

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 the Attorney General

Announcement of Adjustment Required by Texas Family Code §154.125

Effective September 1, 2019, the guidelines for the support of a child apply to situations in which the obligor's monthly net resources are not greater than \$9,200.00.

Texas Family Code §154.125 (in part):

APPLICATION OF GUIDELINES TO NET RESOURCES. (a) The guidelines for the support of a child in this section are specifically designed to apply to situations in which the obligor's monthly net resources are not greater than \$7,500 or the adjusted amount determined under Subsection (a-1), whichever is greater. (a-1) The dollar amount prescribed by Subsection (a) is adjusted every six years as necessary to reflect inflation. The Title IV-D agency shall compute the adjusted amount, to take effect beginning September 1 of the year of the adjustment, based on the percentage change in the consumer price index during the 72-month period preceding March 1 of the year of the adjustment, as rounded to the nearest \$50 increment. The Title IV-D agency shall publish the adjusted amount in the *Texas Register* before September 1 of the year in which the adjustment takes effect. For purposes of this subsection, "consumer price index" has the meaning assigned by Section 341.201, Finance Code.

Computation:

February 2019, the designated CPI was 733.407

February 2013, the designated CPI was 681.158

The CPI change was 52.249 (733.407-681.158)

The CPI increased by 7.67061% (52.249 ÷ 681.158 = 0.0767061)

$\$8,550 \times 1.0767061 = \$9,205.84$

\$9,205.84 rounded to the nearest \$50 increment is \$9,200.00

TRD-201902012

Ryan L. Bangert

Deputy Attorney General for Legal Counsel

Office of the Attorney General

Filed: June 26, 2019

Office of Consumer Credit Commissioner

Notice of Rate Ceilings

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

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 07/08/19 - 07/14/19 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 07/08/19 - 07/14/19 is 18% for Commercial over \$250,000.

The monthly ceiling as prescribed by §303.005 and §303.009³ for the period of 07/01/19 - 07/31/19 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 07/01/19 - 07/31/19 is 18% for Commercial over \$250,000.

¹Credit for personal, family or household use.

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

³For variable rate commercial transactions only.

TRD-201902087

Leslie Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: July 2, 2019

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075, requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **August 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 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 **August 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: 290 East Bush, Incorporated; DOCKET NUMBER: 2018-1058-EAQ-E; IDENTIFIER: RN105981849; LOCATION:

Dripping Springs, Hays County; TYPE OF FACILITY: construction site; RULE VIOLATED: 30 TAC §213.23(i), and Edwards Aquifer Contributing Zone Plan (CZP) Number 11-10081701 Standard Condition Number 5, by failing to obtain approval of a modification to an approved Edwards Aquifer CZP prior to commencing construction of the modification; PENALTY: \$19,000; ENFORCEMENT COORDINATOR: Chase Davenport, (512) 239-2615; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(2) COMPANY: Chevron Phillips Chemical Company LP; DOCKET NUMBER: 2019-0112-AIR-E; IDENTIFIER: RN103919817; LOCATION: Baytown, Harris County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), New Source Review Permit Numbers 1504A, PSDTX748M1, and N148, Special Conditions Number 1, Federal Operating Permit Number O2113, General Terms and Conditions and Special Terms and Conditions Number 16, and Texas Health and Safety Code, §382.085(b), by failing to prevent unauthorized emissions; PENALTY: \$14,250; ENFORCEMENT COORDINATOR: Soraya Bun, (713) 422-8912; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(3) COMPANY: City of Dilley; DOCKET NUMBER: 2019-0164-MLM-E; IDENTIFIER: RN106045099; LOCATION: Dilley, Frio County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) collection and disposal facility; RULES VIOLATED: 30 TAC §111.201 and Texas Health and Safety Code, §382.085(b), by failing to not cause, suffer, allow, or permit unauthorized outdoor burning within the state of Texas; and 30 TAC §330.15(a) and (c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of MSW; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(4) COMPANY: City of Granite Shoals; DOCKET NUMBER: 2019-0205-PWS-E; IDENTIFIER: RN101214815; LOCATION: Granite Shoals, Burnet County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to comply with the maximum contaminant level (MCL) of 0.060 milligrams per liter (mg/L) for haloacetic acids, based on the locational running annual average; 30 TAC §290.115(f)(1) and §290.122(b)(2)(A) and (f) and THSC, §341.0315(c), by failing to comply with the MCL of 0.080 mg/L for total trihalomethanes (TTHM), based on the locational running annual average and failing to timely submit a copy of the public notification, accompanied with a signed Certificate of Delivery, to the executive director (ED) regarding the failure to comply with the MCL of 0.080 mg/L for TTHM for Disinfection Byproducts Stage 2 at Site 1 for the third quarter of 2018; and 30 TAC §290.117(i)(6) and (j), by failing to timely provide a consumer notification of lead tap water monitoring results to persons served at the sites (taps) that were tested and failing to timely mail a copy of the consumer notification of tap results to the ED along with certification that the consumer notification had been distributed in a manner consistent with TCEQ requirements for the January 1, 2014 - December 31, 2016, monitoring period; PENALTY: \$1,910; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$1,910; ENFORCEMENT COORDINATOR: Marla Waters, (512) 239-4712; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(5) COMPANY: City of Hooks; DOCKET NUMBER: 2018-1607-MWD-E; IDENTIFIER: RN101916468; LOCATION: Hooks, Bowie 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 WQ0010507001, Effluent Limitations and Monitoring Requirements

Numbers 1, 2, and 3, by failing to comply with permitted effluent limitations; PENALTY: \$85,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$85,000; ENFORCEMENT COORDINATOR: Christopher Moreno, (254) 761-3038; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(6) COMPANY: City of Junction; DOCKET NUMBER: 2016-2129-MLM-E; IDENTIFIER: RN101383990; LOCATION: Junction, Kimble County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §288.20(a) and §288.30(5)(B) and TWC, §11.1272, by failing to adopt a Drought Contingency Plan which includes all elements for municipal use by a retail public water supplier; 30 TAC §290.42(d)(13)(C), by failing to maintain clear, current documentation of the color code used in a location easily accessed by all personnel; 30 TAC §290.42(e)(4)(A), by failing to provide a small bottle of fresh ammonia solution (or approved equal) for testing for chlorine leakage that is readily accessible outside the chlorinator room; 30 TAC §290.42(f)(2)(A), by failing to have a standby or reserve unit for each chemical feeder that is needed to comply with a treatment technique or maximum contaminant level requirement; 30 TAC §290.42(l), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.43(e), by failing to ensure that the facility's 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 §290.44(h)(1)(A), by failing to install backflow prevention assemblies or an air gap at all residences or establishments where an actual or potential contamination hazard exists, as identified in 30 TAC §290.47(f); 30 TAC §290.46(d)(2)(A) and §290.110(b)(2) and (4) and Texas Health and Safety Code (THSC), §341.0315(c), by failing to maintain a minimum disinfectant residual of 0.2 milligrams per liter (mg/L) free chlorine in the water entering the distribution system and throughout the distribution system at all times; 30 TAC §290.46(e)(6)(B), by failing to use at least two operators where one of the required operators holds a Class B or higher surface water license and the other required operator holds a Class C or higher surface water license, each of who work at least 32 hours per month at the facility's production, treatment, or distribution facilities; 30 TAC §290.46(e)(6)(C), by failing to ensure that each surface water treatment plant has at least one Class C or higher surface water operator on duty at the plant when it is in operation or that the plant is provided with continuous turbidity and disinfectant residual monitors with automatic plant shutdown and alarms to summon operators so as to ensure that the water produced continues to meet the commission's drinking water standards during periods when the plant is not staffed; 30 TAC §290.46(f)(1) and (2) and (3)(A)(iii), (C)(ii), (D)(vii), (E)(ii), and (iv), by failing to maintain organized operating records, keep copies on file or electronically, and make them readily available for review to the executive director (ED) at the time of the investigation; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the facility and its equipment; 30 TAC §290.46(m)(1)(A), by failing to inspect the facility's ground and elevated storage tanks annually; 30 TAC §290.46(n)(1), by failing to maintain plans, specifications, maps, and other pertinent information to facilitate the operation and maintenance of the system's facilities and equipment; 30 TAC §290.46(q), by failing to institute special precautions in the event of low distribution pressures, water outages, microbiological samples found to contain *Escherichia coli* or fecal coliform organisms, failure to maintain adequate chlorine residuals, elevated finished water turbidity levels, or other conditions which indicate that the potability of the drinking water supply has been compromised; 30 TAC §290.46(s)(1), by failing to calibrate the facility's four flow measuring devices annually; 30 TAC §290.46(s)(2)(B)(i) and (ii), by failing to calibrate the facility's

benchtop turbidimeter with primary standards at least once every 90 days and check the calibration with secondary standards each time a series of samples is tested; 30 TAC §290.46(s)(2)(B)(iv), by failing to check the calibration of the four on-line turbidimeters at least once each week with a primary standard, a secondary standard, or the manufacturer's proprietary calibration confirmation device, or by comparing the results from the on-line unit with the results from a properly calibrated benchtop unit; 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 §290.46(s)(2)(C)(ii), by failing to verify the accuracy of the two continuous disinfectant residual analyzers at least once every seven days with a chlorine solution of known concentration or by comparing the results from the on-line analyzer with the result of an approved benchtop method; 30 TAC §290.111(d)(2)(A), by failing to measure the disinfectant residual, pH, temperature, and flow rate of the water in each disinfection zone at least once each day during a time when peak hourly raw water flow rates are occurring; 30 TAC §290.111(f)(2)(B), by failing to measure and record the turbidity level of the combined effluent at least every four hours that the system serves water to the public; 30 TAC §290.111(f)(2)(D)(iii), by failing to conduct direct integrity tests on the filter racks at least once every seven days from August 8, 2016 - August 31, 2016; 30 TAC §290.111(h), by failing to properly complete the Surface Water Monthly Operating Reports submitted to the ED for the month of August 2016; 30 TAC §290.112(e)(1) and (f)(2), by failing to submit a Total Organic Carbon Monthly Operating Report with the required total organic carbon and alkalinity sampling data to the ED each month by the tenth day of the month following the end of the reporting period for the third quarter of 2017; 30 TAC §290.115(f)(1) and THSC, §341.0315(c), by failing to comply with the maximum contaminant level of 0.060 mg/L for haloacetic acids, based on the locational running annual average; 30 TAC §290.121(a), by failing to maintain an up-to-date chemical and microbiological monitoring plan at each water treatment plant and at a central location; and 30 TAC §290.121(c)(1), by failing to submit a copy of the monitoring plan to the ED upon development and revision; PENALTY: \$11,241; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 622 South Oakes, Suite K, San Angelo, Texas 76903-7035, (325) 655-9479.

(7) COMPANY: M & H CRATES, INCORPORATED; DOCKET NUMBER: 2019-0533-WQ-E; IDENTIFIER: RN101947919; LOCATION: Jacksonville, Cherokee County; TYPE OF FACILITY: pallet mill; RULE VIOLATED: TWC, §26.121(a)(1), by failing to prevent the discharge of industrial waste into or adjacent to any water in the state; PENALTY: \$1,312; ENFORCEMENT COORDINATOR: Herbert Darling, (512) 239-2520; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(8) COMPANY: MarkWest Energy East Texas Gas Company, L.L.C.; DOCKET NUMBER: 2019-0469-AIR-E; IDENTIFIER: RN104401930; LOCATION: Beckville, Panola County; TYPE OF FACILITY: natural gas processing and compressor plant; RULES VIOLATED: 30 TAC §122.143(4) and §122.145(2)(B) and (C), Federal Operating Permit Number O2779/General Operating Permit Number 514, Site-wide Requirements (b)(2), and Texas Health and Safety Code, §382.085(b), by failing to submit a deviation report for at least each six-month period after permit issuance and failing to submit a deviation report no later than 30 days after the end of each reporting period; PENALTY: \$2,963; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(9) COMPANY: Orangefield Water Supply Corporation; DOCKET NUMBER: 2019-0570-MWD-E; IDENTIFIER: RN105137533; LOCATION: Orangefield, Orange County; TYPE OF FACILITY: waste-

water treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0014772001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$4,125; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(10) COMPANY: Robert Martin; DOCKET NUMBER: 2019-0318-MLM-E; IDENTIFIER: RN109876987; LOCATION: Lumberton, Hardin County; TYPE OF FACILITY: unauthorized municipal solid waste (MSW) disposal site; RULES VIOLATED: 30 TAC §111.201 and Texas Health and Safety Code, §382.085(b), by failing to not cause, suffer, allow, or permit outdoor burning within the state of Texas; and 30 TAC §330.15(a) and (c), by failing to not cause, suffer, allow, or permit the disposal of unauthorized MSW; PENALTY: \$3,015; ENFORCEMENT COORDINATOR: Danielle Porras, (713) 767-3682; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(11) COMPANY: Schertz/Seguin Local Government Corporation; DOCKET NUMBER: 2019-0330-SLG-E; IDENTIFIER: RN105566541; LOCATION: Nixon, Gonzalez County; TYPE OF FACILITY: water treatment plant sludge land application site; RULE VIOLATED: 30 TAC §312.122(b), by failing to maintain authorization to land apply water treatment plant sludge in a land application unit; PENALTY: \$4,063; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$3,251; ENFORCEMENT COORDINATOR: Chase Davenport, (512) 239-2615; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

(12) COMPANY: Shintech Incorporated; DOCKET NUMBER: 2019-0104-AIR-E; IDENTIFIER: RN100213198; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: polyvinyl chloride resins manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(2) and (3), 113.1555, 116.115(c), and 122.143(4), 40 Code of Federal Regulations (CFR) §63.11930(c)(2)(i), New Source Review (NSR) Permit Numbers 9347 and PSDTX285M5, Special Conditions (SC) Number 4.D, Federal Operating Permit (FOP) Number O1361, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Numbers 1.A and 11, and Texas Health and Safety Code (THSC), §382.085(b), by failing to conduct monthly bypass valve inspections for closed vent systems; and 30 TAC §§101.20(2) and (3), 113.1555, 116.115(c), and 122.143(4), 40 CFR §63.11985(b), NSR Permit Numbers 9347 and PSDTX285M5, SC Number 4.D, FOP Number O1361, GTC and STC Numbers 1.A and 11, and THSC, §382.085(b), by failing to submit the 40 CFR Part 63, Subpart HHHH-HHH compliance reports within 30 days after the end of the reporting period; PENALTY: \$105,741; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$42,296; ENFORCEMENT COORDINATOR: Carol McGrath, (210) 403-4063; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(13) COMPANY: JIMMY KEITH SOCIA; DOCKET NUMBER: 2019-0829-OSI-E; IDENTIFIER: RN103535761; LOCATION: Lufkin, Angelina County; TYPE OF FACILITY: installer; RULE VIOLATED: 30 TAC §285.61(4), by failing to ensure that an authorization to construct has been issued prior to beginning construction of an On-site Sewage Facility; PENALTY: \$175; ENFORCEMENT COORDINATOR: Abigail Lindsey, (512) 239-2576; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(14) COMPANY: Spirit TS Fredericksburg TX, LLC; DOCKET NUMBER: 2019-0730-PWS-E; IDENTIFIER: RN105135560; LOCATION: Fredericksburg, Gillespie County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system at all times; PENALTY: \$138; ENFORCEMENT COORDINATOR: Steven Hall, (512) 239-2569; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(15) COMPANY: TEDA TPCO America Corporation f/k/a TPCO America Corporation; DOCKET NUMBER: 2018-1516-AIR-E; IDENTIFIER: RN106224447; LOCATION: Gregory, San Patricio County; TYPE OF FACILITY: pipe manufacturing plant; RULES VIOLATED: 30 TAC §122.143(4), Federal Operating Permit (FOP) Number O3660, General Terms and Conditions (GTC) and Special Terms and Conditions (STC) Number 3.A.(iv)(1), and Texas Health and Safety Code (THSC), §382.085(b), by failing to conduct quarterly visible emissions observations from stationary vents; 30 TAC §122.143(4), FOP Number O3660, GTC and STC Number 3.B.(iii)(1), and THSC, §382.085(b), by failing to conduct quarterly visible emissions observations from a building, enclosed facility, or other structure; 30 TAC §122.143(4) and §122.145(2)(A), FOP Number O3660, GTC, and THSC, §382.085(b), by failing to report all instances of deviations; 30 TAC §122.143(4) and §122.145(2)(C), FOP Number O3660, GTC, and THSC, §382.085(b), by failing to submit a deviation report no later than 30 days after the end of the reporting period; 30 TAC §122.143(4) and §122.146(1) and (2), FOP Number O3660, GTC, and 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 a permit compliance certification no later than 30 days after the end of the certification period; 30 TAC §122.143(4) and (15) and §122.165(a)(7) and (8), FOP Number O3660, GTC, and THSC, §382.085(b), by failing to include a signed certification of accuracy and completeness; and 30 TAC §122.143(4) and §122.165(f), FOP Number O3660, GTC, and THSC, §382.085(b), by failing to notify the executive director of any change in the responsible official no later than at the next submittal requiring certification; PENALTY: \$37,368; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 6300 Ocean Drive, Suite 1200, Corpus Christi, Texas 78412-5839, (361) 825-3100.

TRD-201902078
Charmaine Backens
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: July 2, 2019

Notice of Commission Action and Response to Public Comments on General Permit TXG920000

After consideration of all public comments and the responses to such comments, the Texas Commission on Environmental Quality (TCEQ) reissued Texas Pollutant Discharge Elimination System / State General Permit Number TXG920000 during its public meeting on June 26, 2019. This general permit authorizes the discharge of manure, sludge, and wastewater into or adjacent to water in the state by Concentrated Animal Feeding Operations only during chronic or catastrophic rainfall events, or catastrophic conditions that cause an overflow. The TCEQ also issued the Commission's Response to Public Comment. The issued permit and the Commission's Response to Public Comment is available

on the TCEQ website at: <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.

TRD-201902058
Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: June 28, 2019

Notice of Correction to Agreed Order Number 23

In the June 8, 2018, issue of the *Texas Register* (43 TexReg 3821), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 23, for RAN-DOLPH WATER SUPPLY CORPORATION. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$613."

For questions concerning these errors, please contact Michael Parrish at (512) 239-2548.

TRD-201902079
Charmaine Backens
Director, Litigation Division
Texas Commission on Environmental Quality
Filed: July 2, 2019

Notice of District Application

Notice issued June 28, 2019

TCEQ Internal Control No. D-10232018-038; Cibolo Creek Municipal Authority of Bexar, Comal, and Guadalupe counties (the "Authority") filed an application with the Texas Commission on Environmental Quality (TCEQ) for authority to revise the impact fee service area within the North Side Basin, South Side Basin service area and include some additional acreage into the North and South Side Basin impact fee service area. The Authority's service area boundaries are shown on the map that follows this notice and is marked as Exhibit "A." The Authority files this application under the authority of Chapter 395 of the Local Government Code, 30 Texas Administrative Code Chapter 293, and the procedural rules of the TCEQ. The purpose of impact fees is to generate revenue to recover the costs of capital improvements or facility expansions made necessary by and attributable to serving new development in the Authority's service areas. At the direction of the Authority, a registered engineer has prepared a capital improvements plan for the system that identifies the capital improvements or facility expansions and their costs for which the impact fees will be assessed. The amendment of impact fee service area application and supporting information are available for inspection and copying during regular business hours in the Districts Section of the Water Supply Division, Third Floor of Building F (in the TCEQ Park 35 Office Complex located between Yager and Braker lanes on North IH-35), 12100 Park 35 Circle, Austin, Texas 78753. A copy of the amendment of impact fee service area application and supporting information, as well as the capital improvements plan, is available for inspection and copying at the Authority's office during regular business hours.

INFORMATION SECTION

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

The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our web site at www.tceq.state.tx.us.

TRD-201902107

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 3, 2019



Notice of Final Action on the Alternative Method of Control for National Emission Standard for Benzene Emissions from Benzene Transfer Operations

The Texas Commission on Environmental Quality (TCEQ) has made a final determination regarding an Alternative Method of Control (AMOC) for National Emission Standard for Benzene Emissions from Benzene Transfer Operations under the requirements of 40 Code of Federal Regulations (CFR) §61.12(d)(1).

Summary: On April 12, 2019, **Deer Park Refining Limited Partnership, Shell Oil Company (Shell) Deer Park Refinery**, requested an AMOC under the federal Clean Air Act. Shell requested approval to substitute an enclosed marine vapor recovery system routed to a fuel recovery system at the refinery in lieu of the requirements in 40 CFR §61.302(b) to use a vapor capture system routed to an incinerator, steam generating unit, process heater, carbon adsorber, or flare for marine loading of benzene. The specified control systems allowed under the rule are required to achieve 98% control of volatile organic compounds (VOCs), and the proposed fuel recovery system complies with 40 CFR §63.562(b)(3) and achieves 98% or better control of VOCs. The preliminary determination and opportunity for comment or hearing was published in the *Texas Register* on May 24, 2019, (44 TexReg 2636) and the comment period closed June 25, 2019. With this notice, the TCEQ is taking final action to approve the AMOC request and the resulting alternative operating conditions necessary to achieve a reduction in emissions of VOCs at least as equivalent to the reduction in emissions required by 40 CFR §61.302(b).

For further information, please contact Anne Inman, P.E., Operating Support Section, Air Permits Division, TCEQ (512) 239-1276.

TRD-201902080

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: July 2, 2019



Notice of Hearing Capital Ready Mix LLC: SOAH Docket No. 582-19-5684; TCEQ Docket No. 2019-0530-AIR; Proposed Permit No. 149092

APPLICATION.

Capital Ready Mix LLC, 514 Forest Oaks Drive, Houston, Texas 77017-4937, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit Number 149092, which would authorize construction of a Concrete Batch Plant located at 13133 South Wayside Drive, Houston, Harris County, Texas 77048. This application was submitted to the TCEQ on October 24, 2017. The proposed facility will emit the following contaminants: particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision to issue the permit because it meets all rules and regulations. The permit application, executive director's preliminary decision, and draft permit are available for viewing and copying at the TCEQ central office, the TCEQ Houston regional office, and at the Johnson Neighborhood Library, 3517 Reed Road, Houston, Harris County, Texas. The facility's compliance file, if any exists, is available for public review at the TCEQ Houston Regional Office, 5425 Polk Street Suite H, Houston, Texas. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: www.tceq.texas.gov/assets/public/hb610/index.html?lat=29.618888&lng=-95.317222&zoom=13&type=r. For the exact location, refer to the application.

CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing at:

10:00 a.m. - August 19, 2019

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary phase of the proceeding, which will be held at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on May 29, 2019. In addition to these issues, the judge may consider additional issues if certain factors are met.

The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter

116, Subchapters A and B; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

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

MAILING LIST.

You may ask to be placed on a mailing list to obtain additional information on this application by sending a request to the Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION.

Public comments and requests must be submitted either electronically at www.tceq.texas.gov/agency/decisions/cc/comments.html, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. If you communicate with the TCEQ electronically, please be aware that your email address, like your physical mailing address, will become part of the agency's public record. For more information about this permit application, the permitting process, or the contested case hearing process, please call the Public Education Program toll free at (800) 687-4040. Si desea información en español, puede llamar al (800) 687-4040. General information regarding the TCEQ may be obtained electronically at www.tceq.texas.gov

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

INFORMATION.

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

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

Further information may also be obtained from Capital Ready Mix LLC at the address stated above or by calling Mr. Venkata Godasi, Graduate Engineer at (713) 974-2272.

Issued: July 2, 2019

TRD-201902108

Bridget C. Bohac
Chief Clerk

Texas Commission on Environmental Quality

Filed: July 3, 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 **August 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 August 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: AHRS ENTERPRISES, INC.; DOCKET NUMBER: 2018-0844-PST-E; TCEQ ID NUMBER: RN102714995; LOCATION: 2706 West Gentry Parkway, Tyler, Smith County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; 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 the petroleum USTs; TWC, §26.3475(d) and 30 TAC §334.49(a)(7) and §334.54(b)(3), by failing to provide corrosion protection for the temporarily out-of-service UST system; TWC, §26.3475(a) and (c)(1), and 30 TAC §334.50(a)(7) and §334.54(c), by failing to provide release detection for the temporarily out-of-service USTs; 30 TAC §334.54(d)(2), by failing to ensure that any residue from stored regulated substances which remained in the temporarily out-of-service UST system did not exceed a depth of 2.5 centimeters at the deepest point and did not exceed 0.3% by weight of the system at full capacity; and 30 TAC §334.7(d)(1)(A) and (B) and (3), by failing to update, amend, or change the UST registration for any change in owner or operator information and change in operational status of the UST system within 30 days from the date of occurrence of the change or addition; PENALTY: \$7,442; STAFF ATTORNEY: Kevin Bartz, Litigation Division, MC 175, (512) 239-6225; REGIONAL OFFICE: Tyler Regional Office, 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(2) COMPANY: ASA REALESTATE, LP; DOCKET NUMBER: 2017-1069-EAQ-E; TCEQ ID NUMBER: RN102756681; LOCATION: 16675 Huebner Road, San Antonio, Bexar County, Texas, along the northwest side of Huebner Road, approximately 710 feet north of the intersection of West Bitters Road and Huebner Road; TYPE OF FACILITY: commercial facility; RULES VIOLATED: 30 TAC §213.5(b)(4)(D)(ii)(I) and Water Pollution Abatement Plan (WPAP) Number 13-97032701D, Standard Conditions Number 15, by failing to implement best management practices (BMPs) and measures to control the discharge of pollution from regulated activities after the completion of construction; 30 TAC §213.4(g)(3) and WPAP Number 13-97032701D, Standard Conditions Number 2, by failing to submit proof of recordation of notice in the county deed records to

the San Antonio Regional Office within 60 days of receiving written WPAP modification approval; 30 TAC §213.5(f)(1) and WPAP Number 13-97032701, Standard Conditions Number 3, WPAP Number 13-97032701B, Standard Conditions Number 5, and WPAP Number 13-97032701D, Standard Conditions Number 5, by failing to provide written notification of intent to commence construction to the San Antonio Regional Office no later than 48 hours prior to commencement of a regulated activity; and 30 TAC §213.4(k) and §213.5(b)(4)(D)(ii)(II) and WPAP Number 13-97032701D, Standard Conditions Number 14, and Special Conditions Numbers VII and VIII, by failing to submit a certified letter from a Texas licensed professional engineer stating that the permanent BMPs or measures were constructed as designed; PENALTY: \$6,663; STAFF ATTORNEY: Jake Marx, Litigation Division, MC 175, (512) 239-5111; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

(3) COMPANY: City of Trinity; DOCKET NUMBER: 2018-1086-PWS-E; TCEQ ID NUMBER: RN101218105; LOCATION: intersection of Railroad Street and East Madison Street, Trinity, Trinity County; TYPE OF FACILITY: public water system; RULES VIOLATED: 30 TAC §290.44(h)(4), by failing to test and certify to be operating within specifications all backflow prevention assemblies which are installed to provide protection against health hazards at least annually; and 30 TAC §290.46(j), by failing to complete a Customer Service Inspection certificate prior to providing continuous water service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazard exists, as identified by 30 TAC §290.47(f); PENALTY: \$1,515; STAFF ATTORNEY: Jaime Garcia, Litigation Division, MC 175, (512) 239-5807; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(4) COMPANY: Dario Jaime Gonzalez; DOCKET NUMBER: 2018-0075-MSW-E; TCEQ ID NUMBER: RN110024569; LOCATION: 94 Buen Gusto Street, Alamo, Hidalgo County; TYPE OF FACILITY: scrap tire storage site and scrap tire facility; RULES VIOLATED: Texas Health and Safety Code, §361.112(a) and 30 TAC §328.60(a) and §328.63(b), by failing to obtain a scrap tire storage site registration prior to processing scrap tires and storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed or lockable containers; PENALTY: \$15,000; STAFF ATTORNEY: Ian Groetsch, Litigation Division, MC 175, (512) 239-2225; REGIONAL OFFICE: Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(5) COMPANY: DLUBAK GLASS COMPANY; DOCKET NUMBER: 2016-1479-IHW-E; TCEQ ID NUMBER: RN105518500; LOCATION: 400 Mushroom Road, Waxahachie, Ellis County; TYPE OF FACILITY: glass recycling, processing, and sorting facility; RULE VIOLATED: 30 TAC §335.2(a), by causing, suffering, allowing, or permitting the unauthorized storage, processing, or disposal of cathode ray tube hazardous industrial solid waste and/or municipal hazardous waste; PENALTY: \$175,000; Supplemental Environment Project offset amount of \$87,500 applied to Wastewater Treatment Assistance; STAFF ATTORNEY: Audrey Liter, Litigation Division, MC 175, (512) 239-0684; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(6) COMPANY: Mukhtar Farooqui dba Cypress Chevron; DOCKET NUMBER: 2018-0634-PST-E; TCEQ ID NUMBER: RN101651214; LOCATION: 14110 Telge Road, Cypress, Harris 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); Texas Health and Safety Code (THSC), §382.085(b) and 30 TAC §115.246(a)(1) and (4), by failing to assure that all Stage II recordkeeping requirements are met; and THSC, §382.085(b) and 30 TAC §115.242(d)(9), by failing to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with a Stage II vapor recovery system; PENALTY: \$7,187; STAFF ATTORNEY: Jaime Garcia, Litigation Division, MC 175, (512) 239-5807; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(7) COMPANY: SPENCER & SPENCER LLC; DOCKET NUMBER: 2018-0078-PST-E; TCEQ ID NUMBER: RN106852346; LOCATION: 7700 Farm-to-Market Road 2210 East near Perrin, Jack County; TYPE OF FACILITY: underground storage tank (UST) system; RULES VIOLATED: 30 TAC §334.7(d)(1)(B) and (3), by failing to provide an amended registration for any change or additional information regarding the UST within 30 days from the date of the occurrence of the change or addition; 30 TAC §334.54(b)(2), by failing to maintain all piping, pumps, manways, tank access points, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons; TWC, §26.3475 and 30 TAC §334.50(b)(1)(A) and §334.54(c)(1), by failing to monitor all tanks in a manner which will detect a release at a frequency of at least once every month (not to exceed 35 days between each monitoring); 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 and B; and 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; PENALTY: \$10,075; 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-201902082

Charmaine Backens

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: July 2, 2019



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Gallop Petroleum LLC: SOAH Docket No. 582-19-5771; TCEQ Docket No. 2018-0325-PST-E

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

10:00 a.m. - July 25, 2019

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed February 15, 2019, concerning assessing administrative penalties against and requiring certain actions of GALLOP PETROLEUM LLC, for violations in La Salle County, Texas, of: Tex. Water Code §26.3475(a) and (c)(1) and 30 TAC §334.50(b)(1)(A) and (b)(2).

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

Legal Authority: Tex. Water Code §7.054 and chs. 7 and 26 and 30 Texas Administrative Code chs. 70 and 334; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 TAC §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at <http://www.tceq.texas.gov/goto/eFilings> or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

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

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

Issued: June 26, 2019

TRD-201902109

Bridget C. Bohac
Chief Clerk

Texas Commission on Environmental Quality

Filed: July 3, 2019

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Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Juan Lopez Castillo and Landco Investments Inc.: SOAH Docket No. 582-19-5899; TCEQ Docket No. 2017-1387-MSW-E

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

10:00 a.m. - August 1, 2019

William P. Clements Building

300 West 15th Street, 4th Floor

Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Second Amended Report and Petition mailed April 10, 2019, concerning assessing administrative penalties against and requiring certain actions of Juan Lopez Castillo and LANDCO INVESTMENTS INC., for violations in Atascosa County, Texas, of: Tex. Water Code §26.121 and 30 TAC §330.15(a) and (c).

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

Legal Authority: Tex. Water Code §7.054 and ch. 7 and 26, Tex. Health and Safety Code ch. 361, and 30 Texas Administrative Code chs. 70 and 330; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

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

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at www.tceq.texas.gov/goto/efilings or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087,

Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

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

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

Issued: July 2, 2019

TRD-201902110

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: July 3, 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: Personal Financial Statement due April 30, 2019

Anthony G. Buzbee, 1722 River Oaks Blvd., Houston, Texas 77019

Ramiro A. Cavazos, 200 E. Grayson St., Ste. 203, San Antonio, Texas 78215

Joe Ann Clack, 15303 Willview Rd., Missouri City, Texas 77489

Kyle F. Dickson, 4925 Pine St., Bellaire, Texas 77401

Ben R. Friedman, 11311 Harry Hines Blvd., Ste. 505, Dallas, Texas 75229

Denise Smith Holmes, 17307 First Bend Court, Cypress, Texas 77433

Ayeez A. Lalji, 1437 Highway 6 S., Ste. 300, Sugar Land, Texas 77478

Roberto D. Martinez, 2809 Santa Lydia, Mission, Texas 78572

Ann Scalon McGinity, 2906 Weatherford Court, Pearland, Texas 77584

Jose Menendez, 7715 Windmill Hill, San Antonio, Texas 78229

Manuel M. Quinones, Jr., P.O. Box 681568, San Antonio, Texas 78268-1568

Gavino Ramos, 2800 US Highway 281 N., San Antonio, Texas 78212

Arnoldo Saenz, 422 Agnes St., Premont, Texas 78375

Sonia K. Sanderson, 11017 Gilbert St., Beaumont, Texas 77705

George D. Scott III, P.O. Box 652, Richmond, Texas 77406

Claudine K. Vass, 10406 Shanley Trace Ln., Richmond, Texas 77407

William Wilson, P.O. Box 5218, Austin, Texas 78763-5218

Shaukat A. Zakaria, 2600 Cordes Dr., Ste. E, Sugar Land, Texas 77479

TRD-201902014

Ian M. Steusloff

Interim Executive Director

Texas Ethics Commission

Filed: June 27, 2019

Texas Facilities Commission

Request for Proposals #303-0-20660

The Texas Facilities Commission (TFC), on behalf of the Department of Family and Protective Services (DFPS), announces the issuance of Request for Proposals (RFP) #303-0-20660. TFC seeks a five (5) or ten (10) year lease of approximately 11,444 square feet of office space in Weatherford, Texas.

The deadline for questions is July 29, 2019, and the deadline for proposals is August 8, 2019, at 3:00 p.m. The award date is September 19, 2019. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at <http://www.txsmartbuy.com/sp/303-0-20660>.

TRD-201902033

Naomi Gonzalez

Acting General Counsel

Texas Facilities Commission

Filed: June 28, 2019

Request for Proposals #303-0-20661

The Texas Facilities Commission (TFC), on behalf of the Department of Family and Protective Services (DFPS) and the Health and Human Services Commission (HHSC), announces the issuance of Request for Proposals (RFP) #303-0-20661. TFC seeks a five (5) or ten (10) year lease of approximately 11,156 square feet of office space in Angleton, Texas.

The deadline for questions is July 29, 2019, and the deadline for proposals is August 12, 2019, at 3:00 p.m. The award date is October 17, 2019. TFC reserves the right to accept or reject any or all proposals submitted. TFC is under no legal or other obligation to execute a lease on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits TFC to pay for any costs incurred prior to the award of a grant.

Parties interested in submitting a proposal may obtain information by contacting the Program Specialist, Evelyn Esquivel, at (512) 463-6494. A copy of the RFP may be downloaded from the Electronic State Business Daily at <http://www.txsmartbuy.com/sp/303-0-20661>.

TRD-201902041

Naomi Gonzalez

Acting General Counsel

Texas Facilities Commission

Filed: June 28, 2019

General Land Office

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

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 501. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of June 3, 2019, to June 26, 2019. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§506.25, 506.32, and 506.41, the public comment period extends 30 days from the date published on the Texas General Land Office website. The notice was published on the website on Friday, July 5, 2019. The public comment period for this project will close at 5:00 p.m. on Sunday, August 4, 2019.

FEDERAL AGENCY ACTIONS:

Applicant: Kinder Morgan

Location: The project site is located in Old River at Baytown, Chambers County, Texas.

Latitude & Longitude (NAD 83): 29.833719, -94.802016

Project Description: The applicant proposes to armor a 20-inch diameter natural gas pipeline with a system of articulating concrete revetment mattresses in order to provide cover over and protect the pipeline. Approximately 48 feet of the pipeline has been exposed within the Old River channel. Divers will install the Submar mat system atop the pipeline as depicted on the attached design drawings. Sand/cement bags may be placed in areas where the concrete coating on the pipeline has been compromised. The divers will jet the perimeter edges of the mat system into anchor trenches adjacent to the exposed pipeline in the bed of channel.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application # SWG-2018-00547. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

CMP Project No: 19-1258-F1

Applicant: LyondellBasell Acetyls, LLC

Location: The project site is located in the USI Barge Channel in San Jacinto Bay, at 1515 Miller Cut-Off Road, in La Porte, Harris County, Texas.

Latitude & Longitude (NAD 83): 29.707875, -95.054869

Project Description: The applicant is requesting a permit transfer, 10-year extension of time for maintenance dredging, and the addition of Adloy, Texas Deepwater Partners, East and West Jones Placement Areas to SWG-2000-02401 (formerly 14206(02)). The existing permit 14206(02) was issued to Millennium Petrochemicals, Inc. in 2001. The applicant is requesting that the existing permit be transferred from Millennium Petrochemicals, Inc. to LyondellBasell Acetyls, LLC. The purpose of the proposed project is to extend maintenance dredging for 10 years, add dredge material placement areas, and transfer the permit.

Type of Application: U.S. Army Corps of Engineers (USACE) permit application # SWG-2000-02041. This application will be reviewed pursuant to Section 404 of the Clean Water Act.

CMP Project No: 19-1258-F1

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

TRD-201902091

Mark Havens

Chief Clerk, Deputy Land Commissioner

General Land Office

Filed: July 2, 2019

Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Medicaid Payment Rates for Inpatient Hospital Services

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 29, 2019, from 8:30 a.m. - 10:00 a.m., to receive comment on proposed Medicaid payment rates for Inpatient Hospital Services. The proposed rate actions are based on direction provided by the 2020-2021 General Appropriations Act (Article II, 86th Legislature, Regular Session, 2019, Riders 11 and 28).

The public hearing will be held in the HHSC Public Hearing Room at the Winters Building, located at 701 West 51st Street, Austin, Texas. Entry is through security at the main entrance of the building, which faces 51st Street. Disabled parking only is available at the Winters Building. All other visitors should park at the garage at the Brown-Heatly Building, 4900 North Lamar Boulevard. HHSC will broadcast the public hearing; the broadcast can be accessed at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. The broadcast will be archived and can be accessed on demand at the same website. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. The payment rates for the Inpatient Hospital Services are proposed to be effective September 1, 2019.

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code §355.8052, which addresses the reimbursement methodology for Inpatient Hospital Reimbursement.

Briefing Package. A briefing package describing the proposed payments rates will be available at <https://rad.hhs.texas.gov/rate-packets> on or after July 12, 2019. Interested parties may obtain a copy of the briefing package prior to the hearing by contacting Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at RAD_Operations@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

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

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-201902105

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 3, 2019



Notice of Public Hearing on Proposed Medicaid Payment Rates for Private Duty Nursing

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 29, 2019, at 10:30 a.m. - 12:00 p.m., to receive comment on proposed Medicaid payment rates for Private Duty Nursing. The proposed rate actions are based on direction provided by the 2020-2021 General Appropriations Act, 86th Legislature, Regular Session, Article II, Rider 46, at pages II-63 (Health and Human Services Section, Health and Human Services Commission).

The public hearing will be held in the HHSC Public Hearing Room at the Winters Building, located at 701 West 51st Street, Austin, Texas. Disabled parking only is available at the Winters Building. All other visitors should park at the garage at the Brown-Heatly Building, 4900 North Lamar Boulevard. Entry is through security at the main entrance of the building, which faces 51st Street. HHSC will broadcast the public hearing; the broadcast can be accessed at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. The broadcast will be archived and can be accessed on demand at the same website. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. The payment rates for Private Duty Nursing are proposed to be effective September 1, 2019.

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

- §355.8021, which addresses the reimbursement methodology for home health services;
- §355.8023, which addresses the reimbursement methodology for durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS); and
- §355.8441, which addresses the reimbursement methodologies for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services.

Briefing Package. A briefing package describing the proposed payments rates will be available at <https://rad.hhs.texas.gov/rate-packets> on or after July 12, 2019. Interested parties may obtain a copy of the briefing package prior to the hearing by contacting Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at RADAcuteCare@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

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

comments may be sent by overnight mail or hand delivered to Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, Brown-Heatly Building, 4900 North Lamar Blvd, Austin, Texas 78751.

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-201902103

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 3, 2019



Notice of Public Hearing on Proposed Medicaid Payment Rates for the Personal Care Services

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 29, 2019, from 10:30 a.m. - 12:00 p.m., to receive comment on proposed Medicaid payment rates for the Personal Care Services. The proposed rate actions are based on direction provided by the 2020-2021 General Appropriations Act (Article II, 86th Legislature, Regular Session, 2019, Rider 45).

The public hearing will be held in the HHSC Public Hearing Room at the Winters Building, located at 701 West 51st Street, Austin, Texas. Entry is through security at the main entrance of the building, which faces 51st Street. HHSC will broadcast the public hearing; the broadcast can be accessed at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. The broadcast will be archived and can be accessed on demand at the same website. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. The payment rates for the Personal Care Services are proposed to be effective September 1, 2019.

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

- §355.8021, which addresses the reimbursement methodology for home health services;
- §355.8023, which addresses the reimbursement methodology for durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS);
- §355.8085, which addresses the reimbursement methodology for physicians and other practitioners; and
- §355.8441, which addresses the reimbursement methodology for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services.

Briefing Package. A briefing package describing the proposed payments rates will be available at <https://rad.hhs.texas.gov/rate-packets> on or after July 12, 2019. Interested parties may obtain a copy of the briefing package prior to the hearing by contacting Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at RADAcuteCare@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

Written Comments. Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5:00 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, P.O. Box 149030,

Austin, Texas 78714-9030; by fax to Rate Analysis at (512) 730-7475; or by e-mail to RADAcuteCare@hhsc.state.tx.us. In addition, written comments may be sent by overnight mail or hand delivered to Texas Health and Human Services Commission, Attention: Rate Analysis, Mail Code H-400, Brown-Heatly Building, 4900 North Lamar Blvd, Austin, Texas 78751.

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-201902104

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 3, 2019



Notice of Public Hearing on Proposed Medicaid Payment Rates Physical, Occupational, and Speech Therapies

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on July 29, 2019, from 10:30 a.m. - 12:00 p.m., to receive comment on proposed Medicaid payment rates for the Physical, Occupational, and Speech Therapies. The proposed rate actions are based on direction provided by the 2020-2021 General Appropriations Act (Article II, 86th Legislature, Regular Session, 2019, Rider 47).

The public hearing will be held in the HHSC Public Hearing Room at the Winters Building, located at 701 West 51st Street, Austin, Texas. Entry is through security at the main entrance of the building, which faces 51st Street. Disabled parking only is available at the Winters Building. All other visitors should park at the garage at the Brown-Heatly Building, 4900 North Lamar Boulevard. HHSC will broadcast the public hearing; the broadcast can be accessed at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. The broadcast will be archived and can be accessed on demand at the same website. The hearing will be held in compliance with Texas Human Resources Code §32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Proposal. The payment rates for the Physical, Occupational, and Speech Therapies are proposed to be effective September 1, 2019.

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

§355.8085, which addresses the reimbursement methodology for physicians and other practitioners;

§355.8097, which addresses the reimbursement methodology for physical, occupational, and speech therapy services; and

§355.8441, which addresses the reimbursement methodologies for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services.

Briefing Package. A briefing package describing the proposed payments rates will be available at <https://rad.hhs.texas.gov/rate-packets> on or after July 12, 2019. Interested parties may obtain a copy of the briefing package prior to the hearing by contacting Rate Analysis by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at RADAcuteCare@hhsc.state.tx.us. The briefing package will also be available at the public hearing.

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

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Rate Analysis at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-201902102

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: July 3, 2019



Public Notice: Revised Texas State Plan for Medical Assistance Amendment

In the June 7, 2019, issue of the *Texas Register*, (44 TexReg 2889), the Texas Health and Human Services Commission (HHSC) published notice of its intent to submit transmittal number 19-0019 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act.

The purpose of the amendment is to remove recent revisions to the inflation projection methodology for the Intermediate Care Facilities for Individuals with an Intellectual Disability (ICF/IID) and to the nursing wage inflation methodology, which affect ICF/IID programs. The proposed amendment reflects HHSC's decision not to use the revised methodology for the nurse inflator calculations at this time.

The proposed amendment is estimated to have no fiscal impact.

The effective date has changed from June 1, 2019, to July 1, 2019.

For questions concerning this revised notice, interested parties may contact Courtney Pool, State Plan Program Coordinator, by mail at the Texas Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 424-6889; by facsimile at (512) 730-7472; or by e-mail at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendment will be available for review at the local county offices of the Texas Health and Human Services Commission.

TRD-201902011

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 26, 2019



Department of State Health Services

Order Permanently Placing Beta-hydroxythiofentanyl in Schedule I

The Administrator of the Drug Enforcement Administration issued a final rule permanently placing *beta*-hydroxythiofentanyl including its isomers, esters, ethers, salts, and salts of isomers, esters and ethers in

schedule I of the Controlled Substances Act, effective May 8, 2019. This final order was published in the *Federal Register*, Volume 84, Number 89, pages 20023-20027.

This scheduling action was taken pursuant to the following:

1. *beta*-hydroxythiofentanyl has a high potential for abuse;
2. *beta*-hydroxythiofentanyl has no currently accepted medical use in treatment in the United States; and,
3. There is a lack of accepted safety for use of *beta*-hydroxythiofentanyl under medical supervision.

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

Schedule I opiates

The following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Acetyl alpha methylfentanyl (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- (2) AH-7921 (3,4-dichloro-N-[(dimethylamino)cyclohexymethyl]benzamide));
- (3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);
- (4) Acryl fentanyl [N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide] (Other names: acryloylfentanyl);
- (5) AH-7921 (3,4-dichloro-N-[(dimethylamino)cyclohexymethyl]benzamide));
- (6) Allylprodine;
- (7) Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
- (8) Alpha-methylfentanyl or any other derivative of fentanyl;
- (9) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl]-N-phenyl-propanamide);
- (10) Benzethidine;
- (11) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-N-phenyl-propanamide);
- (12) Beta-hydroxy-3-methylfentanyl (N-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide);
- *(13) *beta*-hydroxythiofentanyl (N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, also known as N-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-N-phenylpropanamide);
- (14) Betaprodine;
- (15) Butyryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutanamide);
- (16) Clonitazene;
- (17) Diampromide;
- (18) Diethylthiambutene;

- (19) Difenoxin;
- (20) Dimenoxadol;
- (21) Dimethylthiambutene;
- (22) Dioxaphetyl butyrate;
- (23) Dipipanone;
- (24) Ethylmethylthiambutene;
- (25) Etonitazene;
- (26) Etoxeridine;
- (27) 4-Fluoroisobutyryl fentanyl [N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide] (Other names: *para*-fluoroisobutyryl fentanyl);
- (28) Furanyl fentanyl [N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide];
- (29) Furethidine;
- (30) Hydroxypethidine;
- (31) Ketobemidone;
- (31) Levophenacetylmorphan;
- (32) Meprodine;
- (33) Methadol;
- (34) 3-methylfentanyl (N-[3-methyl-1-(2-phenylethyl)-4-piperidinyl]-N-phenylpropanamide), its optical and geometric isomers;
- (35) 3-methylthiofentanyl (N-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- (36) Moramide;
- (37) Morpheridine;
- (38) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (39) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
- (40) Noracymethadol;
- (41) Norlevorphanol;
- (42) Normethadone;
- (43) Norpipanone;
- (44) Ocfentanil [N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide];
- (45) *Para*-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4-piperidinyl]-propanamide);
- (46) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (47) Phenadoxone;
- (48) Phenampromide;
- (49) Phencyclidine;
- (50) Phenomorphan;
- (51) Phenoperidine;
- (52) Piritramide;
- (53) Proheptazine;
- (54) Properidine;
- (55) Propiram;

(56) Tetrahydrofuranyl fentanyl [*N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide];

(57) Thiofentanyl *N*-phenyl-*N*-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);

(58) Tilidine;

(59) Trimeperidine; and,

(60) U-47700 (3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-*N*-methylbenzamide).

Changes are marked by an asterisk(*)

TRD-201902106

Barbara L. Klein

General Counsel

Department of State Health Services

Filed: July 3, 2019

◆ ◆ ◆
Texas Department of Insurance

Company Licensing

Application for incorporation in the state of Texas for Solstice Healthplans of Texas, Inc., a domestic Health Maintenance Organization (HMO). The home office is in Austin, Texas.

Application for Consumers Life Insurance Company, a foreign life, accident and/or health company, to change its name to MedMutual Life Insurance Company. The home office is in Cleveland, Ohio.

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

TRD-201902099

James Person

Interim General Counsel

Texas Department of Insurance

Filed: July 3, 2019

◆ ◆ ◆
Texas Lottery Commission

Scratch Ticket Game Number 2124 "Winning 7s"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2124 is "WINNING 7s". The play style is "other".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2124 shall be \$1.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2124.

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:

1, 2, 3, 4, 5, 6, 8, 9, 7 SYMBOL, \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$20.00, \$50.00 and \$500.

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

Figure 1: GAME NO. 2124 - 1.2D

PLAY SYMBOL	CAPTION
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
8	EGT
9	NIN
7 SYMBOL	WIN
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$4.00	FOR\$
\$5.00	FIV\$
\$6.00	SIX\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$500	FVHN

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

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

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2124), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 150 within each Pack. The format will be: 2124-0000001-001.

H. Pack - A Pack of the "WINNING 7s" Scratch Ticket Game contains 150 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of five (5). Tickets 001 to 005 will be on the op page; Tickets 006 to 010 on the next page; etc.; and Tickets 146 to 150 will be on the last page with backs exposed. Ticket 001 will be folded over so the front of Ticket 001 and 010 will be exposed.

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 "WINNING 7s" Scratch Ticket Game No. 2124.

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

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the

award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is 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. A Ticket can win up to six (6) times in accordance with the approved prize structure.

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

C. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

D. The "7" (WIN) Play Symbol may appear multiple times on intended winning tickets, unless restricted by other parameters, play action or prize structure.

E. Non-winning Prize Symbols will never appear more than one (1) time.

F. Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

G. No Prize Symbol in a non-winning spot will correspond with the Play Symbol (i.e., 2 and \$2).

2.3 Procedure for Claiming Prizes.

A. To claim a "WINNING 7s" Scratch Ticket Game prize of \$1.00, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$20.00, \$50.00 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 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. As an alternative method of claiming a "WINNING 7s" 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.

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

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

D. 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 "WINNING 7s" 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 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 840,000 Scratch Tickets in Scratch Ticket Game No. 2124. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2124 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$1	140,000	6.00
\$2	36,400	23.08
\$3	33,600	25.00
\$4	8,400	100.00
\$5	5,600	150.00
\$6	5,600	150.00
\$10	5,600	150.00
\$20	1,120	750.00
\$50	126	6,666.67
\$500	21	40,000.00

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

**The overall odds of winning a prize are 1 in 3.55. 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. 2124 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2124, 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-201902083

Bob Biard

General Counsel

Texas Lottery Commission

Filed: July 2, 2019



Scratch Ticket Game Number 2177 "Bonus Break the Bank"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2177 is "BONUS BREAK THE BANK". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2177 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2177.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, STACK OF CASH SYMBOL, MONEY BAG SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$5,000 and \$100,000.

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

Figure 1: GAME NO. 2177 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFO
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
STACK OF CASH SYMBOL	WIN\$50
MONEY BAG SYMBOL	WIN\$50
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$25.00	TWFO\$

\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$5,000	FVTH
\$100,000	100 TH

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

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

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2177), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2177-0000001-001.

H. Pack - A Pack of the "BONUS BREAK THE BANK" Scratch Ticket Game contains 075 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

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

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "BONUS BREAK THE BANK" Scratch Ticket Game No. 2177.

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 "BONUS BREAK THE BANK" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose thirty-six (36) Play Symbols. GAME 1: If a player matches any of the YOUR NUMBERS Play Symbols to either of the LOCK NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "STACK OF CASH" Play Symbol, the player wins \$50 instantly! GAME 2: If a player matches any of the YOUR NUMBERS Play Symbols to either of the LOCK NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "MONEY BAG" Play Symbol, the player wins \$50 instantly! 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 thirty-six (36) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly thirty-six (36) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the thirty-six (36) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the thirty-six (36) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket

Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is 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. A Ticket can win up to sixteen (16) times in accordance with the approved prize structure.

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

C. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

D. Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

E. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 20 and \$20).

F. The LOCK NUMBERS Play Symbols from GAME 1 will never match the YOUR NUMBERS Play Symbols from GAME 2 on the same Ticket, and the LOCK NUMBERS Play Symbols from GAME 2 will never match the YOUR NUMBERS Play Symbols from GAME 1 on the same Ticket.

G. GAME 1: The LOCK NUMBERS Play Symbols from GAME 1 and GAME 2 will all be different.

H. GAME 1: Each Ticket will have two (2) different LOCK NUMBERS Play Symbols.

I. GAME 1: Non-winning YOUR NUMBERS Play Symbols will all be different.

J. GAME 1: Non-winning Prize Symbols will never appear more than three (3) times.

K. GAME 1: The "STACK OF CASH" (WIN\$50) Play Symbol will never appear in the LOCK NUMBERS Play Symbol spots.

L. GAME 1: The "STACK OF CASH" (WIN\$50) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

M. GAME 1: When the "STACK OF CASH" (WIN\$50) Play Symbol appears, only the \$50 Prize Symbol will appear beneath it.

N. GAME 2: Each Ticket will have two (2) different LOCK NUMBERS Play Symbols.

O. GAME 2: Non-winning YOUR NUMBERS Play Symbols will all be different.

P. GAME 2: Non-winning Prize Symbols will never appear more than three (3) times.

Q. GAME 2: The "MONEY BAG" (WIN\$50) Play Symbol will never appear in the LOCK NUMBERS Play Symbol spots.

R. GAME 2: The "MONEY BAG" (WIN\$50) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

S. GAME 2: When the "MONEY BAG" (WIN\$50) Play Symbol appears, only the \$50 Prize Symbol will appear beneath it.

2.3 Procedure for Claiming Prizes.

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

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

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "BONUS BREAK THE BANK" 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 "BONUS BREAK THE BANK" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 18,000,000 Scratch Tickets in Scratch Ticket Game No. 2177. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2177 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	1,560,000	11.54
\$10	1,200,000	15.00
\$15	720,000	25.00
\$20	360,000	50.00
\$50	300,000	60.00
\$100	57,750	311.69
\$500	2,250	8,000.00
\$5,000	100	180,000.00
\$100,000	10	1,800,000.00

*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 4.29. 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. 2177 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2177, 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-201902084
Bob Biard
General Counsel
Texas Lottery Commission
Filed: July 2, 2019



Scratch Ticket Game Number 2180 "Bonus 7"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2180 is "BONUS 7". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2180 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2180.

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: GOLD BAR SYMBOL, BELL SYMBOL, CROWN SYMBOL, DIAMOND SYMBOL, STAR SYMBOL, POT OF GOLD SYMBOL, HORSE-SHOE SYMBOL, CHERRY SYMBOL, TOP HAT SYMBOL, COINS SYMBOL, CACTUS SYMBOL, RING SYMBOL, GRAPES SYMBOL, PEPPER SYMBOL, STRAWBERRY SYMBOL, BANANA SYMBOL, 01, 02, 03, 04, 05, 06, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 7X SYMBOL, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$500, \$700, \$5,000 and \$100,000.

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

Figure 1: GAME NO. 2180 - 1.2D

PLAY SYMBOL	CAPTION
GOLD BAR SYMBOL	BAR
BELL SYMBOL	BELL
CROWN SYMBOL	CRN
DIAMOND SYMBOL	DMD
STAR SYMBOL	STAR
POT OF GOLD SYMBOL	PTGD
HORSESHOE SYMBOL	SHOE
CHERRY SYMBOL	CHRY
TOP HAT SYMBOL	HAT
COINS SYMBOL	COINS
CACTUS SYMBOL	CACTUS
RING SYMBOL	RING
GRAPES SYMBOL	GRPE
PEPPER SYMBOL	PEPPER
STRAWBERRY SYMBOL	STBRY
BANANA SYMBOL	BANANA
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO

23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
7X SYMBOL	WINX7
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$700	SVHN
\$5,000	FVTH
\$100,000	100 TH

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

F. Bar Code - A 24 (twenty-four) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven

(7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2180), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start

with 001 and end with 075 within each Pack. The format will be: 2180-0000001-001.

H. Pack - A Pack of the "BONUS 7" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

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 "BONUS 7" Scratch Ticket Game No. 2180.

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 "BONUS 7" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-nine (49) Play Symbols. If the player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a 7X Play Symbol, the player wins 7 TIMES the prize for that symbol. \$20 BONUS SPOT: If the player reveals 2 matching symbols, the player wins \$20. \$50 BONUS SPOT: If the player reveals 2 matching symbols, the player wins \$50. 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 forty-nine (49) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

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

13. The Scratch Ticket must be complete and not miscut, and have exactly forty-nine (49) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

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

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

16. Each of the forty-nine (49) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-nine (49) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

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

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

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

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is 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 either Play Symbols or Prize Symbols.

B. GENERAL: The top Prize Symbol will appear on every Ticket unless restricted by other parameters, play action or prize structure.

C. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 05 and \$5).

D. KEY NUMBER MATCH: No matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

E. KEY NUMBER MATCH: No matching WINNING NUMBERS Play Symbols on a Ticket.

F. KEY NUMBER MATCH: A non-winning Prize Symbol will never match a winning Prize Symbol.

G. KEY NUMBER MATCH: A Ticket may have up to three (3) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

H. KEY NUMBER MATCH: The "7X" (WINX7) Play Symbol will only appear on intended winning Tickets as dictated by the prize structure.

2.3 Procedure for Claiming Prizes.

A. To claim a "BONUS 7" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$35.00, \$50.00, \$70.00, \$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 \$35.00, \$50.00, \$70.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "BONUS 7" Scratch Ticket Game prize of \$700, \$5,000 or \$100,000, 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 "BONUS 7" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "BONUS 7" 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 "BONUS 7" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

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

3.0 Scratch Ticket Ownership.

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 10,080,000 Scratch Tickets in Scratch Ticket Game No. 2180. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2180 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5	1,041,600	9.68
\$10	772,800	13.04
\$20	134,400	75.00
\$35	134,400	75.00
\$50	163,968	61.48
\$70	13,440	750.00
\$100	31,500	320.00
\$500	1,680	6,000.00
\$700	420	24,000.00
\$5,000	10	1,008,000.00
\$100,000	5	2,016,000.00

*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 4.39. 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. 2180 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2180, 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-201902085

Bob Biard

General Counsel

Texas Lottery Commission

Filed: July 2, 2019



Scratch Ticket Game Number 2191 "Level Up!"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2191 is "LEVEL UP!". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2191 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2191.

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

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

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, MONEY BAG SYMBOL, \$2.00, \$4.00, \$5.00, \$6.00, \$10.00, \$20.00, \$40.00, \$100, \$500 and \$30,000.

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

Figure 1: GAME NO. 2191 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
MONEY BAG SYMBOL	DBL
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$6.00	SIX\$
\$10.00	TEN\$

\$20.00	TWY\$
\$40.00	FRTY\$
\$100	ONHN
\$500	FVHN
\$30,000	30 TH

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

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

G. Game-Pack-Ticket Number - A 14 (fourteen) digit number consisting of the four (4) digit game number (2191), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2191-0000001-001.

H. Pack - A Pack of the "LEVEL UP!" Scratch Ticket Game contains 125 Tickets. One Ticket will be folded over to expose a front and back of one ticket on each pack. Please note the packs will be in an A, B, C, and D configuration.

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 "LEVEL UP!" Scratch Ticket Game No. 2191.

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 "LEVEL UP!" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-one (21) Play Symbols. Each time the player's YOUR LUCKY NUMBER Play Symbol is revealed within a GAME, the player wins the PRIZE for that GAME. If the player reveals a "MONEY BAG" Play Symbol, the player wins DOUBLE the PRIZE for the GAME. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

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

1. Exactly twenty-one (21) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;

3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly twenty-one (21) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;
15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;
16. Each of the twenty-one (21) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the twenty-one (21) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

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

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is 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. A Ticket can win up to fifteen (15) times in accordance with the approved prize structure.

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

C. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

D. Non-winning Prize Symbols will never appear more than one (1) time.

E. Non-winning Play Symbols will all be different.

F. Non-winning Prize Symbols will never be the same as the winning Prize Symbol(s).

G. The "MONEY BAG" (DBL) Play Symbol will never appear in the YOUR LUCKY NUMBER Play Symbol spot.

H. The "MONEY BAG" (DBL) Play Symbol will only appear as dictated by the prize structure.

I. The "MONEY BAG" (DBL) Play Symbol will only appear on winning Tickets, winning double as dictated by the prize structure.

J. The "MONEY BAG" (DBL) Play Symbol will appear up to once per Ticket as per the prize structure and will be the only winning play spot within that single GAME if it appears.

2.3 Procedure for Claiming Prizes.

A. To claim a "LEVEL UP!" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$6.00, \$10.00, \$20.00, \$40.00, \$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 \$40.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "LEVEL UP!" Scratch Ticket Game prize of \$30,000, 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 "LEVEL UP!" Scratch Ticket Game prize, the claimant must sign the winning Scratch Ticket, thoroughly complete a claim form, and mail both to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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

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

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

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

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

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

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

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

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

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

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

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "LEVEL UP!" 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 "LEVEL UP!" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

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

in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

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

3.0 Scratch Ticket Ownership.

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

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

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

4.0 Number and Value of Scratch Prizes. There will be approximately 7,200,000 Scratch Tickets in Scratch Ticket Game No. 2191. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2191 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2	691,200	10.42
\$4	489,600	14.71
\$5	172,800	41.67
\$6	115,200	62.50
\$10	115,200	62.50
\$20	86,400	83.33
\$40	28,800	250.00
\$100	1,500	4,800.00
\$500	210	34,285.71
\$30,000	6	1,200,000.00

*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 4.23. 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. 2191 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §401.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2191, 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-201902086
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: July 2, 2019

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Prairielands Groundwater Conservation District
 Public Notice (Ellis, Hill, Johnson, and Somervell Counties) -
 Historic Use Permit Deadline September 1, 2019
PROTECT YOUR RIGHTS AS A WATER WELL OWNER

APPLY FOR A HISTORIC USE PERMIT BY SEPTEMBER 1, 2019, DEADLINE

If you currently own or operate a groundwater well in Ellis, Hill, Johnson, or Somervell County, you may be required to obtain a Historic Use Permit to protect your water rights. Please read the following notice to determine if you may be eligible for a Historic Use Permit.

The Prairielands Groundwater Conservation District ("District") was created by the 81st Texas Legislature in 2009 and has been delegated the responsibility of conserving, preserving, protecting, and recharging the groundwater in Ellis, Hill, Johnson, and Somervell counties under the authority of Chapter 36 of the Texas Water Code. State law requires the District to implement a permitting system for water wells.

The District is now accepting applications for Historic Use Permits from well owners and operators in Ellis, Hill, Johnson, and Somervell counties. The only way to ensure that the District may protect your rights and your investment in your well against future well owners and operators is to obtain a Historic Use Permit. **If you are required to obtain a permit, you must file an application for a Historic Use Permit with the District by September 1, 2019, or you will forever lose your right to be protected as a historic user.** Also, it is a violation of the District's Rules to operate a well without a permit if it is required to have one. **Wells used solely for domestic residential (household) or livestock watering purposes are exempt from the requirement to obtain a permit, and do not need to file a permit application.** Other types of small capacity wells may also be exempt from the District's requirement to apply for a Historic Use Permit. If your water well is not used exclusively for domestic or livestock use, we encourage you to promptly contact the District to ensure that you qualify for such a permit exemption in order to not risk missing the September 1, 2019, deadline and to avoid violating the District's Rules.

Historic users receive a greater degree of protection than non-historic users on the amount of groundwater that can be produced in the future. **Don't miss your chance to protect your interest in the future to operate your water well if it is not exempt from the Historic Use Permit requirement.** While you may choose to amend your Historic Use Permit application for a specified period of time as set forth in the District's Rules, it is critical to file an application with the District by the September 1, 2019, deadline.

For more information on how you can protect your rights as a well owner or operator or to obtain a copy of the District's Rules or a Historic Use Permit application form, please visit our website or contact:

Kathy Turner Jones, General Manager Prairielands Groundwater Conservation District

205 South Caddo Street, Cleburne, Texas, 76031

Phone: (817) 556-2299

Fax: (817) 556-2305

www.prairielandsgcd.org

Email: kjones@prairielandsgcd.org

TRD-201902022

Kathy Turner Jones

General Manager

Prairielands Groundwater Conservation District

Filed: June 27, 2019

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South Texas Development Council

Request for Proposal

The Area Agency on Aging of the South Texas Development Council is currently seeking qualified entities to provide personal assistance, homemaker, residential repair, in-home respite, and health maintenance services.

These services are provided to individuals 60 years of age and older, their family members, and other caregivers under the Older Americans Act of 1965 as amended with funding administered by Health and Human Service Commission in the Counties of Jim Hogg, Starr, Webb and Zapata.

Parties interested in providing services within our service area must contact the Area Agency on Aging and request an application during the closed enrollment period June 30, 2019, through July 31, 2019, for consideration.

To request an application package contact:

Nancy Rodriguez

AAA Interim Director

South Texas Development Council

1002 Dickey Ln.

P.O. Box 2187

Laredo, Texas 78044-2187

(956) 722-3995

(800) 292-5426

TRD-201902019

Nancy Rodriguez

AAA Interim Director

South Texas Development Council

Filed: June 27, 2019

◆ ◆ ◆ Texas Department of Transportation

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

The City of Bryan, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a qualified firm for professional services. This solicitation is subject to 49 U.S.C. §47107(a)(17) and will be administered in the same manner as a solicitation conducted under Chapter 2254, Subchapter A, of the Texas Government Code. TxDOT Aviation Division will solicit and receive qualification statements for professional services as described below:

Airport Sponsor: City of Bryan Coulter Field, TxDOT CSJ No. 1917BRYAN.

The TxDOT Project Manager is Elaine Alvarado.

Scope: Prepare an airport layout plan update and narrative.

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 is set at 0%.

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

AVN-551 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-551, titled "Qualifications for Aviation Planning 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-551 template. The AVN-551 consists of eight pages of data plus one optional illustration page. A prime provider may only submit one AVN-551. If a prime provider submits more than one AVN-551, or submits a cover letter with the AVN-551, 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-551, firms are encouraged to download Form AVN-551 from the TxDOT website as addressed above. Utilization of Form AVN-551 from a previous download may not be the exact same format. Form AVN-551 is a PDF Template.

The completed Form AVN-551 must be received in the TxDOT Aviation eGrants system no later than August 7, 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>.

Instructions on how to respond to a solicitation in eGrants are 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 one representative from the city and Aviation Division staff. The final selection by the committee will generally be made following the completion of review of AVN-551s. The committee will review all AVN-551s and rate and rank each. The evaluation criteria for airport planning projects can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations. 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 Bobby Hidrogo, Grant Manager. For technical questions please contact Elaine Alvarado, 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-201902016

Joanne Wright

Deputy General Counsel

Texas Department of Transportation

Filed: June 27, 2019



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

Grayson County, through its agent, the Texas Department of Transportation (TxDOT), intends to engage a qualified firm for professional services. This solicitation is subject to 49 U.S.C. §47107(a)(17) and will be administered in the same manner as a solicitation conducted under Chapter 2254, Subchapter A, of the Texas Government Code. TxDOT Aviation Division will solicit and receive qualification statements for professional services as described below:

Airport Sponsor: Grayson County, North Texas Regional Airport/Perrin Field,

TxDOT CSJ No. 19MPGRAYS.

The TxDOT Project Manager is Kaity Cromwell.

Scope:

(1) Prepare an Airport Development Plan update which includes, but is not limited to, information regarding existing and future conditions, proposed facility development to meet existing and future demand, constraints to development, anticipated capital needs, financial considerations, management structure and options, as well as an updated Airport Layout Plan. The Airport Development Plan should be tailored to the individual needs of the airport.

(2) Prepare a stand-alone pavement management plan for the airport in accordance with the FAA's advisory circular 150/5380-7B, Airport Pavement Management.

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 is set at 0%.

To assist in your qualification statement preparation, the criteria and most recent Airport Layout Plan are available online at <http://www.dot.state.tx.us/avn/avninfo/notice/consult/index.htm> by selecting "North Texas Regional Airport/Perrin Field."

AVN-551 Preparation Instructions:

Interested firms shall utilize the latest version of Form AVN-551, titled "Qualifications for Aviation Planning 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-551 template. The AVN-551 consists of eight pages of data plus one optional illustration

page. A prime provider may only submit one AVN-551. If a prime provider submits more than one AVN-551, or submits a cover letter with the AVN-551, 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-551, firms are encouraged to download Form AVN-551 from the TxDOT website as addressed above. Utilization of Form AVN-551 from a previous download may not be the exact same format. Form AVN-551 is a PDF Template.

The completed Form AVN-551 must be received in the TxDOT Aviation eGrants system no later than August 7, 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>.

Instructions on how to respond to a solicitation in eGrants are 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-551s. The committee will review all AVN-551s and rate and rank each. The evaluation criteria for airport planning projects can be found at <http://www.txdot.gov/inside-txdot/division/aviation/projects.html> under Information for Consultants. All firms will be notified and the top rated firm will be contacted to begin fee negotiations. 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 Bobby Hidrogo, Grant Manager. For technical questions please contact Kaity Cromwell, 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-201902093

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: July 3, 2019



Notice of Public Hearing on Proposed Truck Restrictions on all or portions of U.S. 75 in Collin County; I-45 in Navarro County; I-35E in Ellis, Dallas and Denton Counties; I-635, SH 183 and US 67 in Dallas County, and I-30 in Rockwall County

The Texas Department of Transportation (TxDOT) will conduct a public hearing to receive comments on proposed lane use restrictions on all or portions of U.S. Highway (US) 75 in Collin County; Interstate 45 (I-45) in Navarro County; I-35E in Ellis, Dallas and Denton counties; I-635, State Highway (SH) 183 and US 67 in Dallas County; and I-30

in Rockwall County. The hearing will be held at 6 p.m. on Tuesday, July 23, 2019, at the following location:

Irving City Hall

825 W. Irving Blvd.

Irving, Texas 75060

In accordance with Transportation Code, §545.0651 and 43 TAC §§25.601 - 25.604, the Department is proposing to initiate a lane use restriction applicable to trucks, as defined in Transportation Code, §541.201, with three or more axles, and to truck tractors, also as defined in Transportation Code, §541.201, regardless of whether the truck tractor is drawing another vehicle or trailer. The proposed restriction would prohibit those vehicles from using the left or inside lane in both directions on the following sections of highways:

--U.S. 75 from SH 121 south to Collin/Grayson County line

--I-45 from Navarro/Ellis County line to Navarro/Freestone County line

--I-35E from US 77N to Ellis/Hill County line

--I-35E from Spur 366 to Corinth Pkwy.

--SH 183 from I-35E to Dallas/Tarrant County line

--US 67 from I-35E to FM 1382

--I-635 from US 75 to Dallas/Tarrant County line

--I-30 from SH 205 to Rockwall/Hunt County line

The proposed restrictions would apply 24 hours a day, 7 days a week, and would only allow the operation of those vehicles in the prohibited traffic lane for the purposes of passing another vehicle or entering or exiting the highway.

In accordance with 43 TAC §25.604, the department will evaluate the impact of the proposed restriction's compliance with the requirements of Transportation Code, §545.0651 and 43 TAC §§25.601 - 25.604, and will hold a public hearing to receive comments on the proposed restriction.

All interested citizens are invited to attend the hearing and to provide input. Those wanting to make official oral comments may register starting at 5:00 p.m. Oral and written comments may be presented at the public hearing and written comments may be submitted by regular postal mail during the 30-day public comment period. Written comments may be submitted to Mr. Tony Hartzel, Texas Department of Transportation, 4777 E. U.S. Highway 80, Mesquite, Texas, 75150. The deadline for postmark of written comments is 5:00 p.m. on Monday, August 12, 2019.

Persons with disabilities who plan to attend the public hearing and who may need translation services or auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print, or Braille, are requested to contact Mr. Tony Hartzel at (214) 320-4481 at least two business days prior to the hearing so that appropriate arrangements can be made. For more information concerning the public hearing, please contact Tony Hartzel at (214) 320-4481.

TRD-201902081

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: July 2, 2019



Public Hearing Notice - Unified Transportation Program

The Texas Department of Transportation (department) will hold a public hearing on Tuesday, August 6, 2019, at 10:00 a.m. at 118 East Riverside Drive, First Floor ENV Conference Room, in Austin, Texas. The purpose of the hearing is to receive public comments on the development of the 2020 Unified Transportation Program (UTP), including the highway project selection process related to the UTP.

Transportation Code, §201.991 provides that the department shall develop a UTP covering a period of 10 years to guide the development and authorize construction of transportation projects. Transportation Code, §201.602 requires the Texas Transportation Commission (commission) to annually conduct a hearing on its highway project selection process and the relative importance of the various criteria on which the Commission bases its project selection decisions. The commission has adopted rules located in Title 43, Texas Administrative Code, Chapter 16, governing the planning and development of transportation projects, which include guidance regarding public involvement related to the project selection process and the development of the UTP.

Information regarding the proposed 2020 UTP and highway project selection process will be available at each of the department's district offices or at the department's Transportation Planning and Programming Division office located in Building 118, Second Floor, 118 East Riverside Drive, Austin, Texas, or (512) 486-5038, and on the department's website at: <https://www.txdot.gov/inside-txdot/get-involved/unified-transportation-program.html>.

Persons wishing to speak at the hearing may register in advance by notifying the Transportation Planning and Programming Division, at (512) 486-5038 no later than Monday, August 5, 2019, or they may register at the hearing location beginning at 9:00 a.m. on the day of the hearing. Speakers will be taken in the order registered. Any interested person may appear and offer comments or testimony, either orally

or in writing; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only one speaker. Speakers are requested to refrain from repeating previously presented testimony.

The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to attend the hearing are encouraged to contact the Transportation Planning and Programming Division at (512) 486-5038. Requests should be made at least three working days prior to the public meeting. Every reasonable effort will be made to accommodate these needs.

Interested parties who are unable to attend the hearing may submit comments regarding the proposed 2020 UTP to Peter Smith, Director of the Transportation Planning and Programming Division, P.O. Box 149217, Austin, Texas 78714-9217. Interested parties may also submit comments regarding the proposed 2020 UTP by phone at (800) 687-8108. In order to be considered, all comments must be received at the Transportation Planning and Programming office by 4:00 p.m. on Monday, August 12, 2019.

TRD-201902021

Joanne Wright

Deputy General Counsel

Texas Department of Transportation

Filed: June 27, 2019

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