

Texas Register

Volume 17, Number 84, November 10, 1992

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EXHIBIT A-22

MEMORANDUM OF UNDERSTANDING

BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION
AND THE TEXAS PARKS AND WILDLIFE DEPARTMENT

I. NEED FOR AGREEMENT

A. It is the practice of the Texas Department of Transportation (TxDOT) to:

1. investigate fully the environmental impacts of TxDOT transportation projects, to coordinate these projects with applicable state and federal agencies, and to reflect these investigations and coordinations in the environmental documentation for each project;
2. base project decisions on a balanced consideration of the need for a safe, efficient, economical, and environmentally sound transportation system;
3. accomplish public involvement and a systematic interdisciplinary approach as essential parts of the development process for transportation projects; and
4. mitigate for project impacts to provide for environmental soundness of roadway projects where such mitigation is feasible and prudent and where such mitigation is agreed upon by appropriate agencies.

B. In order to pursue this policy, the TxDOT and the Texas Parks and Wildlife Department (TPWD) have agreed to develop this Memorandum of Understanding (MOU) between these agencies which will supersede the MOU which became effective on November 7, 1963.

C. Section 3, Article 6673g, Texas Civil Statutes, directs TxDOT to adopt memoranda of understanding with appropriate environmental resource agencies, including TPWD.

D. The rules for coordination of state-assisted transportation projects developed by the TxDOT and published in the June 11, 1991 Texas Register (16 TexReg 3197) underline the need for and importance of comprehensive environmental coordination for all transportation projects.

E. It is the intention of this MOU to provide a formal mechanism by which the TPWD may review TxDOT projects which have the potential to affect natural resources within the jurisdiction of the TPWD in order to assist TxDOT in making environmentally sound decisions, and to develop with TxDOT a system by which information developed by the TxDOT and the TPWD may be exchanged to their mutual benefit.

F. This memorandum supersedes that memorandum of understanding executed by TxDOT on January 31, 1992 and by TPWD on April 3, 1992, and that memorandum of understanding is of no further force or effect.

II. DEFINITIONS

A. Construction: Activities which involve the building of highway facilities on a new location, or the expansion, rehabilitation, or reconstruction of an existing facility.

B. Environmental Documents: Decision-making documents which incorporate the results of environmental studies, coordination and consultation efforts, and engineering elements. Types of documents include categorical exclusion assessments, environmental assessments, and environmental impact statements.

C. Maintenance: Activities which involve the repair or preservation of an existing facility to prevent that facility's disintegration to an unsafe or irreparable state, or which involve the treatment of an existing facility or its environs to meet acceptable standards of operation or aesthetic quality. Such activities generally do not require the acquisition of additional right-of-way.

D. Memorandum of Understanding: A formal document which outlines the relationship between agencies or parties, including the responsibilities and jurisdiction of each party, and which sets forth within its provisions agreements between the parties and a means of dispute resolution.

E. Mitigation: A technique or means of reducing impacts to the natural environment including, in general order of preference, avoidance, minimization, and compensation.

F. Monitor: To observe construction or maintenance activities in order to ensure that such activities do not adversely affect threatened or protected species or their habitat, and to ensure that such activities are consistent with approved plans or environmental documents.

G. National Environmental Policy Act of 1969: Known as NEPA, this is the basic national charter for protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy. NEPA is binding upon federal agencies, including the Federal Highway Administration, and is usually followed as an environmental guideline by state and local agencies. In this document, NEPA includes the Act itself, its subsequent amendments, and implementing regulations.

H. Project Development: The planning process of a highway project which includes engineering design, as well as environmental studies and public involvement procedures. Project development generally includes all studies of a project prior to actual construction.

I. Public Involvement: An important, ongoing phase of the project planning process which encourages and solicits public input, and seeks to provide the public the opportunity to become fully informed regarding project development.

J. Right-of-Way: The land provided for a highway, usually including the roadway itself, shoulders, and areas between the roadway and adjacent properties.

III. RESPONSIBILITIES

A. Texas Department of Transportation

1 The responsibilities of the TxDOT pertain primarily to its functions as a transportation agency, and include the following:

(a) The planning and design of safe, efficient, cost-effective, and environmentally sound transportation facilities, and avoidance, minimization, or compensation for environmental impacts when they are anticipated to occur;

(b) The timely and efficient construction of transportation facilities, executed in a manner consistent with approved plans or agreements which have been entered into by the department for the protection of the natural environment; and

(c) The ongoing maintenance of these facilities to provide safe, efficient, and environmentally sound transportation facilities for the travelling public, and dedication to the protection of natural resources within the jurisdiction of the TxDOT.

(d) TxDOT has made a commitment to the preservation and enhancement of the human and natural environment.

2. Section 3, Article 6673g, Texas Civil Statutes, directs the TxDOT to adopt a memorandum of understanding with each state agency that has responsibilities for the protection of the natural environment or for the preservation of historical or archeological resources.

3. As directed by House Bill 9, 72nd Legislature, First Called Session, TxDOT will provide for project development, construction, and maintenance on roadways on lands owned, controlled, or managed by TPWD. These items will be implemented under separate agreements between TxDOT and TPWD.

B. Texas Parks and Wildlife Department

The responsibilities of the TPWD relate primarily to its functions as a natural resource agency, including its resource protection functions, as designated by Section 12.001 of the Parks and Wildlife Code:

1. TPWD is the state agency with primary responsibility for protecting the state's fish and wildlife resources.

2. TPWD provides recommendations that will protect fish and wildlife resources to local, state, and federal agencies that approve, permit, license, or construct developmental projects.

3. TPWD provides information on fish and wildlife resources to any local, state, and federal agencies or private organizations that make decisions affecting those resources.

4. TPWD maintains listings of endangered and threatened species and provides these listings to local, state, and federal agencies that make decisions affecting those species.

IV. PROVISIONS

A. TxDOT Activities: For the purposes of this memorandum of understanding, the activities of the TxDOT are divided into three interrelated categories as defined above — project development, construction, and maintenance activities. The provisions of this memorandum for each of these categories are as follows:

1. Project Development

(a) Upon completion of preliminary project review by TxDOT's Division of Highway Design Environmental Section, the TxDOT shall furnish to the TPWD environmental documentation for all projects meeting the criteria for coordination as follows:

i. Projects involving more than 1.0 acre of new rights-of-way within floodplains or creek drainages in rural or undeveloped urban areas;

ii. Projects involving more than 5.0 acres of new rights-of-way outside of floodplains or creek drainages in rural or undeveloped urban areas;

iii. Projects potentially affecting wetlands totaling more than 1.0 acre in size (as delineated in accordance with U. S. Army Corps of Engineers guidelines [33 CFR 320-330]);

iv. Projects requiring channel modifications to a stream or river, or water bodies which involve:

a. placement of fill below the plane of ordinary high-water mark greater than 200 cubic yards, in accordance with 33 CFR 320-330,

b. channel realignment involving the creation of new drainageways or other excavation impacting more than 1.0 acre of mature woody vegetation,

c. any excavation (scraping, clearing, or other surface disturbance) involving more than 100 linear feet of existing channel,

d. any demolition or construction using explosives within or immediately adjacent to an affected water body.

v. Projects which may affect habitat containing trees of a size greater (in height or trunk diameter) than surrounding vegetation, containing dense mature brush, or containing vegetation within existing rights-of-way that is substantially different than outside of the rights-of-way.

vi. Projects within the range and in suitable habitat of any state or federally listed threatened or endangered species; and

vii. Projects that will involve mitigation plans, or otherwise involve proposals to minimize project impacts on fish, wildlife, or plant resources.

(b) The level of environmental documentation prepared and provided to TPWD will be in compliance with NEPA, TxDOT environmental rules, and other state laws, rules, and regulations, and as outlined in TxDOT's Highway Design Division Operations and Procedures Manual, Part II-B. The biological and natural resource information contained in the environmental documentation will be interpreted and verified by a qualified biologist.

i. The documentation will identify the type of vegetative cover and the dominant tree and shrub species in the project area. The size range of the dominant trees, to include estimated range of height, trunk size, and canopy coverage will be identified. Grassland vegetation will be described as native, introduced, or mixed.

ii. If photographs of the project area are reasonably available, they will be provided with the documentation. If such photographs are not available, vegetation locations will be indicated on a schematic design provided with the environmental document.

(c) TPWD shall have a period of 50 days from the date of the transmittal letter to review the project's environmental documentation. Any comments submitted by TPWD subsequent to review must be considered by TxDOT in making project decisions. If additional information is requested by TPWD, it shall be provided by TxDOT, provided that such information is available or can be reasonably obtained. In such case, TPWD shall have an additional 30 days from the date of the transmittal letter to complete the review.

(d) TPWD shall be invited, through public notices forwarded to their agency, to attend and participate in scheduled public hearings.

(e) At TPWD request, TxDOT shall assist TPWD in gaining access to potentially impacted habitat areas by providing any reasonably accessible information pertaining to abutting property and ownership.

2. Construction Activities

(a) Construction involves the building or expansion of facilities. When necessary, coordination between TxDOT and TPWD shall continue through the construction phase to provide for the protection of natural resources. Mitigation proposals agreed upon by TxDOT and TPWD relating to construction activities will be included in the project construction plans, as appropriate.

(b) In the event that unforeseen impacts to endangered or threatened species or habitat under TPWD jurisdiction are identified after construction has commenced, TxDOT will immediately suspend construction that would affect such species or habitat, and enter consultation with TPWD regarding such resources.

3. Maintenance Activities

(a) Maintenance activities include, but are not limited to:

- i. maintenance of existing roadways,
- ii. highway safety or traffic operations improvement projects including the installation of ramp-metering control devices, signalization, or lighting;
- iii. repair or painting of bridges or other structures;
- iv. installation of fencing, signs, pavement markings, small passenger shelters, and railroad warning devices; and
- v. landscaping and vegetation management such as mowing, seeding, herbicide use, mechanical brush control, and related activities.

(b) TxDOT and TPWD will jointly review the following programs within one year of the date of this MOU and subsequently as appropriate. Any revisions made to such programs will be determined by mutual agreement between TxDOT and TPWD. If TxDOT and TPWD do not mutually agree on the revisions then Section V, Dispute Resolution governs.

- i. the TxDOT Standards of Vegetation Management, effective January 1992, that includes mowing, seeding, herbicide use, mechanical brush control, and related activities to promote mature plant and seed development of native wildflowers and grasses;
- ii. a statewide program to delineate special habitat for species within the jurisdiction of the TPWD. These may include wetland areas, areas of bottomland hardwoods, riparian zones, streams and rivers, native grasslands, or habitats of rare, threatened, or endangered species.

(c) Maintenance Programs: TxDOT and TPWD will jointly review the TxDOT maintenance programs and/or plans prior to implementation of each program and/or plan. TPWD will be provided ample opportunity to comment and make suggested revisions to the programs and/or plans, and TxDOT will give consideration to these suggested revisions. If TxDOT does not fully

implement the revisions suggested by TPWD, TxDOT will provide a written explanation to TPWD.

B. TPWD Comments: Comments received by TxDOT from TPWD in the coordination process shall, when applicable, include:

1. guidance as to what species may be present within the project area which may require special considerations in terms of those species and their habitat;
2. suggested mitigation measures; and
3. recommendations for protection of natural resources under TPWD jurisdiction, as defined in Section 12.001 of the Parks and Wildlife Code. Wherever reasonably practical, TPWD recommendations shall be compatible with the alternatives presented in the environmental documents.

C. Special Provisions Relating to Information Exchange

1. The TxDOT and TPWD shall cooperate in the maintenance and enhancement of a computer-based information system detailing the distribution of species listed as threatened or endangered (including state and federal listings), or those which are of concern and are being considered for listing.
2. The TxDOT and TPWD shall cooperate to share information on specific locations of threatened or endangered species to enable the best use of staff time and expertise while ensuring protection of sensitive locality information. A separate agreement shall detail the procedure(s) and mechanism(s) by which this information is to be shared.

V. DISPUTE RESOLUTION

In such instances when TxDOT and TPWD are unable to reach a mutually agreeable plan of action regarding mitigation of significant impacts of transportation facilities to natural resources within the jurisdiction of the TPWD, a good-faith effort will be made to develop a compromise plan to address the concerns of both parties. A period of up to 90 days shall be provided for the resolution of such disputes, after which the TxDOT is charged with determining the disposition of transportation projects and programs within its jurisdiction. TxDOT will provide TPWD with a determination statement based on the following considerations:

- A. Comments received from TPWD will be evaluated in conjunction with all other applicable factors, i.e., other agency comments, project alternatives, cost, impacts on natural resources, mitigation requirements, safety considerations, in an attempt to arrive at a plan of action acceptable to the affected parties;
- B. In accordance with the responsibilities of the TxDOT as described in this document, the TxDOT reserves the right to determine the final disposition of proposed transportation projects and programs, based on a considered analysis of all relevant comments and practical alternatives; and
- C. The statement shall include an explanation of the reasons for rejecting TPWD mitigation recommendations.

VI. REVIEW OF MOU

This memorandum shall be reviewed and updated, at a minimum, every fifth year from the date of signature. The TxDOT and the TPWD by rule shall adopt the memorandum and all revisions to the memorandum.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214835

Diane L. Northam
Legal Administrative
Assistant
Texas Department of
Transportation

Effective date: November 24, 1992

Proposal publication date: June 5, 1992

For further information, please call: (512) 463-8630



• 43 TAC §2.23

The Texas Department of Transportation (TxDOT) adopts new §2.23, concerning memorandum of understanding with the Texas Water Commission, with changes to the proposed text as published in the July 14, 1992, and August 7, 1992, issues of the *Texas Register* (17 TexReg 5012 and 5524).

Texas Civil Statutes, Article 6673g, enacted by Senate Bill 352, 72nd Legislature, 1991, requires the department to adopt a memorandum of understanding with each state agency that has responsibilities for the protection of the natural environment or for the preserva-

tion of historical or archeological resources. Article 6673g also requires the department and each of the resource agencies to adopt the memoranda and all revisions by rule. In order to meet this legislative intent and to ensure that natural resources are given full consideration in accomplishing the department's activities, this new section is adopted on a permanent basis.

Section 2.23 adopts as Exhibit A a memorandum of understanding between the department and the Texas Water Commission (TWC) which provides for the review of department projects that have the potential to affect natural resources within the jurisdiction of TWC and concerns the development of a system by which information developed by TxDOT and TWC may be exchanged to their mutual benefit.

On August 21, 1992, the department and the Texas Water Commission (TWC) conducted a joint public hearing to seek comments regarding the proposed adoption of a rule concerning a memorandum of understanding (MOU) between the department and the TWC.

Earth First! expressed support for the MOU, while the Save Barton Creek Association expressed support for "much of the proposed TxDOT/TWC MOU." The Sierra Club supported the concept of the MOU, but stated that they could not "support this proposal without changes." The Barton Springs/Edwards Aquifer Conservation District offered

comments, but expressed neither support for or opposition to the MOU. All of the commenters expressed specific concerns, made specific suggestions, or requested specific revisions to the MOU. Their specific concerns, requests, and suggestions are addressed in the following discussion.

One commenter requested that his organization be represented on the interagency committee to be established in accordance with Section IV.I. Another commenter suggested that the Texas Parks and Wildlife Department and the United States Fish and Wildlife Service be represented on the interagency committee. Upon final adoption of the MOU, the department and TWC will form the interagency committee and will jointly determine appropriate membership. The request and suggestions will be considered at that time.

One commenter objected to the wording of Section IV.B. which states that the "level of documentation prepared and provided to TWC will be in compliance with NEPA, TxDOT environmental rules, and other state laws, rules, and regulations." The commenter stated "that given the fact that there's a new urgency in protecting the Edwards Aquifer we ought to go beyond just what the laws that exist now are. I think that we need to get tougher laws that are consistent with protecting the quality of water in the aquifer" Texas Civil Statutes, Article 6673g, requires the department to adopt an MOU with each state agency that has responsibilities for the pro-

tection of the natural environment. TWC is such an agency. The purpose of the MOUs is to provide a mechanism for or formalize coordination between the department and the resource agencies with regards to department highway construction projects. Establishing or proposing new legislation, as suggested by the commenter, is beyond the scope of the MOU and legislative intent. However, it is the policy of the department to preserve and, where practicable, to enhance the environment and the department intends to administer this policy pro-actively. Further, the department recognizes the sensitivity of the Edwards Aquifer and is striving to fulfill the mission of the agency in a manner consistent with promotion of water quality.

One commenter stated that the MOU "should be not only a legally-based document but a scientifically-based document." He stated that the MOU should include "some indication of the scientific methodology as a basis for this agreement." Article 6673g provides that the MOU must describe agency responsibilities regarding review of highway projects, specify the types of information the department will provide to the reviewing agency, and specify the length of time in which the reviewing agency must review the project. The MOU, therefore, is a policy-setting document which provides for TWC review of highway projects. Under the provisions of the MOU, TWC staff will review environmental documentation prepared by TxDOT and will provide comments to TxDOT regarding water quality impacts. All comments received from TWC will be considered fully by the department. Specific scientific methodology to be used in reviewing projects is beyond the scope of the MOU.

One commenter questioned a recent action by the Austin Transportation Study Policy Advisory Committee, the metropolitan planning organization for the Austin area, concerning the approval of water quality mitigation devices for a highway in southwest Travis County. The commenter also expressed concern about the department's maintenance practices for existing water quality mitigation devices. Neither of the comments pertain to the content of the MOU. Questions concerning actions of the Austin Transportation Study Policy Advisory Committee should be addressed to the committee members. Concerns about maintenance of existing water quality mitigation devices should be ex-

pressed to the responsible department district office.

One commenter indicated that "as far as practicable" should be deleted from Section III.A.1.a. The department concurs with the comment and the document has been revised accordingly.

Two commenters suggested that the phrase "to the extent practicable" should be deleted from Section IV.D.1. One of the commenters indicated that deleting the phrase would strengthen the document and emphasize the importance of minimizing environmental impacts. The department agrees with the comment and has deleted the phrase from the section.

One commenter objected to "the cost of mitigation" being listed as a factor to be considered by TWC when establishing conditions of approval for projects over the Edwards Aquifer recharge zone. "The cost of mitigation" has been deleted from Section IV.D.2. of the document. The first sentence of Section IV.D.2. now reads, "The TWC shall weigh all factors in the review process including the significance of the impact to water quality and public interest."

One commenter expressed objection to the use of the term "human environment." He indicated that the definition of environment should be broader. The department interprets "human environment" comprehensively to include the natural and physical environment and the relationship of people with that environment. This definition is consistent with regulations adopted by the Council on Environmental Quality (40 Code of Federal Regulation 1508.14).

One commenter expressed concern about the sequencing of some construction projects. He specifically cited an example where the permanent water quality controls were to be built after completion of the actual roadway. He stated that if the permanent controls were constructed prior to roadway construction the benefits of the controls would be realized during the construction phase. The department shares the commenters concerns and is striving to plan, design, construct, and maintain the state highway system in a manner consistent with the promotion of water quality. However, it should be noted that it is not generally feasible to construct the permanent controls prior to the commencement of

actual roadway construction; therefore, temporary erosion controls are used to minimize the amount of sediment escaping from the project site. It should also be noted that the concern is beyond the scope of the MOU.

Two commenters expressed concern that Section IV.D. of the MOU either conflicts with or weakens the Edwards Aquifer rules (31 TAC Chapter 313) adopted by TWC in March of 1990. In response to these concerns several changes have been made to Section IV.D. Specifically, as previously stated, "to the extent practicable" has been deleted from Item 1 and "the cost of mitigation" has been deleted from Item 2. In addition, Item 3 has been deleted entirely and Item 4 has been moved to a more appropriate section of the MOU. The department recognizes the sensitivity of the Edwards Aquifer and will continue to fully comply with 31 TAC Chapter 313. It should be noted that as state agencies, both the department and TWC have a responsibility to consider public interest when making decisions concerning activities under their jurisdiction.

The new section is adopted under Texas Civil Statutes, Articles 6666 and 6673g, which provide the Texas Transportation Commission with the authority to promulgate rules and regulations for the conduct of the work of the Texas Department of Transportation, and specifically for the adoption by rule of memoranda of understanding with natural resource agencies.

§2.23. Memorandum of Understanding with the Texas Water Commission.

(a) The Texas Department of Transportation (TxDOT) adopts as Exhibit A-23 a memorandum of understanding between TxDOT and the Texas Water Commission (TWC) concerning:

(1) the review of department projects which have the potential to affect natural resources within the jurisdiction of TWC, in order to assist TxDOT in making environmentally sound decisions; and

(2) the development of a system by which information developed by TxDOT and TWC may be exchanged to their mutual benefit.

(b) The memorandum of understanding follows as Exhibit A-23.

EXHIBIT A-23

MEMORANDUM OF UNDERSTANDING

BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION
AND THE TEXAS WATER COMMISSION

I. NEED FOR AGREEMENT

A. It is the practice of the Texas Department of Transportation (TxDOT) to:

1. investigate fully the environmental impacts of TxDOT transportation projects, coordinate these projects with applicable state and federal agencies, and reflect these investigations and coordinations in the environmental documentation for each project;
2. base project decisions on a balanced consideration of the need for a safe, efficient, economical, and environmentally sound transportation system;
3. complete public involvement and use a systematic interdisciplinary approach as essential parts of the development process for transportation projects; and
4. mitigate for project impacts where such mitigation is feasible and prudent and where such mitigation is agreed upon by appropriate agencies, while providing an environmentally sound highway system.

B. It is the policy of the State of Texas and the purpose of the Texas Surface Water Quality Standards to maintain the quality of water in the state consistent with the public health and enjoyment, propagation and protection of terrestrial and aquatic life, operation of existing industries, and economic development of the state; to encourage and promote development and use of regional and areawide wastewater disposal needs of the citizens of the state; and to require the use of all reasonable methods to implement this policy.

C. By statute, TxDOT shall adopt a memorandum of understanding with each state agency that has responsibility for the protection of the natural environment of the state (Section 3, Article 6673g, Texas Civil Statutes).

D. By statute, the Texas Water Commission (TWC) may enter into a memorandum of understanding with any other state agency and shall adopt by rule any memorandum of understanding between the commission and any other state agency (Section 5.104, Texas Water Code).

E. In order to fulfill these directives and to pursue and coordinate the goals of the TxDOT and the Texas Water Commission, these agencies have agreed to develop a Memorandum of Understanding (MOU) with the intention of providing a formal mechanism by which the TWC can review TxDOT projects which have the potential to affect natural resources within the jurisdiction of the TWC, and of providing for the creation of a system by which information developed by the TxDOT and the TWC may be exchanged to their mutual benefit.

F. The rules for coordination of state-assisted transportation projects developed by the TxDOT and published in the June 11, 1991, Texas Register (16 TexReg 3197) underline the need for and importance of comprehensive environmental coordination for all transportation projects.

G. This memorandum supersedes that memorandum of understanding executed by TxDOT on January 31, 1992 and by TWC on February 6, 1992, and that memorandum of understanding is of no further force or effect.

II. DEFINITIONS

- A. 7Q2: Seven-day, two-year low flow. The lowest flow that occurs for seven consecutive days during a two-year period as statistically determined from historical data. It is the flow used for determining the allowable discharge load to a stream.
- B. Construction: Activities which involve the building of highway facilities on a new location, or the expansion, rehabilitation, or reconstruction of an existing facility.
- C. Edwards Aquifer Recharge Zone: That area at the ground surface where the water-bearing units of the Edwards Aquifer outcrop as delineated by the TWC on official recharge zone maps.
- D. Environmental Documents: Decision-making documents which incorporate the results of environmental studies, coordination and consultation efforts, and engineering elements. Types of documents include categorical exclusion assessments, environmental assessments, and environmental impact statements.
- E. Intermittent Stream: A stream which has a period of zero flow for at least one week during most years. Where flow records are available, a stream with a 7Q2 flow of less than 0.1 cfs is considered intermittent.
- F. Intermittent Stream with Perennial Pools: Streams which may have periods of zero flow or a 7Q2 flow of less than 0.1 cfs, but which maintain perennial pools which create significant aquatic life uses.
- G. Maintenance: Activities which involve the repair or preservation of an existing facility to prevent that facility's disintegration to an unsafe or irreparable state, or which involve the treatment of an existing facility or its environs to meet acceptable standards of operation or aesthetic quality. Such activities generally do not require the acquisition of additional right-of-way.
- H. Memorandum of Understanding: A formal document which outlines the relationship between agencies or parties, including the responsibilities and jurisdiction of each party, and which sets forth within its provisions agreements between the parties.
- I. Mitigation: A technique or means of reducing impacts to the natural environment, including avoidance, minimization, and compensation.
- J. National Environmental Policy Act of 1969: Known as NEPA, this is the basic national charter for protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy. NEPA is binding upon federal agencies, including the Federal Highway Administration, and is usually followed as an environmental guideline by state and local agencies. In this document, NEPA includes the Act itself and its subsequent amendments.
- K. NPDES: The National Pollutant Discharge Elimination System, under which the Administrator of the U.S. Environmental Protection Agency can delegate permitting authority to the State of Texas in accordance with Section 402 of the Federal Water Pollution Control Act.
- L. Perennial Stream: A stream which does not have a period of zero flow for greater than one week or for which the 7Q2 flow is greater than 0.1 cfs.
- M. Project Development: The planning process of a highway project, which includes engineering design as well as environmental studies and public involvement procedures. Project development generally includes all aspects of a project prior to actual construction.

N. Public Involvement: An ongoing phase of the project planning process which encourages and solicits public input, and seeks to provide the public the opportunity to become fully informed regarding project development.

O. Right-of-Way: The land provided for a highway, usually including the roadway itself, shoulders, and areas between the roadway and adjacent properties.

P. Texas Water Code: State statute which gives the Texas Water Commission authority to regulate water quality in Texas.

Q. Wetland: As defined in Texas Civil Statutes Article 5421u, "wetlands" means land that: a) has a predominance of hydric soils; b) is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and c) under normal circumstances does support a prevalence of such vegetation. Wetlands generally include swamps, marshes, bogs, potholes, and similar areas.

III. RESPONSIBILITIES

A. Texas Department of Transportation

1. The responsibilities of the TxDOT pertain primarily to its functions as a transportation agency, and include the following:

(a) planning and designing safe, efficient, cost-effective, and environmentally sound transportation facilities, and avoiding, minimizing, or compensating for environmental impacts;

(b) the timely and efficient construction of transportation facilities, executed in a manner consistent with approved plans or agreements which have been entered into by the department for the protection of the natural environment; and

(c) the ongoing maintenance of these facilities to provide safe, efficient, and environmentally sound transportation facilities for the travelling public, and dedication to the protection of natural resources within the jurisdiction of the TxDOT.

(d) TxDOT has made a commitment to the preservation and enhancement of the human environment.

2. Article 6673g, Texas Civil Statutes directs the TxDOT to adopt a memorandum of understanding with each state agency that has responsibilities for the protection of the natural environment or for the preservation of historical or archaeological resources.

B. Texas Water Commission

The responsibilities of the TWC relate primarily to its function as a natural resource management agency. TWC is charged with the protection of the quality of water in the state of Texas. Its jurisdiction and responsibilities, as outlined in Vernon's Texas Code Annotated, Water Code, Section 5.013, include:

1. water and water rights, including the issuance of water rights permits, water rights adjudication, cancellation of water rights, and enforcement of water rights;

2. the state's water quality program, including issuance of permits, enforcement of water quality rules, standards, orders, and permits, and water quality planning;
3. the determination of the feasibility of certain federal projects;
4. the administration of the state's program relating to inactive hazardous substance, pollutant, and contaminant disposal facilities;
5. the administration of the state's programs involving underground water and water wells; and
6. any other areas assigned to the commission by this code and other laws of this state.

IV. PROVISIONS

A. The TxDOT shall furnish, upon completion of review by TxDOT's Division of Highway Design, Environmental Section (D-8E) and prior to the initiation of the appropriate public involvement phase, environmental documentation to be reviewed by the TWC for all projects meeting the criteria for coordination, as outlined in this section.

1. bridge construction projects on new locations,
2. projects which traverse or encroach upon perennial streams, intermittent streams with perennial pools, rivers, lakes, tidally influenced waters, or wetlands,
3. projects on the recharge zone of the Edwards Aquifer,
4. all projects processed as Environmental Impact Statements (EIS), and
5. proposals for mitigation of water quality impacts.

B. The level of environmental documentation prepared and provided to TWC will be in compliance with NEPA, TxDOT environmental rules, and other state laws, rules, and regulations, and as outlined in TxDOT's Highway Design Division Operations and Procedures Manual, Part II-B. This documentation includes, but is not limited to, categorical exclusion assessments, environmental assessments, and environmental impact statements.

C. The TWC shall have a period of 30 days from the date of receipt to review the project's environmental documentation. The TWC may, if necessary, submit a written request to extend the review period for a maximum of 30 days. The reasons for requesting the review extension must be included in any such request. Any comments submitted by the TWC subsequent to review must be considered by the TxDOT.

D. Water Pollution Abatement Plans. For projects on the recharge zone of the Edwards Aquifer, as defined by applicable laws and regulations, the TxDOT shall process and submit a Water Pollution Abatement Plan (WPAP) according to the provisions of Edwards Aquifer Rules (31 TAC 313). In addition to these rules, the following conditions will be added in order to facilitate and streamline this process.

1. When constructing or maintaining roadways on the recharge zone of the Edwards Aquifer, the TxDOT shall seek to avoid, and then to minimize, impacts to surface water which could degrade the quality of water entering the aquifer.

2. The TWC shall weigh all factors in the review process including the significance of the impact to water quality and public interest. The conditions of approval should reflect these factors.

E. **Water Quality Certification.** Section 401 of the Clean Water Act requires certification from the TWC that the applicant for a federal permit affecting state waters is within the water quality standards for the state of Texas. The current coordination process for TxDOT projects is the issuance of a joint public notice by the federal agency to the greatest extent possible. This process will remain unchanged if possible.

F. **Petroleum Storage Tank Removal.** Issues concerning underground storage tank inspection and removal will continue to be handled according to the provisions of 31 TAC Chapter 334.

G. **Hazardous Materials.** Hazardous waste facilities assessment and remediation will continue to be done in accordance with 31 TAC Chapter 335.

H. **National Pollutant Discharge Elimination System (NPDES) Program.** If the TWC should assume NPDES authority, existing TxDOT permits will be subject to the TWC NPDES implementation policy.

I. **Interagency Committee.** TxDOT and TWC will form an interagency committee to begin development of a Water Quality Management Plan for Nonpoint Source Pollution (see item J). This interagency committee may include other natural resource agencies as deemed appropriate by both TxDOT and TWC. Following completion of the Water Quality Management Plan, the interagency committee will remain intact to address future areas of mutual interest between TxDOT and TWC which are not addressed in this memorandum.

J. **Water Quality Management Plan for Nonpoint Source Pollution.** Within 60 days of the final adoption of this memorandum, following the formation of the interagency committee, TxDOT and TWC will begin to develop the Water Quality Management Plan for Nonpoint Source Pollution. The plan will include, but not be limited to:

1. the review of existing procedures and the development of techniques to control water quality impacts;
2. the education of TxDOT personnel on water quality issues;
3. the development of special provisions to address sensitive areas such as wetlands, public water supplies, and the Edwards Aquifer;
4. a program to increase public awareness;
5. a review of the literature and other documentation in order to prioritize when and where to implement water quality controls; and
6. a provision that the TxDOT will enforce water quality control specifications on each jobsite, as per standard contract language.

K. **Design Features and Maintenance Practices.** The TxDOT, in consultation with the TWC, shall formulate specific design features and maintenance practices to be implemented on a consistent basis to further eliminate the need to coordinate a specified category of actions. This will be in the form of an agreement and shall be added to this MOU at a later date.

V. TRANSFERABILITY

The contents and provisions of this MOU are transferable from the TWC to the Texas Natural Resources Conservation Commission (TNRCC) on September 1, 1993.

VI. REVIEW OF MOU

This memorandum shall be reviewed and updated, at a minimum, every fifth year from the date of signature. The TxDOT and the TWC by rule shall adopt the memorandum and all revisions to the memorandum.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on November 3, 1992.

TRD-9214836

Diane L. Northam
Legal Administrative
Assistant
Texas Department of
Transportation

Effective date: November 24, 1992

Proposal publication date: July 14, 1992

For further information, please call: (512)
463-8630





K-105

**Name: Charlie Moores
Grade: 3
School: Alamo Elementary, Goose Creek CISD**

Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. Some notices may be received too late to be published before the meeting is held, but all notices are published in the *Texas Register*.

Emergency meetings and agendas. Any of the governmental entities named above must have notice of an emergency meeting, an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. Emergency meeting notices filed by all governmental agencies will be published.

Posting of open meeting notices. All notices are posted on the bulletin board at the Office of the Secretary of State in lobby of 221 East 11th Street, Austin. These notices may contain more detailed agenda than what is published in the *Texas Register*.

Meeting Accessibility. Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, agencies must provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, large print or braille documents. In determining type of auxiliary aid or service, agencies must give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify the contact person listed on the meeting summary several days prior to the meeting by mail, telephone, or RELAY Texas (1-800-735-2989).

Texas State Board of Public Accountancy

Friday, November 13, 1992, 9 a.m. The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the agenda summary, the board will meet in executive session to discuss pending litigation; consider motion for rehearing in the matter styled Charles R. Williams, Complaint Number '90-06-21L; consider the applications by Joel P. Kay and Priscilla D. Slade to be the Quality Review Oversight Board nonlicensee members; consider adopting or revising rules; ratification of agreed consent order; and reports from the following committees: behavioral enforcement, technical standards review, licensee education, licensing, ad hoc reciprocity, and major case enforcement.

Contact: J. Randel (Jerry) Hill, 1033 La Posada, Suite 340, Austin, Texas 78752-3893.

Filed: October 30, 1992, 10:44 a.m.

TRD-9214668

Friday, November 13, 1992, 9 a.m. (Revised agenda). The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the agenda summary, the board will discuss (VIII, Item K) new proposed substantive rule, §511.171 (Consent Revocation).

Contact: William Treacy, 1033 La Posada, Suite 340, Austin, Texas 78752-3892.

Filed: November 2, 1992, 3:30 p.m.

TRD-9214778



Texas Department on Aging

Monday, November 9, 1992, 10 a.m. The Texas Board on Aging's Networking/Advocacy/Legislation Committee of the Texas Department on Aging met at 1949 South IH-35, Third Floor Small Conference Room, Austin. According to the complete agenda, the committee called the meeting to order; discussed approval of the minutes of the September 23, 1992, meeting; final review and recommendation to the board on the following policies published in the *Texas Register*: uniform logo for area agencies on aging (AAAs); uniform telephone listings for AAAs; uniform listing of the TDoA as primary funding source for AAAs; considered a signage policy for AAA offices and recommended to board; updated local candidates' forums and post-election follow-up plans; updated legislative advocacy opportunities; and adjourned.

Contact: J. Kenneth Huff, Sr., 2507 Evelyn Road, Whitesboro, Texas 76273, (903) 564-6375.

Filed: October 29, 1992, 3:37 p.m.

TRD-9214655

Thursday, November 12, 1992, 9:30 a.m. The Texas Board on Aging of the Texas Department on Aging will meet at 1949 South IH-35, Third Floor Large Conference Room, Austin. According to the agenda summary, the board will call the meeting to order; discuss approval of minutes of September 24, 1992; hear public testimony; presentation, Texas Ethics Commission; hear executive director's report; citizens advisory council report-nominations from Lower Rio Grande Valley, Bexar regions; board committee action on: ombudsman program service standards; budget amendment policy; carryover policy; signature au-

thority; operating budget guidelines; use of housing bond fees; funding distribution methodology for Health Care Finance Administration grant; fiscal year 1993 funding for options projects; accounting internal controls and accounting systems audit; draft discretionary grants audit report; policies for uniform logo, telephone listings; identification of funding source; signage for area agencies on aging; evaluation report; two statements of board position; board committee reports on: client information system; indirect rate study; monthly operating expenditures; annual audit report; audit updates; candidates' forums; and adjourn.

Contact: Mary Sapp, P.O. Box 12786, Austin, Texas 78711, (512) 444-2727.

Filed: November 3, 1992, 10:59 a.m.

TRD-9214807



Texas Department of Agriculture

Monday, November 16, 1992, 10 a.m. The Office of Hearings of the Texas Department of Agriculture will meet at the Texas Department of Agriculture, 122 Heiman Street, First Floor, San Antonio. According to the complete agenda, the department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001, et seq (Vernon 1982) by L&R Produce as petitioned by Delta Produce Marketing.

Contact: Barbara B. Deane, P.O. Box 12847, Austin, Texas 78711, (512) 463-7448.

Filed: November 2, 1992, 8:08 a.m.

TRD-9214722

Monday, November 16, 1992, 1 p.m. The Office of Hearings of the Texas Department of Agriculture will meet at the Texas Department of Agriculture, 122 Heiman Street, First Floor, San Antonio. According to the complete agenda, the department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §103.001, et seq (Vernon 1982) by L&R Produce as petitioned by Paradise Produce, Inc.

Contact: Barbara B. Deane, P.O. Box 12847, Austin, Texas 78711, (512) 463-7448.

Filed: November 2, 1992, 8:09 a.m.

TRD-9214723

Tuesday, January 12, 1993, 9 a.m. (Rescheduled from November 5, 1992). The Hearings of the Texas Department of Agriculture will meet at the Texas Department of Agriculture, 1700 North Congress Avenue, Stephen F. Austin Building, Room 928B, Austin. According to the complete agenda, the department will hold an administrative hearing to review alleged violation of Texas Agriculture Code §76.116 (a)(1) and 4 TAC §7.22, by Mark Lane.

Contact: Barbara B. Deane, P.O. Box 12847, Austin, Texas 78711, (512) 463-7448.

Filed: November 2, 1992, 8:08 a.m.

TRD-9214724

Texas Commission on Alcohol and Drug Abuse

Thursday, November 12, 1992, 9 a.m. The Criminal Justice Issues Committee of the Texas Commission on Alcohol and Drug Abuse will meet at the Texas Department of Criminal Justice Board Room, 815 Congress Avenue, Suite 500, Austin. According to the complete agenda, the committee will call the meeting to order; discuss approval of minutes; update on in-prison therapeutic communities; update on 12,000 bed substance abuse facilities; presentation of preliminary architectural plan of House Bill 93 beds; prior pending business/aftercare, status of monitoring and auditing of therapeutic communities and Senate Bill 828 beds, Texas Department of Criminal Justice outpatient audit update; discuss new business; and adjourn.

Contact: Ted Sellers, 720 Brazos Street, Suite 403, Austin, Texas 78701, (512) 867-8805.

Filed: November 3, 1992, 4:08 p.m.

TRD-9214834

Texas Board of Architectural Examiners

Friday, November 13, 1992, 9 a.m. The Texas Board of Architectural Examiners will meet at the Doubletree Hotel at Allen Center, 400 Dallas Street, Houston. According to the agenda summary, the board will call the meeting to order; recognize guests; take roll call; hear chairman's opening remarks; consider/act on the following categories: discuss approval of minutes; consent of director's report; personal appearances; committee matters; examinations; rules and regulations; legislative matters; disciplinary matters; renewals; reciprocity; discussion with Texas Architecture educators; conferences/meetings; hear public comment; meet in executive session to discuss/consider legal advice in accordance with the Texas Open Meetings Act, Article 6252-17, Section 2(e); and adjourn. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or braille, are requested to contact Carolyn Lewis at (512) 458-1363 two work days prior to the meeting so that appropriate arrangements can be made.

Contact: Robert H. Norris, 8213 Shoal Creek Boulevard, #107, Austin, Texas 78757, (512) 458-1363.

Filed: November 4, 1992, 4:14 p.m.

TRD-9214873

Saturday, November 14, 1992, 2 p.m. The Texas Board of Architectural Examiners will meet at the George R. Brown Convention Center, General Assembly Hall, 1001 Convention Center Boulevard, Houston. According to the agenda summary, the board will consider/participate in convocation for newly registered architects. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or braille, are requested to contact Carolyn Lewis at (512) 458-1363 two work days prior to the meeting so that appropriate arrangements can be made.

Contact: Robert H. Norris, 8213 Shoal Creek Boulevard, #107, Austin, Texas 78757, (512) 458-1363.

Filed: November 4, 1992, 4:14 p.m.

TRD-9214874

State Auditor's Office

Wednesday, November 11, 1992, 9 a.m. The Legislative Audit Committee of the State Auditor's Office will meet at the House Chamber of the State Capitol, Austin. According to the complete agenda,

the committee will call the meeting to order; discuss approval of the minutes of the May 19, 1992 meeting; presentation of the management audit of public schools report; approval of the State Auditor's Office audit plan, Fiscal Year 1992-1993; approval of the State Auditor's Office operating budget, Fiscal Year 1992-1993; discuss any other business; and adjourn.

Contact: Lawrence F. Alwin, P.O. Box 12067, Austin, Texas 78711, (512) 479-4900.

Filed: October 30, 1992, 9:13 a.m.

TRD-9214659

Wednesday, November 11, 1992, 9 a.m. (Revised agenda). The Legislative Audit Committee of the State Auditor's Office will meet at the House Chamber of the State Capitol, Austin. According to the complete revised agenda, the committee will call the meeting to order; discuss approval of the minutes of the May 19, 1992 meeting; presentation of the management audit of public schools report; approval of the State Auditor's Office audit plan, Fiscal Year 1993; approval of the State Auditor's Office operating budget, Fiscal Year 1993; discuss any other business; and adjourn.

Contact: Lawrence F. Alwin, P.O. Box 12067, Austin, Texas 78711, (512) 479-4900.

Filed: November 2, 1992, 3:32 p.m.

TRD-9214779

State Board of Barber Examiners

Tuesday, November 3, 1992, 11 a.m. The State Board of Barber Examiners met at 9101 Burnet Road, Suite 103, Austin. According to the complete emergency revised agenda, the board met in executive session to discuss pending litigation in the case of Armstrong versus Board of Barber Examiners. The emergency status was necessary as there was an unexpected development requiring the immediate attention of the agency.

Contact: Jo King McCrorey, 9101 Burnet Road, Suite 103, Austin, Texas 78758, (512) 835-2040.

Filed: November 3, 1992, 9:06 a.m.

TRD-9214796

Texas Bond Review Board

Tuesday, November 10, 1992, 9 a.m. The Staff of the Texas Bond Review Board will meet at the Central Services Building,

Room 402, 1711 San Jacinto Street, Austin. According to the agenda summary, the staff will call the meeting to order; discuss approval of minutes; discuss proposed issues; other business; and adjourn.

Contact: Tom K. Pollard, 300 West 15th Street, Suite 409, Austin, Texas 78701, (512) 463-1741.

Filed: November 2, 1992, 4:28 p.m.

TRD-9214794

Texas Department of Commerce

Friday, November 6, 1992, 9 a.m. The Texas Partnership for Economic Development of the Texas Department of Commerce met at 816 Congress Avenue, 11th Floor Board Room, Austin. According to the agenda summary, the department discussed adoption of minutes; subcommittee reports (capital formation, transportation, education/research and development, telecommunications); break; presentation on "Texas Manufacturing Infrastructure"; discussed progress; timelines; and set next meeting date.

Note: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, or who need assistance in having English translated into Spanish, should contact Jacqueline Cullom, (512) 320-9666, at least two days before this meeting so that appropriate arrangements can be made.

Contact: Maria Tissing, P.O. Box 12728, Austin, Texas 78711, (512) 320-9685.

Filed: October 29, 1992, 3:35 p.m.

TRD-9214654

Texas Department of Criminal Justice

Thursday, November 12, 1992, 9 a.m. The Subcommittee on Substance Abuse of the Board of Criminal Justice of the Texas Department of Criminal Justice will meet at the TDCJ Austin Office, 816 Congress Avenue, Suite 500, Austin. According to the agenda summary, the subcommittee will hold a joint meeting with the Criminal Justice Issues Committee of the Texas Commission of Alcohol and Drug Abuse. The subcommittee will call the meeting to order; discuss approval of minutes; update on in-prison therapeutic communities; update on 12,000 bed substance abuse facilities; presentation of preliminary architectural plan, House Bill 93 treatment beds; discuss prior pending business and new business; and adjourn.

Contact: Andrea Scott, TDCJ-Institutional Division, P.O. Box 99, Huntsville, Texas 77342-0099, (409) 294-2931.

Filed: November 3, 1992, 10:56 a.m.

TRD-9214805

Thursday, November 12, 1992, 4 p.m. The Board of Criminal Justice of the Texas Department of Criminal Justice will meet at the TDCJ Austin Office, 816 Congress Avenue, Suite 500, Austin. According to the complete agenda, the board will call the meeting to order; convene in executive session to discuss with board attorneys concerning Ruiz, Alberti, Lamar, Moore, Johnson, Crowson, McDaniel, Thebeau, Argee, McLennan County and Angelina County litigation (Closed in accordance with Section 2(c), Article 6252-17, Vernon's Texas Civil Statutes); reconvene in open meeting; and adjourn.

Contact: Susan Power-McHenry, P.O. Box 13084, Austin, Texas 78711, (512) 475-3250.

Filed: November 3, 1992, 2:55 p.m.

TRD-9214827

Friday, November 13, 1992, 9 a.m. The Board of Criminal Justice of the Texas Department of Criminal Justice will meet at the Community Justice Assistance Division, 8100 Cameron Road, Building B, Suite 600, Austin. According to the agenda summary, the board will call the meeting to order; convene in regular session to discuss consent items; dual employment requests; board reports; industry advisory committee member nomination; procedure for public appearances before the board; rules to be considered for proposed adoption/peal for Community Justice Assistance Division; performance reward program distribution funding; discuss Lockhart Work Program; discuss board rule making authority concerning parole; request for proposal-2,000 additional beds; House Bill 124; jail overcrowding alternatives; introduce TDCJ staff; construction; finance; Judicial Advisory Committee report; discuss date and location of next regularly scheduled meeting; adjourn; convene Windham School Board; consent items; adjourn; reconvene Board of Criminal Justice; meet in executive session to discuss litigation; director's personnel matters; pending internal affairs investigations; and adjourn.

Contact: Susan Power-McHenry, P.O. Box 13084, Austin, Texas 78711, (512) 475-3250.

Filed: November 4, 1992, 3:55 p.m.

TRD-9214864

Texas Commission for the Deaf and Hearing Impaired

Monday, November 16, 1992, 9:30 a.m.

The Texas Commission for the Deaf and Hearing Impaired will meet at 1524 South IH-35, #200, Commission Conference Room, Austin. According to the complete agenda, the commission will call the meeting to order; hear chairperson's report; discuss approval of minutes; state audit and district attorney's investigation; reallocation to service providers for FY 1992; interpreter certification; camp sign report; meet in executive session; actions on results of executive session; discuss budget/financial reports; board of evaluation of interpreters program reports; TCDHI strategic planning and budgeting; task force and committee reports; service providers reports, TCDHI human rights policy; information items; schedule next commission meeting; adjourn; and hold a public hearing.

Contact: Texana Faulk Conn, 1524 South IH-35, #200, Austin, Texas 78704, (512) 444-3323.

Filed: November 2, 1992, 1:32 p.m.

TRD-9214758

Texas Education Agency

Wednesday, November 11, 1992, 10 a.m.

The Ad Hoc Committee on Student Outcome Goals of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-109, Austin. According to the complete agenda, the committee will discuss the report of the ad hoc committee on Student Outcome; and goals to the committee on long-range planning.

Contact: Marvin Veselka, 1701 North Congress Avenue, Austin, Texas 78701-1494, (512) 463-9533.

Filed: October 30, 1992, 10:52 a.m.

TRD-9214673

Wednesday, November 11, 1992, 2:30 p.m.

The State Board of Education Committee of the Whole of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the complete agenda, the committee will hold a public hearing on textbooks and systems being considered for adoption in 1992; testimony at the hearing is limited to residents of Texas who filed official written comments or participated in the July joint hearings before the Commissioner of Education and State Textbook Subject Area Committees; representatives of publishing companies will be allowed to respond to testimony. The deadline for residents and

publishers to file requests to appear at the November textbook hearing was at 5 p.m. on October 12, 1992, and this timeline was a part of the proclamation adopted by the board in July, 1990.

Contact: Ira Nell Turman, 1701 North Congress Avenue, Austin, Texas 78701-1494, (512) 463-9601.

Filed: October 30, 1992, 10:52 a.m.

TRD-9214672

Wednesday, November 11, 1992, 4:30 p.m. The Ad Hoc Committee on Textbooks of the State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, Room 1-100, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will review and discuss proposed amendment to 19 TAC Chapter 67, Subchapter A, State Textbook Program; report on alleged errors in the United States history textbooks; textbook pricing and purchasing options for Proclamation 68 and the 1991 Proclamation.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 3, 1992, 1:53 p.m.

TRD-9214820

Wednesday, November 11, 1992, 4:30 p.m. (Revised agenda). The Ad Hoc Committee on Textbooks of the State Board of Education of the Texas Education Agency will meet at the William B. Travis Building, Room 1-100, 1701 North Congress Avenue, Austin. According to the revised agenda summary, a change in the order of the agenda items; and to reflect that the item concerning textbook pricing and purchasing options for Proclamation 68 and the 1991 Proclamation has changed from a discussion to an action item. The committee will discuss proposed amendment to 19 TAC Chapter 67, Subchapter A, State Textbook Program; textbook pricing and purchasing options for Proclamation 68 and the 1991 Proclamation; and report on alleged errors in the U.S. history textbooks.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 3, 1992, 3:06 p.m.

TRD-9214832

Thursday, November 12, 1992, 9 a.m. The Committee on School Finance of the State Board of Education (SBOE) of the Texas Education Agency (TEA) will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the agenda summary, the committee will hear public testimony; legislative recommendations; review school finance plans; legislative recommendations

from proprietary schools; veterans education; driver training; proprietary schools and veterans education; driver training schools; large type textbooks for the visually handicapped; adoption of TEA schedule for competitive cost reviews of commercial activities; appointments to Driver Training School Advisory Commission; memorandum of understanding for regulation of proprietary schools; appointments to Texas Council on Vocational Education; discuss rules concerning hearings and appeals; Texas school facilities emergency grants update; and discuss method to prorate the technology allotment.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:03 p.m.

TRD-9214868

Thursday, November 12, 1992, 9 a.m. The Committee on Students of the State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-100, Austin. According to the agenda summary, the committee will hear public testimony; review and discuss hearings and appeals; curriculum; amendments to 1991 and 1992 Proclamation of the SBOE advertising for bids on textbooks; status of the curriculum in the public schools; discuss SBOE rules pertaining to state graduation credit options for high school students; discuss the mathematics or money course; textbook pricing and purchasing options for Proclamation 68 and the 1991 proclamation; relationship with the University Interscholastic League (UIL); and discuss proposed amendments to the UIL 1992-93 Constitution and contest rules.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:02 p.m.

TRD-9214867

Thursday, November 12, 1992, 9 a.m. The Committee on Personnel of the State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-111, Austin. According to the agenda summary, the committee will hear public testimony; review and discuss schedule of fees for teacher certification; issuance of certificates based on examination; appointment to Lackland ISD board of trustees; paperwork reduction initiatives; report on Section 504 and the Americans with Disabilities Act in the workplace; report on ethnic/gender distribution of TEA personnel; report on site-based decision making; status report on the accreditation of school districts; discuss proposed repeal and re-adoption of 19 TAC Chapter 137, Teacher

Education, and related professional education rules.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:01 p.m.

TRD-9214866

Thursday, November 12, 1992, 1 p.m. The Committee of the Whole of the State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the agenda summary, the committee will hear public testimony; overview of November 1991 SBOE meeting; resolutions honoring 1992 State Textbook Subject Area Committees; report of Textbook Subject Area Committees on Textbooks and report of the Commissioner concerning recommended changes and corrections; re-adoption of textbooks; rules concerning advisory groups; rules concerning the rulemaking process; legislative recommendations; supplemental legislative recommendations; relationship with the United States Government; 1991 academic excellence indicator system performance report; and discuss pending litigation. The discussion of pending litigation will be held in Room 1-103 in executive session in accordance with Vernon's Texas Civil Statutes, Article 6252-17, §2(e).

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4 p.m.

TRD-9214865

Friday, November 13, 1992, 8:30 a.m. The Committee on Long-Range Planning of the State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the agenda summary, the committee will hear public testimony; review and discuss year-round schools; recycling programs in public schools; evaluation of innovative grant program for 1991-1992; report of Ad Hoc Committee on Student Outcome Goals; presentation on tech-prep program; implementation of policy statement on middle grade education and middle grade schools; and discuss federal governmental relations activities.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:03 p.m.

TRD-9214869

Friday, November 13, 1992, 8:30 a.m. The Committee on the Permanent School Fund (PSF) of the State Board of Education

(SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-109, Austin. According to the agenda, the committee will hear public testimony; discuss recommended programs for November and December and the funds available for the program; election of a member of the SBOE to serve on the Board of Trustees of the Texas Growth Fund; appointments to the Investment Advisory Committee on the PSF; state auditor option on exchange of securities; options on the investment of the PSF; review of PSF securities transactions and the investment portfolio; and report of the PSF manager.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:03 p.m.

TRD-9214870

Friday, November 13, 1992, 10 a.m. The Committee on Personnel of the State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the complete agenda, the committee will hold a work session on State Board of Education rules related to professional development and teacher education. All members of the board are invited to attend this work session.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:04 p.m.

TRD-9214871

Friday, November 13, 1992, 1 p.m. The State Board of Education (SBOE) of the Texas Education Agency will meet at the William B. Travis Building, 1701 North Congress Avenue, Room 1-104, Austin. According to the agenda summary, the board will discuss approval of minutes; SBOE resolutions; approval of consent agenda; textbook bid opening; state textbook program; textbook pricing and purchasing options; resolutions honoring 1992 state textbook subject area committees; report of state textbook subject area committees on textbooks and report of the commissioner-recommended changes/corrections; readoption of textbooks; advisory groups; rulemaking process; legislative recommendations; schedule of fees for teacher certification; certificates based on examination; hearings and appeals; curriculum; amendments to 1991/1992 Proclamations; status of the curriculum in public schools; University Interscholastic League; legislative recommendations from proprietary schools, veterans education, and driver training; proprietary schools and veterans education; driver training schools; textbooks for visually

handicapped; competitive cost reviews; driver training school advisory commission; year-round schools; permanent school fund program for November/December; election of SBOE member to serve on Board of Trustees of Texas Growth Fund; and information on agency administration.

Contact: Criss Cloudt, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9701.

Filed: November 4, 1992, 4:04 p.m.

TRD-9214872

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**Advisory Commission on
State Emergency Commu-
nications**

Thursday, November 12, 1992, 9:30 a.m.

The Planning and Implementation Committee of the Advisory Commission on State Emergency Communications will meet at the ACSEC Offices, 1101 Capital of Texas Highway South, B-100, Austin. According to the agenda summary, the committee will hear staff reports; consider policy guidelines; reimbursement of funds for TDD equipment; authorize telephone companies to begin billing fees; review and consider approval of various proposed regional plan amendments; consider continuing operations at FY 1992 level until January; and adjourn. Persons requesting interpreter services for the hearing and speech-impaired should contact Velia Williams at (512) 327-1911 at least two work days prior to the meeting.

Contact: Jim Goerke, 1101 Capital of Texas Highway South, B-100, Austin, Texas (512) 327-1911.

Filed: November 4, 1992, 3:28 p.m.

TRD-9214858

Thursday, November 12, 1992, 4 p.m.

The Call Box Task Force of the Advisory Commission on State Emergency Communications will meet at the ACSEC Offices, 1101 Capital of Texas Highway South, B-100, Austin. According to the agenda summary, the task force will give a report on committee charge and findings to date; identify and discuss technical issues, funding and feasibility and time lines. Persons requesting interpreter services for the hearing and speech-impaired should contact Velia Williams at (512) 327-1911 at least two work days prior to the meeting.

Contact: Jim Goerke, 1101 Capital of Texas Highway South, B-100, Austin, Texas (512) 327-1911.

Filed: November 4, 1992, 3:28 p.m.

TRD-9214857

Friday, November 13, 1992, 9:30 a.m. The Administration Committee of the Advisory Commission on State Emergency Communications will meet at the ACSEC Offices, 1101 Capital of Texas Highway South, B-100, Austin. According to the agenda summary, the committee will hear staff reports; discuss and consider recommending proposed 9-1-1 district funding policy; proposed ACSEC strategic plan; and ACSEC committee structure and bylaws. Persons requesting interpreter services for the hearing and speech-impaired should contact Velia Williams at (512) 327-1911 at least two work days prior to the meeting.

Contact: Jim Goerke, 1101 Capital of Texas Highway South, B-100, Austin, Texas (512) 327-1911.

Filed: November 4, 1992, 3:29 p.m.

TRD-9214860

Friday, November 13, 1992, 1:30 p.m. The Addressing Committee of the Advisory Commission on State Emergency Communications will meet at the ACSEC Offices, 1101 Capital of Texas Highway South, B-100, Austin. According to the agenda summary, the committee will review and consider amendments to Rule 251.3, state addressing funds distribution; and consider approval of various proposed addressing plan amendments. Persons requesting interpreter services for the hearing and speech-impaired should contact Velia Williams at (512) 327-1911 at least two work days prior to the meeting.

Contact: Jim Goerke, 1101 Capital of Texas Highway South, B-100, Austin, Texas (512) 327-1911.

Filed: November 4, 1992, 3:29 p.m.

TRD-9214859

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Texas Ethics Commission

Friday, November 6, 1992, 9:30 a.m. The Texas Ethics Commission met at the Texas State Board of Public Accountancy, 1033 La Posada, Third Floor, Board Room, Suite 340, Austin. According to the agenda summary, the commission took roll call; heard comments and communications; commission had a briefing, discussion and possibly acted regarding studies mandated by Vernon's Texas Civil Statutes, Article 6252-9d, §§1.301, 1.302, and 1.303; unfinished or postponed agenda items from November 5, 1992 meeting was handled: may have discussed approval of prior minutes; studies; training; code of conduct; assessment of fines; adoption of rules §§20.111-20.161; discussed proposed new rules; AORs 27, 33, 59, 60, 61, 94, 38, 63, 72, 74, 78, 80, 81, 90, 98, 107, 119, and 116.

Contact: John Steiner, 1101 Camino La Costa, Austin, Texas 78752, (512) 463-5800.

Filed: October 29, 1992, 4:25 p.m.

TRD-9214656

General Services Commission

Monday, November 9, 1992, 9:30 a.m.
The General Services Commission met at 1711 San Jacinto, Central Services Building, Room 402, Austin. According to the complete agenda, the commission considered final adoption of amendments to sections 113.9 and 113.10 concerning delegated purchasing and term contracts; considered proposed amendment to State Lease 601-6431-El-Austin for the Department of Transportation at East Riverside Drive; proposed amendments to Sections 123.31, 123.32, 123.33, and 123.34 concerning prevailing wages and their adoption on an emergency basis; monthly division issues report; met in executive session to consider the status of the purchase of real property in Houston and Austin pursuant to the provisions of Texas Civil Statutes, Article 701b; received a report from counsel concerning the status of all pending litigation; and considered personnel matters.

Contact: Judith M. Porras, 1711 San Jacinto, Austin, Texas 78701, (512) 463-3446.

Filed: October 30, 1992, 1:35 p.m.

TRD-9214676

Monday, November 9, 1992, 9:30 a.m.
The General Services Commission met at 1711 San Jacinto, Central Services Building, Room 402, Austin. According to the emergency revised agenda summary, the commission considered and approved amendments to the fiscal year 1994-1995 appropriation request for capital expenditures; and considered and approved policy guidelines for lease amendments adding options to purchase. The emergency status was necessary as a need for a revised appropriations request for capital expenditures could not have been reasonably foreseen prior to analysis by budget officers; revisions, if any, had to be approved immediately for timely consideration of the budget request. Policy guidelines for leases with options to purchase were an immediate need to prevent unnecessary costs and uncertainty in evaluating unsolicited proposals and to provide immediate guidance to potential proposers.

Contact: Judith M. Porras, 1711 San Jacinto, Austin, Texas 78701, (512) 463-3446.

Filed: November 5, 1992, 9:58 a.m.

TRD-9214891

Office of the Governor

Monday, November 9, 1992, 1:30 p.m.
The Automobile Theft Prevention Authority of the Office of the Governor met at the John Reagan Building, Room 107, 105 West 15th Street, Austin. According to the agenda summary, the authority called the meeting to order; made introductions; heard report by Department of Insurance; discussed/possibly approved grant application process, forms, and schedule; publication and distribution of plan of operation; discussed legislation issues by Mart Hanna; report on collection of funds and projection for 1992; discussed/approved on personnel/staffing matters; administrative budget; and adjourned.

Contact: Linda Young, 221 East 11th Street, Austin, Texas 78701, (512) 463-1919.

Filed: October 30, 1992, 10:31 a.m.

TRD-9214666

Texas Growth Fund

Thursday, November 12, 1992, 9:30 a.m.
The Board of Directors of the Texas Growth Fund will meet at the Teacher Retirement System Building, Fifth Floor, 1000 Red River Street, Austin. According to the complete agenda, the board will review and discuss approval of the minutes of the special meeting of the Board of Trustees held on September 2, 1992; review and approve treasurer's report; reimbursement expense reports from the current and former trustees of the Texas Growth Fund and authorize transfer notice for the same; receive a report on the activities of TGF Management Corporation; review and approve expenses incurred or to be incurred by TGF Management Corporation in initially retaining employees to fulfill its obligations; receive a report on the acquisition of directors and officers, errors and omissions, and mutual fund liability insurance; and other matters may come before the Board of Trustees.

Contact: James J. Kozlowski, 600 Congress Avenue, Suite 2200, Austin, Texas 78701, (512) 322-3100.

Filed: November 2, 1992, 3:15 p.m.

TRD-9214775

Texas Department of Health

Monday, November 9, 1992, 10 a.m.
The Respiratory Care Practitioners Advisory Board of the Texas Department of Health met at the Exchange Building, Room 402, 8407 Wall Street, Austin. According to the agenda summary, the board may have discussed approval of the minutes of July 15,

1992 meeting; heard reports from chairperson and program administrator; discussed and possibly acted on amendments to rules in Title 25, Texas Administrative Code relating to education programs, to formal training (\$123.5), and to education requirements (\$123.10); applications for approval/disapproval; complaints concerning Thomas Moss, Leisha Gossett, Stephen Myers, and Brian Seiber; and other matters not requiring board action.

Contact: Donna Hardin, 1100 West 49th Street, Austin, Texas 78756, (512) 834-6617. For ADA assistance, call Richard Butler, (512) 458-7488 or T. D.D. (512) 458-7708 at least two days prior to the meeting.

Filed: October 30, 1992, 3:56 p.m.

TRD-9214702

Texas Commission on Human Rights

Thursday, November 12, 1992, 9 a.m.
The Texas Commission on Human Rights will meet at the Sam Houston Building, Room 117, 201 East 14th Street, Austin. According to the agenda summary, the commission will discuss and vote on agenda item(s) covered in executive session as necessary or required; welcoming of guests; discuss approval of minutes; hear administrative reports; cash flow statements; strategic plan; legislative appropriations request for Fiscal 1994-1995; 1993 EEOC charge resolution contract; HUD contribution contract for Fiscal 1993; proposals submitted to HUD for FHP funding; additional personnel; NAHRW conference; hosting IAOHRA annual conference task force to amend the TCHR Act; additional office space; units purchased through RTC for Section 8 housing; chairman's appointments to committees; management plans; automation of complaint intake process; EEO Compliance Training; article; staff training; bidding procedure to include disadvantaged businesses; commissioner issues; and discuss unfinished business.

Contact: William M. Hale, P.O. Box 13493, Austin, Texas 78711, (512) 837-8534.

Filed: October 30, 1992, 9:11 a.m.

TRD-9214657

Texas Department of Human Services

Tuesday, November 10, 1992, 9 a.m.
The Drug Use Review Board of the Texas Department of Human Services will meet at 701 West 51st Street, Fourth Floor, West Tower, Conference Room 4W, Austin. Ac-

ording to the complete agenda, the board will discuss approval of minutes from October 6, 1992; discuss and approve bylaws; vendor drug program overview; discuss and approve prospective DUR criteria and application to the On-line system; discuss and approve retrospective DUR criteria and system design; general discussion of educational intervention methods; scheduling next meeting; and adjourn.

Contact: Carolyn Howell, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-3053.

Filed: October 30, 1992, 2:56 p.m.

TRD-9214688

Friday, November 13, 1992, 9:15 a.m. The Medical Care Advisory Committee of the Texas Department of Human Services will meet at 701 West 51st Street, First Floor, East Tower, Public Hearing Room, Austin. According to the complete agenda, the committee will hear opening comments; hear deputy commissioner's comment; discuss approval of minutes; federal legislative update; House Bill 7 transition update; remedies against nursing facilities for contract violations; LTC/NFR for licensure and Medicaid certification-technical and federally-mandated amendments and reimbursement for residents dependent on ventilators; inheritances; three months prior coverage for program transfers; treatment of annuities; ineligibility and the protected resource amount; income exemption; resource exclusion of retroactive payment; spousal impoverishment policy clarifications; targeted case management services for infants and toddlers with developmental disabilities rules; ICF-MR standards regarding personal finances and funds; DAHS amendments; amendments to CLASS; effective date of adverse actions; clarification of reimbursement methodology of community care and EPSDT-CCP Services; feedback on advisory committee recommendations; update on clinical laboratory improvement amendment; Medicaid payment of advanced nurse practitioner; subcommittee reports on PPAC and HPAC; open discussion by members; next meeting; and adjourn.

Contact: Carolyn Howell, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-3053.

Filed: November 2, 1992, 9:50 a.m.

TRD-9214745

Texas Incentive and Productivity Commission

Monday, November 16, 1992, 10 a.m. The Texas Incentive and Productivity Commission will meet at One Capitol Square, 15th and Lavaca Streets, Room 202, Austin. According to the agenda summary, the com-

mission will call the meeting to order; discuss approval of minutes of previous meeting; consider employee suggestions; consider agency applications for productivity bonus program awards; consider 1993 productivity plans; report on administrative matters; and adjourn.

Contact: M. Elaine Powell, P.O. Box 12482, Austin, Texas 78711, (512) 475-2393.

Filed: November 5, 1992, 9:37 a.m.

TRD-9214890

Texas Department of Insurance

Monday, November 9, 1992, 1:30 p.m. The Commissioner's Hearing Section of the Texas Department of Insurance met at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the proposed plan of merger of Pacific Security Life Insurance Company, El Paso, into Surety American Life Insurance Company, El Paso, with Surety American Life Insurance Company being the survivor.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: October 30, 1992, 3:17 p.m.

TRD-9214690

Tuesday, November 10, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of Primerica Corporation, a Delaware Corporation, to acquire control of the Travelers Lloyds Insurance Company, Richardson. Docket Number 11593.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:40 p.m.

TRD-9214780

Tuesday, November 10, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application of the Travelers Corporation, to acquire control of Atlantic Insurance Company, Select Insurance Company and Gulf Group Lloyds. Docket Number 11594.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:40 p.m.

TRD-9214781

Tuesday, November 10, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the proposed change of control of Travelers Health Network of Texas, Inc. Docket Number 11595.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:40 p.m.

TRD-9214782

Thursday, November 12, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the matter of cease and desist order number 92-0953 to Gloria Garcia doing business as Gloria Garcia Insurance Agency. Docket Number 11576A.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:40 p.m.

TRD-9214783

Thursday, November 12, 1992, 9 a.m. The State Board of Insurance of the Texas Department of Insurance will meet at the William P. Hobby Building, 333 Guadalupe Street, Room 100, Austin. According to the agenda summary, the board will discuss personnel; including liquidation division reduction in force procedure; solvency; budget; commissioner's orders; litigation; staff reports; Docket Number 1941; hearing officer proposal for decision in Docket Number 1928; consider publication of proposed new 28 TAC §§7.52, 25.717, 7.1011, 1.413 and 1.412; consider petition to amend Texas Statistical plan for residential risks; consider filings by Mutual Service Casualty Insurance Company, Utica Mutual Insurance Company, Mutual Service Casualty Insurance Company and extension of filing by Mortgage Guaranty Insurance Company; municipal bond submissions by AMBAC Indemnity Corporation; consider whether to grant a meeting or hearing on three petitions filed by the Property Division of the Texas Department of Insurance relating to manual rules as itemized; and consider a filing by Gulf Insurance Company.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: October 30, 1992, 2:56 p.m.

TRD-9214687

Thursday, November 12, 1992, 1:30 p.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider the application for the amendment to the articles of incorporation of Pacific International Insurance Company changing the principal business office and pertaining to director liability. Docket Number 11589.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:41 p.m.

TRD-9214784

Friday, November 13, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether a cease and desist order should be issued against Student Insurance, Inc. and to consider whether the application of Student Insurance, Inc. for a certificate of authority to act as a third party administrator should be denied. Docket Number 11580.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:41 p.m.

TRD-9214785

Friday, November 13, 1992, 2 p.m. The Texas Health Maintenance Organization Solvency Surveillance Committee of the Texas Department of Insurance will meet at the William P. Hobby Building, Room 100, 333 Guadalupe Street, Austin. According to the agenda summary, the committee will call the meeting to order; consider and discuss approval of the July 24, 1992 minutes; presentation and discussion regarding: steps taken and time frames involved in preparing and finalizing the agenda for future meetings; the polling of members to assure quorum attending scheduled meeting; receiver's report; meet in executive session to review: statutorily confidential information on financial condition of HMO's; extent and manner materials disseminated to members of committee; survey on guarantees; and discussion on proposals for legislation.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: November 4, 1992, 2:42 p.m.

TRD-9214855



Monday, November 16, 1992, 9 a.m. The Commissioner's Hearing Section of the Texas Department of Insurance will meet at 333 Guadalupe Street, Hobby II, Fourth Floor, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against David Michael Smith, of Richardson, who holds a Group I, Legal Reserve Life Insurance Agent's license. Docket Number 11509.

Contact: Kelly Townsell, 333 Guadalupe Street, Hobby I, Austin, Texas 78701, (512) 475-2983.

Filed: November 2, 1992, 3:41 p.m.

TRD-9214786

Tuesday, November 24, 1992, 10:30 a.m. The State Board of Insurance of the Texas Department of Insurance will meet at the William P. Hobby Building, Room 100, 333 Guadalupe Street, Austin. According to the agenda, the board will consider and possibly act on rating plans filed by the Texas Workers' Compensation Insurance Facility pursuant to Section 4.05 of Article 5.76-2, Texas Insurance Code.

Contact: Angelia Johnson, 333 Guadalupe Street, Mail Code 113-2A, Austin, Texas 78701, (512) 463-6527.

Filed: November 3, 1992, 12:01 p.m.

TRD-9214812



Texas Commission on Jail Standards

Tuesday, November 17, 1992, 2 p.m. The Texas Commission on Jail Standards will meet at the Stephen F. Austin Building, Room 119, Austin. According to the complete agenda, the commission will call the meeting to order; take roll call of members; discuss personnel; review of population report; discuss Fiscal Year 1994-95 budget; transfer of backlog/payment; federal court order; efforts to provide space; status of payments; duties and responsibilities; developing agendas; Chapter 511, Government Code, Chapter 351, Local Government Code; Section 351.102 and 361.061 Local Government Code; TB-its impact on jails; review of November 18, 1992 agenda; comments and summary; education committee meeting; and internal audit committee meeting.

Contact: Jack E. Crump, P.O. Box 12985, Austin, Texas 78711, (512) 463-5505.

Filed: November 3, 1992, 9:32 a.m.

TRD-9214800

Wednesday, November 18, 1992, 9 a.m. The Texas Commission on Jail Standards will meet at the Department of Public

Safety Auditorium, 5805 North Lamar Boulevard, Austin. According to the agenda summary, the commission will call the meeting to order; take roll call of members; reading and discuss approval of minutes of the last meeting of September 23, 1992; discuss old business: Angelina County, Bexar County, Bowie County, Ector County; Hidalgo County; Hopkins County, McLennan County, Victoria County, Zapata County; status of transfer of felony backlog; status of payment to counties; education committee; completed jail projects; jail population report; internal audit committee report; and active remedial orders; discuss new business: Denton County, Midland County, Harris County; request for opinion; appointment of nominating committee; and change to standards (proposed); applications for variances: Colorado County and Denton County; hear director's report; discuss other business; meet in executive session; and adjourn.

Contact: Jack E. Crump, P.O. Box 12985, Austin, Texas 78711, (512) 463-5505.

Filed: November 3, 1992, 9:31 a.m.

TRD-9214799



Texas Juvenile Probation Commission

Friday, November 13, 1992, 9 a.m. The Internal Audit Committee of the Texas Juvenile Probation Commission will meet at 2015 South IH-35, Austin. According to the complete agenda, the committee will call the meeting to order; and discuss the internal audit annual report for fiscal year 1992.

Contact: Bernard Licarione, Ph.D., P.O. Box 13547, Austin, Texas 78711, (512) 443-2001.

Filed: November 3, 1992, 11:04 a.m.

TRD-9214809

Friday, November 13, 1992, 9 a.m. The Evaluation Committee of the Texas Juvenile Probation Commission will meet at 2015 South IH-35, Austin. According to the complete agenda, the committee will call the meeting to order; and discuss the personnel evaluation of the executive director. This meeting will be closed to the public under the authority of Article 6252-17, §2(g), Texas Revised Civil Statutes.

Contact: Bernard Licarione, Ph.D., P.O. Box 13547, Austin, Texas 78711, (512) 443-2001.

Filed: November 3, 1992, 11:04 a.m.

TRD-9214808

Friday, November 13, 1992, 10:30 a.m. The Board of the Texas Juvenile Probation Commission will meet at 2015 South IH-35, Austin. According to the complete agenda,

the committee will call the meeting to order; introduce new staff; review and discuss excused absences; discuss approval of September 18, 1992 minutes; budget adjustments fiscal year 1992; report from Evaluation Committee; Title IV-E Program-contract issues; director's report-report on chief's conference; TJPC resolution regarding consolidation; legislation-Dallas County Legislative issues; legislative issues from judges, school issues and proposed meeting with the Texas Education Agency; report from the Internal Audit Committee; creative and innovative grant award committee report-remarks from the creative and innovative grantees; report from the Criminal Justice Policy Council; hear public comments; schedule next meeting; report on juvenile board members conference; and adjourn.

Contact: Bernard Licarione, Ph.D., P.O. Box 13547, Austin, Texas 78711, (512) 443-2001.

Filed: November 3, 1992, 11:06 a.m.

TRD-9214810

Lamar University System

Tuesday, November 3, 1992, 3:30 p.m. The Board of Regents of the Lamar University System held an emergency meeting at the John Gray Institute, Map Room, 855 Florida, Beaumont. According to the complete agenda, the board called the meeting to order; gave invocation; considered: appointment of interim chancellor; appointment of Dr. Dolph Norton to the position of interim chancellor; if necessary, executive session pursuant to Article 6252-17, Paragraph 2 in regard to the appointment and/or employment of interim chancellor; and adjourned. The emergency status was necessary due to urgent public necessity.

Contact: George McLaughlin, P.O. Box 11900, Beaumont, Texas 77710, (409) 880-2304.

Filed: November 3, 1992, 9:07 a.m.

TRD-9214797

Texas Board of Professional Land Surveying

Friday-Saturday, November 13-14, 1992, 9 a.m. The Board of the Texas Board of Professional Land Surveying will meet at 7701 North Lamar Boulevard, Suite 400, Austin. According to the complete agenda, the board will discuss approval of minutes of the previous meeting; adopt Rule 661.91(c) regarding the cost of transcripts; hear presentation of complaints; consider Complaint Number 92-5; hear committee reports; discuss continuing education; dis-

uss correspondence; discuss old business; and consider new business.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or braille, are requested to contact Sandy Smith at (512) 452-9427, two working days prior to the meeting so that appropriate arrangements can be made.

Contact: Sandy Smith, 7701 North Lamar Boulevard, Suite 400, Austin, Texas 78752, (512) 452-9427.

Filed: October 29, 1992, 2:34 p.m.

TRD-9214642

Texas Commission on Law Enforcement Officer Standards and Education

Wednesday, November 18, 1992, 1:30 p.m. The Law Enforcement Management Institute of the Texas Commission on Law Enforcement Officer Standards and Education will meet at the Criminal Justice Center, Sam Houston State University, Huntsville. According to the agenda summary, the commission will call the meeting to order; recognize visitors; introduce newly appointed member and election of chairman, vice-chairman and secretary (if new board member is appointed); discuss approval of minutes of the August 18, 1992 board of directors meeting; *Issues and Perspectives Book*; discuss and act on: time limits for program completion; new districts; selection guidelines; staff activity reports; future meeting dates; public comments on any subject without discussion will be received; and adjourn.

Contact: Fred Tolar, 1033 LaPosada, Suite 175, Austin, Texas 78752, (512) 450-0188.

Filed: November 4, 1992, 10:44 a.m.

TRD-9214845

Texas State Library and Archives Commission

Tuesday, November 17, 1992, 10 a.m. The Texas State Library and Archives Commission will meet at the Lorenzo de Zavala Archives and Library Building, 1201 Brazos Street, Room 314, Austin. According to the complete agenda, the commission will discuss approval of the minutes of October 23, 1992 meeting; consider adoption of proposed standards and procedures for management of electronic records: state government records; local government records; consider adoption of amendments to the rule concerning local government records retention schedules; records of school

districts (SD); records of public junior colleges (JC); amended schedules for records common to all governments (GR); amended schedules for records of property taxation (TX); consider adoption of proposed amendments to rules establishing micro-filing standards for local government records.

Contact: Raymond Hitt, P.O. Box 12927, Austin, Texas 78711, (512) 463-5440.

Filed: November 5, 1992, 9:28 a.m.

TRD-9214888

Texas State Board of Medical Examiners

Thursday, November 12, 1992, 1:30 p.m. The Examination Committee of the Texas State Board of Medical Examiners will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete agenda, the committee will review examination applicants and review examination applicants complete for consideration of licensure. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s)(1) and Opinion of Attorney General 1974, Number H-484.

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:23 p.m.

TRD-9214878

Thursday, November 12, 1992, 1:30 p.m. The Examination Committee of the Texas State Board of Medical Examiners will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete agenda, the committee will call the meeting to order; discuss approval of the minutes from October meeting; October 1992 enforcement report; review of complaint flow chart; review and discuss guidelines and procedure manual for compliance division; disciplinary guidelines for informal settlement conferences; and meet in executive session to review selected files, two year old cases, and cases dismissed by informal settlement conferences. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s)(1) and Opinion of Attorney General 1974, Number H-484).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:23 p.m.

TRD-9214879

Thursday, November 12, 1992, 1:30 p.m. The Reciprocity Committee of the Texas State Board of Medical Examiners will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete

agenda, the committee will review September, 1992 SPEX examination statistics; review reciprocal endorsement applicants to be considered for permanent licensure; and review reciprocal endorsement applicants. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s) (1) and Opinion of Attorney General 1974, Number H-484).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:23 p.m.

TRD-9214880

Friday-Saturday, November 13-14, 1992, 9 a.m. and 8:30 a.m. respectively. The Texas State Board of Medical Examiners will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the agenda summary, the board will hold hearings on cancellations by request and nonpayment; hold public hearings on proposed rule changes; proposals for decision; requests for reinstatement; probation appearances; requests for termination of probation; meet in executive session to discuss pending litigation; discuss approval of minutes; board orders; medical schools; training programs; board committees; review of new jurisprudence examination; and executive director's report which will include discussion of Sunset Review, licensure, enforcement, remedial and continuing medical education. Persons requiring special accommodations due to a handicap should contact Pat Wood at the board office at least two days prior to the board meeting. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s)(1) and Opinion of Attorney General 1974, Number H-484).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:24 p.m.

TRD-9214881

Friday, November 13, 1992, 8:30 a.m. The Finance Committee of the Texas State Board of Medical Examiners will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete agenda, the committee will hear a report on financial statements. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s) (1) and Opinion of Attorney General 1974, Number H-484).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:21 p.m.

TRD-9214877

Friday, November 13, 1929, 8:30 a.m. The Standing Orders Committee of the Texas State Board of Medical Examiners

will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete agenda, the committee will discuss the possibility of scheduling public hearings on the issue of electromyographic testing; and discuss rural health clinics. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s)(1) and Opinion of Attorney General 1974, Number H-484).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:21 p.m.

TRD-9214876

Friday, November 13, 1992, 8:30 a.m. The Medical School Committee of the Texas State Board of Medical Examiners will meet at 1812 Centre Creek Drive, Suite 300, Austin. According to the complete agenda, the committee will discuss the schedule for medical school visits. (Executive session under authority of Article 6252-17, as related to Article 4495b, 2.07, 3.05(d), 4.05(d), 5.06(s)(1) and Opinion of Attorney General 1974, Number H-484).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-4502.

Filed: November 4, 1992, 4:20 p.m.

TRD-9214875

◆ ◆ ◆
**Texas Council on Offenders
with Mental Impairments**

Monday, November 16, 1992, 10 a.m. The Executive Committee of the Texas Council on Offenders with Mental Impairments will meet at the TDCJ Pardons and Paroles Division, 8610 Shoal Creek Boulevard, Austin. According to the complete agenda, the committee will be called to order; introductions will be made; public comments heard; discuss approval of minutes of previous meeting; discuss legislative recommendations; hear committee reports; executive director's report; duties of the executive director; and hear about the Children's Community Mental Health Plan; and adjourn.

Contact: Pat Hamilton, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5406.

Filed: November 4, 1992, 9:26 a.m.

TRD-9214841

◆ ◆ ◆
**Texas Board of Licensure
for Nursing Home Administrators**

Saturday, November 14, 1992, 10 a.m. (Rescheduled from October 9, 1992). The Policy Committee of the Texas Board of

Licensure for Nursing Home Administrators will meet at 4800 North Lamar Boulevard, #310, Austin. According to the complete agenda, the committee will call the meeting to order; discuss application rules; discuss board policy on public comment; discuss advisory committee report; \$10 continuing education fee; and adjourn.

Contact: Janet Lacy, 4800 North Lamar Boulevard, #310, Austin, Texas 78756, (512) 458-1955.

Filed: November 3, 1992, 1:09 p.m.

TRD-9214817

Saturday, November 14, 1992, 10 a.m. (Rescheduled from October 9, 1992). The Finance Committee of the Texas Board of Licensure for Nursing Home Administrators will meet at 4800 North Lamar Boulevard, #310, Austin. According to the complete agenda, the committee will call the meeting to order; discuss LAR; discuss budget hearings; present and discuss agency budget for fiscal year 1993; and adjourn.

Contact: Janet Lacy, 4800 North Lamar Boulevard, #310, Austin, Texas 78756, (512) 458-1955.

Filed: November 3, 1992, 1:09 p.m.

TRD-9214816

Saturday, November 14, 1992, 10 a.m. (Rescheduled from October 9, 1992). The Education Committee of the Texas Board of Licensure for Nursing Home Administrators will meet at 4800 North Lamar Boulevard, #310, Austin. According to the complete agenda, the committee will call the meeting to order; discuss advisory committee to the board report; report on the confirmation for starting the NAB; presentation of information regarding university proposals to design, revise and construct the state standards exam; discuss the \$10 fee for continuing education; discuss increasing continuing education requirements to 40 hours; discuss waivers; and adjourn.

Contact: Janet Lacy, 4800 North Lamar Boulevard, #310, Austin, Texas 78756, (512) 458-1955.

Filed: November 3, 1992, 1:09 p.m.

TRD-9214815

Saturday, November 14, 1992, 10 a.m. (Revised agenda). The Education Committee of the Texas Board of Licensure for Nursing Home Administrators will meet at 4800 North Lamar Boulevard, Suite 310, Austin. According to the complete revised agenda, the committee will call the meeting to order; discuss advisory committee report; report on the confirmation for starting the NAB; presentation of information regarding university proposals to design, revise and construct the State Standards Exam; discuss the \$10 fee for continuing education; discuss increasing the continuing education re-

quirements to 40 hours; proposed application rules; discuss waivers; and adjourn.

Contact: Janet Lacy, 4800 North Lamar Boulevard, #310, Austin, Texas 78756, (512) 458-1955.

Filed: November 4, 1992, 1:16 p.m.

TRD-9214850

Texas Board of Pardons and Paroles

Tuesday, November 10, 1992, 9 a.m. The Texas Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the complete agenda, the board will discuss and act on the following items: approval of minutes of August 11, 1992; consider procedure for handling and identifying capital offense cases; discuss procedure for selection of Chemical Abuse Program participants; definition and use of F15 parole voting option; discuss Chemical Abuse Program; special review of cases; board member training programs; SCR 26 status report; discuss issuance and cancellation of warrants; hearings/procedures; and voting options for PIA.

Contact: Juanita Llamas, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 406-5408.

Filed: October 30, 1992, 10:40 a.m.

TRD-9214667

Board of Plumbing Examiners

Monday, November 9, 1992, 9 a.m. The Board of Plumbing Examiners met at 929 East 41st Street, Austin. According to the agenda summary, the board took roll call; recognized visitors; discussed approval of the minutes of the September meeting; heard Chris Maczka, Assistant Attorney General; reviewed and discussed license card mailer; committee reports; administrator's report; financial report; state mandated travel management procedures; examination/field department report; hardship cases; and any other subject which may come before the board.

Contact: Mary Lou Lane, 929 East 41st, Austin, Texas 78751, (512) 458-2145.

Filed: October 30, 1992, 10:51 a.m.

TRD-9214671

Texas Department of Protective and Regulatory Services

Sunday, November 8, 1992, 2 p.m. The Texas Department of Protective and Regulatory Services met at the John H. Winters Building, Room 125E, 701 West 51st Street, Austin. According to the agenda summary, the department may have discussed approval of the minutes; heard public testimony; held a work session on strategic plan and legislative appropriation request (LAR); board took action as necessary on the strategic plan and legislative appropriations request; screening committee; set future board meetings; met in accordance with Article 7252-17, §2(g), the board met in closed executive session to evaluate and consider the duties of personnel in exempt positions, to consider protective and regulatory services staff and support staff reassignments and transfers, and filling the position of executive director; and reconvened in open session to take action, if necessary, resulting from discussion in executive session.

Contact: Sherry Wilkie, 701 West 51st Street, Austin, Texas 78701, (512) 450-4778.

Filed: October 31, 1992, 7:14 p.m.

TRD-9214728

Monday, November 9, 1992, Noon The Texas Department of Protective and Regulatory Services met at the John H. Winters Building, Room 125E, 701 West 51st Street, Austin. According to the agenda summary, the department may have discussed approval of the minutes; heard public testimony; held a work session on strategic plan and legislative appropriation request (LAR); board took action as necessary on the strategic plan and legislative appropriations request; screening committee; set future board meetings; met in accordance with Article 7252-17, §2(g), the board met in closed executive session to evaluate and consider the duties of personnel in exempt positions, to consider protective and regulatory services staff and support staff reassignments and transfers, and filling the position of executive director; and reconvened in open session to take action, if necessary, resulting from discussion in executive session.

Contact: Sherry Wilkie, 701 West 51st Street, Austin, Texas 78701, (512) 450-4778.

Filed: October 31, 1992, 7:14 p.m.

TRD-9214719

Tuesday, November 10, 1992, noon. The Texas Department of Protective and Regulatory Services will meet at the John H. Winters Building, Room 125E, 701 West

51st Street, Austin. According to the agenda summary, the department may have discussed approval of the minutes; heard public testimony; held a work session on strategic plan and legislative appropriation request (LAR); board took action as necessary on the strategic plan and legislative appropriations request; screening committee; set future board meetings; met in accordance with Article 7252-17, §2(g), the board met in closed executive session to evaluate and consider the duties of personnel in exempt positions, to consider protective and regulatory services staff and support staff reassignments and transfers, and filling the position of executive director; and reconvened in open session to take action, if necessary, resulting from discussion in executive session.

Contact: Sherry Wilkie, 701 West 51st Street, Austin, Texas 78701, (512) 450-4778.

Filed: October 31, 1992, 7:14 p.m.

TRD-9214727

Tuesday, November 10, 1992, noon. The Texas Department of Protective and Regulatory Services will hold an emergency meeting at 1100 West 49th Street, Texas Board of Health Board Room, Room M-739, Austin. According to the complete agenda, the board will discuss approval of the minutes; hear public testimony; hold a work session on strategic plan and legislative appropriation request (LAR); board will take action as necessary on the strategic plan and legislative appropriations request; screening committee; set future board meetings; meet in accordance with Article 7252-17, §2(g), the board will meet in closed executive session to evaluate and consider the duties of personnel in exempt positions, to consider protective and regulatory services staff and support staff reassignments and transfers, and filling the position of executive director; and reconvene in open session to take action, if necessary, resulting from discussion in executive session. The emergency status was necessary due to change of location.

Contact: Sherry Wilkie, 701 West 51st Street, Austin, Texas 78701, (512) 450-4778.

Filed: November 3, 1992, 3:26 p.m.

TRD-9214833

Texas Department of Public Safety

Monday, November 9, 1992, 1:30 p.m. The Public Safety Commission of the Texas Department of Public Safety met at the DPS Headquarters, Commission Room, 5805 North Lamar Boulevard, Austin. According to the complete agenda, the commission

discussed approval of minutes; budget matters; internal audit report; approval of DPS strategic plan; approval of revision to vehicle inspection manual on rules and regulations relating to emission inspection and maintenance programs; personnel matters; pending and contemplated litigation; real estate matters; miscellaneous; and other unfinished business.

Contact: James R. Wilson, 5805 North Lamar Boulevard, Austin, Texas 78773, (512) 465-2000, extension 3700.

Filed: October 29, 1992, 1:58 p.m.

TRD-9214627

Public Utility Commission of Texas

Monday, November 9, 1992, 10 a.m. The Hearings Division of the Public Utility Commission of Texas met at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division held a prehearing conference in Docket Number 10917, Gulf States utilities standard avoided cost calculation for purchases of capacity and energy from qualifying facilities pursuant to Public Utility Commission Substantive Rule 23.66(h)(3).

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: October 29, 1992, 3:13 p.m.

TRD-9214651

Tuesday, November 10, 1992, 9 a.m. The Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the agenda summary, the commission will consider the following dockets: 10016, 10564, 10689, 10985, 11512, 11145, 11307, 10836, 11286, 11215, 11104, 10733, 10894, 11362, P10543, P11125, P11530, P11564, P11541, and P11546.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: November 2, 1992, 4:19 p.m.

TRD-9214791

Tuesday, November 10, 1992, 9:05 a.m. The Administrative Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the agenda summary, the division will hear reports, discuss and act on budget and fiscal matters; discuss monthly financial statements; procedures for final order and administrative meetings; schedule for telecommunications and electric utility workshops/forums and publication of questions in *Texas Register*; approval of questions for publication

concerning IRP regional hearing; presentation of report on agency timekeeping; status report on 5-state audit of SWB; consider letter to SEC concerning commission's jurisdiction over HL&P; consider request by General Land Office for assistance with the West Texas Development Project; adjourn for executive session to consider litigation and personnel matters; reconvene for discussion and decisions on matters considered in executive session; set time and place for next meeting; and adjourn.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: November 2, 1992, 4:19 p.m.

TRD-9214790

Thursday, November 12, 1992, 9 a.m. The Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the commission will hold a hearing on the merits in Docket Number 11000-application of Houston Lighting and Power Company to amend CCN for the Dupont Project generating unit.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: November 3, 1992, 2:57 p.m.

TRD-9214831

Friday, November 13, 1992, 9 a.m. The Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the commission will hold a prehearing conference in Docket Number 11544, petition of Rio Grande Electric Cooperative, Inc., to blend power cost recovery factors and to recover deferred costs.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: October 29, 1992, 3:13 p.m.

TRD-9214652

Thursday, November 19, 1992, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a prehearing conference in Docket Number 11292-application of Entergy Corporation and Gulf States Utilities Company for sale, transfer, or merger.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: November 3, 1992, 2:56 p.m.

TRD-9214829

Monday, March 1, 1993, 10 a.m. The Hearings Division of the Public Utility

Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11287-application of Kaufman County Electric Cooperative, Inc. to amend Certificate of Convenience and Necessity for transmission line and substation in Kaufman County.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: November 4, 1992, 3:45 p.m.

TRD-9214863

Tuesday, August 31, 1993, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450, Austin. According to the complete agenda, the division will hold a hearing on the merits in Docket Number 11520-petition of the general counsel for an inquiry into the reasonableness of the rates and services of Southwestern Public Service Company.

Contact: John M. Renfrow, 7800 Shoal Creek Boulevard, Austin, Texas 78758, (512) 458-0100.

Filed: November 3, 1992, 2:57 p.m.

TRD-9214830

Texas Racing Commission

Monday, November 9, 1992, 10 a.m. The Texas Racing Commission met at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 118, Austin. According to the complete agenda, the commission called the meeting to order; took roll call; voted to adopt the following Horse and Greyhound Rules: 303.4, 319.14, 321.117, 303.43, 309.149, 309.151, 309.181, 309.21, and 321.235; voted to propose the following Horse and Greyhound rules: 309.51, 309.56, 321.119, 311.171; considered and voted on the following matters: proposal for decision in Number 92-02-09, the appeal by Marc A. Nelms from Stewards' Ruling Bandera 643; proposal for decision in Number 92-02-13, the appeal by Vernon Pullins from Stewards' Ruling Bandera 758; request by Valley Racing Association for approval of William J. Bork as member of Joint Venture Committee; track updates for: Gillespie County Fair and Festivals Association, La Bahia Downs, Longhorn Downs, Lubbock Downs, Manor Downs, Trinity Meadows Raceway, Retama Park, Sam Houston Race Park; ratification of subcommittee approval of November 7 charity day for Manor Downs, Inc.; contract between Manor Downs, Inc. and THBPA; request by Lubbock Downs for reconsideration of amount of licenses; fee order and other matters in Number 91-R1-26, in re-

gard: the applications for a horse racing track license in Dallas/Tarrant Counties; requests for approval of simulcasting and live race dates for 1993; meet in executive session pursuant to §6.03(b), Texas Racing Act Vernon's Texas Civil Statutes, Article 179e, to consider the following: concession contract between Bandera Downs, Inc., and Angelo's; concession contract between Bandera Downs, Inc. and Tropical Snow; discussed old business; new business; and adjourned.

Contact: Paula Cochran Carter, P.O. Box 12080, Austin, Texas 78711, (512) 794-8461.

Filed: October 30, 1992, 11:43 a.m.

TRD-9214677

◆ ◆ ◆ Interagency Council on Sex Offender Treatment

Friday, November 13, 1992, 10 a.m. The Board of the Interagency Council on Sex Offender Treatment will meet at the Texas Youth Commission, 4900 North Lamar Boulevard, Room 7331, Austin. According to the complete agenda, the board will convene with chairperson, Judy Briscoe; discuss approval of minutes; hear executive director's report; Sam Houston University conference final report; subcommittee report, Collier M. Cole, Ph.D.: standards of care registry criteria; discuss Penile Plethysmograph; Gloria Gibney, Pardon and Parole Board member: the Role of the Parole Board in sex offender treatment; legislative initiatives; hear public comment; and adjourn. The subcommittee for registry training and criteria chaired by Collier M. Cole, Ph.D., will meet prior to the council board meeting at 9 a.m. on November 13, 1992.

Contact: Eliza May, MSSW, CSW, 1106 Clayton Lane, #205E, Austin, Texas 78723, (512) 454-1314.

Filed: November 2, 1992, 2 p.m.

TRD-9214760

◆ ◆ ◆ Structural Pest Control Board

Thursday, November 12, 1992, 1 p.m. The Structural Pest Control Board will meet at the Howard Johnson Plaza Hotel North, Brazos Room, 7800 IH-35 North, Austin. According to the complete agenda, the board will meet in executive session to discuss pending litigation.

Contact: Benny M. Mathis, Jr., 9101 Burnet Road, Suite 201, Austin, Texas 78758, (512) 835-4066.

Filed: November 4, 1992, 1 p.m.

TRD-9214846

Monday, November 23, 1992, 9 a.m. The Continuing Education Committee of the Structural Pest Control Board will meet at the Howard Johnson Plaza Hotel North, Brazos Room, 7800 IH-35 North, Austin. According to the complete agenda, the committee will review course approval process; review-course evaluation forms; and review existing sponsors and assistance process.

Contact: Benny M. Mathis, Jr., 9101 Burnet Road, Suite 201, Austin, Texas 78758, (512) 835-4066.

Filed: November 5, 1992, 9:28 a.m.

TRD-9214887

Monday, November 23, 1992, 1:30 p.m. The Legislative Committee of the Structural Pest Control Board will meet at the Howard Johnson Plaza Hotel North, Brazos Room, 7800 IH-35 North, Austin. According to the complete agenda, the committee will discuss upcoming legislative proposal from the agency.

Contact: Benny M. Mathis, Jr., 9101 Burnet Road, Suite 201, Austin, Texas 78758, (512) 835-4066.

Filed: November 5, 1992, 9:27 a.m.

TRD-9214886

◆ ◆ ◆ The Texas A&M University System, Board of Regents

November 2, 1992, 8:30 a.m. The Pricing Committee (Telephonic Committee Meeting) of the Texas A&M University System, Board of Regents met in the Board of Regents Meeting Room, College Station. According to the agenda summary, the committee considered and acted upon any lawful subject which may come before it, including, among others to consider a "Resolution Authorizing the Issuance, Sale and Delivery of Board of Regents of The Texas A&M University System Revenue Financing System Refunding Bonds, Series 1992, in the Maximum Aggregate Principal Amount of \$48,000,000, and Approving and Authorizing Instruments and Procedures Relating Thereto"; and authorized purchase contracts and other actions necessary in connection with the sale and delivery of the bonds.

The meeting or meetings was held at such time on one or more of such days upon finalization of the terms of sale of the bonds by the underwriters. Financial market conditions made it impossible to know the exact date the bonds may be sold on the most advantageous terms to the System.

Contact: Vickie Running, The Texas A&M University System, College Station, Texas 77843, (409) 845-9600.

Filed: October 29, 1992, 2:34 p.m.

TRD-9214643

November 6, 1992, 2:15 p.m. The Finance and Audit Committee of the Texas A&M University System, Board of Regents met in the Board of Regents Meeting Room, College Station. According to the complete agenda the committee approved the Fiscal Year 1993 budget for the System Internal Audit Department and received a report from System Administration.

Contact: Vickie Running, The Texas A&M University System, College Station, Texas 77843, (409) 845-9600.

Filed: October 30, 1992, 10:52 a.m.

TRD-9214674

November 6, 1992, 3 p.m. The Board of Regents of the Texas A&M University System, Board of Regents met in the Board of Regents Meeting Room, College Station. According to the complete agenda, the board considered bids for the movable furnishings for the Plant Biotechnology Center at Texas A&M University and the University Information Center, Phase I, at Prairie View A&M University; received a report on the search for the Deputy Chancellor for Academic and Research Programs; and received an update on state affairs activities.

Contact: Vickie Running, The Texas A&M University System, College Station, Texas 77843, (409) 845-9600.

Filed: October 30, 1992, 10:52 a.m.

TRD-9214675

◆ ◆ ◆ Texas State Treasury Department

Thursday, November 5, 1992, 2 p.m. The State Depository Board of the Texas State Treasury Department met at the Texas State Treasury Department, 200 East 10th Street, Room 227, Austin. According to the complete agenda, the board discussed approval of the minutes of February 19, 1992, meeting; final and contingent approval of state depository applications; heard status report; and discussed oil hedging pilot program.

Contact: Rose-Michel Munguia, 200 East 10th Street, Austin, Texas 78701, (512) 463-5971.

Filed: October 29, 1992, 10:58 a.m.

TRD-9214623

Thursday, November 5, 1992, 2 p.m. The State Depository Board of the Texas State Treasury Department met at the Texas State Treasury Department, 200 East 10th Street, Room 227, Austin. According to the complete emergency revised agenda, the board discussed approval of the minutes of February 19, 1992, meeting; final and contingent approval of state depository applications; heard status report and discussed accounts

on deposit with First City, Texas; and status report and discussed oil hedging pilot program. The emergency status was necessary due to the FDIC take-over of First City, Texas, an approved state depository, subsequent to the posting of this meeting.

Contact: Rose-Michel Munguia, 200 East 10th Street, Austin, Texas 78701, (512) 463-5971.

Filed: November 2, 1992, 3:20 p.m.

TRD-9214777

University of Texas System

Wednesday-Friday, November 4-6, 1992, 10 a.m., 9 a.m., and 9 a.m. respectively. The Board of Regents of the University of Texas System met at the Hyatt Regency Hotel, East Tower, Room 3170 and Jupiter Room, Dallas/Fort Worth Airport. According to the complete agenda, the board convened in open session on Wednesday, for the sole purpose of recessing to executive session in accordance with Vernon's Texas Civil Statutes, Article 6252-17, §2(g) to interview the finalist candidates for the presidencies of U. T. Austin and U. T. Permian Basin. These interviews in executive session were scheduled to conclude on November 6, at approximately 1 p.m. at which time the board reconvened in open session in the Jupiter Room to take formal action regarding the possible election and employment of presidents for U. T. Austin and U. T. Permian Basin.

Contact: Arthur H. Dilly, P.O. Box N, U. T. Station, Austin, Texas 78713-7328, (512) 499-4402.

Filed: October 30, 1992, 1:11 p.m.

TRD-9214679

Wednesday-Friday, November 4-6, 1992, 10 a.m., 9 a.m., and 9 a.m. respectively. The Board of Regents of the University of Texas System met at the Hyatt Regency Hotel, East Tower, Room 3170 and Jupiter Room, Dallas/Fort Worth Airport. According to the complete emergency revised agenda, the board convened in open session on Wednesday, for the sole purpose of recessing to executive session in accordance with Vernon's Texas Civil Statutes, Article 6252-17, §2(g) to interview the finalist candidates for the presidencies of U. T. Austin and U. T. Permian Basin. These interviews in executive session were scheduled to conclude on November 6, at approximately 3 p.m. at which time the board reconvened in open session in the Jupiter Room to take formal action regarding the possible election and employment of presidents for U. T. Austin and U. T. Permian Basin. (NOTE: The only revision was to move the reconvening time on November 6 from 3 p.m. to approximately 1 p.m.). The emergency sta-

tus was necessary as two candidates had withdrawn and less time was needed in executive session.

Contact: Arthur H. Dilly, P.O. Box N, U. T. Station, Austin, Texas 78713-7328, (512) 499-4402.

Filed: November 3, 1992, 11:45 a.m.

TRD-9214811

Texas Water Commission

Monday, November 9, 1992, 1 p.m. The Texas Water Commission will meet at the Marriott at the Capitol, Salon C, 701 East 11th Street, Austin. According to the complete agenda, the commissioners will meet in executive session with the executive director, the Deputy Executive Directors, and the General Counsel of the commission to discuss their duties and responsibilities. This meeting is being held in executive session under Section 2(g) of the Open Meetings Act, Texas Revised Civil Statutes Annotated, Article 6252-17, Section 2(g).

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-7905.

Filed: October 30, 1992, 9:52 a.m.

TRD-9214664

Wednesday, November 11, 1992, 8 a.m. The Texas Water Commission will meet at the Stouffer Hotel, Frio Room, 9721 Arbo-retum Boulevard, Austin. According to the agenda summary, the commission will hold a two-day management retreat of the Texas Water Commission staff. A quorum of the commission will be present on November 11, 1992. Discussion will include: clear priorities of the commission for the rest of fiscal year 1993 consistent with resources that are available; methods to continually improve agency operations; and provisions for improved customer service.

Contact: Doug Kitts, P.O. Box 13087, Austin, Texas 78711, (512) 463-7905.

Filed: November 3, 1992, 1:34 p.m.

TRD-9214818

Monday, November 16, 1992, 9:30 a.m. The Task Force 21: Waste Management Policy for the Future of the Texas Water Commission will meet at the TACB Annex Building, Room 201, 12124 Park 35 Circle, Austin. According to the complete agenda, the task force will discuss update on revenue subcommittee; draft siting rules; draft spill rules; draft needs assessment rules; upcoming rulemaking; updates on subcommittees; and update on permit processing.

Contact: Kari Bourland-Chestnut, 1700 North Congress Avenue, Austin, Texas 78711-3087, (512) 371-6319.

Filed: November 2, 1992, 9:48 a.m.

TRD-9214804

Wednesday, November 18, 1992, 11:15 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet at the William B. Travis State Office Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the commission will consider on Oakridge Water Company doing business as Pine Springs Utilities' application to sell, transfer, or merge its CCN Number 10147 to East Texas Hydro Technology, Inc. doing business as Hydro Tech; to amend CCN Number 10147 to provide water utility service to additional areas in Polk, San Jacinto and Trinity Counties; and for the Commission to consider Oakridge Water Company and East Texas Hydro Technology, Inc.'s joint petition for a release from the Commission's Order issued May 5, 1992, requiring Oakridge Water Company to hire an auditing firm to perform an audit into Oakridge Water Company's major management decisions in the past three years ending December 31, 1991. Docket Numbers 9758-S, 9762-C, 8819-R, and 9132-A.

Contact: Heidi Jackson, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-7875.

Filed: November 2, 1992, 9:28 a.m.

TRD-9214737

Tuesday, December 1, 1992, 1 p.m. The Texas Groundwater Protection Committee of the Texas Water Commission will meet at the Stephen F. Austin Building, Room 1149, 1700 North Congress Avenue, Austin. According to the complete agenda, the committee will consider and take action on: subcommittee reports relation to agricultural chemicals; groundwater classification; and data management; a presentation and report by the Texas Water Development Board on programs and activities with the colonias in the Rio Grande Border area; the biennial legislative report and online; a proposal for the creation of a reports subcommittee; the Chemical and Specific Monitoring Program for Atrazine and the QA/OC Program Plan for Altrazine; the state's nonpoint source assessment and management plans for groundwater; proposal for creation of a nonpoint source subcommittee; fiscal year 1993 committee efforts; TWC/TWWDB consolidation; and free trade agreement impacts on groundwater.

Contact: Mary Ambrose, P.O. Box 13087, Austin, Texas 78711, (512) 463-8308.

Filed: November 4, 1992, 9:31 a.m.

TRD-9214842

Wednesday, December 2, 1992, 8 a.m. The Office of Hearings Examiner of the Texas Water Commission will meet at the Waxahachie Travel Lodge, 803 South IH-35 East, Waxahachie. According to the agenda summary, the commission will consider an application by Waste Management

of Texas, Inc. for an amendment to Permit Number MSW42-A, in order to upgrade and expand their Skyline Landfill, a 73-acre Type I solid waste management facility. This application has been designated Application Number MSW42-C. The facility is located at 1201 North Central, on the north side of the City of Ferris and on the west side of U.S. Highway 75, Dallas and Ellis Counties.

Contact: Joseph O'Neal, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: October 30, 1992, 2:19 p.m.

TRD-9214681

Thursday, December 3, 1992, 10 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 543, Austin. According to the agenda summary, the commission will consider on G & W Water Supply Corporation's application to amend its Certificate of Convenience and Necessity (CCN) Number 12391 to allow it to expand the area to which it provides water utility service in Grimes and Waller Counties, Texas. G & W WSC is also proposing the cancellation of Club Lake View, Inc.'s CCN Number 12314. The proposed water utility service area is located approximately two miles southeast of downtown Navasota, Texas. Docket Number 9561-C.

Contact: Cynthia Hayes, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: November 2, 1992, 9:27 a.m.

TRD-9214733

Monday, December 7, 1992, 10 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 543, Austin. According to the agenda summary, the commission will consider on City of Converse's application to amend its Certificate of Convenience and Necessity Number 10701 to allow it to expand the area to which it provides water utility service in Bexar County, Texas. The proposed service area is approximately 12 miles northeast of downtown San Antonio, Texas. Docket Number 9572-C.

Contact: Leslie Limes, P.O. Box 13087, Austin, Texas 78711, (512) 463-7875.

Filed: November 2, 1992, 9:27 a.m.

TRD-9214734

Wednesday, December 9, 1992, 9 a.m. The Office of Hearings Examiners of the Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Room 119, Austin. According to the agenda summary, the commission will consider an application for reimbursement of expenses by EDCO, Inc.

Contact: Leslie Craven, P.O. Box 13087, Austin, Texas 78701, (512) 463-7875.

Filed: October 30, 1992, 2:19 p.m.

TRD-9214682

Wednesday, December 9, 1992, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold an agenda hearing on Encanto Real Utility District's application for authority to adopt standby fees for unimproved property in Encanto Real Utility District. The amount of the standby fee requested is \$34.42 per single family equivalent connection, per month, for lots having available water, sanitary sewer and sewage treatment capacity and \$7.75 per single family equivalent connection, per month, for acreage having available water and sanitary sewer capacity only.

Contact: Randy Nelson, P.O. Box 13087, Austin, Texas 78711, (512) 371-6219.

Filed: November 2, 1992, 9:28 a.m.

TRD-9214738

Wednesday, December 16, 1992, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold an agenda hearing on Harris County Municipal Utility District Number 223's application to levy standby fees on undeveloped property in the District. The amount of the standby fee requested is \$28.35 per single family equivalent connection, per month. Revenues collected will be used to pay debt service on the District's bonds.

Contact: Randy Nelson, P.O. Box 13087, Austin, Texas 78711, (512) 371-6219.

Filed: November 2, 1992, 9:27 a.m.

TRD-9214736

Wednesday, December 16, 1992, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold an agenda hearing on Harris County Municipal Utility District Number 153's application for authority to adopt and impose a standby fee on undeveloped property in the District. The District has requested a non-uniform standby fee which will be used to pay operation and maintenance expenses and debt service on the District's Bonds.

Contact: Jim Herbert, P.O. Box 13087, Austin, Texas 78711, (512) 371-6219.

Filed: November 2, 1992, 9:27 a.m.

TRD-9214735

Wednesday, January 6, 1993, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold an agenda hearing on Ken E. Andrews and Company's application number 5431 for a permit to divert 80 acre-feet of water per year from Bois D'Arc Creek, tributary of the Trinity River, Trinity River Basin. The water will be used for irrigation purposes (trees and grass) approximately 22 miles south of Kaufman, Kaufman County, Texas.

Contact: Arlette Capehart, P.O. Box 13087, Austin, Texas 78711, (512) 475-2347.

Filed: November 2, 1992, 9:29 a.m.

TRD-9214739

Wednesday, January 13, 1992, 9 a.m. The Texas Water Commission will meet at the Stephen F. Austin State Office Building, 1700 North Congress Avenue, Room 118, Austin. According to the agenda summary, the commission will hold an agenda hearing on Lake Kiowa Property Owners Association, Inc.'s application to amend Certificate of Adjudication Number 08-2334 to delete a special condition which states the owner shall maintain the water level of a 7,000 acre-foot capacity reservoir on Indian Creek, Trinity River Basin at not less than two feet below spillway elevation by supplementing the impounded water with ground water. Applicant also wants to include a new special condition in the Certificate which would allow for an annual lowering of the reservoir for maintenance and weed control.

Contact: Mark Evans, P.O. Box 13087, Austin, Texas 78711, (512) 475-4584.

Filed: November 2, 1992, 9:29 a.m.

TRD-9214740

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Texas Workers' Compensation Research Center

Monday, November 16, 1992, 9 a.m. (Rescheduled from November 5, 1992). The Board of Directors will meet at the Texas Rehabilitation Commission, Public Hearing Room, 4900 North Lamar Boulevard, Austin. According to the agenda summary, the board will call the meeting to order; oath of office; discuss approval of minutes of meeting of September 15, 1992; make announcements; research progress report-delivery of benefits-timeliness; presentation-UT Center for the study of human resources workplan for contract on vocational rehabilitation; development of a resource database; consider proposals and possible award of contract on nonsubscription project; meet in executive

session to discuss development of an evaluation procedure for executive director; confirm schedule for future meeting; and adjourn.

Contact: Annette Gula, 3636 Executive Center Drive, Suite G-22, Austin, Texas 78731, (512) 346-6197.

Filed: November 5, 1992, 10:02 a.m.

TRD-9214892

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Regional Meetings

Meetings Filed October 29, 1992

The Aqua Water Supply Corporation met at 305 Eskew, Aqua Office, Bastrop, November 2, 1992, at 7:30 p.m. Information may be obtained from Adlinie Rathman, P.O. Box P, Bastrop, Texas 78602, (512) 321-3943. TRD-9214646.

The Central Appraisal District of Taylor County Board of Directors met at 1534 South Treadaway, Abilene, November 4, 1992, 3:30 p.m. Information may be obtained from Richard Petree, P.O. Box 1800, Abilene, Texas 79604, (915) 676-9381. TRD-9214645.

The Creedmoor Maha Water Supply Corporation Board of Directors met at 1699 Laws Road, Mustang Ridge, November 4, 1992, at 7 p.m. Information may be obtained from Charles P. Laws, 1699 Laws Road, Buda, Texas 78610, (512) 243-1991. TRD-9214625.

The Dawson County Central Appraisal District Board of Directors met at 920 North Dallas Avenue, Lamesa, November 4, 1992, at 7 a.m. Information may be obtained from Tom Anderson, P.O. Box 797, Lamesa, Texas 79331, (806) 872-7060. TRD-9214629.

The Erath County Appraisal District Board of Directors met in the Board Room, 1390 Harbin Drive, Stephenville, November 9, 1992, 7 a.m. Information may be obtained from Jerry Lee, 1390 Harbin Drive, Stephenville, Texas 76401, (817) 965-5434. TRD-9214630.

The Gulf Bend MHRM Center (Rescheduled from: October 22, 1992) Board of Trustees met at 1404 Village Drive, Victoria, November 6, 1992, at noon. Information may be obtained from Sharon Pratkanis, 1404 Village Drive, Victoria, Texas 77901, (512) 575-0611. TRD-9214626.

The Lavaca County Central Appraisal District Board of Directors met at 113 North Main, Hallettsville, November 9, 1992, at 4 p.m. Information may be obtained from Diane Munson, P.O. Box 386, Hallettsville, Texas 77964, (512) 798-4396. TRD-9214628.

The Panhandle Ground Water Conservation District Number 3 Board of Directors met at the Water District Office, 300 South Omohundro Street, White Deer, November 4, 1992, at 7:30 p.m. Information may be obtained from C. E. Williams, Box 637, White Deer, Texas 79097, (806) 883-2501. TRD-9214644.

The Tarrant Appraisal District Tarrant Appraisal Review Board will meet at 2329 Gravel Road, Fort Worth, November 16, 1992, 8:15 a.m. Information may be obtained from Suzanne Williams, 2329 Gravel Road, Fort Worth, Texas 76118, (817) 284-8884. TRD-9214649.

The Tarrant Appraisal District Tarrant Appraisal Review Board will meet at North Richland Hills Recreation Center, 6720 N. E. Loop 820, Fort Worth, November 17, 1992, at 8:30 a.m. Information may be obtained from Suzanne Williams, 2329 Gravel Road, Fort Worth, Texas 76118, (817) 284-8884. TRD-9214648.

The Tarrant Appraisal District Tarrant Appraisal Review Board will meet at 2329 Gravel Road, Fort Worth, November 17, 1992, at 1 p.m. Information may be obtained from Suzanne Williams, 2329 Gravel Road, Fort Worth, Texas 76118, (817) 284-8884. TRD-9214647.

The Tarrant Appraisal District Tarrant Appraisal Review Board will meet at 2329 Gravel Road, Fort Worth, November 18, 1992, at 8:15 a.m. Information may be obtained from Suzanne Williams, 2329 Gravel Road, Fort Worth, Texas 76118, (817) 284-8884. TRD-9214650.

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Meetings Filed October 30, 1992

The Aqua Water Supply Corporation (Revised agenda) met at 305 Eskew, Aqua Office, Bastrop, November 2, 1992, at 7:30 p.m. Information may be obtained from Adlinie Rathman, P.O. Box P, Bastrop, Texas 78602, (512) 321-3943. TRD-9214663.

The Bastrop Central Appraisal District Board of Directors met at the Bastrop Central Appraisal District, 1200 Cedar Street, Bastrop, November 4, 1992, at 8 p.m. Information may be obtained from Dana Ripley, P.O. Box 578, Bastrop, Texas 78602, (512) 321-3925. TRD-9214717.

The Bell-Milam-Falls Water Supply Corporation Board of Directors met at the WSC Office, FM 485, Cameron, November 5, 1992, 8:30 a.m. Information may be obtained from Dwayne Jekel, P.O. Drawer 150, Cameron, Texas 76520, (817) 697-4016. TRD-9214678.

The Bexar Appraisal District Appraisal Review Board will meet at 535 South Main

Street, San Antonio, November 2-6, 9-10, 12, 16-20, 23-25, and 30, 1992, at 8:30 p.m. Information may be obtained from Beverly Houston, 535 South Main Street, San Antonio, Texas 78204, (512) 224-8511. TRD-9214697.

The Brazos Valley Development Council Family Self-Sufficiency Coordinating Body met at the Council's Office, 3006 East 29th Street, Bryan, November 5, 1992, at 11:30 a.m. Information may be obtained from Laura Klesel, P.O. Box 4128, Bryan, Texas 77805-4128. TRD-9214658.

The East Texas Council of Governments Executive Committee met at the Roy H. Laird County Club, Kilgore, November 5, 1992, at 1:30 p.m. Information may be obtained from Glynn Knight, 3800 Stone Road, Kilgore, Texas 75662, (903) 984-8641. TRD-9214680.

The East Texas Quality Work Force Planning Board of Directors' met at UT Tyler, Muntz Library, Room 401, Tyler, November 4, 1992, at 2:45 p.m. Information may be obtained from Shelly McNeel, 3900 University Boulevard, Tyler, Texas 75701, (903) 566-7315. TRD-9214718.

The Hockley County Appraisal District Appraisal Review Board met at 1103-C Houston Street, Levelland, November 3, 1992, at 7 a.m. Information may be obtained from Nick Williams, P.O. Box 1090, Levelland, Texas 79336, (806) 894-9654. TRD-9214665.

The Johnson County Rural Water Supply Corporation Credential Committee met at the Corporation Office, Highway 171 South, Cleburne, November 2, 1992, at 4 p.m. Information may be obtained from Charlene SoRelle, P.O. Box 509, Cleburne, Texas 76033, (817) 645-6646. TRD-9214691.

The Shackelford Water Supply Corporation Director met at the Fort Griffin Restaurant, Albany, November 4, 1992, at noon. Information may be obtained from E.D. Fincher, Box 1295, Albany, Texas 76430, (915) 762-2519. TRD-9214670.

The Upshur County Appraisal District Board of Directors met at the Upshur County Appraisal District Office, Warren and Trinity Street, Gilmer, November 9, 1992, at 1 p.m. Information may be obtained from Louise Stracener, P.O. Box 280, Gilmer, Texas 75644-0280, (903) 843-3041. TRD-9214686.

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Meetings Filed November 2, 1992

The 50th Judicial District Juvenile Board met in the District Courtroom, Cottle County Courthouse, Paducah, November 5, 1992, at 11 a.m. Information may be ob-

tained from David Hajeh, Box 508, Seymour, Texas 76380, (817) 888-2852. TRD-9214743.

The Bexar-Medina-Atascosa Counties Water Control and Improvement District Number One Board of Directors met at 226 Highway 132, District Office, Natalia, November 9, 1992, at 8 a.m. Information may be obtained from John W. Ward, III, BMA#1, P.O. Box 170, Natalia, Texas 78059, (512) 663-2132. TRD-9214789.

The Brazos Valley Development Council (Revised agenda) Family Self-Sufficiency Coordinating Body met at the Council's Office, 3006 East 29th Street, Bryan, November 5, 1992, at 11:30 a.m. Information may be obtained from Laura Klesel, P.O. Box 4128, Bryan, Texas 77805-4128, (409) 776-2277. TRD-9214741.

The Capital Area Planning Council Executive Committee will meet at 2520 IH-35 South, Suite 100, Austin, November 11, 1992, at 1:30 p.m. Information may be obtained from Richard G. Bean, 2520 IH-35 South, Suite 100, Austin, Texas 78704, (512) 443-7653. TRD-9214744.

The Cash Water Supply Corporation will meet at the Administration Office, FM 1564 East, Greenville, November 10, 1992, at 7 p.m. Information may be obtained from Donna Mohon, P.O. Box 8129, Greenville, Texas 75404, (903) 883-2695. TRD-9214773.

The Fort Bend Parkway Association will meet at 11111 Brooklet Drive, Suite 100, Houston, November 10, 1992, at 6:30 p.m. Information may be obtained from Robert R. Randolph, 2801 First City Tower, 1001 Fannin, Houston, Texas 77002-6760, (713) 758-2380. TRD-9214771.

The Hansford Appraisal District Board will meet at 709 West Seventh Street, Spearman, November 10, 1992, at 9 a.m. Information may be obtained from Alice Peddy, P.O. Box 519, Spearman, Texas 79081, (806) 659-5575. TRD-9214772.

The High Plains Underground Water Conservation District Number One Board of Directors will meet at 2930 Avenue Q, Conference Room, Lubbock, November 10, 1992, at 10 a.m. Information may be obtained from A. Wayne Wyatt, 2930 Avenue Q, Lubbock, Texas 79405, (806) 762-0181. TRD-9214788.

The Johnson County Rural Water Supply Corporation Board met at the Corporation Office, Highway 171 South, Cleburne, November 5, 1992, at 1 p.m. Information may be obtained from Charene SoRelle, P.O. Box 509, Cleburne, Texas 76033, (817) 645-6646. TRD-9214754.

The Multimodal Transportation Planning Gulf Coast State Planning Region Transportation Planning Committee will meet at

3555 Timmons, Second Floor Conference Room A, Houston, November 13, 1992, at 9:30 a.m. Information may be obtained from Irene Gray, TXDOT, P.O. Box 1386, Houston, Texas 77251, (713) 802-5315. TRD-9214732.

The North Plains Groundwater Conservation District Number Two Board of Directors met at 603 East First Street, Dumas, November 9, 1992, at 10 a.m. Information may be obtained from Richard Bowers or Carla Gray, 603 East First Street, Dumas, Texas 79029, (806) 935-6401. TRD-9214787.

The Sabine Valley Center Board of Trustees met at the Administration Building, 107 Woodbine Place, Bramlette Avenue, Longview, November 9, 1992, at 7 p.m. Information may be obtained from Mack Blackwell, P. O. Box 6800, Longview, Texas 75608, (903) 758-2471. TRD-9214759.

The West Central Texas Council of Governments Board of Directors and General Membership will meet at the Abilene Civic Center, 1100 North Sixth Street, Abilene, November 12, 1992, at 7 p.m. Information may be obtained from Brad Helbert, P.O. Box 3195, Abilene, Texas 79604, (915) 672-8544. TRD-9214793.

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Meetings Filed November 3, 1992

The Brazos Valley Development Council Executive Committee will meet at the Council Offices, 3006 East 29th Street, Suite #2, Bryan, November 10, 1992, at 11 a.m. Information may be obtained from Glenn J. Cook, P.O. Drawer 4128, Bryan, Texas 77805-4128, (409) 776-2277. TRD-9214825.

The Central Appraisal District of Johnson County Board of Directors held an emergency meeting at 109 North Main, Suite 201, Room 202, Cleburne, November 4, 1992, at 4:30 p.m. The emergency status was necessary due to bids and time limitation to purchase property. Information may be obtained from Priscilla A. Bunch, 109 North Main, Cleburne, Texas 76031, (817) 645-3986. TRD-9214828.

The Elm Creek Water Supply Corporation Board met at the Willow Grove Baptist Church, Moody, November 9, 1992, at 7 p.m. Information may be obtained from Paulette Richardson, Route 1, Box 538, Moody, Texas 76557, (817) 853-2339. TRD-9214826.

The Gray County Appraisal District Appraisal Review Board met at 815 North Sumner, Pampa, November 6, 1992, at 1:30 p.m. Information may be obtained from Sherri Schaible, P.O. Box 836, Pampa, Texas 79066-0836, (806) 665-0791. TRD-9214813.

The Gregg County Appraisal District Board of Directors met at 2010 Gilmer Road, Longview, November 9, 1992, at 9 a.m. Information may be obtained from Bill Carroll, 2010 Gilmer Road, Longview, Texas 75604, (903) 759-0015. TRD-9214803.

The Kendall County Appraisal District Board of Directors will meet at 121 South Main Street, Kendall Appraisal District, Boerne, November 12, 1992, at 5 p.m. Information may be obtained from J. P. Davis, P.O. Box 788, Boerne, Texas 78006, (210) 249-8012. TRD-9214806.

The San Patricio County Appraisal District Board of Directors will meet at 1146 East Market, Sinton, November 12, 1992, at 9:30 a.m. Information may be obtained from Kathryn Vermillion, P.O. Box 938, Sinton, Texas 78387, (512) 364-5402. TRD-9214824.

The Sulphur River Basin Authority Board of Directors will meet at the Mt. Pleasant Chamber of Commerce Building, 1604 North Jefferson, Mt. Pleasant, November 10, 1992, at noon. Information may be obtained from William Morris, P.O. Box 240, Texarkana, Texas 75504, (903) 793-5511. TRD-9214823.

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Meetings Filed November 4, 1992

The Austin Transportation Study Policy Advisory Committee will meet at the Joe C. Thompson Conference Center, Room 2.102, 26th and River River Streets, Austin, November 10, 1992, at 6 p.m. Information may be obtained from Michael Aulick, P.O. Box 1088, Austin, Texas 78767, (512) 499-6441. TRD-9214856.

The Austin-Travis County Mental Health and Mental Retardation Center Executive Committee held an emergency meeting at 1430 Collier Street, Board Room, Austin. The emergency status was necessary as this was the only time a quorum of trustees could meet and immediate action was required. Information may be obtained from Sharon Taylor, P.O. Box 3548, Austin, Texas 78764-3548, (512) 447-4141. TRD-9214848.

The Concho Valley Council of Governments Executive Committee will meet at the Lowake Steakhouse, Lowake, November 10, 1992, at 6 p.m. Information may be obtained from Robert R. Weaver, P.O. Box 60050, San Angelo, Texas 76906, (915) 944-9666. TRD-9214849.

The Dallas Central Appraisal District Audit Committee will meet at 2949 North Stemmons Freeway, Dallas, November 11, 1992, at 7 a.m. Information may be obtained from Rick L. Kuehler, 2949 North

Stemmons Freeway, Dallas, Texas 75247, (214) 631-0520. TRD-9214851.

The Dallas Central Appraisal District Board of Directors will meet at 2949 North Stemmons Freeway, Dallas, November 11, 1992, at 7:30 a.m. Information may be obtained from Rick L. Kuehler, 2949 North Stemmons Freeway, Dallas, Texas 75247, (214) 631-0520. TRD-9214852.

The Grand Parkway Association will meet at 5757 Woodway, Suite 140 East Wing, Houston, November 10, 1992, at 8:15 a.m. Information may be obtained from Jerry L. Coffman, 5757 Woodway, 140 East King, Houston, Texas 77057, (713) 782-9330. TRD-9214854.

The Permian Basin Regional Planning Commission Board of Directors will meet at the PBRPC Offices, 2910 LaForce Boulevard, Midland, November 11, 1992, at 1:30 p.m. Information may be obtained from Terri Moore, P.O. Box 60660, Midland, Texas 79711, (915) 563-1061. TRD-9214853.

The South Franklin Water Supply Corporation Board of Directors will meet at the Office of South Franklin Water Supply Corporation, Highway 115 South, Mt. Vernon, November 10, 1992, at 7 p.m. Information may be obtained from Richard Zachary, P.O. Box 591, Mt. Vernon, Texas 75457, (903) 860-3400. TRD-9214847.

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**Meetings Filed November 5,
1992**

The Bi-County Water Supply Corporation will meet at the Bi-County WSC Office, FM Road 2254, Pittsburg, November 10, 1992, at 7 p.m. Information may be obtained from Freeman Phillips, P.O. Box 848, Pittsburg, Texas 75686, (903) 856-5840. TRD-9214883.

The Cass County Appraisal District Board of Directors met at the Cass County Appraisal District, 502 North Main Street, November 9, 1992, at 7 p.m. Information may be obtained from Janelle Clements, P.O. Box 1150, Linden, Texas 75563, (903) 756-7545. TRD-9214889.

The South Plains Association of Governments Board of Directors will meet at the Lubbock Plaza Hotel, 3201 South Loop 289, Lubbock, November 10, 1992, at 9 a.m. Information may be obtained from Jerry D. Casstevens, P.O. Box 3730, Freedom Station, Lubbock, Texas 79452-3730, (806) 762-8721. TRD-9214885.

The South Plains Association of Governments Board of Directors will meet at the Lubbock Plaza Hotel, 3201 South Loop 289, Lubbock, November 10, 1992, at 1 p.m. Information may be obtained from Jerry D. Casstevens, P.O. Box 3730, Freedom Station, Lubbock, Texas 79452-3730, (806) 762-8721. TRD-9214884.

The West Central Texas Council of Governments Private Industry Council will meet at the Holiday Inn, I-20 and Highway 70, Nolan County, Sweetwater, November 12, 1992, at 10:45 a.m. Information may be obtained from Mary Ross, P.O. Box 3195, Abilene, Texas 79604, (915) 672-8544. TRD-9214882.

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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, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

Texas State Board of Public Accountancy

Consultant Contract Award

The Texas State Board of Public Accountancy (TSBPA), in accordance with provisions of Texas Civil Statutes, Article 6252-11c, announces the awarding of personal service contracts to certified public accountants to offer their part-time services, to evaluate and identify specific technical issues, and to prepare related reports and recommendations for board committees.

The solicitation for proposals was published in the September 1, 1992, issue of the *Texas Register* (17 TexReg 6025).

Three proposals were received in response to this solicitation for proposal. These were from William Martin Schuh, Kenneth Vernon Skrabanek, and James Isaac Guest.

The consultants awarded the contracts were: William Martin Schuh, 101 Mossey Cup Lane, San Antonio, Texas 78231; Kenneth Vernon Skrabanek, P.O. Box 1246, Crosby, Texas; and James Isaac Guest, 460 Texas Commerce Tower, 545 East John Carpenter Freeway, Irving, Texas 75062.

Each consultant contract begins October 1, 1992, and ends August 31, 1993. The fee estimate is \$5,500 for each contract, including expenses, or \$16,500 for all three contracts, at a cost of \$105 per hour.

Issued in Austin, Texas, on October 29, 1992.

TRD-9214624 William Treacy
Executive Director
Texas State Board of Public Accountancy

Filed: October 29, 1992

Texas Air Control Board

Notice of Contested Case Hearing Number R-2162

An examiner for the Texas Air Control Board (TACB) will conduct a contested case hearing to consider whether or not Operating Permit Number R-2162 held by Phillips Petroleum Company (the applicant) to operate a natural gas treating unit located on the Dyson Lease, 4.4 miles northeast of New Mobeetie, Wheeler County, should be continued.

Deadline for Requesting to be a Party. At the hearing, only those persons admitted as parties and their witnesses will be allowed to participate. Presently, the only prospective parties are the applicant and the TACB staff. Any person who may be affected by emissions from the proposed facility who wants to be made a party must send a specific written request for party status to Hearings Exam-

iner Janis Boyd Hudson, and make sure that this request is actually received at the TACB Central Office, 12124 Park 35 Circle, Austin, Texas 78753, fax (512) 908-1212, by 5 p.m. on Thursday, November 19, 1992. The examiner cannot grant party status after that deadline, unless there is good cause for the request arriving late. Hearing requests, comments, or other correspondence sent to TACB before publication of this notice will not be considered as a request for party status. No correspondence should be sent to any member of TACB at any time regarding this hearing. The examiner will decide on party status at the first prehearing conference.

Prehearing Conference. The examiner has scheduled the first prehearing conference to be held at 1:30 p.m. on Monday, November 30, 1992, at the TACB Central Office, Room 143-E, 12124 Park 35 Circle, Austin, Texas 78753. At this conference, party status will be determined and a schedule will be set for the exchange of: written and documentary evidence; and a list of prospective witnesses with a short narrative summary of their prospective testimony. In addition, the parties may propose contested case issues and stipulations on those issues. A date for a second prehearing conference will also be decided, if necessary. At the second prehearing conference, the examiner will accept any stipulations as to contested issues and will determine the contested case issues. The examiner will consider any motions of the parties, but may grant contested motions for continuance only upon proof of good cause.

Time and Place of Hearing. The examiner has set the hearing on the merits to begin at 1:30 p.m. on Monday, January 4, 1993, at the TACB Central Office, Room 143-E, 12124 Park 35 Circle, Austin, Texas 78753.

What the Applicant Must Prove. This hearing is a contested case hearing under the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §13. It is generally conducted like a trial in district court. The applicant must demonstrate, by a preponderance of the evidence, that the proposed facility will meet the requirements of the Texas Clean Air Act, Texas Health and Safety Code (the Act), Chapter 382, §382.055, and TACB §116.12. These requirements include: compliance with the Act, the Federal Clean Air Act, and all applicable TACB and federal regulations; that the facility is being operated in accordance with all requirements and conditions of the existing permit, including representations in the application for permit to construct and subsequent amendments, and any previously granted continuance; and that the facility uses that control technology determined to be economically reasonable and technically practicable considering the age of the facility and the impact of its emissions on the surrounding area. Further, TACB shall review the compliance history of the facility in consideration of granting a permit continuance. TACB has no legal jurisdiction over additional vehicular traffic per se or noise which may result from a proposed facility's operation.

Public Attendance and Testimony. Members of the general public may attend the prehearing conference and the hearing. Those who plan to attend are encouraged to telephone the TACB Central Office in Austin, at (512) 908-1770 a day or two prior to the prehearing conference and the hearing dates in order to confirm the settings, since continuances are sometimes granted. Any person who wants to give testimony at the hearing, but who does not want to be a party, may call the Hearings Section of the TACB Legal Division at (512) 908-1770 to find out the names and addresses of all persons who may be contacted about the possibility of presenting testimony. Persons with disabilities who have special communication or other accommodation needs, and are planning to attend the meeting, should contact the agency at (512) 908-1815. (Requests should be made as far in advance as possible.)

Information About the Application and TACB Rules. Information about the application and copies of TACB rules and regulations are available at the TACB Regional Office located at Briercroft South #1, 5302 South Avenue Q, Lubbock, Texas 79412, the TACB Central Office located at 12124 Park 35 Circle, Austin, Texas 78753, and at the Mobeetie City Hall Office located at 301 South Wheeler, Mobeetie, Texas 79061.

Legal Authority. This hearing is called and will be conducted under the authority of the Act, §§383.029, 382.0291, 382.030, 382.031, 382.0518, 382.055, and 382.056 and TACB §§103.11(3), 103.31, and 103.41.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214839 William R. Campbell
Executive Director
Texas Air Control Board

Filed: November 4, 1992

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Notice of Public Hearing-EPEP

Notice is hereby given that pursuant to the requirements of the Texas Clean Air Act, §382.017(a); §103.11(4) of the Procedural Rules of the Texas Air Control Board (TACB); and 40 Code of Federal Regulations 51.102 of the United States Environmental Protection Agency (EPA) regulations, concerning State Implementation Plans (SIPs), the TACB will conduct a public hearing to receive testimony concerning a site-specific revision to the SIP.

The TACB proposes to grant an exemption, revising the SIP for El Paso Electrical Products, Inc., for the coating of mica paper with estimated emissions of 6.5 tons per year of volatile organic compounds. The exemption is proposed to apply en lieu of the provisions of §115.421(a), concerning emission specifications, pursuant to the requirements of §115.427(a)(5)(B), concerning exemptions. If adopted, the exemption will be submitted to EPA as a proposed site-specific revision to the SIP.

A public hearing on the proposal will be held December 2, 1992, at 9 a.m. in the Auditorium (Room 201S) of the TACB Central Office, Air Quality Planning Annex, located at 12118 North IH-35, Park 35 Technology Center, Building A, Austin, Texas 78753. The hearing is structured for the receipt of oral or written comments by interested persons. Interrogation or cross-examination is not permitted; however, a TACB staff member will be available to discuss the proposal and answer questions at 8:30 a.m., prior to the hearing.

Written comments not presented at the hearing may be submitted to the TACB, 12124 Park 35 Circle, Austin, Texas 78753, through December 7, 1992. Material received by the Engineering Services Section by 4 p.m. on that date will be considered by the board prior to any final action on the proposed revision. Copies of the proposed revisions are available from the Engineering Services Section at the central office of the TACB located at 12124 Park 35 Circle, Austin, and at the El Paso Regional Office of the TACB. For further information call (915) 591-8128, or contact Jeff Greif at (512) 908-1534.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the hearing should contact the agency at (512) 908-1815. Requests should be made as far in advance as possible.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214749 Lane Hartscock
Deputy Director, Air Quality Planning
Texas Air Control Board

Filed: November 2, 1992

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Notice of Public Hearing-Procedural Rules

Notice is hereby given that pursuant to the requirements of the Texas Clean Air Act, §382.017(a); the Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5; §103.11(4) of the Procedural Rules of the Texas Air Control Board (TACB), the TACB will conduct a public hearing to receive testimony concerning revisions to its rules.

The TACB proposes revisions to §103.33, concerning initiation of other than rulemaking hearings, and to §103.42 and §103.46, concerning adjudicative hearings. Also, the TACB proposes a new undesignated head concerning Alternative Dispute Resolution Procedures. The proposed changes are designed to incorporate changes to the contested case hearing process recommended by the board as a part of its efforts to improve the contested case hearing process.

A public hearing will be held on December 2, 1992, at 10 a.m. in the Auditorium (Room 201S) of the TACB Central Office, Air Quality Planning Annex, located at 12118 North IH-35, Park 35 Technology Center, Building A, Austin, Texas 78753. The hearing is structured for the receipt of oral or written comments by interested persons. Interrogation or cross-examination is not permitted; however, a TACB staff member will be available to discuss the proposal and answer questions at 9:30 a.m., prior to the hearing.

Written comments not presented at the hearing may be submitted to the TACB, 12124 Park 35 Circle, Austin, Texas 78753, through December 18, 1992. Material received by the Regulation Development Division by 4 p.m. on that date will be considered by the board prior to any final action on the proposed revisions. Copies of the proposed revisions are available at the central office of the TACB, Air Quality Planning Annex, located at 12118 North IH-35, Park 35 Technology Center, Building A, Austin, and at all TACB regional offices. For further information, contact Chuck Mueller at (512) 908-1916.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend

the hearing should contact the agency at (512) 908-1815. Requests should be made as far in advance as possible.

Issued in Austin, Texas, on October 29, 1992.

TRD-9214753

Lane Harsock
Deputy Director, Air Quality Planning
Texas Air Control Board

Filed: November 2, 1992

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State Banking Board
Notice of Hearings

The hearing officer of the State Banking Board will conduct a hearing on December 4, 1992, at 9 a.m., at 2601 North Lamar Boulevard, Austin, on the charter application for First Texas Bank, Belton. The application is a conversion from the First National Bank, Belton, to a state-chartered bank. The banking services currently provided by the First National Bank will continue to be provided by the First Texas Bank.

Anyone desiring to appear at the hearing must file a written notice of intent to appear, including a brief statement of position, with this office at least 10 days prior to the hearing. A copy of this notice, and all other pleadings, must be sent to each party to the hearing. If no protest is filed at least 10 days prior to the date set for the hearing, the commissioner may cancel the hearing and the State Banking Board shall vote to determine whether the necessary conditions have been established, based on the application. All parties appearing at the hearing are requested to provide the State Banking Board with three copies of all exhibits received as evidence, excepting poster size exhibits and photographs.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214766

William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: November 2, 1992

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The hearing officer of the State Banking Board will conduct a hearing on December 4, 1992, at 9 a.m., at 2601 North Lamar Boulevard, Austin, on the charter application for First Texas Bank, Round Rock. The application is a conversion from the First National Bank, Round Rock, to a state-chartered bank. The banking services currently provided by the First National Bank will continue to be provided by the First Texas Bank.

Anyone desiring to appear at the hearing must file a written notice of intent to appear, including a brief statement of position, with this office at least 10 days prior to the hearing. A copy of this notice, and all other pleadings, must be sent to each party to the hearing. If no protest is filed at least 10 days prior to the date set for the hearing, the commissioner may cancel the hearing and the State Banking Board shall vote to determine whether the necessary conditions have been established, based on the application. All parties appearing at the hearing are requested to provide the State Banking Board with three copies of all

exhibits received as evidence, excepting poster size exhibits and photographs.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214767

William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: November 2, 1992

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The hearing officer of the State Banking Board will conduct a hearing on December 4, 1992, at 9 a.m., at 2601 North Lamar Boulevard, Austin, on the charter application for First Texas Bank, Copperas Cove. The application is a conversion from the First National Bank, Copperas Cove, to a state-chartered bank. The banking services currently provided by the First National Bank will continue to be provided by the First Texas Bank.

Anyone desiring to appear at the hearing must file a written notice of intent to appear, including a brief statement of position, with this office at least 10 days prior to the hearing. A copy of this notice, and all other pleadings, must be sent to each party to the hearing. If no protest is filed at least 10 days prior to the date set for the hearing, the commissioner may cancel the hearing and the State Banking Board shall vote to determine whether the necessary conditions have been established, based on the application. All parties appearing at the hearing are requested to provide the State Banking Board with three copies of all exhibits received as evidence, excepting poster size exhibits and photographs.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214768

William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: November 2, 1992

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The hearing officer of the State Banking Board will conduct a hearing on December 4, 1992, at 9 a.m., at 2601 North Lamar Boulevard, Austin, on the charter application for First Texas Bank, Lampasas. The application is a conversion from the First National Bank, Lampasas, to a state-chartered bank. The banking services currently provided by the First National Bank will continue to be provided by the First Texas Bank.

Anyone desiring to appear at the hearing must file a written notice of intent to appear, including a brief statement of position, with this office at least 10 days prior to the hearing. A copy of this notice, and all other pleadings, must be sent to each party to the hearing. If no protest is filed at least 10 days prior to the date set for the hearing, the commissioner may cancel the hearing and the State Banking Board shall vote to determine whether the necessary conditions have been established, based on the application. All parties appearing at the hearing are requested to

provide the State Banking Board with three copies of all exhibits received as evidence, excepting poster size exhibits and photographs.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214769 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: November 2, 1992



The hearing officer of the State Banking Board will conduct a hearing on December 4, 1992, at 9 a.m., at 2601 North Lamar Boulevard, Austin, on the charter application for Community Bank, Longview. The application is a conversion from the Community National Bank, Longview, to a state-chartered bank. The banking services currently provided by the Community National Bank will continue to be provided by the Community Bank.

Anyone desiring to appear at the hearing must file a written notice of intent to appear, including a brief statement of position, with this office at least 10 days prior to the hearing. A copy of this notice, and all other pleadings, must be sent to each party to the hearing. If no protest is filed at least 10 days prior to the date set for the hearing, the commissioner may cancel the hearing and the State Banking Board shall vote to determine whether the necessary conditions have been established, based on the application. All parties appearing at the hearing are requested to provide the State Banking Board with three copies of all exhibits received as evidence, excepting poster size exhibits and photographs.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-1317.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214822 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: November 3, 1992



Notice of Hearing Cancellation

As no opposition has been noted in the application for the National Bank of Grand Prairie, Grand Prairie, to convert to a state charter under the name of Grand Prairie State Bank, the hearing previously scheduled for Thursday, November 12, 1992, has been cancelled.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214821 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: November 3, 1992



Texas Bond Review Board

Bi-Weekly Report on the 1992 Allocation of the State Ceiling on Certain Private Activity Bonds

The information that follows is a report of the allocation activity for the period of October 17, 1992-October 30, 1992.

On September 1, 1992, any amounts of state ceiling which remained in any subceiling were combined into one ceiling. The applications which had not received a reservation prior to that date were placed on one list in an order determined by a lot number, and for those applications without a lot number, by date of receipt of the application.

Total amount of the \$867,450,000 state ceiling remaining unreserved as of October 30, 1992: \$0.

Following is a comprehensive listing of applications which have received a reservation date pursuant to the Act from October 17, 1992-October 30, 1992: Gulf Coast Waste Disposal Authority, Champion International, \$35,590,600; Brazos River Harbor Navigator District, Dow Chemical Company, \$14,409,400; Brazos River Harbor Navigator District, Dow Chemical Company, \$7,400,000.

Following is a comprehensive listing of applications which have issued and delivered the bonds and received a certificate of allocation pursuant to the Act from October 17, 1992-October 30, 1992: None.

Following is a comprehensive listing of applications which were either withdrawn or cancelled pursuant to the Act from October 17, 1992-October 30, 1992: Gulf Coast Waste Disposal Authority, Houston Chemical Company, \$50 million; Grand Prairie HFC, Valley View Apartments, \$5,500,000.

Following is a comprehensive listing of applications which released a portion or their reserved amount pursuant to the Act from October 17, 1992-October 30, 1992: Orange County Navigation and Port District IDC Horsehead Resource Development Company, Inc., \$1,900,000.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214684 Tom K. Pollard
Executive Director
Texas Bond Review Board

Filed: October 30, 1992



Texas Cancer Council Consultant Proposal Request

This request for consultant services is filed pursuant to the provisions of Texas Civil Statutes, Article 6252-11c.

Notice of invitation. The Texas Cancer Council is requesting proposals from qualified consultants, firms, agencies, and individuals to review, analyze, and recommend changes, if needed, in existing contracts with the Texas Cancer Data Center, administered by M.D. Anderson Cancer Center, and the Nurse Oncology Education Program administered by the Texas Nurses Foundation. The purposes are to assess performance and benefit and to improve the projects, if needed.

The Texas Cancer Data Center is a computerized repository and information clearinghouse for Texas demograph-

ics, cancer statistics, cancer services, and care providers. It also provides analysis of cancer costs and statistics, and assists the council in analyzing service delivery capabilities and needs in specific areas of the state. Information can be accessed through a computer modem.

The Nurse Oncology Education Program serves as a state-wide clearinghouse and innovative cancer education program to enhance Texas' nurses' knowledge, skill, and role in cancer prevention and screening. The program coordinates and develops cancer education courses and programs among Texas institutions and nursing schools, and is advised by a steering committee and area workgroups.

Contract awards. Up to two contracts will be awarded, one for the evaluation of the Texas Cancer Data Center and one for the evaluation of the Nurse Oncology Education Program. Individuals may submit proposals for both studies; however, they must be submitted as separate proposals.

Scope of services. The following evaluation activities must be accomplished for each contract awarded.

Administrative procedures. Assess the manner in which the project plans, monitors, and evaluates the quality of its services.

Assess the degree to which the project works collaboratively with and seeks meaningful input from other entities and individuals.

Analyze individual job functions and job classifications to determine appropriateness of staff responsibilities.

Evaluate the approaches taken to market project services among health professionals.

Information resources. Evaluate the way in which the project gathers, maintains, and disseminates information. Review the types, appropriateness, and usefulness of the information and services the project provides. Evaluate whether information could be more efficiently obtained through other resources.

General issues. Assess the extent to which the needs and expectations of targeted consumers are being met.

Final product. Comprehensive report including: a description of the work performed; findings, with respect to all of the objectives listed in the consultant proposal request; recommendations to address each finding; and supporting materials, including, but not limited to, a list of all persons interviewed and an explanation of the approaches taken in conducting the study. The report should include an executive summary and a list of findings and recommendations in priority order.

Time-table. The anticipated time period for this contract is February 1, 1993-April 30, 1993.

Funding level. The maximum amount of funding available is \$25,000 per performance evaluation, (\$50,000 total for both project evaluations).

Proposal components. Proposals should be written clearly and concisely and should address, at a minimum, the following issues in the order given below.

Identity of applicant. The legal entity submitting a proposal should disclose its name; the mailing and street address, city and state of its office from which the study will be managed; and the name, title, mailing address, and telephone number of the person designated by the applicant to answer questions concerning the proposal submitted and to negotiate the terms of any contract proposed by

the Texas Cancer Council. A vendor identification number for the State of Texas should be provided.

Applicant's qualifications. Legal entity's experience in management consultant work with government organizations in Texas.

Familiarity with contracting procedures for the State of Texas.

Demonstrated ability to perform each of the services requested.

Qualifications of all personnel to be assigned to the project and the ability of such personnel to perform the required work within the time-frame of the project.

Conflict of interest. Statement that the applicant has no conflict of interest in conducting the requested performance evaluation of the Texas Cancer Data Center and the Nurse Oncology Education Program. Business arrangements with M.D. Anderson Cancer Center, The University of Texas System, or the Texas Nurses Foundation during the last five years must be identified and explained.

Project approach. Methods and procedures to be used in conducting this project.

Work-plan with firm dates for the completion of the major elements of performance.

Budget. Detailed budget which supports the proposed activities, corresponds to the work-plan and time-table, and contains the following information if applicable. The budget section must contain a written justification for proposed expenses.

Salaries and fringe benefits. Rates for each person working on the project. For each position list the full-time monthly salary and percent of time the position is dedicated to this project. List separately the fringe benefit rate and amount being paid for each person.

Travel costs. Transportation, lodging, meals, and related expenses for staff on business relevant to the contract. Travel costs may be paid on the basis of fixed mileage, per diem rates, or actual cost reimbursement. If applicant does not have established policies/procedures regarding travel, state regulations must be used.

Equipment. Costs for tangible personal property having a cost of \$500 or more and a useful life of more than one year. Equipment must be itemized and becomes the property of the Texas Cancer Council upon completion of the contract.

Supplies. Costs for materials and consumable supplies necessary to carry out the program.

Contractual. Costs for direct services rendered by a third party necessary to meet the project objectives. List sub-contracts by entity, purpose, and amount.

Other. All direct cost items not identified and explained in the above categories. These include postage, printing, copying, utilities, rent, data processing, et cetera, and should be listed separately in this budget category.

No indirect costs should be calculated into or claimed on a reimbursement voucher to the Texas Cancer Council.

Texas Cancer Council contractors are paid on a reimbursement basis only. Advance payments are not allowed. Reimbursement may be claimed no less than monthly.

Criteria for selecting consultant. The following selection criteria will be used in selecting a consultant.

Appropriateness of the methods and procedures to be used in conducting this project-(40 points).

Feasibility of the proposed work-plan and timetable-(20 points).

Reasonableness of the proposed budget in relation to the services to be performed-(15 points).

Qualifications and experience of the applicant and associated staff-(25 points).

Awards will not necessarily be made to the bidder offering the lowest price; selection will be based on an applicant's ability to satisfy the criteria required in the proposal. The Texas Cancer Council reserves the right to negotiate both budget and scope of work with the finalist(s). Further, the council reserves the right to reject any or all proposals and is under no legal requirement to execute a contract on the basis of this request for proposals.

If two or more proposals are ranked so closely that a decision cannot be made, the Executive Director may request finalists to provide additional information. No respondent, however, will be reimbursed for any costs incurred in the preparation, submission, or clarification of a proposal.

When other considerations are equal, an applicant whose principal place of business is within the State of Texas, or who will manage the contract wholly from one of its offices within the State of Texas, will be given preference.

Contracts awards are subject to approval by the Governor.

Equal employment opportunity statement. The Texas Cancer Council does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services.

Bidder's meeting. A bidder's meeting will be held on November 20, 1992, from 1-3 p.m. to present basic information and to respond to questions about the purpose and organizational structure of the Texas Cancer Data Center and the Nurse Oncology Education Program. The meeting will be held at 211 East Seventh Street, Suite 710, Austin.

Closing date. Applications must be received by 5 p.m. on January 8, 1993. Applicants will receive written notification that the application was received.

Contact person. To obtain more detailed information concerning this proposal or the bidder's meeting, contact Emily Untermeyer, Executive Director, Texas Cancer Council, P.O. Box 12097, Austin, Texas 78711, (512) 463-3190. Basic written information about the Texas Cancer Data Center, the Nurse Oncology Education Program, and the Texas Cancer Council will be provided upon request.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214792 Emily F. Untermeyer, M.P.H.
Executive Director
Texas Cancer Council

Filed: November 2, 1992

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**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 Texas Civil Statutes, Title 79, Article 1.04, as amended (Texas Civil Statutes, Article 5069-1.04).

<u>Types of Rate Ceilings</u>	<u>Effective Period (Dates are Inclusive)</u>	<u>Consumer ⁽¹⁾/Agricultural/ Commercial ⁽²⁾ thru \$250,000</u>	<u>Commercial⁽²⁾ over \$250,000</u>
Indicated (Weekly) Rate - Art. 1.04(a)(1)	11/02/92-11/08/92	18.00%	18.00%
Monthly Rate - Art. 1.04 (c)(3)	11/01/92-11/30/92	18.00%	18.00%

(1)Credit for personal, family or household use. (2)Credit for business, commercial, investment or other similar purpose. (3)For variable rate commercial transactions only.

Issued in Austin, Texas, on October 26, 1992.

TRD-9214576 Al Endsley
Commissioner

Filed: October 28, 1992

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Article 1.04, as amended (Texas Civil Statutes, Article 5069-1.04).

<u>Types of Rate Ceilings</u>	<u>Effective Period (Dates are Inclusive)</u>	<u>Consumer ⁽¹⁾/Agricultural/ Commercial ⁽²⁾ thru \$250,000</u>	<u>Commercial⁽²⁾ over \$250,000</u>
Indicated (Weekly) Rate - Art. 1.04(a)(1)	11/09/92-11/15/92	18.00%	18.00%

(1)Credit for personal, family or household use. (2)Credit for business, commercial, investment or other similar purpose.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214838 Al Endsley
Commissioner

Filed: November 4, 1992

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Governor's Energy Office
Consultant Contract Award

In compliance with the provisions of Texas Civil Statutes, Article 6252-11c, the Governor's Energy Office furnishes this notice of consultant contract awards.

Publication Date. The consultant proposal request was published in the May 15, 1992, issue of the *Texas Register* (17 TexReg 3658).

Description of Services. The request was for a contractor to provide eight basic-level energy management training sessions, two advanced technical training courses, and on-site technical assistance to Texas public school personnel.

Names and Addresses. The contract has been awarded to: Estes, McClure and Associates, Inc., 3608 West Way, Tyler, Texas 75703.

Value and Date of Contracts. The total dollar value of the contract is \$113,525. The contract period extends from September 14, 1992-March 31, 1993, by which date all work associated with this contract must be completed.

Issued in Austin, Texas on October 27, 1992.

TRD-9214573 Harris Worcester
Director
Governor's Energy Office

Filed: October 28, 1992

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Contract Award Notice

In compliance with the provisions of Texas Civil Statutes, Article 6252-11c, the Governor's Energy Office furnishes this notice of contracts awarded through the Recycling Program.

Publication Date. The consultant proposal request was published in the December 11, 1990, issue of the *Texas Register* (15 TexReg 7132).

Description of Services. The request was for contractors to implement or start up recycling programs including drop-off and curbside collection projects of both common recyclable and hard-to-recycle materials such as tires, appliances, motor oil, construction materials, and plastics; coordination of multi-county regional recycling efforts; processing and marketing of all recyclables; implementation or expansion of composting projects; and education

projects. The contract periods extend through September 30, 1994.

Names and Addresses, Contract Values. The contracts have been awarded to: Bastrop County Mental Retardation Association, 10 Settlement Drive, Suite A, Bastrop, Texas 78602, \$20,000; Recycling Opportunities, 40109 Industrial Park Circle, Georgetown, Texas 78626, \$14,380; Bell Recycling, P.O. Box 908, Belton, Texas 76513, \$20,000; Greater Odessa Litterbusters, P.O. Box 3908, Odessa, Texas 79760, \$10,041; City of Austin, P.O. 1088, Austin, Texas 78767-8844, \$20,000; City of Hill Country Village, 116 Aspen Lane, San Antonio, Texas 78232, \$1,800; City of Plainview, 901 Broadway, Plainview, Texas 79072, \$20,000; City of El Paso, 7969 San Paulo, El Paso, Texas 79907, \$20,000; Edith Armstrong Center, 920 Nichols Road, Bay City, Texas 77414, \$20,000; City of Amarillo, P.O. Box 1971, Amarillo, Texas 79186, \$19,433; City of Nacogdoches, 202 East Pilar, Nacogdoches, Texas 75961, \$20,000; Junction Five-O-Five, P.O. Box 4566, Bryan, Texas 77805, \$20,000; Austin Community Gardens, 4814 Sunshine Drive, Austin, Texas 78756, \$20,000; Texas Agricultural Extension Service, 17630 Coit Road, Dallas, Texas 75252, \$40,000; Texas State Technical College, 3801 Campus Drive, Waco, Texas 76705, \$195,464; Houston-Galveston Area Council of Governments, 3555 Timmons, Houston, Texas 77227-2777, \$158,381; Ecology Action, 210 Industrial Boulevard, #B, Austin, Texas 78745, \$199,965; Rio Grande Council of Governments, 1014 North Stanton, Suite 100, El Paso, Texas 79902, \$188,488; Middle Rio Grande Development Council, 209 North Getty, Uvalde, Texas 78801, \$54,984; Ecology Action, 210 Industrial Boulevard, #B, Austin, Texas 78745, \$49,880; Brazos Valley Solid Waste Management Agency, P.O. Box 9960, College Station, Texas 77842, \$38,875; City of Lubbock, P.O. Box 2000, Lubbock, Texas 79403, \$49,816; Center for Maximum Potential Building Systems, 8604 FM 969, Austin, Texas 78724, \$99,999; American Institute of Architects/Houston, 20 Greenway Plaza, Suite 246, Houston, Texas 77046-2002, \$95,270; and City of Plano, P.O. Box 860358, Plano, Texas 75068-0358, \$50,000.

Issued in Austin, Texas, on October 31, 1992.

TRD-9214755 Harris E. Worcester
Director
Governor's Energy Office

Filed: November 2, 1992

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Texas Department of Health
Designation of Sites Serving Medically
Underserved Populations

The Department of Health (department) is required under Texas Civil Statutes, Article 4495b, §3.06, to designate

sites serving medically underserved populations. In addition, the department is required to publish notice of its designations in the *Texas Register* and to provide an opportunity for public comment on the designations.

Accordingly, the department has designated the following as sites serving medically underserved populations: Greenway Park Medical Group, 2455 N.E. Loop 410, San Antonio, Texas 78217; Parkland Memorial Hospital's Continuing Care Nursery, 5201 Harry Hines Boulevard, Dallas, Texas 75235; South Plains Health Provider Organization, Inc., Clinic, 824 Martin Road, Amarillo, Texas 79107; University of Houston Student Health Center, 4800 Calhoun, Houston, Texas 77204-3251; West Texas State University Student Health Center in Canyon, Texas 79016-1401; and Jordan State Detention Unit, 1992 Hinton Road, Pampa, Texas 79066. Designation is based on proven eligibility as a site serving a disproportionate number of clients eligible for federal, state, or locally funded health care programs.

Oral and written comments on the designations may be directed to Carol Daniels, Chief, Bureau of State Health Data and Policy Analysis, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (Telephone: (512) 458-7261). Comments will be accepted for 30 days from the date of this notice.

Issued in Austin, Texas, on October 29, 1992

TRD-9214692 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: October 30, 1992

Notice of Emergency Cease and Desist and Impoundment Order

Notice is hereby given that the Bureau of Radiation Control (bureau) ordered Wilson Inspection X-Ray Services, Inc. (licensee-L04469) of Corpus Christi to cease and desist using any sources of radiation requiring a license at any location in Texas, and to surrender to the bureau for impoundment all radioactive material in its possession in Texas. The order was issued because the licensee was storing radioactive material at an unauthorized storage location; and the individual designated by the licensee to act as the radiation safety officer was no longer employed by the licensee.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on October 28, 1992.

TRD-9214608 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: October 28, 1992

Notice of Revocation of Certificates of Registration

The Texas Department of Health, having duly filed complaints pursuant to Texas Regulations for Control of Radiation, Part 13 (25 Texas Administrative Code §289.112), has revoked the following certificates of registration: Oc-

cupational Medical Clinic, San Antonio, R06423, October 13, 1992; Centers for Health Control, Inc., San Antonio, R08547, October 13, 1992; Ray Hatch, D. C., San Antonio, R09036, October 13, 1992; W. Timothy Beckett, II, D.D.S., Dallas, R12655, October 13, 1992; P. G. Dunlap, D.O., San Diego, R16035, October 13, 1992; Gerald R. Pierce, El Paso, R16926, October 13, 1992; Lloyd Cole, D.D.S., Ennis, R16714, October 13, 1992; Dallas Surgery Center, Dallas, Z00617, October 13, 1992.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on October 28, 1992.

TRD-9214609 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: October 28, 1992

Notice of Revocation of Radioactive Material Licenses

The Texas Department of Health, having duly filed complaints pursuant to Texas Regulations for Control of Radiation, Part 13 (25 Texas Administrative Code §289.112), has revoked the following radioactive material licenses: Phillip Johnson, Friona, L03658, October 13, 1992; Killeen Independent School District, Killeen, L03578, October 13, 1992.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, the Exchange Building, 8407 Wall Street, Austin, Monday-Friday, 8 a.m. to 5 p.m. (except holidays).

Issued in Austin, Texas, on October 28, 1992.

TRD-9214610 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: October 28, 1992

Regional Trauma System Development Projects Request for Proposals

Purpose. The Texas Department of Health (department) has received federal funding to continue the creation of coordinated regional trauma care systems. Development of these systems includes the establishment of Regional Advisory Councils (RACs) and development of regional emergency medical services (EMS)/trauma system plans which incorporate assessment of available resources, needs, and solutions.

Background. The department is accepting proposals for Regional Trauma System Development Projects from the following organizations: regional planning council; regional advisory council established and recognized as specified in Title 25, Texas Administrative Code (TAC), §157.123, concerning trauma systems (copies of the trauma system rules are available upon request); consortium; or other organization. Funding will be considered for projects to develop a regional trauma system plan that can be used as a model for other trauma service areas (requirements for and components of a regional EMS/trauma system plan are specified in 25 TAC §157.124), which are to be used as guidelines.

The planning process should include such components as resource, patient flow, and need assessment; identification of the area's types and severity of trauma, recommendations for solutions, and development of trauma system documents which address the components of a regionalized trauma system, including prevention, public information and education, access to the system, communications, medical oversight, pre-hospital triage criteria, diversion policies, bypass protocols, regionalized medical control, facility triage criteria, interhospital transfers, designation of trauma facilities, and system quality management.

General Information. Application packets will be available on October 30, 1992. The deadline to apply is December 7, 1992. Only proposals delivered to the department's Bureau of Emergency Management by the deadline will be considered for funding. Proposals submitted by facsimile machine will not be accepted. A total of \$160,000 is available to fund at least four regional projects (two urban and two rural) with a maximum award of \$40,000. The project period begins January 1, 1993, and ends on September 30, 1993. Successful applicants will be notified no later than January 15, 1993. After the award has been granted, a contract will be negotiated between the department and the grantee.

Applicant Qualifications. Applicants must provide assurances that they have the capability and all required resources readily available to satisfactorily perform the services identified in their proposal. All contractors must provide documentation of ability to complete the specified project. Successful applicants will be required to submit copies of bylaws, completed regional EMS/trauma system plans, and any other trauma system planning documents developed under this grant to the department.

Application Procedure. An application packet and additional information can be obtained from Kathryn C. Perkins, Administrator, Trauma System Development Program, Bureau of Emergency Management, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7550. The department will mail application packets via regular mail, not by express mail or facsimile machine.

Review of Proposals. The department reserves the right to accept or reject any submitted application. Each application will be evaluated independently based on criteria found in the application packet. Selections will be made to assure geographic representation and to build on existing accomplishments in reference to regional trauma system development.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214774 Robert A. MacLean, M.D.
Deputy Commissioner
Texas Department of Health

Filed: November 2, 1992

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**Texas Department of Housing and
Community Affairs**

**Public Hearing-Tax-Exempt Multifamily
Mortgage Revenue Bond Program
Rules Taxable Multifamily Mortgage
Revenue Bond Program Rules**

The Texas Department of Housing and Community Affairs (department) hereby gives notice that it will hold a public

hearing on Tuesday, November 17, 1992, at 10 a.m. at the department, 811 Barton Springs Road, Suite 300, Austin, with respect to the proposed new Tax-Exempt Multifamily Mortgage Revenue Bond Program Rules and the Taxable Multifamily Mortgage Revenue Bond Program Rules.

The Tax-Exempt Multifamily Mortgage Revenue Bond Program Rules and the Taxable Multifamily Mortgage Revenue Bond Program are intended to be a source of long term fixed rate financing to create and preserve affordable rental housing units for occupancy by very low, low, and moderate income Texans.

All interested persons are invited to attend the public hearing and to express their views on the proposed rules. Questions or requests for additional information may be directed to Robert B. Johnston, Director of Multifamily Programs, Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941, (512) 475-3340 or 1-800-792-1119. Persons who plan to attend the hearing are encouraged to inform the Department in advance of the public hearing either in writing or by telephone. Any interested persons unable to attend the public hearing may submit their views in writing to the department prior to December 1, 1992.

Individuals who require auxiliary aids for services for this meeting should contact Aurora Carvajal, ADA Responsible Employee, at (512) 475-3822, or Relay Texas at 1-800-735-2989 at least two days before the meeting so that appropriate arrangements can be made.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214756 Susan J. Leigh
Executive Director
Texas Department of Housing and
Community Affairs

Filed: November 2, 1992

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**Texas Department of Human Services
Public Notices**

The Texas Department of Human Services (DHS) has received approval from the Health Care Financing Administration to amend the Title XIX Medical Assistance Plan by Transmittal Number 92-36, Amendment Number 375. The amendment establishes a methodology for reimbursing personal care and rehabilitative providers for Hepatitis B inoculations of their staff in accordance with OSHA requirements. The amendment is effective July 25, 1992. If additional information is needed, please contact Linda Carsner, (512) 450-3215.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214729 Nancy Murphy
Agency Liaison, Policy and Document
Support
Texas Department of Human Services

Filed: November 2, 1992

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The Texas Department of Human Services (DHS) has received approval from the Health Care Financing Administration to amend the Title XIX Medical Assistance Plan by Transmittal Number 92-35, Amendment Number 374. The amendment reflects the sanctions that will be applied to psychiatric hospitals in accordance with §1902(y) of the Social Security Act (added by §4755(a) of OBRA '90).

The amendment is effective November 5, 1990. If additional information is needed, please contact Cathy Rossberg, (512) 450-3766.

Issued in Austin, Texas, on November 2, 1992.

TRD-9214730 Nancy Murphy
Agency Liaison, Policy and Document
Support
Texas Department of Human Services

Filed: November 2, 1992

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Texas Department of Insurance
Company Licensing

The following applications have been filed with the Texas Department of Insurance and are under consideration:

Application for Admission in Texas for ACSIA Insurance Services & Ardiel Insurance Service, Inc. (assumed name for Associated California State Insurance Agencies), a foreign third party administrator. The home office is Burlingame, California.

Application for adding the assumed name in Texas for Student Plans, Inc. (assumed name for Double L. Services, Inc.), a foreign third party administrator. The home office is in Wheaton, Illinois.

Application for name change in Texas for Title Insurance Company of Minnesota, a foreign title insurance company. The home office is in Minneapolis, Minnesota. The proposed new name is Old Republic National Title Insurance Company.

Issued in Austin, Texas, on October 29, 1992.

TRD-9214701 Linda K. von Quintus-Dorn
Chief Clerk
Texas Department of Insurance

Filed: October 30, 1992

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Notice of Public Hearing Docket Number
R-1955

Notice is hereby given that a public hearing under Docket Number R-1955 will be held before the State Board of Insurance on December 14, 1992, beginning at 1:30 p.m. and continuing thereafter at dates, times, and places designated by the board.

The State Board of Insurance has jurisdiction over this matter in accordance with the Administrative Procedure and Texas Register Act, Article 6252-13a, §4 and §5, Texas Civil Statutes, and Articles 1.04, 5.06, 5.09, 5.10, 5.101, 21.07, §13; 21.07-3, §21; 21.14, and 21.21, §13 of the Texas Insurance Code.

The hearing and procedure will be governed by the rulemaking provisions of the Rules of Practice and Procedure before the State Board of Insurance (Texas Adminis-

trative Code, Title 28, Chapter 1, Subchapter A) and the Administrative Procedure and Texas Register Act (Texas Civil Statutes, Article 6252-13a), in addition to other statutes, including but not limited to, those outlined in the proposed rule as published in the *Texas Register*.

The purpose of the hearing is for the consideration of proposed 28 TAC §§21.900, 21.901, 21.902, and 21.1000 as published in the November 3, 1992 issue of the *Texas Register*. The comment period expires on December 3, 1992.

Copies of the proposed rules are available in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78714-9104. For further information or to request copies of the rules, please contact Sylvia Gutierrez at (512) 463-6327.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214699 Linda K. von Quintus-Dorn
Chief Clerk
Texas Department of Insurance

Filed: October 30, 1992

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Notice of Public Hearing Docket Number
1956

Notice is hereby given that a public hearing under Docket Number 1956 will be held before the State Board of Insurance on December 14, 1992 beginning at 1:30 p.m. and continuing thereafter at dates, times, and places designated by the board.

The purpose of the hearing is to consider a proposal filed by the Office of Public Insurance Council proposing amendatory endorsements for homeowners, dwelling, farm and ranch and farm and ranch owners policies to prohibit the refusal to renew such policies based on the condition of the premises unless the insurer has notified the insured of the condition and provided the insured adequate time to correct the condition.

This hearing will be held in accordance with the legal authority and jurisdiction provided in the Texas Insurance Code, Articles 1.04, and 5.96. The hearing and procedure under Docket Number 1956 will be governed by the Rules of Practice and Procedure before the State Board of Insurance (Texas Administrative Code, Title 28, Chapter 1, Subchapter A) and the Texas Insurance Code, Article 5.96.

Copies of the full text of the petition are available in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78714-9104. For further information or to request copies of the petition, please contact, Angie Arizpe at (512) 322-4147 (Refer to Reference Number O-1092-62).

Issued in Austin, Texas, on October 30, 1992.

TRD-9214700 Linda K. von Quintus-Dorn
Chief Clerk
Texas Department of Insurance

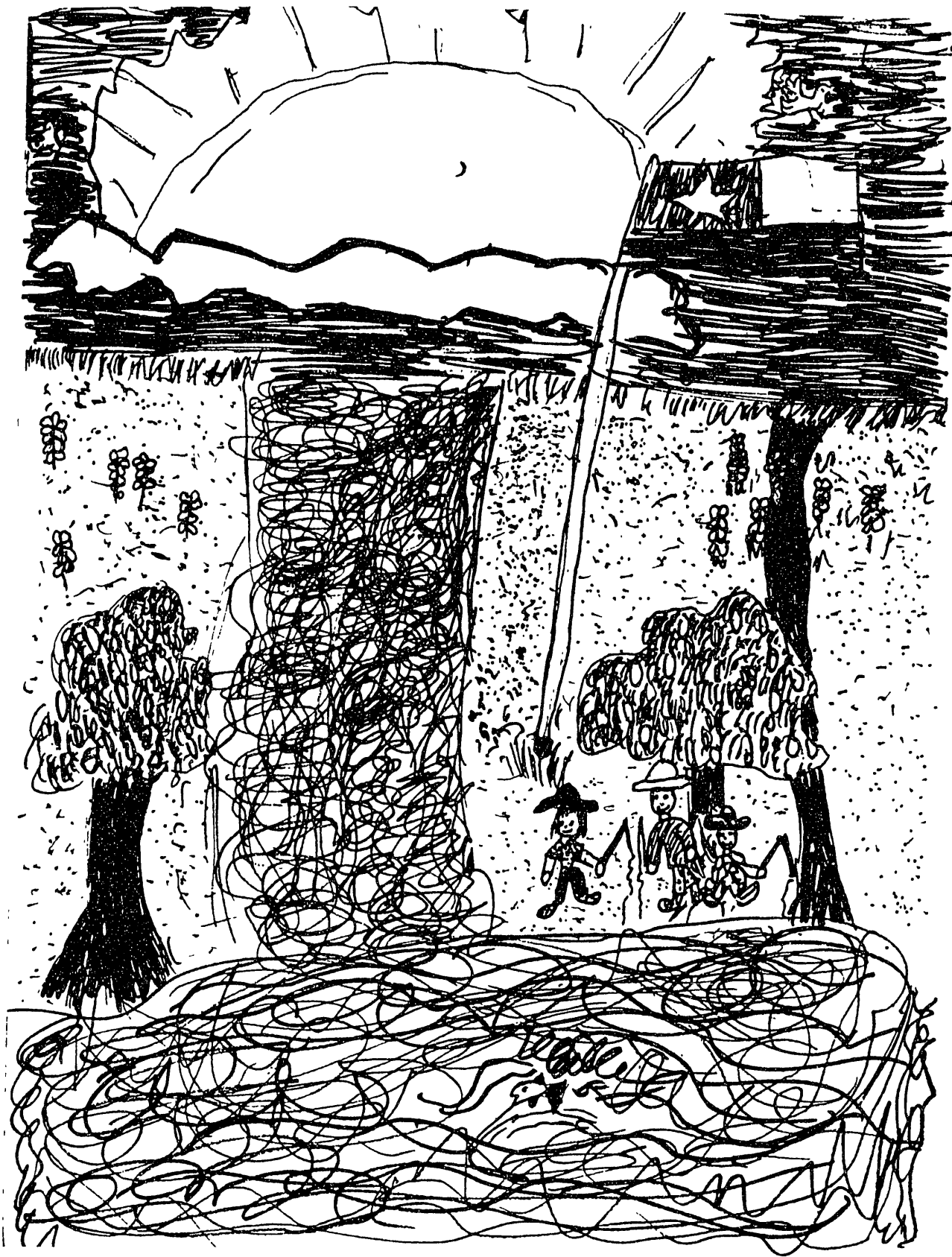
Filed: October 30, 1992

**Legislative Budget Office
Joint Budget and Strategic Plan Hearing
Schedule**

**EXECUTIVE AND LEGISLATIVE BUDGET OFFICES
Joint Budget and Strategic Plan Hearing Schedule*
Appropriations Requests for the 1994-1995 Biennium
(For the period of Nov. 9-13, 1992)**

<u>Agency</u>	<u>Date</u>	<u>Place</u>
Department of Protective and Regulatory Services	Nov. 11--10:00 a.m.	Department of Human Services DHS Board Room, Room 125 East 701 West 51st Street Austin, Texas

***NOTE:** Please confirm above dates, times and locations in the event you plan to attend a hearing, since experience has shown that some rescheduling always occurs.



K-4

Name: Tiffany Bright

Grade: 3

School: Hamilton Park Pacesetter, Richardson ISD

Issued in Austin, Texas, on October 30, 1992.

TRD-9214883

Larry Kopp
Assistant Director for Budget
Legislative Budget Office

Filed: October 30, 1992

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**Texas Parks and Wildlife Department
Consultant Contract Award**

This consultant service selection report is filed in accordance with the provisions of Texas Civil Statutes, Article 6252-11C.

This consultant contract is a renewal of contract awarded based upon a proposal request which appeared in the April 4, 1992, issue of the *Texas Register* (17 TexReg 249) and whose award was announced in the July 3, 1992, issue of the *Texas Register* (17 TexReg 4828). That contract was awarded to Sterling Information Group, Inc. for an amount not-to-exceed \$49,720.

The consultant will assist the agency by preparing recommendations regarding the pilot project phase of the agency's Integrated Information Systems project. Using the results of the prior study, the consultant will prepare recommendations based on an assessment of an enterprise view of the agency's data and priorities provided by key decision-makers in the agency.

The name and address of the consultant is Sterling Information Group, Inc., P.O. Box 161148, Austin, Texas 78716-1148. Total value of the contract is not-to-exceed \$9,500. Consultant shall be paid in two incremental payments based upon completion of specific phases of the study. Term of the contract is from October 23, 1992-January 15, 1993.

Issued in Austin, Texas, on October 29, 1992.

TRD-9214685

Paul M. Shinkawa
Director, Legal Services
Texas Parks and Wildlife Department

Filed: October 30, 1992

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**Public Utility Commission
Notice of Intent to File Pursuant to
Public Utility Commission Substantive
Rule 23.27**

Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to Public Utility Commission Substantive Rule 23.27 for approval of customer-specific services which include a modified four-wire digital channel termination and "intelligent" multiplexing using Racal Omnimum equipment for GTECH Corporation (GTECH) and the State of Texas Lottery Network.

Tariff Title and Number. Application of Southwestern Bell Telephone Company for Approval of Customized Services for GTECH and the State of Texas Lottery Network pursuant to Public Utility Commission Substantive Rule 23.27(k). Tariff Control Number 11547.

The Application. Southwestern Bell Telephone Company is requesting approval of Customized Services for GTECH and the State of Texas Lottery Network. The geographic

service market for this specific service is anywhere within the State of Texas where Southwestern Bell Telephone Company is certificated to serve.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas at 7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Public Information Section at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on October 29, 1992.

TRD-9214689

John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: October 30, 1992

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Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to Public Utility Commission Substantive Rule 23.27 for approval of customer-specific CentraNet service for Electronic Data Systems Corporation, Plano.

Tariff Title and Number. Application of GTE Southwest Incorporated for Approval of CentraNet Service for Electronic Data Systems Corporation pursuant to Public Utility Commission Substantive Rule 23.27(k). Tariff Control Number 11559.

The Application. GTE Southwest Incorporated is requesting approval of CentraNet Service for Electronic Data Systems Corporation. The geographic service market for this specific service is the Plano area.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Public Information Section at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214653

John M. Renfrow
Secretary of the Commission
Public Utility Commission of Texas

Filed: October 29, 1992

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**Texas Low-Level Radioactive Waste
Disposal Authority
Notice of Contract Award**

This request for consulting services is filed under the provisions of Texas Civil Statutes, Article 6252-11c.

Description. The Texas Low-Level Radioactive Waste Disposal Authority (the Authority) is charged with the responsibility of siting, constructing, and operating a facility for the disposal of low-level radioactive waste. The Authority is required to develop procedures relating to waste disposal operations, radiological safety, emergency response, and security. The Authority is interested in securing a health physics consultant to advise them on the management of low-level radioactive waste operations, with specific attention to compliance with the rules and regulations of the Texas Department of Health and the Texas Water Commission. This consultant will also be responsible for reviewing and commenting on plans and

procedures developed by the Authority staff in support of the licensing and operations process.

Persons to Contact. Further information may be obtained from Robert V. Avant, Jr., P.E. at the Texas Low-Level Radioactive Waste Disposal Authority, 7701 North Lamar Boulevard, Suite 300, Austin, Texas 78752, or by calling (512) 451-5292.

Deadline for Submission of RFP. This RFP will close on Monday, November 30, 1992, at 5 p.m.

Services Previously Performed. These services have been previously performed by Hugh Bryan, Austin. The Authority intends to continue with and to award the contract for consulting services to Hugh Bryan for fiscal year 1993 unless a better proposal is submitted in response to this request.

Evaluation Criteria. Proposals received in response to this request will be evaluated according to the following criteria: prior experience in working with state and federal regulations related to the handling and disposal of radioactive waste with specific emphasis on the rules and regulations of the United States Nuclear Regulatory Commission, the Texas Department of Health, and the Texas Water Commission; knowledge of Texas low-level radioactive waste characteristics; demonstrated competence and qualifications directly related to licensing, procedures development, and radioactive waste processing and storage operations; specific knowledge of the Authority's programs; understanding of the work to be performed; and reasonableness of the fee for services.

General Information. The Authority reserves the right to accept or reject any or all proposals submitted. The Authority is under no legal requirement to execute a consultant contract on the basis of this notice. The Authority intends the material herein only as a general description of the services desired.

The proposal should be for a period of one year, but the Authority will retain the option of extending the contract for an additional year.

Form and Format. Three copies of the proposal are requested. They should be sent by mail, or delivered in the person marked "Proposal for Radiological Consulting Services" addressed to Robert V. Avant, Jr., P.E., 7701 North Lamar Boulevard, Suite 300, Austin, Texas 78752. Proposals shall be received at this address not later than 5 p.m. November 30, 1992. The proposal should be typed, preferably double spaced and completed on 8 1/2 by 11-inch paper with all pages sequentially numbered and either stapled or bound together.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214622 Lee H. Mathews
Deputy General Manager and General
Counsel
Texas Low-Level Radioactive Waste
Disposal Authority

Filed: October 29, 1992

For further information, please call: (512) 451-5292

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Texas Water Commission
Enforcement Orders

Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its

decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Ayers Distributing Company (TWC Facility Identification Number 04851) on October 16, 1992, assessing \$17,200 in administrative penalties with \$10,750 deferred.

Information concerning any aspect of this order may be obtained by contacting Jennifer Smith, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 908-2059.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214640 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Applied Coating Services Inc. (Solid Waste Registration 39463) on October 22, 1992, assessing \$241,200 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Irene Montelongo, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8080.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214641 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Holcomb Brothers Sand Pits Inc. (No permit) on October 16, 1992, assessing \$7,000 in administrative penalties with \$3,320 deferred. Stipulated penalties were also imposed.

Information concerning any aspect of this order may be obtained by contacting Robert Martinez, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8098.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214638 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil

penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Osage Cattle Co. (Permit 03451) on October 16, 1992, assessing \$7,500 in administrative penalties with \$2,500 deferred. Stipulated penalties were also imposed.

Information concerning any aspect of this order may be obtained by contacting Robert Martinez, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8098.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214637 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Plantation Foods, Inc. (No permit) on October 14, 1992, assessing \$17,000 in administrative penalties with \$2,000 deferred. Stipulated penalties were also imposed.

Information concerning any aspect of this order may be obtained by contacting John Carlton, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8072.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214636 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Schlumberger, Dowell, Inc. (Solid Waste Registration Number 33584) on October 22, 1992, assessing \$16,880 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Carlos Celestino, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8085.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214635 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Rohm and Haas Texas, Inc. (Permit Number 00458) on October 23, 1992, assessing \$80,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Kevin McCalla, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-8082.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214634 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Pursuant to the Texas Water Code, which states that if the commission finds that a violation has occurred and a civil penalty is assessed, the commission shall file notice of its decision in the *Texas Register* not later than the 10th day after the date on which the decision is adopted, the following information is submitted.

An enforcement order was issued to Collecting Bank Na. (TWC Facility Identification Number 48472) on October 22, 1992, assessing \$21,160 in administrative penalties with \$2,116 deferred.

Information concerning any aspect of this order may be obtained by contacting Mark Alvarado, Staff Attorney, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 475-2268.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214639 Gloria A. Vasquez
Notices Coordinator
Texas Water Commission

Filed: October 29, 1992



Invitation for Bids

The Texas Water Commission (TWC) intends to procure a vendor to provide general contract services for TWC. Such services shall be the performance of a technical study, consisting of the following components: identification of climate change scenarios to provide projections of changes in precipitation, temperature, and other climatic variables; identification of issues associated with the potential impacts of global warming on Texas; analysis of issues and the resulting social, economic, environmental, and natural-resource impacts; and an analysis of policy options for adapting to climate change, mitigating its effects, responding to positive opportunities, and finding strategies for reducing greenhouse gas emissions.

Sealed bids will be received by TWC at the Stephen F. Austin Office Building, Room 539, 1700 North Congress Avenue, Austin, Texas 78711-3087, Attention: Purchasing. Mailing address: Purchasing Section, Acquisition and Compliance Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087. Bids will be received

until 3 p.m., local prevailing time, on December 10, 1992, at which time the bids will be publicly opened and read aloud.

For clarification of the specifications of this requisition, bidders may contact: Charlie Willis at (512) 463-7813. All requests for clarification will be responded to in writing and sent to all bidders. All such inquiries must be received in the offices of TWC three working days prior to the final due date of all bids.

Cited regulations available for review, upon request by contacting Charlie Willis at (512) 463-7813.

TWC hereby reserves the right to reject all bids for good cause, which includes rejection of bids which exceed the agency's budget for this project.

Issued in Austin, Texas, on November 4, 1992.

TRD-9214843

Mary Ruth Holder
Director, Legal Division
Texas Water Commission

Filed: November 4, 1992

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Notice of Application For Waste Disposal Permit

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of October 23rd-October 30, 1992.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester, would be adversely affected by the granting of the application. If the commission determines that the request sets out an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 30 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commission, P.O. Box 13087, Austin, Texas 78711, (512) 463-7906.

Listed are the name of the applicant and the city in which the facility is located, type of facility, location of the facility, permit number, and type of application—new permit, amendment, or renewal.

City of Austin; the Govalle Wastewater Treatment Facilities; the plant site is north of the Colorado River, approximately one mile east of the U.S. Highway 183 crossing of the Colorado River in Travis County; renewal; 10543-03.

Brushy Creek Municipal Utility District; the Brushy Creek North Wastewater Treatment Facilities; the plant site is approximately two miles west of the Interstate Highway 35 and 2,200 feet north of County Road 1124 (Sam Bass Road) in Williamson County; renewal; 11866-01.

Camco International, Inc.; an oil field tool manufacturing facility; the plant site is at 7030 Ardmore in the City of Houston, Harris County; renewal; 02898.

Central Power and Light Company; the Victoria Steam Electric Station; the plant site is east of and adjacent to the Guadalupe River and northwest of the Wharf/Bottom Streets intersection in the City of Victoria in Victoria County; renewal; 01165.

Franklin Federal Bancorp; a wastewater treatment facility; the plant site is adjacent to Possum Kingdom Lake immediately west of State Highway 16 and south of the Brazos River, Palo Pinto County; renewal; 02789.

Harris County FWSD Number 58; The Indian Shores Wastewater Treatment Facilities; are at 20410 Buffalo Trail in the Indian Shores Subdivision, approximately four miles south-southwest of the intersection of FM Road 1960 and FM Road 2100 in Harris County; renewal; 10668-01.

Houston Lighting and Power Company; a steam electric station; the plant site is at the southwest corner of the intersection of Hiram Clarke Road and U. S. Highway 90A in the City of Houston, Harris County; renewal; 01027.

City of Hudson; The wastewater treatment facilities; are approximately 0.8 mile east of the intersection of State Highway 94 and FM Road 3258 and approximately 0.8 mile south of the intersection of State Highway 94 and FM Road 706 in Angelina County; renewal; 11826-01.

J. M. Huber Corporation; a carbon black manufacturing plant; the plant site is south of IH-10, bounded by Cedar Bayou on the east and by the Southern Pacific Railroad tracks on the west, about five miles northeast of the City of Baytown in Harris County; amendment; 00737.

City of Kingsville; the Plant Number Two Wastewater Treatment Facilities; the plant site is north of FM Road 1717, approximately 1.5 miles east of the intersection of FM Road 1717 and U.S. Highway 77 in Kleberg County; renewal; 10696-02.

City of Lewisville; the Prairie Creek Wastewater Treatment Facilities; the plant site is approximately 2,000 feet southwest of the intersection of AT & SF Railway and Elm Fork of the Trinity River, northeast of the City of Lewisville in Denton County; renewal; 10662-01.

Marathon Oil Company, Pasadena Terminal; a light oil storage terminal; the plant site is at 431 North South Avenue in the City of Pasadena, Harris County; renewal; 02557.

City of Mercedes; the wastewater treatment facilities; are on both sides of and adjacent to Mile 1/2 East Road immediately south of its intersection with North Mile 8 Road in Hidalgo County; amendment; 10347-01.

Northwest Freeway Investors, Limited; the wastewater treatment facilities are; approximately 600 feet southwest of the intersection of Fairbanks-North Houston Road and Northwest Freeway (U.S. Highway 290) in the City of Houston in Harris County; renewal; 12139-01.

Northwest Independent School District; the Northwest Jr. High School Wastewater Treatment Facilities; the plant site is south of State Highway 114, approximately one mile west of the intersection of State Highway 114 and FM 156 in Denton County; renewal; 11760-01.

City of Odessa; the East Water Reclamation Plant (Permit Number 10238-02). The permittee shall cancel Permit Number 10238-01 within 90 days of the diversion of the influent from the South Dixie Plant to the East Water Reclamation Plant; the plant site is southeast of the City of Odessa; approximately four miles southeast of the intersection of Interstate Highway 20 and Loop Highway 338 and approximately six miles east/southeast of the intersection of Interstate Highway 20 and U.S. Highway 385 in Midland County; amendment; 10238-01.

Oil Field Rental Service Company; an oilfield equipment rental and maintenance facility; the plant site is at 3808 Magnolia Street in the City of Pearland in Brazoria County; renewal; 02491.

Petrolite Corporation, Petrolite Polymers Division; a specialty polymers and petroleum waxes plant; the plant site is at the intersection of Industrial Boulevard and Watson Road in the City of Kilgore, Gregg County; renewal; 02931.

Proler International Corporation; a metals reclamation and shredding plant; the plant site is at 7501 Liberty Road, approximately 1,250 feet southwest of the intersection of Liberty Road and Wayside Drive in Harris County; renewal; 01809.

Randall's Properties, Inc.; the Randall's Properties, Inc. wastewater treatment facilities; the plant site is on Rogerdale Road, northwest of and adjacent to the intersection of Westpark Drive and Rogerdale Road in Harris County; renewal; 12415-01.

Texas Department of Criminal Justice; the Ramsey Unit II Wastewater Treatment Facilities; the plant site is approximately 5.0 miles east of the intersection of FM Road 655 and FM Road 521 within the boundary of the Ramsey Unit Prison Farm in Brazoria County; renewal; 10991-01.

Texas Department of Criminal Justice; from Jester Unit Number Three Wastewater Treatment Facilities; the plant site is within the Beauford H. Jester State Prison Farm property, approximately 8,000 feet north of the intersection of U.S. Highway 90 A and Harlem Road, approximately 5.0 miles west of Sugar Land in Fort Bend County; renewal; 11475-03.

Texas Terminals Corporation; the Caddo Mills Fuel Storage and Terminal Facility; the plant site is approximately one mile northeast of the junction of Interstate

Highway 30 and State Road 36 and approximately three miles southeast of the City of Caddo Mills, Hunt County; renewal; 02837.

Tim Steenwyk; the Giddings West Apartments Wastewater Treatment Facilities; the plant site is approximately 1,600 feet west and 800 feet south of the northwest corner of the Lee County Fairgrounds in Lee County; renewal; 12368-01.

City of Sour Lake; the wastewater treatment facilities; are approximately 1/2 mile southwest of the City of Sour Lake, approximately 3/4 mile west of State Highway 326 in Hardin County; renewal; 10703-01.

West Memorial Municipal Utility District; the wastewater treatment facilities are; at 22023 Kingsland Boulevard, approximately 6,000 feet south of Interstate Highway 10 and approximately 1,000 feet west of Mason Road in Harris County; renewal; 11152-01.

Wilke Lane Utility Company; the wastewater treatment facilities are; located approximately 0.5 mile northeast of the intersection of Pflugerville Loop and Wilke Lane, approximately two miles north of the Pflugerville central business district in Travis County; renewal; 13019-001.

Issued in Austin, Texas, on October 30, 1992.

TRD-9214770

Gloria A. Vasquez
Chief Clerk
Texas Water Commission

Filed: November 2, 1992

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Public Notice

The Texas Water Commission published in the April 7, 1992, *Texas Register*, the first Priority Enforcement List (PEL) identifying illegal tire sites for which no responsible party had been identified. The following is an update to the first PEL published to include additional sites identified. Copies of the PEL can be obtained from the Texas Water Commission, Municipal Solid Waste Division, Waste Tire Recycling Fund Program (WTRF) at 8407 Wall Street, Austin, Texas 78754.

Any question regarding the implementation or operation of this program should be directed to the staff of the WTRF at (512) 834-6683.

PRIORITY ENFORCEMENT LIST

<u>Site #</u>	<u>Rank</u>	<u>County</u>	<u>Name</u>	<u>#Tires</u>
70268	22	BASTROP	TORREZ PROPERTY	3000
70292	32	BEE	ROSALEE EISSLER	4500
70264	38	BEXAR	NICHOLAS	800
70271	38	BEXAR	AMRESKO MANAGEMENT	2500
70277	40	BEXAR	JENNINGS	4000
70288	40	BEXAR	BEXAR LAND HOLDING	2500
70289	40	BLANCO	WOOD	1200
70267	32	BRAZORIA	WILKES	15000
70270	16	BRAZORIA	MILDRED CARLTON	600
70272	19	BRAZORIA	COUNTY RD 207	1500
70263	17	CALLAHAN	BUDDY LACKEY	1200
70287	29	DE WITT	COPPEDGE	2000
70286	20	ECTOR	LEWIE MONTGOMERY TRUCKING COMP	6000
70278	32	GALVESTON	VARGAS	2000
70290	40	GREGG	LONGVIEW	1000
70260	0	HARRIS	CARRUTHERS	2000
70262	28	HARRIS	GREENSPOINT SELF STORAGE	900
70269	26	HARRIS	NEEDHAM	600
70273	16	HARRIS	VAN DEAFSMITH	700
70280	32	HARRIS	LONDON	600
70281	37	HARRIS	BRANCH STREET	500
70282	29	HARRIS	CARSONDALE	2000
70283	32	HARRIS	E. AVENUE L	600
70266	31	JEFFERSON	CITY OF BEAUMONT/POLICE PISTON	7000
70294	25	LA SALLE	CITY OF COTULLA	9000

70279	36	LUBBOCK	JULIE RAY	700
70285	16	POTTER	YOUNG	650
70291	9	RUNNELS	CHUCK GEISTMAN	600
70261	31	TARRANT	MILLER PARK APARTMENTS	571
70274	24	TAYLOR	GOGGINS & SONS	2500
70275	27	TAYLOR	CARL JONES	8000
70276	21	TAYLOR	M.W. SMITH	600
70265	22	WASHINGTON	MARSHALL	15000
70293	36	WISE	ED SPEED	30000
70284	32	ZAVALA	CRYSTAL CITY LANDFILL	6000

Issued in Austin, Texas, on November 2, 1992.

TRD-9214747 Mary Ruth Holder
Director, Legal Division
Texas Water Commission

Filed: November 2, 1992



Public Notices/Invitation for Bids

The Texas Water Commission (TWC) intends to contract for services to administer its on-site Technical Assistance Program for Water and Wastewater Utilities (sometimes referred to as the Field Assistance Program) Circuit Rider Program. The selected contractor will provide on-site review and assistance to those utilities that have been identified as having difficulty in providing adequate service. The contractor will also provide education and assistance that will allow other utilities to avoid becoming problem utilities. It is expected that this program will provide financial management, technical, and managerial assistance to those utilities that previously have not had access to existing programs or have been unable to take full advantage of existing programs.

The selected contractor will provide on-site managerial and technical assistance to 350 investor owned utilities and water supply corporations. Additionally, the selected contractor will assist the commission staff in resolving 36 specific consumer complaints and, from its field experiences, assist the staff in developing other utility assistance programs

A bid package, consisting of the Request for Qualifications and Invitation for Bid, may be obtained from TWC at the Stephen F. Austin Building, Room 539, 1700 North Congress Avenue, Austin, Texas 78711, attention: Charlie Willis, Purchasing Section, Fiscal Management Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711.

Sealed bids will be received by the TWC at the Stephen F. Austin Building, Room 539, 1700 North Congress Avenue, Austin, Texas 78711, attention: Charlie Willis, Purchasing Section, Fiscal Management Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711. Bids will be received until 3 p.m., local prevailing time, on November 25, 1992, at which time the bids will be publicly opened and read aloud.

For clarification of the specifications of this requisition, bidders may contact Charlie Willis at (512) 463-7819. All requests for clarification will be responded to in writing and sent to all bidders. All such inquiries must be received in the offices of the Texas Water Commission three working days prior to the final due date of all bids.

Cited regulations are available for review, upon request, in Room 539 of the offices of the Texas Water Commission, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas 78711, contact Charlie Willis at (512) 463-7819.

The Texas Water Commission hereby reserves the right to reject all bids for good cause, which includes rejection of bids which exceed the agency's budget for this project.

Issued in Austin, Texas, on November 6, 1992.

TRD-9214748 Mary Ruth Holder
Director, Legal Division
Texas Water Commission

Filed: November 2, 1992



The Texas Water Commission (TWC) intends to contract for services to administer its On-site Technical Assistance Program for Water and Wastewater Utilities (sometimes referred to as the Field Assistance Program) Small and Low Income Communities Contract. The selected contractor will provide on-site review and assistance to those utilities that have been identified as having difficulty in providing adequate service. The contractor will also provide education and assistance that will allow other utilities to avoid becoming problem utilities. It is expected that this program will provide financial management, technical, and managerial assistance to those utilities that previously have not had access to existing programs or have been unable to take full advantage of existing programs.

The selected contractor will provide on-site managerial and technical assistance to 50 small and/or low income communities or public utility systems serving those communities. Additionally, the selected contractor will assist the commission staff in resolving 24 specific consumer complaints and assist the staff on developing other utility assistance programs. The selected contractor will work with the commission staff in preparing two educational publications targeted toward management of investor owned and small community systems.

A bid package, consisting of the request for qualifications and invitation for bid may be obtained from the TWC at the Stephen F. Austin Building, Room 539, 1700 North Congress Avenue, Austin, Texas 78711, attention: Charlie Willis, Purchasing Section, Fiscal Management Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711.

Sealed bids will be received by the TWC at the Stephen F. Austin Building, Room 539, 1700 North Congress Avenue, Austin, Texas 78711, attention: Charlie Willis, Purchasing Section, Fiscal Management Division, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711. Bids will be received until 3 p.m., local prevailing time, on November 25, 1992, at which time the bids will be publicly opened and read aloud.

For clarification of the specifications of this requisition, bidders may contact Charlie Willis at (512) 463-7819. All requests for clarification will be responded to in writing and sent to all bidders. All such inquiries must be received in the offices of the Texas Water Commission three working days prior to the final due date of all bids.

Cited regulations available for review, upon request, in Room 539 of the offices of the Texas Water Commission, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas 78711, contact Charlie Willis at (512) 463-7819.

The Texas Water Commission hereby reserves the right to reject all bids for good cause, which includes rejection of bids which exceed the agency's budget for this project.

Issued in Austin, Texas, on November 6, 1992.

TRD-9214746 Mary Ruth Holder
Director, Legal Division
Texas Water Commission

Filed: November 2, 1992

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**Texas Workers' Compensation
Commission**

**Adjusted Gross Annual Payroll
Requirement for Coverage of Seasonal
Workers**

The adjusted gross annual payroll requirement of an employer for coverage of seasonal workers under the provisions of Article 8308§3.07(b) is \$32,341. This payroll amount will be used in 1993 to apply against an agricultural employer's 1992 payroll, and to determine whether a farm or ranch worker is subject to the Texas Workers' Compensation Act. The Comptroller has established that Texas inflation was 3.3% during the period of September 1991-August 1992.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214605 Todd K. Brown
Executive Director
Texas Workers' Compensation Commission

Filed: October 28, 1992

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Maintenance Tax

In accordance with Texas Civil Statutes, Article 8308-2.23, this agency certifies that the maintenance tax for support of the Workers' Compensation Commission be set at 0.85% of gross premiums collected during January 1, 1992 to December 31, 1992.

For further information, contact Janet Chamness at (512) 440-3534.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214606 Susan Cory
General Counsel
Texas Workers' Compensation Commission

Filed: October 28, 1992

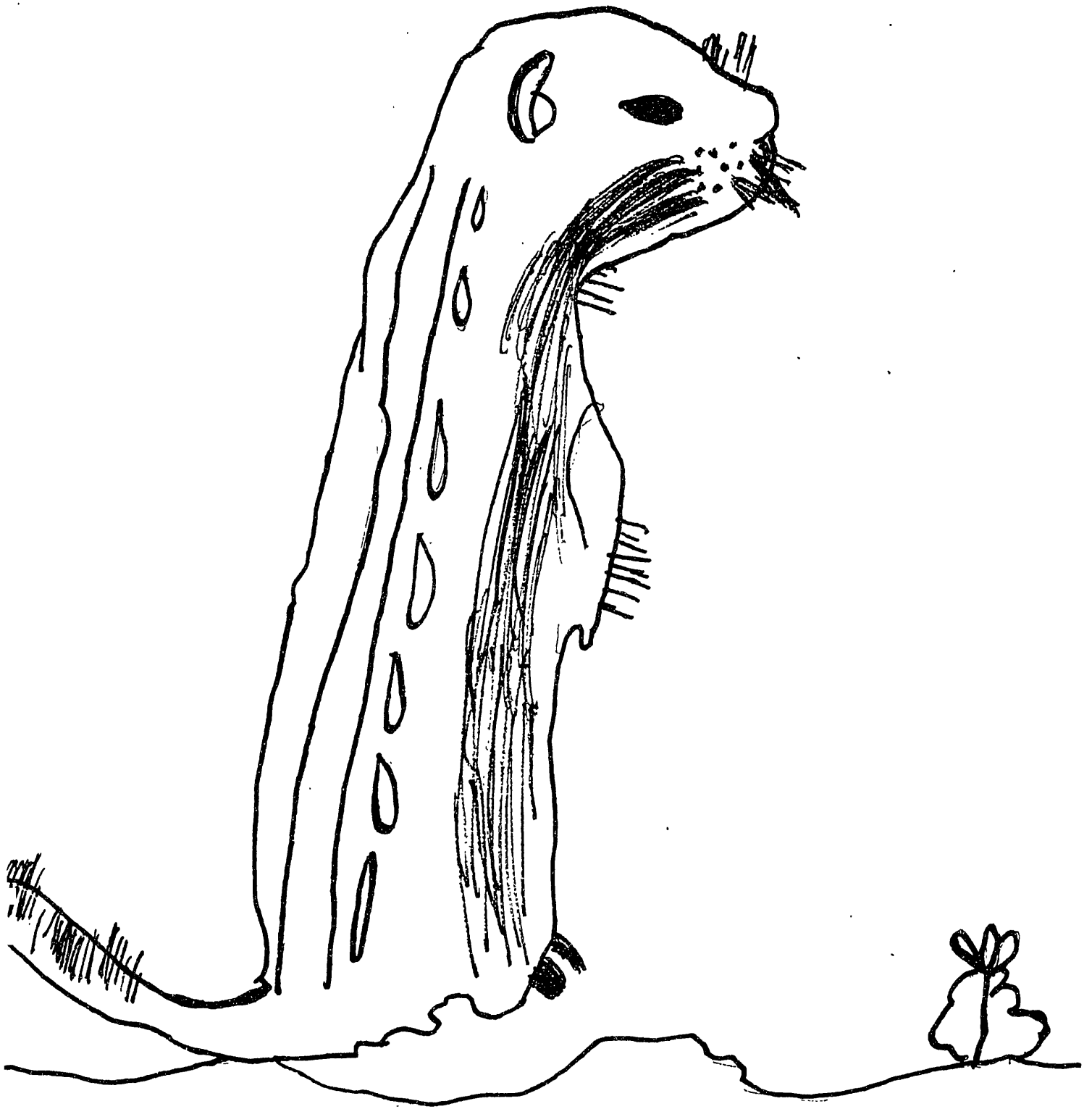
**Notice to Health Care Providers,
November 1, 1992**

If you provide medical services to workers' compensation claimants, you are required to submit reports and bills in the form and manner prescribed by the Texas Workers' Compensation Commission. Until otherwise notified through a notice similar to this one, published in the *Texas Register*, all bills must be completed using the April 1992 instructions. All practitioners must submit bills for professional services on the HCFA-1500 revised in December of 1990. All pharmacies must submit bills on the TWCC-66a (Statement for Pharmacy Services) revised in April 1992, or TWCC-66c (Statement for Pharmacy Services) revised in April 1992. All treating doctors must submit medical reports using the forms TWCC-61 (Initial Medical Report) revised in April 1992, TWCC-63 (Required Medical Report Spinal Surgery Recommendations) revised in April 1992, TWCC-64 (Specific and Subsequent Medical Report) revised in April 1992, and TWCC-69 (Report of Medical Evaluation) revised in April of 1992. If you are providing services to workers' compensation claimants and you do not have the appropriate forms or instructions, please contact: TWCC Reprographics Department 4000 South IH-35 Austin, Texas 78704-7491 (512) 440-3650. You are required to use these forms by the Texas Workers' Compensation Act and Commission rules. Failure to properly complete the forms or to timely submit them may result in delayed payment and possible penalties for violating the Act or commission rules. The instructions for the TWCC-69 contained a typographical error in early printing. The TWCC-69 should be submitted to the employee, not the employer.

Issued in Austin, Texas, on October 28, 1992.

TRD-9214607 Susan Cory
General Counsel
Texas Workers' Compensation Commission

Filed: October 28, 1992



K-119

grouse

Name: Michael Good

Grade 3

School: Montgomery Elementary, Carrollton Farmers Branch ISD

TAC Titles Affected

The following is a list of the administrative rules that were published in the January-September, 1992, issues.

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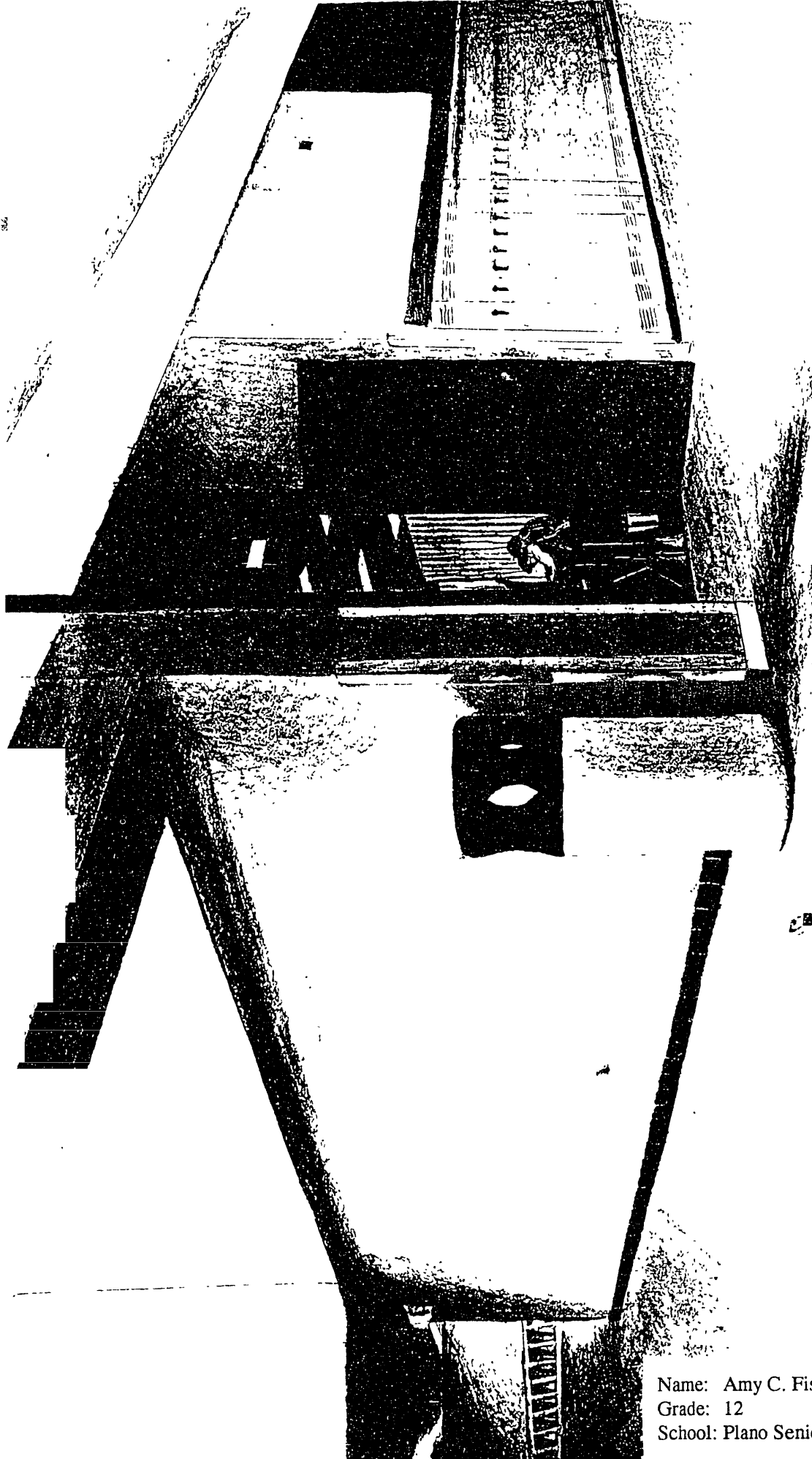
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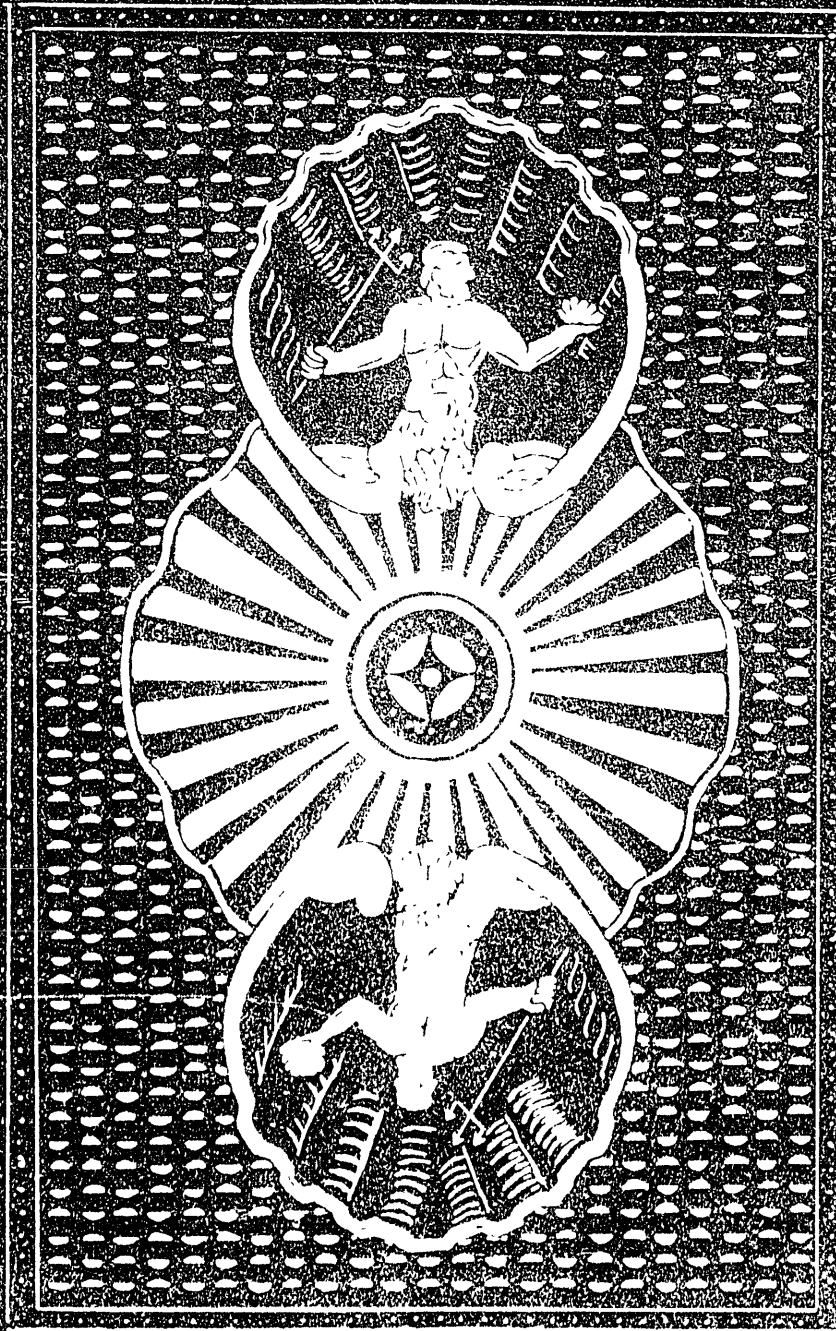
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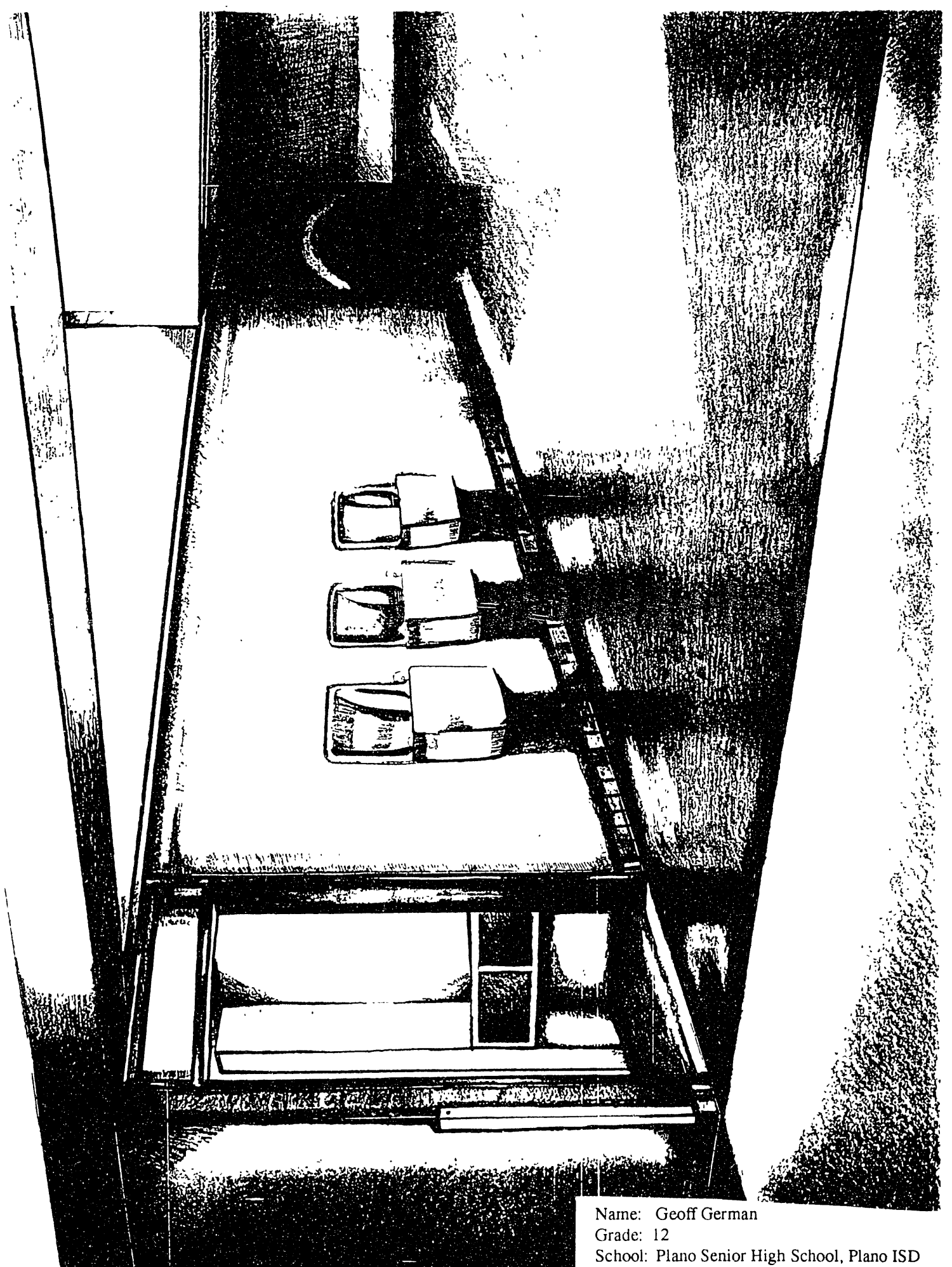
43 TAC §54.1, §54.2.....	6435
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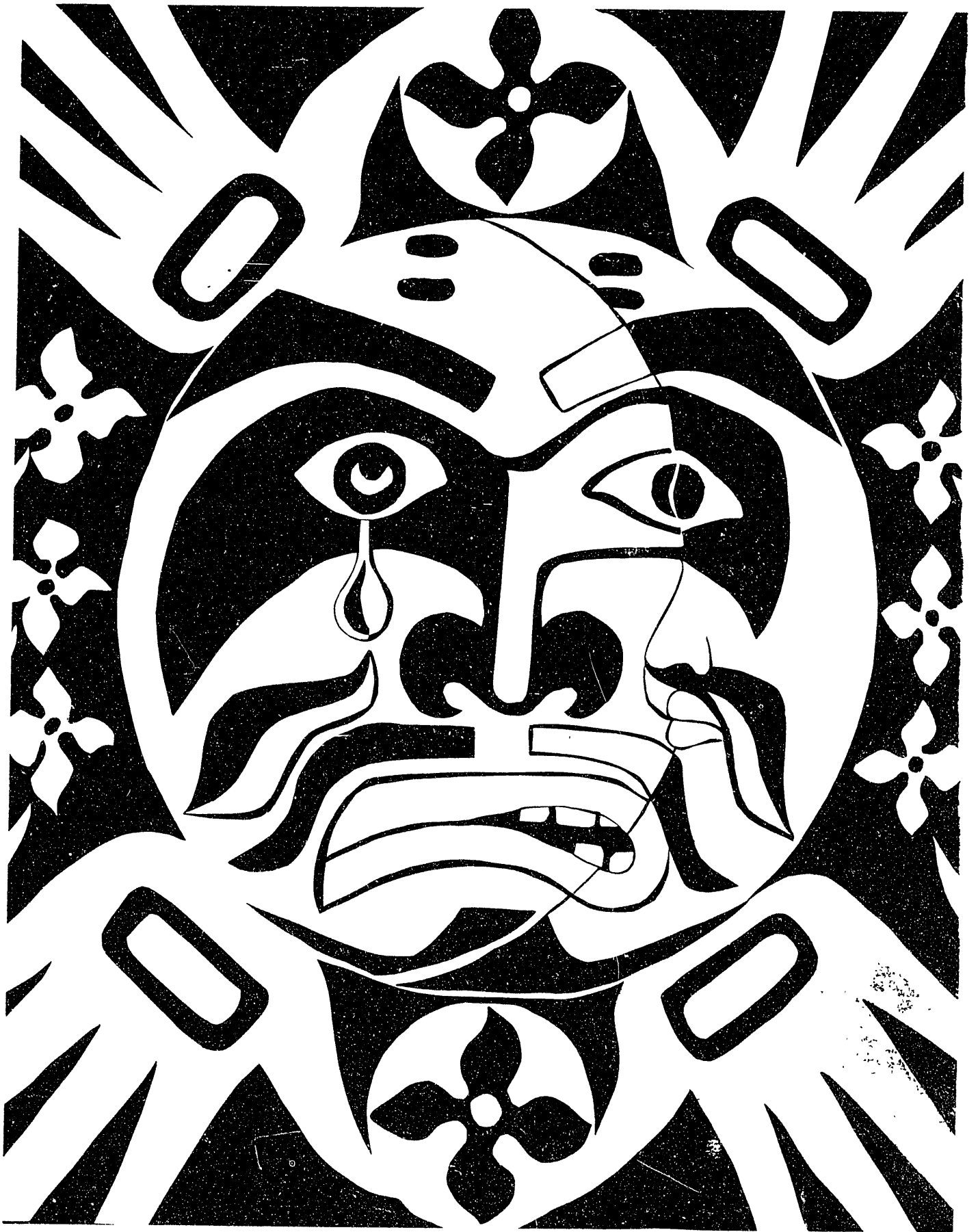
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