on each Ticket will contain exactly the same number of letters.

D. CROSSWORD GAMES: The grid on each Ticket will contain exactly the same number of words.

E. CROSSWORD GAMES: No matching words on a Ticket.

F. CROSSWORD GAMES: All words used will be from the TEXAS APPROVED WORD LIST CASHWORD/CROSSWORD v.1.2, dated December 4, 2017.

G. CROSSWORD GAMES: All words will contain a minimum of 3 letters.

H. CROSSWORD GAMES: All words will contain a maximum of 9 letters.

I. CROSSWORD GAMES: There will be a minimum of three (3) vowels in the YOUR 20 LETTERS and the BONUS LETTERS play areas. Vowels are considered to be A, E, I, O, U.

J. CROSSWORD GAMES: No consonant will appear more than nine (9) times, and no vowel will appear more than fourteen (14) times in the grid.

K. CROSSWORD GAMES: No matching Play Symbols in the YOUR 20 LETTERS play area.

L. CROSSWORD GAMES: At least fifteen (15) of the letters in the YOUR 20 LETTERS and BONUS LETTERS play areas will open at least one (1) letter in the grid.

M. CROSSWORD GAMES: The presence or absence of any letter or combination of letters in the YOUR 20 LETTERS and the BONUS LETTERS play areas will not be indicative of a winning or Non-Winning Ticket.

N. CROSSWORD GAMES: Words from the TEXAS REJECTED WORD LIST v.2.3, dated December 4, 2017, will not appear horizontally in the YOUR 20 LETTERS play area when read left to right or right to left.

O. CROSSWORD GAMES: On Non-Winning Tickets, there will be two (2) completed words in the grid.

P. CROSSWORD GAMES: There will be a random distribution of all Play Symbols on the Ticket, unless restricted by other parameters, play action or prize structure.

Q. CROSSWORD GAMES: There will be no more than twelve (12) complete words in the grid.

R. A Ticket can only win one (1) time.

S. CROSSWORD GAMES: The two (2) BONUS LETTERS Play Symbols will not match any of the YOUR 20 LETTERS Play Symbols on a Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$50,000 BONUS CASHWORD" Scratch Ticket Game prize of \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100 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 \$50.00, \$100 or \$500 Scratch Ticket Game Prize. 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 "\$50,000 BONUS CASHWORD" Scratch Ticket Game prize of \$5,000 or \$50,000, 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 "\$50,000 BONUS CASHWORD" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$50,000 BONUS CASHWORD" 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 "\$50,000 BONUS CASHWORD" 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 Game 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 35,760,000 Scratch Tickets in Scratch Ticket Game No. 2052. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2052 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3	3,933,600	9.09
\$5	2,002,560	17.86
\$10	1,716,480	20.83
\$15	500,640	71.43
\$20	429,120	83.33
\$50	143,040	250.00
\$100	58,110	615.38
\$500	2,980	12,000.00
\$5,000	89	401,797.75
\$50,000	18	1,986,666.67

*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 4.07. 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. 2052 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket Game closing procedures and the 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. 2052, 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-201805590
Bob Biard
General Counsel
Texas Lottery Commission
Filed: December 31, 2018

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Public Utility Commission of Texas
Public Notice of Workshop

Staff of the Public Utility Commission of Texas (commission staff) will hold a workshop seeking input from Retail Electric Providers (REPs) and interested parties regarding the Power to Choose website and the methodology of the complaint scorecard. The workshop will be held at 9:00 a.m. on Wednesday January 23, 2019, in the Commissioners' Hearing Room, located on the 7th floor of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas, 78701. Project No. 49052 - PROJECT TO EVALUATE THE POWER TO CHOOSE WEBSITE AND METHODOLOGY OF THE SCORECARD, has been established for this proceeding.

Parties that wish to may file on or before Wednesday, January 9, 2019, a proposed draft agenda, proposed questions for discussion, or general comments on the topic. The parties' proposals will be discussed at the January 23, 2019, workshop.

Questions concerning the workshop or this notice should be referred to Chris Burch, Customer Protection Division, at (512) 936-7145 or Chris.Burch@puc.texas.gov. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission through Relay Texas by dialing 7-1-1.

TRD-201805591
Adriana Gonzales
Rules Coordinator
Public Utility Commission of Texas
Filed: December 31, 2018

◆ ◆ ◆ **South Plains Association of Governments**

Public Notice--Notice of Solicitation for Nominations for Persons to Serve on the Llano Estacado Regional Water Planning Group - Region O

Municipalities (small) of populations less than 10,000

Regional Water Planning in the State of Texas is the local process which guides conservation and water projects. The Regional Water Plans, upon approval by the Texas Water Development Board (TWDB), are used to help develop the State Water Plan, which guides state funding of water projects.

The South Plains Association of Governments (SPAG), is the designated political subdivision (Administrative Agency) approved by the Llano Estacado Regional Water Planning Group (LERWPG) and encompasses the following counties: Bailey, Briscoe, Castro, Cochran, Crosby, Dawson, Deaf Smith, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Lamb, Lubbock, Lynn, Motley, Parmer, Swisher, Terry, and Yoakum.

Notice is hereby given that the Llano Estacado Regional Water Planning Group (LERWPG) is soliciting nominations for a person to serve as a voting member on the Llano Estacado RWPG representing Municipalities (small) of populations less than 10,000. The selected representative will serve the remainder of a five-year term ending December 31, 2019, and will be eligible to re-apply for the following five-year term.

Municipalities (small--population less than 10,000), are defined as governments of cities, created or organized under the general, home-rule, or special laws of the state.

To qualify for voting membership on the Llano Estacado Regional Water Planning Group (LERWPG) nominees must represent the interest group category for which a member is sought within the Region O planning area, be willing to participate in the regional water planning process, and abide by the Bylaws of Llano Estacado RWPG.

Deadline for submission of nominations is Friday, January 18, 2019. Nominations may be mailed or emailed. A nomination packet for candidates should include a cover letter from the nominee explaining how the nominee is qualified to serve on the LERWPG, a resume, and a minimum of two (and a maximum of six) letters of support. At least one support letter should be from a member of the Llano Estacado RWPG.

Appointment of a voting member to represent the above-mentioned interest may be considered by the Llano Estacado RWPG at the February 20, 2019, meeting or at a future meeting as determined by the RWPG.

For more information, or to submit nominations, please contact the administrative agency listed below:

South Plains Association of Governments

Attention: Kelly Davila

Post Office Box 3730

Lubbock, Texas 79452

(806) 762-8721

kdavila@spag.org

TRD-201805581

Belinda Solis

Regional Services Program Assistant

South Plains Association of Governments

Filed: December 28, 2018

◆ ◆ ◆ **Solicitation of Nominations for Electric Generating Utilities**

Public Notice--Notice of solicitation for nominations for persons to serve on the Llano Estacado Regional Water Planning Group - Region O

Regional Water Planning in the State of Texas is the local process which guides conservation and water projects. The Regional Water Plans, upon approval by the Texas Water Development Board (TWDB), are used to help develop the State Water Plan, which guides state funding of water projects.

The South Plains Association of Governments (SPAG), is the designated political subdivision (Administrative Agency) approved by the Llano Estacado Regional Water Planning Group (LERWPG) and encompasses the following counties: Bailey, Briscoe, Castro, Cochran, Crosby, Dawson, Deaf Smith, Dickens, Floyd, Gaines, Garza, Hale, Hockley, Lamb, Lubbock, Lynn, Motley, Parmer, Swisher, Terry, and Yoakum.

Notice is hereby given that the Llano Estacado Regional Water Planning Group (LERWPG) is soliciting nominations for a person to serve as a voting member on the Llano Estacado RWPG representing Electric generating utilities. The selected representative will serve the remainder of a five-year term ending December 31, 2019, and will be eligible to re-apply for the following five-year term.

Electric generating utilities, defined as any persons, corporations, cooperative corporations, or any combination thereof, meeting each of the following three criteria: own or operate for compensation equipment or facilities which produce or generate electricity; produce or generate electricity for either wholesale or retail sale to others; and are neither a municipal corporation nor a river authority.

To qualify for voting membership on the Llano Estacado Regional Water Planning Group (LERWPG) nominees must represent the interest group category for which a member is sought within the Region O

planning area, be willing to participate in the regional water planning process, and abide by the Bylaws of Llano Estacado RWPG.

Deadline for submission of nominations is Friday, January 18, 2019. Nominations may be mailed or emailed. A nomination packet for candidates should include a cover letter from the nominee explaining how the nominee is qualified to serve on the LERWPG, a resume, and a minimum of two (and a maximum of six) letters of support. At least one support letter should be from a member of the Llano Estacado RWPG.

Appointment of a voting member to represent the above mentioned interest may be considered by the Llano Estacado RWPG at the February 20, 2019, meeting or at a future meeting as determined by the RWPG.

For more information, or to submit nominations, please contact the administrative agency listed below:

South Plains Association of Governments Attention: Kelly Davila

Post Office Box 3730 Lubbock, Texas 79452

(806) 762-8721

kdavila@spag.org

TRD-201805580

Belinda Solis

Regional Services Program Assistant

South Plains Association of Governments

Filed: December 28, 2018



Texas Department of Transportation

Aviation Division - Request for Qualifications (RFQ) for Professional Engineering Services

The City of Giddings and Lee County, through their agent, the Texas Department of Transportation (TxDOT), intend to engage a professional engineering firm for services pursuant to Chapter 2254, Subchapter A, of the Government Code. TxDOT Aviation Division will solicit and receive qualification statements for the current aviation project as described below.

Current Project: City of Giddings and Lee County; TxDOT CSJ No.: 1814GIDNG.

The TxDOT Project Manager is Paul Slusser.

Scope: Provide engineering and design services, including construction administration, to:

1. Rehabilitate and mark runway.
2. Rehabilitate and mark apron, stub taxiway, and turnarounds runway.
3. Replace medium intensity runway lights, Precision Approach Path Indicators, windcone, rotating beacon and electrical vault.

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

The proposed contract is subject to 49 CFR Part 26 concerning the participation of Disadvantaged Business Enterprises (DBE).

The DBE goal for the design phase of the current project is 10%. The goal will be re-set for the construction phase.

Utilizing multiple engineering/design and construction grants over the course of the next five years, future scope of work items at the Giddings-Lee County Airport may include the following: construct/expand north apron; rehabilitate hangar taxi lanes; relocate/reconstruct airport entrance road; construct north partial parallel taxiway to Runway 17; remove/relocate old T-hangars; and relocate/replace shade hangars.

The City of Giddings and Lee County reserve the right to determine which of the services listed above may or may not be awarded to the successful firm and to initiate additional procurement action for any of the services listed above.

To assist in your qualification statement preparation, the criteria, project diagram, and most recent Airport Layout Plan are available online by selecting "Giddings-Lee County Airport" at: <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.htm>.

The qualification statement should address a technical approach for the current scope only. Firms shall use page 4, Recent Airport Experience, to list relevant past projects.

AVN-550 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-550, titled "Qualifications for Aviation Architectural/Engineering Services." The form may be requested from TxDOT, Aviation Division, 125 E. 11th Street, Austin, Texas 78701-2483, phone number (800) 68-PILOT (74568). The form may be emailed by request or downloaded from the TxDOT website at: <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>.

The form may not be altered in any way. Firms must carefully follow the instructions provided on each page of the form. Qualifications shall not exceed the number of pages in the AVN-550 template. The AVN-550 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-550. If a prime provider submits more than one AVN-550, or submits a cover page with the AVN-550, that provider will be disqualified. Responses to this solicitation WILL NOT BE ACCEPTED IN ANY OTHER FORMAT.

ATTENTION: To ensure utilization of the latest version of Form AVN-550, firms are encouraged to download Form AVN-550 from the TxDOT website as addressed above. Utilization of Form AVN-550 from a previous download may not be the exact same format. Form AVN-550 is a PDF Template.

The completed Form AVN-550 must be received in the TxDOT Aviation eGrants system no later than February 05, 2019, 11:59 p.m. (CDST). Electronic facsimiles or forms sent by email or regular/overnight mail will not be accepted.

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

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

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

The consultant selection committee will be composed of local government representatives. The final selection by the committee will generally be made following the completion of review of AVN-550s. The committee will review all AVN-550s and rate and rank each. The

Evaluation Criteria for Engineering Qualifications can be found under Information for Consultants at: <http://www.txdot.gov/inside-txdot/division/aviation/projects.html>.

All firms will be notified and the top rated firm will be contacted to begin fee negotiations for the design and bidding phases. The selection committee does, however, reserve the right to conduct interviews for the top rated firms if the committee deems it necessary. If interviews are conducted, selection will be made following interviews.

Please contact TxDOT Aviation for any technical or procedural questions at (800) 68-PILOT (74568). For procedural questions, please contact Anna Ramirez, Grant Manager. For technical questions, please contact Paul Slusser, Project Manager.

For questions regarding responding to this solicitation in eGrants, please contact the TxDOT Aviation help desk at (800) 687-4568 or avn-egrantshelp@txdot.gov.

TRD-201805592

Joanne Wright

Deputy General Counsel

Texas Department of Transportation

Filed: December 31, 2018

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