

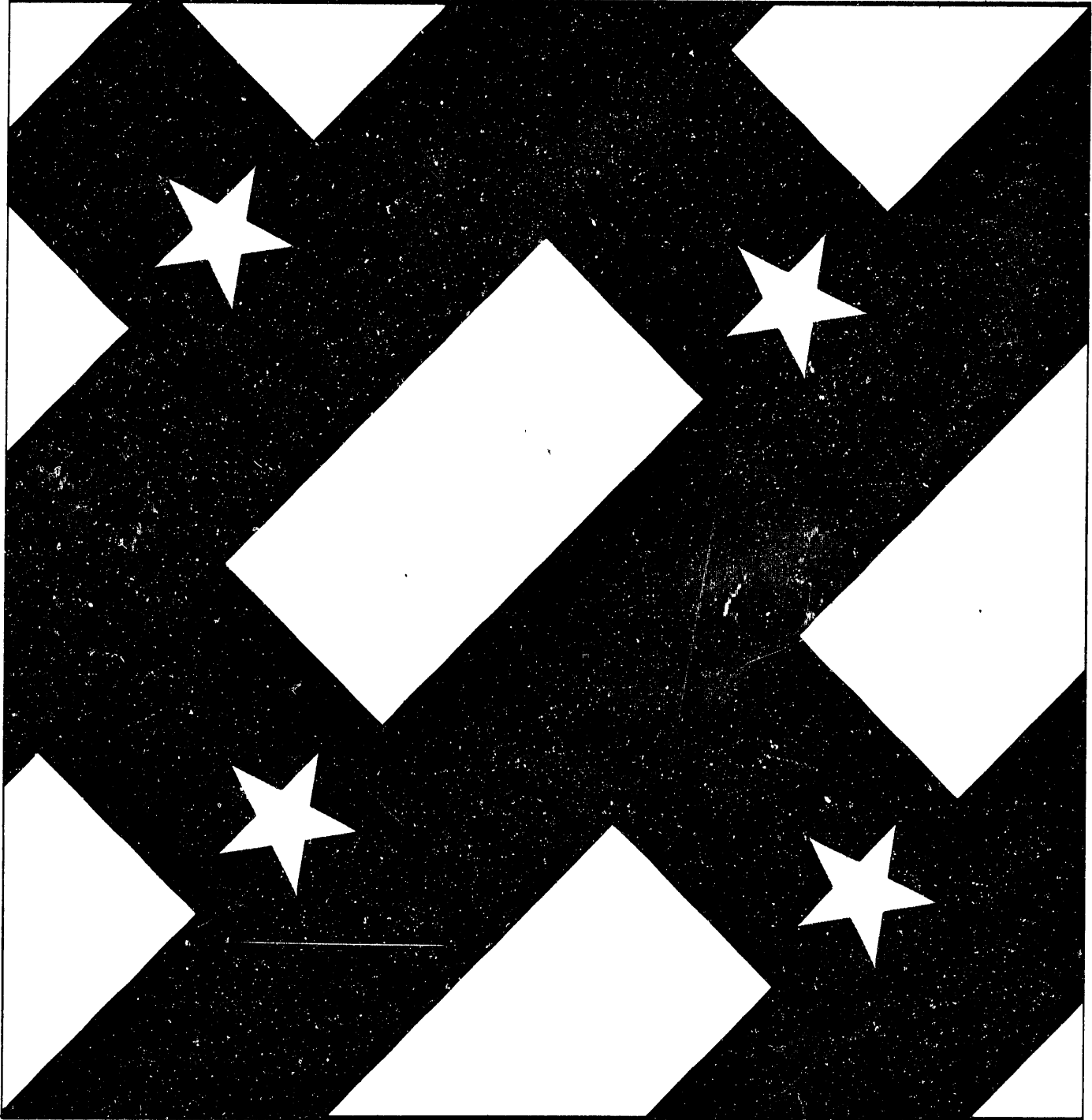
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Texas Register

Volume 9, Number 64, August 28, 1984

Pages 4611 - 4642



Highlights

The State Entomologist adopts on an emergency basis a new section concerning acarine mite quarantine

Effective date - August 20 page 4617

The Texas Adult Probation Commission proposes

amendments concerning restitution centers

Earliest possible date of adoption - September 28 page 4625

The Texas Commission on Alcoholism proposes amendments concerning DWI Education Program standards and procedures. Earliest possible date of adoption - September 28

page 4626

**Office of
the Secretary
of State**

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice each week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1984 with the exception of January 28, July 10, November 27, and December 28, by the Office of the Secretary of State.

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POSTMASTER: Please send Form 3579 changes to the *Texas Register*, PO Box 13824, Austin, Texas 78711-3824.

Information Available: The ten sections of the *Register* represent various facets of state government. Documents contained within them include:

- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- State Ethics Advisory Commission—summaries of requests for opinions and opinions
- Attorney General—summaries of requests for opinions, opinions, and open records decisions
- Emergency Rules—rules adopted by state agencies on an emergency basis
- Proposed Rules—rules proposed for adoption
- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date
- Adopted Rules—rules adopted following a 30-day public comment period
- Open Meetings—notices of open meetings
- In Addition—miscellaneous information required to be published by statute or provided as a public service

Specific explanations on the contents of each section can be found on the beginning page of the section. The division also publishes monthly, quarterly, and annual indexes to aid in researching material published.

How To Cite: Material published in the *Texas Register* is referenced by citing the volume in which a document appears, the words "TexReg," and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 6 (1981) is cited as follows: 6 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2, in the lower left-hand corner of the page, would be written "9 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 9 TexReg 3."

How To Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, 503E Sam Houston Building, Austin. Material can be found by using *Register* indexes, the *Texas Administrative Code*, rule number, or TRD number.

Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved, collected volumes of Texas administrative rules.

How To Cite: Under the TAC scheme, each agency rule is designated by a TAC number. For example, in the citation 1 TAC §27.15:

1 indicates the title under which the agency appears in the *Texas Administrative Code*,

TAC stands for the *Texas Administrative Code*,

27.15 is the section number of the rule (27 indicates that the rule is under Chapter 27 of Title 1, 15 represents the individual rule within the chapter).



Texas Register Publications

a division of the
Office of the Secretary of State
P.O. Box 13824
Austin, Texas 78711-3824
512-475-7886

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Subscriptions— one year (96 regular issues and four index issues), \$70; six months (48 regular issues and two index issues), \$50. Single copies of most issues of the *Texas Register* are available at \$2.00 per copy.

Contents

The Governor

Appointments Made August 17

4614 Advisory Council on Community Affairs

4614 Weatherization Policy Advisory Council

Appointment Made August 20

4615 Texas State Board of Public Accountancy

The Attorney General

Requests for Opinions

4616 RQ-378

4616 RQ-379

4616 RQ-380

4616 RQ-381

4616 RQ-382

4616 RQ-383

Opinions

4616 JM-155 (RQ-133)

4616 JM-185 (RQ-240)

4616 JM-186 (RQ-276)

Emergency Rules

Texas Animal Health Commission

4617 Interstate Shows and Fairs

State Entomologist

4617 Bees

Proposed Rules

State Entomologist

4620 Bees

Texas Low-Level Radioactive Waste Disposal Authority

4621 Disposal Site Management and Operation

Texas Youth Commission

4622 Corsicana Residential Treatment Center

Texas Adult Probation Commission

4625 Standards

Texas Department of Human Resources

4625 Food Stamps

Texas Commission on Alcoholism

4626 DWI Education Program Standards and Procedures

Withdrawn Rules

Texas Health Facilities Commission

4628 Commission Review of Applications

Adopted Rules

Texas Department of Human Resources

4629 Food Stamps

State Board of Insurance

4630 Notification Pursuant to the Insurance Code, Chapter 5, Subchapter L

Open Meetings

4631 Texas Department of Agriculture

4631 Texas Animal Health Commission

4631 Texas Department of Community Affairs

4631 Interagency Council on Early Childhood Intervention

4632 Texas Department of Health

4632 Texas Health Facilities Commission

4632 State Department of Highways and Public Transportation

4632 State Board of Insurance

4633 Texas Municipal Retirement System

4633 Texas National Guard Armory Board

4633 Texas Parks and Wildlife Department

4633 Texas State Board of Physical Therapy Examiners

4633 Public Utility Commission of Texas

4634 Texas Rehabilitation Commission

4634 State Securities Board

4634 Teachers' Professional Practices Commission

4634 Advisory Council for Technical-Vocational Education in Texas

4635 Texas Tourist Development Agency

4635 Texas Water Commission

4635 Regional Agencies

In Addition

Banking Department of Texas

4637 Application to Acquire Control of a State Bank

Comptroller of Public Accounts

4637 Decision 13,158

Texas Department of Health

4637 Intent to Revoke Radioactive Material Licenses

4638 Licensing Actions for Radioactive Materials

4639 Public Hearings

Texas Health Facilities Commission

4640 Applications Accepted for Amendment, Declaratory Ruling, and Notices of Intent

4641 Petition for Reissuance of Certificate of Need

Texas Department of Human Resources

4641 Consultant Contract Award

Office of the Secretary of State

4641 Texas Register Schedule Variation

Texas Water Commission

4641 Applications for Waste Disposal Permits

The Governor

As required by Texas Civil Statutes, Article 6252-13a, §6, the *Register* publishes executive orders issued by the Governor of Texas. Appointments made and proclamations issued by the governor are also published. Appointments are published in chronological order.

Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 475-3021.

Appointments Made August 17 Advisory Council on Community Affairs

For terms to expire January 31, 1985:

Raymond Ovalle
3122 Crestwater
Corpus Christi, Texas 78415

Bernard Eads
County Commissioner
County Courthouse
Dalhart, Texas 79022

Phyllis Kittinger
City Alderwoman
P.O. Box 248
Sweeny, Texas 77480

Ivory E. Moore
City Councilman
1119 Alamo
Commerce, Texas 75428

Cathleen A. (Kitty) Oxford
2609 Pine Street
Texarkana, Texas 75502

Gary O. Boren
Vice President, Board of Trustees
Lubbock Independent School District
4420-89th Street
Lubbock, Texas 79424

For terms to expire January 31, 1986:

Maria Antonietta Berriozabal
City Councilwoman
P.O. Box 9066
San Antonio, Texas 78285

Linda Bridges
Regent, Del Mar College
P.O. Box 7011
Corpus Christi, Texas 78415

Richard Borchard
County Commissioner
108 Jewett Drive
Robstown, Texas 78380

Telly H. Miller
County Commissioner, Precinct 4
West Houston Street
Marshall, Texas 75670

David Ojeda, Jr.
404 South 16th Street
Carrizo Springs, Texas 78834

Vicki Gomez
Member of the Board, Ector County Independent
School District
816 South Gulf
Odessa, Texas 79761

These members are being appointed pursuant to Senate
Bill 315, 68th Legislature, 1983.

Weatherization Policy Advisory Council

For terms to continue at the pleasure of this governor:

Susan Adams
Energy Information Specialist
Center for Energy and Mineral Resources
Texas A&M University
Ezelle Hall
College Station, Texas 77843-1243

Rosa Balderas
Director, Planning and Agency Relations
United Way of the Coastal Bend
P.O. Box 9011
Corpus Christi, Texas 78469

O. P. "Bob" Bobbitt
Executive Director
Texas Department on Aging
210 Barton Springs Road, Fifth Floor
Austin, Texas 78704

Bill Brooks
Supervisor of Community and Institutional Programs
Gulf State Utility Company
P.O. Box 2951
Beaumont, Texas 77704

Mary Crecy
514 Smith
Brazoria, Texas 77422

John Fenoglio
Assistant Deputy Commissioner for Administrative
Services
Texas Rehabilitation Commission
118 East Riverside Drive
Austin, Texas 78704

Richard Gonzalez
Director of Office Services Division
Consumer Services Department
City of San Antonio
P.O. Box 1711
San Antonio, Texas 78205

Theresa Hernandez
Attorney
Coastal Bend Legal Services
1016 East Rio Grande
Victoria, Texas 77901

Brenda Jackson
Manager, Community Relations
Dallas Power & Light Company
1506 Commerce
Dallas, Texas 75201

Dorothy Lay
Management Services Representative
Budget Office
City of Austin
P.O. Box 1088
Austin, Texas 78767

Johnette Mihatsch
Executive Director
Tri-County Community Action, Inc.
827 Shelbyville
Center, Texas 75935

Larry Mundt
Energy Utilization Engineer
Entex, Inc.
P.O. Box 2628
Houston, Texas

Lupe Ochoa
Program Coordinator
Women's Employment Program
P.O. Box 7332
San Antonio, Texas 78207

Jerome Vacek
Executive Director
Community Services, Inc.
P.O. Box 612
Corsicana, Texas 75110

Joe Yacono
Director
Travis County Human Services Department
P.O. Box 1748
Austin, Texas 78767

Issued in Austin, Texas, on August 17, 1984.

TRD-848702 Mark White
Governor of Texas

Appointment Made August 20

Texas State Board of Public Accountancy

For a term to expire January 31, 1989:

Oscar C. Mascorro
124 North Manton Lane
San Antonio, Texas 78213

Mr. Mascorro is replacing Miller Montag of San Antonio, whose term expired.

Issued in Austin, Texas, on August 20, 1984.

TRD-848702 Mark White
Governor of Texas

The Attorney General

Under provisions set out in the Texas Constitution, Texas-Civil Statutes (Article 4399), and numerous statutes, the attorney general is authorized to write advisory opinions for state and local officials. These advisory opinions are requested by agencies or officials when they are confronted with unique or unusually difficult legal questions. The attorney general also determines, under authority of the Texas Open Records Act, whether information requested for release from governmental agencies may be held from public disclosure.

Requests for opinions, opinions, and open record decisions are summarized for publication in the *Register*.

Questions on particular submissions, or requests for copies of opinion requests should be addressed to Rick Gilpin, Opinion Committee chairman, Office of the Attorney General, Supreme Court Building, Austin, Texas 78711, (512) 475-5445. Published opinions and open records decisions may be obtained by addressing a letter to the Central File Room, Attorney General's Office, Technicenter Building, IV, 5910 Technicenter -102, Austin, Texas 78721, or by telephoning (512) 928-1323. A single opinion is free, additional opinions are \$1.00 a copy.

Requests for Opinions

RQ-378. Request from R. K. Procurier, director, Texas Department of Corrections, Huntsville, concerning whether mail logs of the Texas Department of Corrections, which reflect inmates' correspondents, are available to the public.

TRD-848689

RQ-379. Request from Alan R. Erwin, chairman, Public Utility Commission of Texas, Austin, concerning whether the Public Utility Act, Texas Civil Statutes, Article 1446c, §6(i), prohibits a member or employee of the Public Utility Commission of Texas from acting as an attorney or outside consultant for a public utility within one year after the termination of his association with the commission.

TRD-848690

RQ-380. Request from Gibson D. (Gib) Lewis, speaker of the house, Texas House of Representatives, Austin, concerning whether Texas Civil Statutes, Article 5996a, the nepotism law, is applicable to appointments to the interim State Board of Education.

TRD-848691

RQ-381. Request from Gibson D. (Gib) Lewis, speaker of the house, Texas House of Representatives, Austin, concerning

whether certain persons may be appointed to the interim State Board of Education.

TRD-848692

RQ-382. Request from Kenneth Wall, Olson & Olson, Houston, concerning whether computer programs, formulas, or other methodologies used by an appraisal district to determine the value of multifamily dwellings are available to the public.

TRD-848693

RQ-383. Request from Jay T. Kimbrough, Bee County attorney, Beeville, concerning whether the Bee County Community Action Agency may receive interest-free loans from a bank which is a depository for Bee County.

TRD-848694

Opinions

JM-155 (RQ-133). Request from Ron Jackson, executive director, Texas Youth Commission, Austin, concerning whether the Professional Services Procurement Act precludes an inquiry into architectural or engineering fees

Summary of Opinion. The Professional Services Procurement Act, Texas Civil Statutes, Article 664-4, does not prohibit the inclusion on a questionnaire submitted to engineers or architects being considered for

employment of any question designed to elicit information regarding professional fees which such engineers or architects would find appropriate for the project being considered.

TRD-848695

JM-185 (RQ-240). Request from Charles Evans, chairman, Committee on House Administration, Austin, concerning whether a committee of the House of Representatives may accept donations from private organizations.

Summary of Opinion. A house committee may not accept donations from private organizations.

TRD-848697

JM-186 (RQ-276). Request from Henry Wade, criminal district attorney, Dallas County, Dallas, concerning competitive bidding requirements under Texas Civil Statutes, Article 2367.

Summary of Opinion. Texas Civil Statutes, Article 2367, requires an affidavit to be affixed to each bid submitted to the commissioners court on bids for stationery and printing supplies used by the county. When legally required for the specific type of supplies, governed under provisions of Texas Civil Statutes, Articles 2358-2367, the affidavit must be signed by the affiant under oath and notarized by an officer authorized to administer oaths. It may not be notarized subsequent to the official bid opening date.

TRD-848696

An agency may adopt a new or amended rule, or repeal an existing rule on an emergency basis, if it determines that such action is necessary for the public health, safety, or welfare of this state. The rule may become effective immediately upon filing with the *Texas Register*, or on a stated date less than 20 days after filing for no more than 120 days. The emergency action is renewable once for no more than 60 days.

An agency must submit written reasons, published in the *Register*, for emergency action on a rule. The submission must also include a statement of the legal authority under which the emergency action is promulgated and the text of the emergency adoption. Following each published emergency document is certification information containing the effective and expiration dates of the action and a telephone number from which further information may be obtained.

Symbology in amended rules. New language added to an existing rule is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a rule.

Emergency Rules

TITLE 4. AGRICULTURE Part II. Texas Animal Health Commission

Chapter 51. Interstate Shows and Fairs

4 TAC §51.1

The Texas Animal Health Commission is renewing the effectiveness of the emergency adoption of amended §51.1 for a 60-day period, effective September 7, 1984. The amendments were originally adopted on an emergency basis in the May 18, 1984, issue of the *Texas Register* (9 TexReg 2730).

Issued in Austin, Texas, on August 10, 1984

TRD-848683 Jo Anne Conner
Executive Secretary
Texas Animal Health Commission

Effective date: September 7, 1984
Expiration date: November 6, 1984
For further information, please call (512) 475-4111.

Part IV. State Entomologist Chapter 71. Bees Quarantines

4 TAC §71.31

The State Entomologist adopts on an emergency basis new §71.31, concerning acarine mite quarantine. An infestation of the acarine mite, an internal parasite of the honey bee, has been recently discovered in the Lower Rio Grande Valley. This pest has a deleterious effect on honey bees and presents a present threat to the bee industry in Texas and the rest of the nation.

Samplings and surveys conducted by the State Entomologist and the United States Department of Agriculture—Animal and Plant Health Inspection Service (USDA-APHIS) indicated that the acarine mite is present in the state but at levels at which control and eradication are feasible.

The present infestation of the acarine mite, the first experienced in this state, carries the possibility of a rapid artificial spread if the movement of bees and beekeeping equipment exposed to bees from the infested area is not immediately halted by promulgation of a quarantine restricting such movement.

A cooperative regulatory program is planned by the State Entomologist and USDA-APHIS to establish quarantine and suppression zones to combat the spread of the mite.

The emergency status is necessary because the State Entomologist has determined that the present infestation presents an imminent peril to public benefit and welfare.

New §71.31 creates a quarantine of all of Starr, Hidalgo, Wallacy, and Cameron Counties, and parts of Harris County and Chambers County as well as authorizes the establishment of suppression zones in other areas of the state wherein acarine mite infestations are found to occur. The new section is intended to control and eradicate the present acarine mite infestation in Texas.

The new section is adopted on an emergency basis under the Texas Agricultural Code, §131.021(a) and §131.022, which provides the State Entomologist with the authority to adopt rules as necessary to control, eradicate, or prevent the introduction, spread, or dissemination of contagious or infectious diseases of bees and to declare a restrictive quarantine of a district, county, precinct, or other area in which a disease of bees is located.

§71.31. Acarine Mite Quarantine.

(a) Definitions The following words and terms, when used in this section shall have the following meanings, unless the context clearly indicates otherwise:

(1) Infest (infestation)—The presence of the quarantined pest or the existence of circumstances that make it reasonable to believe that the quarantined pest is present.

(2) Move (movement)—The act of shipping, depositing for transmission in the mail, otherwise offering for shipment, receiving for transportation, carrying or otherwise transporting, or moving or allowing to be moved by mail or otherwise.

(3) Quarantined pest—The arthropod known as the acarine mite, *Acarapis woodi*, in any stage of its development.

(4) Regulated area—The regulated areas are as follows:

(A) Cameron County—the entire county;

(B) Chambers County—that portion of Chambers County bounded by a line beginning at the intersection of the Chambers/Harris County line and IH 10, thence eastward along IH 10 to its intersection with Cotton Bayou, thence south along the meanders of Cotton Bayou to its intersection with Hackberry Gully, thence due south along an imaginary line to its intersection with the shoreline of Trinity Bay, thence along the shoreline of Trinity Bay to its intersection with the Chambers/Harris County line, thence northward along the Chambers/Harris County line to the point of beginning;

(C) Harris County—that portion of Harris County bounded by a line beginning at the intersection of the Harris/Chambers County line with IH 10, thence westward along IH 10 to its intersection with North Main Street in Baytown, thence southward along North Main Street to its intersection with Lynchburg-Cedar Bayou Road, thence westward along Lynchburg-Cedar Bayou Road to its intersection with the Missouri Pacific Railroad, thence southward along the Missouri Pacific Railroad to the Houston Ship Channel, thence with the meanders of the center line of the Houston Ship Channel to its intersection with Beltway 8 Bridge (Jones Toll Bridge), thence southward on Beltway 8 to its intersection with Red Bluff Road, thence southward on Red Bluff Road to its intersection with Fairmont Parkway, thence eastward along Fairmont Parkway to the shoreline of Galveston Bay, thence along the shoreline of Galveston Bay to the Harris/Chambers County line, thence northward along the Harris/Chambers County line to the place of beginning;

(D) Hidalgo County—the entire county;

(E) Starr County—the entire county; and

(F) Willacy County—the entire county.

(5) Regulated articles—The regulated articles are as follows:

(A) live or dead bees,

(B) used equipment, including hives, supers, frames, or combs

(C) beeswax, unless it has been liquefied;

(D) pollen for bee feed;

(E) comb, and

(F) any other product, article, or means of conveyance, of any character whatsoever, which is de-

termined by the State Entomologist to present a risk of spreading the quarantined pest.

(6) Suppression area—That area bounded by an imaginary circle having a radius of two miles and having its center at an apiary, not within the regulated area, which has been determined by the State Entomologist to be infested with the quarantined pest.

(7) USDA—The United States Department of Agriculture, Animal and Plant Health Inspection Service.

(b) Conditions.

(1) No person may move a regulated article from a regulated area or a suppression area except under the following conditions:

(A) the USDA has issued a certificate or limited permit for the shipment pursuant to 7 Code of Federal Regulations §301.92-5 or §301.92-8;

(B) the State Entomologist has issued prior written authority for the shipment after a finding that:

(i) the premises of origin of the article is free from the quarantined pest and the article has not been exposed to the quarantined pest;

(ii) the article, other than live or dead bees, has been kept in an enclosed container free of live or dead bees for a period of 12 hours; or

(iii) other objective evidence is present which supports a finding that the article is not infested with the quarantined pest; or

(C) the article:

(i) originated outside of any regulated area or suppression area;

(ii) moved directly through (moved without stopping except under normal traffic conditions, such as traffic lights or stop signs) any regulated area or suppression area in an enclosed vehicle or the article was completely enclosed by a covering adequate to prevent the introduction of the quarantined pest (such as canvas, plastic, or closely woven cloth or net);

(iii) the point of origin of the article is clearly indicated by shipping documents; and

(iv) the identity of the article has been strictly maintained.

(2) The State Entomologist may declare a suppression area around any apiary, not within a regulated area, which is infested with the quarantined pest.

(3) The State Entomologist may destroy or treat all bees, equipment, or other regulated articles within that area bounded by an imaginary circle having a radius of ½ mile and having its center at an apiary which has been determined by the State Entomologist to be infested with the quarantined pest.

(c) Inspection authority. The State Entomologist may enter upon the premises of any person who distributes, receives for distribution, processes, transports, or stores any regulated articles for the purposes of inspection for compliance with this section. The inspection may include examination of bees, equipment, shipping and receiving records, and the collection of samples, when necessary.

(d) Additional personnel. In combatting the spread of the quarantined pest, the State Entomologist may appoint agents of the USDA to serve as deputies of the state entomologist in enforcing the provisions of the Act and

this section under such conditions as the director may prescribe.

(e) Penalties.

(1) Any regulated article moved from a regulated area or suppression area in violation of this section may, at the discretion of the State Entomologist, be required to be treated, destroyed, or returned to the original shipper, at the owner's expense.

(2) Pursuant to the Act, §131.121(a)(4), any person who violated this section shall be guilty of a Class

C misdemeanor, and each violation hereof shall be considered a separate offense.

Issued in College Station, Texas, on August 16, 1984.

TRD-848653

Dr. Neville P. Clarke
Director
Texas Agricultural Experiment
Station

Effective date: August 20, 1984

Expiration date: December 18, 1984

For further information, please call (409) 845-3511.

Proposed Rules

Before an agency may permanently adopt a new or amended rule, or repeal an existing rule, a proposal detailing the action must be published in the *Register* at least 30 days before any action may be taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the rule. A public hearing on the proposal may also be granted if such a procedure is requested by a governmental subdivision or agency, or by an association consisting of at least 25 members.

The proposal, as published in the *Register*, must include a brief explanation of the proposed action, a fiscal statement indicating effect on state and local government and small businesses, a statement explaining anticipated public benefits and possible economic costs to individuals required to comply with the rule, a request for public comments, a statement of statutory authority under which the proposed rule is to be adopted (and the agency's interpretation of the statutory authority); the text of the proposed action; and a certification statement. The certification information, which includes legal authority, the proposed date of adoption or the earliest possible date that the agency may file notice to adopt the proposal, and a telephone number to call for further information, follows each submission.

Symbology in amended rules: New language added to an existing rule is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a rule.

TITLE 4. AGRICULTURE Part IV. State Entomologist Chapter 71. Bees Quarantines

4 TAC §71.31

(Editor's note: The State Entomologist proposes for permanent adoption the new section it adopts on an emergency basis in this issue. The text of the new section is published in the Emergency Rules section of this issue.)

The State Entomologist proposes new §71.31, concerning acarine mite quarantine.

An infestation of the acarine mite, an internal parasite of the honey bee, has been recently discovered in the Lower Rio Grande Valley. This pest has a deleterious effect on honey bees and presents a present threat to the bee industry in Texas and the rest of the nation. Samplings and surveys conducted by the State Entomologist and the United States Department of Agriculture—Animal and Plant Health Inspection Service (USDA-APHIS) indicated that the acarine mite is present in the state but at levels at which control and eradication are feasible.

The present infestation of the acarine mite, the first experienced in this state, carries the possibility of a rapid artificial spread if the movement of bees and beekeeping equipment exposed to bees from the infested area is not immediately halted by promulgation of a quarantine restricting such movement.

A cooperative regulatory program is planned by the State Entomologist and the USDA-APHIS to establish quarantine and suppression zones to combat the spread of the mite.

Proposed new §71.31 will create a quarantine of all of Starr, Hidalgo, Willacy, and Cameron Counties and parts of Harris County and Chambers County, as well as authorize the establishment of suppression zones in other areas of the state wherein acarine mite infestations are found to occur. The new section is intended to control and eradicate the present acarine mite infestation in Texas.

Dr. Dudley T. Smith, Texas Agricultural Experiment Station associate director, has determined that for the first five-year period the rule will be in effect there will be fiscal implications as a result of enforcing or administering the rule. The effect on state government will be an estimated additional cost of \$3,000 in 1984, \$15,000 in 1985, \$12,000 in 1986, and \$8,000 each year in 1987 and 1988. There will be an estimated loss in revenue of \$0 in 1984, \$7,000 in 1985, \$5,000 in 1986, and \$4,000 each year in 1987 and 1988. There is no anticipated effect on local government. The cost of compliance with the rule for small businesses is the added cost incurred by those beekeepers owning mite-infested hives, owing to the extra labor and expense of complying with the quarantine, as well as the cost of replacing bees after destruction. Actual costs are difficult to assess, but efforts will be made to minimize added travel and other costs for affected beekeepers. Pollination costs may increase for various agricultural enterprises if the

quarantine causes migratory bee colonies to be overwintered outside of the Lower Rio Grande Valley. The cost of compliance will be the same for large and small businesses.

Paul Jackson, state entomologist, has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is the control and eradication of the acarine mite and the protection of the Texas intrastate and interstate bee industry. The anticipated economic cost to individuals who are required to comply with the rule as proposed is described in the previous explanation of the effect on small businesses.

Comments on the proposal may be submitted to Paul Jackson, State Entomologist, Entomology Department, Texas A&M University, College Station, Texas 77843.

The new section is proposed under the Texas Agriculture Code, §131.021(a) and §131.022, which provides the State Entomologist with the authority to adopt rules as necessary to control, eradicate, or prevent the introduction, spread, or dissemination of contagious or infectious diseases of bees and to declare a restrictive quarantine of a district, county, precinct, or other area in which a disease of bees is located.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in College Station, Texas, on August 16, 1984.

TRD-848654 Dr. Neville P. Clarke
 Director
 Texas Agricultural Experiment
 Station

Earliest possible date of adoption:
September 28, 1984
For further information, please call (409) 845-3511.

**TITLE 31. NATURAL RESOURCES
AND CONSERVATION
Part XV. Texas Low-Level
Radioactive Waste Disposal
Authority
Chapter 451. Disposal Site
Management and Operation
Subchapter A. Operator Competence
31 TAC §§451.1-451.4**

The Texas Low-Level Radioactive Waste Disposal Authority proposes new §§451.1-451.4, concerning the criteria to determine the competence of a person to supervise the overall operations of a low-level radioactive waste disposal site owned by the authority. The chapter defines an operator applicant and establishes three criteria that the authority shall consider in determining the competence of a site operator: financial and

organizational stability, previous site management experience, and technical qualifications and programs.

Mike Branum, chief accountant, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Lee H. Mathews, general counsel, has determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules as proposed is an increased public awareness of the required competency of the person ultimately chosen to operate a low-level radioactive waste disposal site in Texas. There is no anticipated economic cost to individuals who are required to comply with the rules as proposed.

Comments on the proposal may be submitted to Lee H. Mathews, General Counsel, Texas Low-Level Radioactive Waste Disposal Authority, Suite 175, 1300-C East Anderson Lane, Austin, Texas 78752, (512) 835-6795.

The new sections are proposed under Texas Civil Statutes, Article 4590f-1, which provide the Texas Low-Level Radioactive Waste Disposal Authority with the authority to adopt and amend rules, standards, and orders necessary to properly carry out the Low-Level Radioactive Waste Disposal Authority Act and to protect the public health and safety and the environment from activities of the authority.

§451.1. Purpose of Rule. The purpose of this rule is to establish criteria for determining the competence of a person to supervise the overall operations of a low-level radioactive waste disposal site owned by the authority.

§451.2. Definition. The "applicant" is a person who submits a written request to the authority that the person be designated the operator of the authority's low-level radioactive waste disposal site.

§451.3. Criteria. The authority shall consider the following criteria in determining competence of the applicant.

(1) Financial and organizational stability. The applicant shall submit detailed information concerning the following:

(A) history of the applicant's business organization, if it is other than a natural person, including mergers, bankruptcies, and acquisitions;

(B) the applicant's organizational structure, including lines of authority and assignments of responsibility;

(C) the applicant's ability to provide financial security for site operation;

(D) the applicant's ability to provide liability insurance coverage for site operation;

(E) capitalization, assets, liabilities, current bond rating, and revenue history of the applicant; and

(F) any additional financial data required by the authority.

(2) Previous experience in hazardous or low-level radioactive waste site management. The applicant shall submit detailed information concerning the following:

for state or local government or small businesses as a result of enforcing or administering the rules.

Mr. Arredondo also has determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules as proposed is more clarity in the agency's standards for certified foster parents leading to higher quality or service to TYC students. There is no economic cost to individuals who are required to comply with the rules as proposed.

Comments on the proposal may be submitted to Martha K. McCann, Manuals System Coordinator, Texas Youth Commission, P.O. Box 9999, Austin, Texas, 78766.

The new sections are proposed under the Human Resources Code, §61.037, which provides the Texas Youth Commission with the authority to enter into agreements with appropriate public and private agencies for the separate care and treatment of persons subject to the control of the Texas Youth Commission.

§91.823. Training Foster Parents.

(a) Policy. The Family Services Program requires foster parents to complete 16 hours of training yearly and report their attendance to the caseworker unless the caseworker delivered the training.

(b) Minimum training requirements.

(1) Contract administration. (Hours: one)

(2) Manual, particularly CRTC Operational Manual. (Hours: one)

(3) On-the-job-training. (Hours: eight)

(A) Orientation to CRTC daily living program, learning center, and infirmary.

(B) Orientation to public school.

(C) Networking with community resources, such as churches, neighbors, counseling centers, job banks.

(4) Physical restraint and security basics. (Hours: two)

(5) Reinforcement of interpersonal skills. (Hours: two)

(6) Reinforcement of effective discipline. (Hours: two)

(c) Procedure.

(1) Set foster parent staff schedules for training. (Person responsible: family service caseworker)

(2) Attend training sessions within allotted time frame. (Person responsible: foster parent staff)

(3) Give proof of attendance for training delivered by others to family services caseworkers. (Person responsible: foster parent staff)

(A) Topic.

(B) Trainer

(C) Date.

(D) Hours.

(4) Write down training received by foster parents in training log. (Person responsible: clerk-typist)

§91.827. Student Grievance Procedure.

(a) Policy. The Texas Youth Commission (TYC) student grievance and appeals system provides students with a procedure to correct problems they have. The TYC ensures the quality of the system through an on-going monitoring program.

(b) Cross-references.

(1) For general information about the student grievance and appeals system, see *General Operating Policies and Procedures Manual* (GOPP) 90.45.010.

(2) For information about reporting and investigating suspected mistreatment, see GOPP 90.45.020.

(3) For information about appeals to the executive director, see GOPP 90.45.030 (§§83.1-83.101 of this title (relating to Appeals to the Executive Director)).

(c) Grievance structure. The family services caseworker is the grievance coordinator for students in foster care.

(d) Procedure.

(1) Filing the grievance.

(A) Tell your foster parents or any TYC staff member if you want to file a grievance. (Person responsible: student grievant)

(B) Call the student's caseworker and report the request. (Person responsible: foster parents or other staff)

(C) Attempt to resolve the problem informally by meeting with the student, the foster parents, and others requested by you or the student. (Person responsible: caseworker)

(D) If this does not resolve the problem, give the student a numbered grievance form, L/S-001. Help him fill it out if he requests assistance (Person responsible: caseworker)

(E) Fill out the form, telling what the problem is and what would correct it (Person responsible: student grievant)

(F) Give the completed form to your caseworker. Keep the yellow copy as a record until the grievance is resolved. (Person responsible: student grievant)

(2) Sorting the grievances

(A) Write the grievant's name, the form number, and the date in the family services grievance log. (Person responsible: caseworker)

(B) If the grievance is about a placement decision or suspected mistreatment, send the form (L/S-001) to the director of family services. See paragraphs (3) and (4) of this subsection. (Person responsible: caseworker)

(C) If the grievance is about staff, other students, or rules, policies, programs or procedures, follow paragraph (5) of this subsection. (Person responsible: caseworker)

(3) Resolving the placement grievance.

(A) Complete CCS-038, statement of grievance and resolution. In the section marked proposed resolution, write, "Grievance sent to the director of family services on (date) for appeal to the executive director." (Person responsible: caseworker)

(B) Meet with the student within 24 hours after you receive the L/S-001 to discuss and write the appeal. (Person responsible: director of family services)

(C) Complete Form CCS-040, appeal to the executive director. Send it to the appeals coordinator in central office within 48 hours of the date on the L/S-001. See CCIS Manual 20.27.040 for instructions. (Person responsible: director of family services)

(4) Resolving the suspected mistreatment grievance.

(A) Tell the grievant that the director of family services will resolve the complaint. (Person respon-

sible: caseworker)

(B) Complete CCS-038, statement of grievance and resolution. In the section marked proposed resolution, write, "Grievance sent to director of family services on (date) for compliance with suspected mistreatment procedures." (Person responsible: caseworker)

(C) Resolve the complaint following GOPP 90.45.020, suspected mistreatment. You are responsible for the steps marked "superintendent, parole supervisor." (Person responsible: director of family services)

(5) Resolving other grievances.

(A) Meet with the grievant and foster parents within five working days of the date on the L/S-001 to resolve the grievance. (Person responsible: caseworker)

(B) Meet with other foster children, other foster home staff, or the director of family services as needed for information. (Person responsible: caseworker)

(C) Complete CCS-038, statement of grievance and resolution. See CCIS Manual 20.27.038 for instructions. (Person responsible: caseworker)

(D) Inform the grievant of the resolution and of the right to appeal to the executive director. (Person responsible: caseworker)

(E) If the grievant appeals, send the CCS-038 and the L/S-001 to the director of family services and make appropriate log entries. (Person responsible: caseworker)

(F) If the grievant does not appeal, send a copy of CCS-038 to the superintendent of CRTC, keep one in the student grievance file, and make appropriate log entries. (Person responsible: caseworker)

(6) Appeal to the executive director.

(A) Assist the student in completing CCS-040. See CCIS Manual 20.27.040 for instructions. (Person responsible: director of family services)

(B) Notify the superintendent of CRTC of the appeal. Document this on the CCS-040. (Person responsible: director of family services)

(C) Follow the procedures in GOPP 90.45.050, appeal to the executive director. (Person responsible: director of family services)

(D) Send a copy of CCS-040 to the data coordinator at CRTC and place one in the student grievance file. (Person responsible: clerk-typist)

§91.830. Purchase Voucher System.

(a) Policy. The Texas Youth Commission (TYC) pays for daily care of students and for those medical and dental expenses described in a program's contract when the foster parents submit a State of Texas purchase voucher. Except in emergencies, medical and dental services must be purchased from vendors who have agreed to accept State of Texas purchase vouchers.

(b) Definitions.

(1) Vendor—Person, place of business, or institution through which services are purchased, for example, doctor, dentist, or foster parents for monthly care of the student.

(2) Reimbursement—Foster parents are paid for the daily care of students according to compensation section of contract.

(c) Procedure.

(1) Purchase of medical and dental services for students in foster care.

(A) Notify family services caseworkers if TYC is responsible for payment for medical and dental service a student needs, and give the following information. (Person responsible: foster parent staff)

(i) name and address of vendor;

(ii) description of services to be purchased;

(iii) name of student for whom purchase is to be made;

(iv) date of purchase; and

(v) estimate of cost.

(B) Document information given by foster parents, in the encumbrance log and give the foster parents an encumbrance number to record on voucher. (Person responsible: clerk-typist)

(C) Complete the following tasks when making a purchase (Person responsible: foster parent staff):

(i) tell the vendor you are a TYC foster parent, and have the vendor sign the voucher at time of purchase;

(ii) record student's name on the bill and voucher;

(iii) promptly return bill and voucher to family services.

(2) Reimbursements for daily care of student.

(A) Type voucher and mail it to the foster parent for signature around the 20th of each month. (Person responsible: clerk-typist)

(B) Sign and return voucher. (Person responsible: foster parent)

(C) Place returned, signed voucher in folder with copies of past reimbursements. (Person responsible: clerk-typist)

(D) Type any changes which occurred from the time the voucher was mailed for signature to the last day of the month. Record the amount of money and the date the voucher was sent to the central office on the encumbrance log. (Person responsible: clerk-typist)

(E) Forward to the caseworker and director of family services for appropriate signatures. (Person responsible: clerk-typist)

(F) Mail to central office, fiscal (Person responsible: clerk/typist)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on August 20, 1984

TRD-848587

Ron Jackson
Executive Director
Texas Youth Commission

Earliest possible date of adoption

September 28, 1984

For further information, please call (512) 452-8111, ext. 390



Part X. Texas Adult Probation
Commission
Chapter 321. Standards

37 TAC §321.12

The Texas Adult Probation Commission proposes amendments to §321.12, concerning a restitution center.

The amendments will provide an opportunity for the general public to voice support and/or concerns about the location of restitution centers and the impact on the community. These amendments will ensure that the advisory council composed of people representative of the community will meet on a regular basis to consider ongoing activities of the restitution center.

Edmond J. Peterson, CPA, fiscal services director, has determined that for the first five-year period the rule will be in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Mr. Peterson also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule as proposed is an opportunity for the general public to express concerns about the location of restitution centers and the impact on the community. There is no anticipated economic cost to individuals who are required to comply with the rule as proposed.

Comments on the proposal may be submitted to Virginia Grote, Texas Adult Probation Commission, 812 San Antonio Street, Suite 400, Austin, Texas 78701.

The amendments are proposed under Texas Civil Statutes, Article 42 121, §301, which provide the Texas Adult Probation Commission with the authority to promulgate reasonable rules.

§321.12. *Restitution Center.*

(a)-(f) (No change.)

(g) Community Advisory Council. A community advisory council of not less than seven persons representative of the community should be appointed by the district judge or judges to advise the probation department in its establishment and maintenance of the restitution center. **The Community Advisory Council should meet at least once in each calendar quarter.**

(h)-(u) (No change.)

(v) Location

(1) The probation department should ensure that the location of the restitution center is suited to the employment needs of the residents and other factors considered important by the local courts and probation departments.

(2) Before selecting the location to be used as the basis for an application for establishing a restitution center to be operated by the probation department, the department shall [should] publish a notice [of its proposed location] in **three consecutive issues of a newspaper of general circulation in the county of the proposed location. The notice shall describe the proposed location or locations in a manner sufficient to enable a reasonable**

person to locate the premises and identify it from other places in the community, and shall also [should] state the time, date, and place of a public hearing on the proposed restitution center. The hearing shall be held not less than 10 nor more than 30 [20] days after the date the last notice is published.

(w)-(x) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on August 20, 1984.

TRD-848660

David Spencer
General Counsel
Texas Adult Probation
Commission

Earliest possible date of adoption:

September 28, 1984

For further information, please call (512) 475-1374.

TITLE 40. SOCIAL SERVICES AND
ASSISTANCE

Part I. Texas Department of
Human Resources

Chapter 9. Food Stamps

Subchapter AA. PA Application

40 TAC §9.2616

The Texas Department of Human Resources proposes an amendment to §9.2616, concerning notices of expiration in the Food Stamp Program. The amendment permits certification staff to provide notices of expiration to clients anytime within the next-to-last month of their certification periods.

David Hawes, programs budget and statistics director, has determined that for the first five-year period the rule is in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rule.

Mr. Hawes also has determined that for each year of the first five years the rule as proposed is in effect the public benefit anticipated as a result of enforcing the rule is a less restrictive policy that will allow workers to provide earlier notification to clients whose certification periods are expiring. There is no anticipated economic cost to individuals who are required to comply with the rule.

Comments on the proposal may be submitted to Cathy Rossberg, Administrator, Policy Development Support Division—514, Texas Department of Human Resources, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Register*.

The amendment is proposed under the Human Resources Code, Title 2, Chapter 33, which authorizes the department to administer public assistance programs.

§9.2616. *Notice of Expiration.*

(a) **The worker must ensure that clients receive a notice of expiration no earlier than the first day nor later than the last day of the month before their certification period expires.** [Workers must send each certified non-PA household the notice of expiration so that the household receives it:

- (1) no earlier than 15 days before the beginning of the last month of the expiring certification period, and
- (2) no later than the first day of the last month of the expiring certification period.]

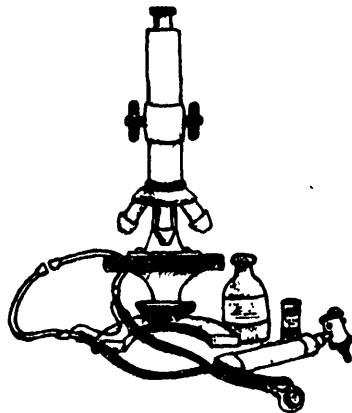
(b) If it is not possible to give clients a [the client his] notice within this [these] time frame [frames] because their [the client's] certification period is for one month, or they were [the client was] certified for two months during the month after [following] the month of application, the worker provides notice of expiration at the time of certification.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on August 22, 1984.

TRD-848714 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Earliest possible date of adoption:
September 28, 1984
For further information, please call (512) 441-3355,
ext 2037



**Part III. Texas Commission on Alcoholism
Chapter 153. DWI Education Program Standards and Procedures
DWI Education Program Standards**

40 TAC §153.32, §153.36

The Texas Commission on Alcoholism proposes amendments to §153.32 and §153.36, concerning the DWI Education Program standards and procedures. The proposed amendments to the standards are needed as a result of the program course content contained in the state-approved curriculum titled *Traffic Safety Education for Alcohol-Related Traffic Offenders*

being updated and revised. Many revisions included within the updated curriculum are a result of the passage of new penalties for DWI. These amendments incorporate by reference §153.32, which outlines the revised and updated curriculum to be used in approved DWI education programs.

Larry Goodman, Fiscal and Administrative Services Division administrator, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Mr. Goodman also has determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of enforcing the rules as proposed is continued high quality education and standardization provided to the DWI offender by certified and approved DWI education programs. There is no anticipated economic cost to individuals who are required to comply with the rules as proposed.

Comments on the proposal may be submitted to Robby Duffield, Director, Statewide DWI Education Program, Texas Commission on Alcoholism, 1705 Guadalupe Street, Austin, Texas 78701.

The amendments are proposed under the Code of Criminal Procedure, Article 42.13, §6c, which provides the Texas Commission on Alcoholism with the authority to publish the rules and regulations for approved DWI education programs and the authority to coordinate and monitor the approved educational programs.

§153.32. Program Course Content. The DWI Education Program course shall consist of the content contained in the state-approved curriculum titled *Texas DWI Education Program [Traffic Safety Education Program for Alcohol-Related Traffic Offenders]* as adopted by reference by the Texas Commission on Alcoholism or an equivalent curriculum approved by the commission, the Texas Department of Public Safety, the Traffic Safety Section of the State Department of Highways and Public Transportation, and the Texas Adult Probation Commission. The state-approved curriculum is available for review, free of charge, at the Texas Commission on Alcoholism offices, 1705 Guadalupe Street, Austin, Texas 78701, and at the Texas Register Section of the Office of the Secretary of State, located in Room 503E, Fifth Floor, Sam Houston Building, 201 East 14th Street, Austin, Texas 78701.

§153.36. Program Operation Requirements. All certified programs designed to rehabilitate persons who have been placed on probation for driving while intoxicated under the provisions of this Act shall:

- (1)-(3) (No change.)
- (4) Utilize **required** [recommended] films and transparencies in instruction.
- (5)-(6) (No change.)
- (7) Administer, evaluate, and formulate a **referral recommendation** [prognosis] using **required** [recommended] screening instrument [instruments]. Additional instruments may be used as supplements. The screening

instrument [instrument(s)] shall be administered before or during the first class session. The purpose of the testing is to make referrals for further evaluation [to appropriate resources] where indicated.

(8) Maintain a referral program for treatment of those participants which screening **instrument indicates** [instrument(s) indicate] may have an alcohol abuse or addiction problem.

(9)-(12) (No change.)

This agency hereby certifies that the proposal has

been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on August 20, 1984.

TRD-848712

Ross Newby
Executive Director
Texas Commission on
Alcoholism

Earliest possible date of adoption:

September 28, 1984

For further information, please call (512) 475-2577.

Withdrawn Rules

An agency may withdraw proposed action or the remaining effectiveness of emergency action on a rule by filing a notice of withdrawal with the *Texas Register*. The notice is generally effective immediately upon filing.

If a proposal is not adopted or withdrawn within six months after the date of publication in the *Register*, it will automatically be withdrawn by the *Texas Register* office. Notice of the withdrawal will appear in the next regularly scheduled issue of the *Register*. The effective date of the automatic withdrawal will appear immediately following the published notice.

No further action may be taken on a proposal which has been automatically withdrawn. However, this does not preclude a new proposal of an identical or similar rule following normal rulemaking procedures.

TITLE 25. HEALTH SERVICES
Part V. Texas Health Facilities
Commission
Chapter 515. Commission Review of
Applications
Subchapter D. Evidence
25 TAC §§515.123, 515.125, 515.127,
515.129, 515.131

The Texas Health Facilities Commission has withdrawn from consideration for permanent adoption new

§§515.123, 515.125, 515.127, 515.129, and 515.131, concerning commission review of applications. The text of the new sections as proposed appeared in the May 11, 1984, issue of the *Texas Register* (9 TexReg 2612).

Issued in Austin, Texas, on August 20, 1984.

TRD-848655

John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed: August 20, 1984

For further information, please call (512) 475-6940.

An agency may take final action on a rule 30 days after a proposal has been published in the *Register*. The rule becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

The document, as published in the *Register*, must indicate whether the rule is adopted with or without changes to the proposal. The notice must also include paragraphs which: explain the legal justification for the rule, how the rule will function; contain comments received on the proposal, list parties submitting comments for and against the rule; explain why the agency disagreed with suggested changes, and contain the agency's interpretation of the statute under which the rule was adopted.

If an agency adopts the rule without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. The text of the rule, as appropriate, will be published only if final action is taken with alterations to the proposal. The certification information, following the submission, contains the effective date of the final action, the proposal's publication date, and a telephone number to call for further information.

Adopted Rules

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 9. Food Stamps

Subchapter Z. Non-PA Redeterminations

The Texas Department of Human Resources adopts amendments to §9.2512 and the repeal of §§9.2513-9.2515, concerning changes in household circumstances. The rules clarify policies for handling reported changes that result in increased food stamp benefits.

The amendments and repeal are adopted without changes to the proposal published in the May 11, 1984, issue of the *Texas Register* (9 TexReg 2631). The comment period on the proposed rules ended June 11, 1984.

No comments were received regarding adoption of the amendments and repeal.

40 TAC §9.2512

The amendments are adopted under the Human Resources Code, Title 2, Chapter 22 and Chapter 33, which authorizes the department to administer public assistance programs.

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 August 21, 1984.

TRD-848669

Marlin W. Johnston
Commissioner
Texas Department of Human Resources

Effective date: September 11, 1984

Proposal publication date: May 11, 1984

For further information, please call (512) 441-3355, ext. 2037.

40 TAC §§9.2513-9.2515

The repeal is adopted under the Human Resources Code, Title 2, Chapter 22 and Chapter 33, which authorizes the department to administer public assistance programs.

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 August 21, 1984.

TRD-848670

Marlin W. Johnston
Commissioner
Texas Department of Human Resources

Effective date: September 11, 1984

Proposal publication date: May 11, 1984

For further information, please call (512) 441-3355, ext. 2037.

**State Board of Insurance
Notification Pursuant to the
Insurance Code, Chapter 5,
Subchapter L**

(Editor's note: As required by the Insurance Code, Article 5.96 and Article 5.97, the Register publishes notices of actions taken by the State Board of Insurance pursuant to Chapter 5, Subchapter L, of the Code. Board action taken under these articles is not subject to the Administrative Procedure and Texas Register Act, and the final actions printed in this section have not been previously published as proposals.

These actions become effective 15 days after the date of publication or on a later specified date.

The text of the material being adopted will not be published, but may be examined in the offices of the State Board of Insurance, 1110 San Jacinto Street, Austin.)

The State Board of Insurance has approved a filing by the Insurance Services Office, Inc. (GL84-084PL), which revises the payroll limitation rule for executive officers, individuals, or co-partner insureds as contained in the general liability other than professional subdivisions; §1—General Rules, Rule 4.E.1.J. Commercial Lines Manual.

This revision changes the flat annual payroll amounts from the present amounts to a factor of two times the average weekly wage in Texas.

This revision was approved to become effective in accordance with the following rule of application. These changes are applicable to all policies effective on or after December 1, 1984. No policy shall be endorsed or canceled and rewritten to take advantage of, or to avoid the application of, these changes except at the request of the insured and using the cancellation procedures applying on the date of such request. Exception—experience rated policies. These changes are applicable as of the experience rating date to all policies to which an experience rating modification which becomes effective on or after December 1, 1984, is to apply, and may not be applied to policies prior to the experience rating date. As respects any policies to which an experience modification applies which became effective prior to December 1, 1984, these changes may not be applied until the first experience rating date after December 1, 1984.

This notification is made pursuant to the Insurance Code, Article 5.97, which exempts it from the requirement of the Administrative Procedure and Texas Register Act.

Issued in Austin, Texas, on August 17, 1984.

TRD-848676 James W Norman
 Chief Clerk
 State Board of Insurance

Effective date: December 1, 1984
For further information, please call (512) 475-2950.

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. Although some notices may be received too late for publication before the meeting is held, all those filed are published in the *Register*. Notices concerning state agencies, colleges, and universities must contain the date, time, and location of the meeting, and an agenda or agenda summary. Published notices concerning county agencies include only the date, time, and location of the meeting. These notices are published alphabetically under the heading "Regional Agencies" according to the date on which they are filed

Any of the governmental entities named above must have notice of an emergency meeting, or 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. However, notices of emergency additions or revisions to a regional agency's agenda will not be published since the original agenda for the agency was not published

All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol. These notices may contain more detailed agendas than space allows to be published in the *Register*.

Open Meetings

Texas Department of Agriculture

Thursday, September 6, 1984, 9 a.m. The Texas Department of Agriculture will meet at 5015 College Drive, Vernon. According to the agenda, the department will conduct an administrative hearing to review possible violation(s) of the Texas Agriculture Code, §76.116(a)(1)-(3), by J. M. Christensen, holder of commercial pesticide applicator license 649.

Contact: Patrick D. Redman, P.O. Box 12847, Austin, Texas 78711, (512) 475-6686.

Filed: August 22, 1984, 2:36 p.m.
TRD-848725

Tuesday, September 17, 1984, 1:30 p.m. The Texas Department of Agriculture will meet in a rescheduled session at Expressway 83, two blocks west of Morningside, San Juan. According to the agenda, the department will conduct an administrative hearing to review a possible violation of the Texas Agriculture Code, §102.013, by Progressive Groves, Inc. The meeting originally was scheduled for August 21, 1984, as published at 9 TexReg 4355.

Contact: Patrick D. Redman, P.O. Box 12847, Austin, Texas 78711, (512) 475-6686.

Filed: August 22, 1984, 2:36 p.m.
TRD-848726

Texas Animal Health Commission

Friday, August 31, 1984, 9:30 a.m. The Texas Animal Health Commission will meet in the conference room, first floor, 210 Barton Springs Road, Austin. According to the agenda summary, the commission will approve the previous meeting minutes and the actions of the executive director; conduct hearings to adopt amendments regarding quarantine lines in a chapter concerning fever ticks (4 TAC §41.2); consider the repeal of a regulation for approved and accredited veterinarians; consider a new regulation for requirements and standards for approved personnel (4 TAC §47.1); hear reports on the Information Review Committee, the Finance Committee, statistics for Grayson County and Denton County, and the brucellosis information system and screwworms; and elect a vice-chairman for the commission.

Contact: Jo Anne Conner, 210 Barton Springs Road, Austin, Texas 78711, (512) 475-4111.

Filed: August 21, 1984, 4:58 p.m.
TRD-848713

Texas Department of Community Affairs

Friday, August 31, 1984, 10 a.m. The Ad-

visory Council on Community Affairs of the Texas Department of Community Affairs will meet in Room 100, 2015 IH 35 South, Austin. According to the agenda, the council will select a chairperson, conduct an orientation for members regarding duties and an overview of the agency program, and tour the facilities.

Contact: Larry Crumpton, Austin, Texas, (512) 443-4100, ext. 201

Filed: August 22, 1984, 4:50 p.m.
TRD-848738

Interagency Council on Early Childhood Intervention

Wednesday, August 29, 1984, 1 p.m. The Interagency Council on Early Childhood Intervention will meet in Room G-301A, Texas Department of Health, 1100 West 49th Street, Austin. According to the agenda, the council will discuss the mission statement for the state plan, adopt final rules on complaints, and consider fiscal year 1985 budgets and contracts.

Contact: Mary Elder, 1100 West 49th Street, Austin, Texas 78756, (512) 465-2671.

Filed: August 21, 1984, 4:16 p.m.
TRD-848705

Texas Department of Health

Friday, August 31, 1984, 9 a.m. The Municipal Solid Waste Management and Resource Recovery Advisory Council of the Texas Department of Health (DOH) will meet in Room T-610, 1100 West 49th Street, Austin. According to the agenda summary, the council will approve the minutes, hear a report from the Ad Hoc Committee on Public Utility Commission of Texas (PUC) rules and on DOH small quantity generator rules, discuss and make recommendations on PUC rules and on the draft wording for citizen participation in the permitting process, and discuss the next meeting.

Contact: Jack C. Carmichael, P.E., 1100 West 49th Street, Austin, Texas 78756, (512) 458-7271

Filed: August 21, 1984, 4:16 p.m.
TRD-848706

**Texas Health Facilities
Commission**

Thursday, August 30, 1984, 1:30 p.m. The Texas Health Facilities Commission made additions to the agenda of a meeting to be held in Suite 305, Jefferson Building, 1600 West 38th Street, Austin. According to the agenda summary, the additions concerned the following applications.

Certificate of Need

- Methodist Central Hospital, Dallas
AH84-0420-248
- Lubbock General Hospital, Lubbock
AH84-0405-215
- Alliance Hospital of Lamar County,
Paris
AH84-0322-179
- Woodlake Care, San Antonio
AN84-0323-180
- UTHSCSA Nuclear Magnetic Resonance
Center, Austin
AO84-0405-212
- Army Retirement Community,
San Antonio
AN84-0102-001
- St. David's Community Hospital, Austin
AH84-0109-020
- West Plains Medical Center, Inc.,
Muleshoe
AH84-0320-174
- Citizens General Hospital, Greenville
AH84-0416-231
- Leisure Lodge-Caldwell, Caldwell
AN84-0425-259
- Wilson N. Jones Memorial Hospital,
Sherman
AH84-0406-217
- Irving Dialysis Center, Irving
AS84-0113-029

Kidney Care, Inc., Fort Worth
AS82-1209-269

Amendments of Certificate of Need Orders
Youens Memorial Hospital, Weimer
AH83-1014-209A(071084)

Houston Northwest Properties and
Houston Northwest Medical Center,
Inc., Houston
AH81-0702-020A(071184)

Clear Lake Hospital, Webster
AH82-1122-209A(071384)

Memorial Hospital, Lufkin
AH81-1001-054A(071384)

Piney Woods Acres, Corrigan
AN82-1206-247A(120783)

Charter Lane Hospital, Austin
AH82-0122-020A(041884)

Applications for Petition for Reissuance
Piney Woods Acres, Corrigan
AN82-1206-247R(122283)

Stevens Convalescent Center, Inc.,
Hallettsville
AN83-0624-650R(062984)

The Woodlands Nursing Center,
The Woodlands
AN83-0426-402R(052584)

Applications for Declaratory Ruling
Pasadena Imaging Center, Pasadena
AO84-0712-457

Med West Healthcare Management
Corporation, Omaha, Nebraska
AN84-0612-383

**Notices of Intent to Acquire Existing Health
Care Facilities**

Donald H. Grether and Rebecca Grether,
Lake Jackson
AN84-0716-465

American Health Centers, Inc.,
a Tennessee corporation, Nashville,
Tennessee
AN84-0713-461

Contact: John R. Neel, P.O. Box 50049,
Austin, Texas 78763.

Filed: August 22, 1984, 9:34 a.m.
TRD-848715

**State Department of Highways
and Public Transportation**

**Wednesday and Thursday, August 29 and
30, 1984, 9 a.m. daily.** The State Highway
and Public Transportation Commission of
the State Department of Highways and
Public Transportation will meet in Room
207, second floor, on Wednesday, and
Room 101, first floor, on Thursday, in the
DeWitt C. Greer Building, 11th and Brazos
Streets, Austin. According to the agenda
summary, on Wednesday the commission
will execute contract awards and routine

minute orders, consider decisions on presentations from public hearing dockets, and review staff reports relative to planning and construction programs and projects. The agenda is available in the second floor office of the minute clerk, DeWitt C. Greer Building. On Thursday, the commission will consider presentations by the public for various highway, bridge, and FM road requests for Denton; Bell; Starr, Hidalgo, and Brooks; Victoria; Tarrant; Duval, Jim Hogg, and Zapata; Brazoria and Galveston Counties. The docket is available in the second floor commission office, DeWitt C. Greer Building.

Contact: Lois Jean Turner, DeWitt C. Greer Building, Room 203, 11th and Brazos Streets, Austin, Texas, (512) 475-3525.

Filed: August 21, 1984, 2:39 p.m.
TRD-848688

State Board of Insurance

Wednesday, August 29, 1984, 10 a.m. The State Board of Insurance will meet in Room 414, 1110 San Jacinto Street, Austin. According to the agenda, the board will consider changes and possible action on emergency Rules 059.21.53.001-.007, which were adopted to aid in implementing the Texas Amusement Ride Safety Inspection and Insurance Act. Among other things, the certification required by Rule 059.21.53.004 and the Act, §4(1), will be considered.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: August 21, 1984, 4:07 p.m.
TRD-848703

Thursday, August 30, 1984, 9 a.m. The State Board of Insurance will meet in Room 100E, John H. Reagan Building, 105 West 15th Street, Austin. Items on the agenda include consideration and possible action on an order regarding a proposed amendment to procedural Rule P-1(i) of the *Basic Manual of Rules, Rates, and Forms for the Writing of Title Insurance in the State of Texas* (the basic manual is Rule 059.09.07.001). The proposed amendment appeared in the July 17, 1984, issue of the *Texas Register* (9 TexReg 3863) and was the subject of a hearing held before the State Board of Insurance in Room 142, 1110 San Jacinto Street, Austin, at 10 a.m. on August 20, 1984.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: August 22, 1984, 3:31 p.m.
TRD-848731

Friday, August 31, 1984, 10 a.m. The State Board of Insurance will meet in Room 414, 1110 San Jacinto Street, Austin. According to the agenda, the board will consider a request by the Texas Farm Bureau Mutual Insurance Company for approval to change the unearned premium calculation from a 50% method to a daily pro rata method, and a filing by the Insurance Services Office for revision of basic limits bodily injury rates for certain premises/operations classifications for the *Commercial Lines Manual*, Division Six.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

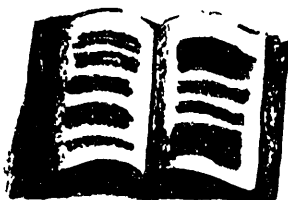
Filed: August 21, 1984, 4:07 p.m.
TRD-848704

Texas Municipal Retirement System

Friday, September 14, 1984, 1 p.m. The Board of Trustees of the Texas Municipal Retirement System will meet at 1200 IH 35 North, Austin. According to the agenda summary, the board will approve the June 30, 1984, minutes; review and approve service and disability retirements and supplemental death benefit payments payable May 1, 1984-July 31, 1984; review and approve financial statements; consider adoption of a resolution concerning updated service credit; consider an amendment of the 1984 budget to purchase a computer disc drive; discuss a proposal by the Texas Municipal Police Association that the Act be amended to allow retirement at any age after 25 years of service instead of the present 28; hear reports of the actuary, legal counsel, and director; and consider any other business.

Contact: Jimmie L. Mormon, P.O. Box 2225, Austin, Texas 78768, (512) 476-7577.

Filed: August 22, 1984, 11:39 a.m.
TRD-848722



Texas National Guard Armory Board

Saturday, September 8, 1984, 1 p.m. The Texas National Guard Armory Board will

meet in the conference room, Building 64, Camp Mabry, Austin. According to the agenda summary, the board will consider administrative and fiscal matters and facility construction, remodeling, and renovation.

Contact: Donald J. Kerr, P.O. Box 5218, Austin, Texas 78763-5218, (512) 451-6394.

Filed: August 23, 1984, 9:15 a.m.
TRD-848773

Texas Parks and Wildlife Department

Wednesday, August 29, 1984. The Texas Parks and Wildlife Commission of the Texas Parks and Wildlife Department will meet in Building B, Texas Parks and Wildlife Headquarters, 4200 Smith School Road, Austin. Times and agendas follow.

9 a.m. The commission will approve the July 25, 1984, public hearing court reporter minutes; present retirement certificates and service plaques; consider the migratory game bird regulations for 1984-1985, the five-year master plan for Matagorda Island State Park and Wildlife Management Area, quail bag limits, regulations for transporting, shipping, and exporting bobcat pelts, the functional restoration of Mustang Island State Park Fish Pass, Nueces County, topographic surveys and aerial photography for four state park sites, and land acquisition for Franklin Mountains State Park, El Paso County; and reconsider current salt-water trotline regulations.

9 a.m. The commission will conduct a briefing on the effects of the oil spill on Galveston Island, consider resource protection monitoring programs for acid rain and selenium, hear a status report concerning Lake Ray Roberts, and consider parks programs.

Noon. The commission will meet in executive session to discuss potential acquisitions, the settlement of pending litigation matters, and personnel matters.

Contact: Charles D. Travis, 4200 Smith School Road, Austin, Texas 78744, (512) 479-4802.

Filed: August 21, 1984, 2:22 p.m.
TRD-848685-848687

Texas State Board of Physical Therapy Examiners

Sunday, August 26, 1984, 6:30 p.m. The Texas State Board of Physical Therapy Ex-

aminers met in emergency session at the Austin Hilton Inn, 6000 Middle Fiskville Road, Austin. According to the agenda, committees of the board met as follows:

The Investigation Committee considered current investigation methods, investigation services being utilized, and miscellaneous business. The committee also met in executive session to discuss cases in litigation.

The Budget Committee reviewed 1983-1984 expenditures, reviewed and planned for the next biennium, and considered miscellaneous business.

The Education Committee reviewed education requirements for applicants and considered miscellaneous business.

The Rules Committee reviewed current rules recommendations for amendments of certain rules and miscellaneous business.

The emergency status was necessary because the committees needed to meet before the end of the 1984 fiscal year.

Contact: David Hardison, Building C, Suite 260, 1300 East Anderson Lane, Austin, Texas 78752, (512) 835-1846.

Filed: August 21, 1984, 2:20 p.m.
TRD-848699

Public Utility Commission of Texas

The Hearings Division of the Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. Days, times, and agendas follow.

Tuesday, September 4, 1984, 10 a.m. A prehearing conference in Docket 5779—application of Houston Lighting and Power Company for a rate increase.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 22, 1984, 9:48 a.m.
TRD-848718

Addition to the previous agenda:

A prehearing conference in Docket 5870—application of AT&T Communications of the Southwest, Inc., for a tariff restructure.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 23, 1984, 9:14 a.m.
TRD-848740

Wednesday, September 5, 1984, 10:30 a.m. A hearing in Docket 5777—customer pro-

Texas Register

test regarding a §43(h) rate increase of Cibolo Oaks Water Company in Kendall County

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 22, 1984, 9:48 a.m.
TRD-848719

Thursday, September 6, 1984, 10 a.m. A rescheduled prehearing in Docket 4694—application of Frazier Development Corporation for a certificate of convenience and necessity within Denton County; and Docket 5289—inquiry into the legality of rates charged and service rendered by Frazier Development Corporation. The prehearing was originally scheduled for August 28, 1984, as published at 9 TexReg 4360.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 23, 1984, 9:14 a.m.
TRD-848741

Wednesday, September 19, 1984, 9 a.m. According to the agenda, the division will conduct an open meeting in which the commissioners will consider modifications to 16 TAC §§23.23, 23.31, and 23.66

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 21, 1984, 2:18 p.m.
TRD-848698

Monday, November 5, 1984, 10 a.m. A hearing in Docket 5839—application of Bowie-Cass Electric Cooperative, Inc., for a rate increase.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: August 23, 1984, 9:15 a.m.
TRD-848742

Texas Rehabilitation Commission

Friday, September 7, 1984, 8:30 a.m. The Texas Planning Council for Developmental Disabilities of the Texas Rehabilitation Commission will meet in Room 101 and Room 102, Texas Law Center, 1414 Colorado Street, Austin. According to the agenda, the council will conduct a quarterly meeting to approve the minutes; hear reports from the Advocacy and Public Information Committee, the Executive Committee, and the Monitoring and Evaluation Committee;

consider revised council policies; hear the executive director's report concerning the Developmental Disabilities Act reauthorization update, the Council on Disabilities hearing, the revised process for funding activities, the financial status report, a grants update, and other updates; hear the protection and advocacy report concerning a meeting of the board and the CAPS Program; hear the Autism Task Force report; hear the Intermediate Community Services Program report; consider the deaf-blind/deaf-blind multidisabled persons public forum and University Affiliated Facility Program applications; present certificates of appreciation to past council members; and consider unfinished business, other new business, and announcements.

Contact: Joellen F. Simmons, 118 East Riverside Drive, Austin, Texas 78704, (512) 445-8687.

Filed: August 21, 1984, 11:27 a.m.
TRD-848677

State Securities Board

Friday, September 7, 1984, 9:30 a.m. The State Securities Board will meet at 1800 San Jacinto Street, Austin. According to the agenda summary, the board will discuss the previous meeting minutes, consider previously published proposals to amend 7 TAC §109.4(4) to clarify that sales to non-residents of Texas made in compliance with 7 TAC §139.7 may be excluded when counting the number of purchasers for purposes of the Act, §5.I(c); amend §113.9 to clarify that there is no requirement that an issuer or dealer who sold such securities be continuously registered pursuant to the Act, §12, and that the rule is adopted pursuant to the Act, §5.T; amend §139.1 to reflect the board's interpretation regarding the requirement of dealer registration in the context of rules adopted pursuant to the Act, §5.T; and amend §139.8, concerning the exemption for sales to underwriters, to eliminate as unnecessary language indicating the company or person engaged therein is not required to be registered as a dealer; discuss new proposals to amend 7 TAC §109.1 to reflect the board's interpretation regarding availability of the Act, §5.E, and amend §121 regarding oil and gas drilling programs to add amendments by the North American Securities Administrators Association; discuss a petition for a new rule to exempt sales of securities to entities with either a new worth in excess of \$3 million, a class of securities registered under the

Securities Exchange Act of 1934, §12, or to entities wholly owned by the previously mentioned entities; and discuss general agency operations with reports from division directors and the securities commissioner.

Contact: Richard D. Latham, 1800 San Jacinto Street, Austin, Texas, (512) 474-2233.

Filed: August 22, 1984, 3:45 p.m.
TRD-848732

Teachers' Professional Practices Commission

A three-member panel of the Teachers' Professional Practices Commission will meet in executive session, in accordance with the Texas Education Code, §13.213, in Room 111, Texas Education Agency North Building, 1200 East Anderson Lane, Austin. Days, times, and agendas follow.

Friday, August 31, 1984, 9 a.m. The panel will hear a complaint filed by an active certified member of the teaching profession against another active certified member of the teaching profession pursuant to the Texas Education Code, §§13.201-13.218.

Wednesday, September 5, 1984, 9 a.m. The panel will hear a complaint filed by an active certified member of the teaching profession against another active certified member of the teaching profession pursuant to the Texas Education Code, §§13.201-13.218.

Contact: James Salmon, 201 East 11th Street, Austin, Texas 78701, (512) 834-4091.

Filed: August 21, 1984, 4:22 p.m.
TRD-848710, 848711

Advisory Council for Technical-Vocational Education in Texas

Committees of the Advisory Council for Technical-Vocational Education in Texas (ACTIVE) will meet in Suite 424, Texas Employment Commission Annex, 12th and Trinity Streets, Austin. Days, times, committees, and agendas follow.

Monday, September 10, 1984, 1 p.m. The Ad Hoc Committee on Curriculum Reform will review problems associated with vocational education funding and reform measures contained in House Bill 72 and review State Board of Education rules implementing House Bill 72 and House Bill 246.

Tuesday, September 11, 1984, 10 a.m. The Steering Committee will discuss vocational education legislation, plans for a forthcoming statewide conference on vocational education, the development of the master state plan for vocational education, the ACTIVE program of work, and the biennial budget; and make plans for the council meeting to be held in Corpus Christi in October.

Tuesday, September 18, 1984, 1 p.m. The Planning and Evaluation Committee will discuss the development of a master state plan for vocational education, evaluation topics assigned to the advisory council by the State Board of Education, and other program of work items assigned to the committee for 1984-1985.

Contact: Val Blaschke, P.O. Box 1886, Austin, Texas 78767, (512) 475-2046.

Filed: August 21, 1984, 11:25 a.m.
TRD-848678-848680



Texas Tourist Development Agency

Wednesday, September 19, 1984, 2 p.m. The board of the Texas Tourist Development Agency will meet in the Red Oak Room, Americana Hotel, 200 Main Street, Fort Worth. According to the agenda, the board will review the fiscal years 1984-1985 budgets; consider a response to an appeal from Speaker Lewis and Chairman Rudd for restraint in fiscal year 1985; hear recommendations from the Marketing Committee; consider fiscal year 1985 media advertising, the advertising agency review procedure, the status of the 1986-1987 budget request, recommendations from the Legislative Affairs Committee, the status of the Texas travel industry caucus, and recommendations from the Special Projects Committee; select TourCon (Texas Conference on Tourist Development) sites for 1985 and 1986; review TourCon XIX; and hear comments by the public and private sector associates.

Contact: Margaret Younger, Box 12008, Austin, Texas 78711, (512) 475-4326.

Filed: August 22, 1984, 2:36 p.m.
TRD-843727

Thursday and Friday, September 20 and 21, 1984, noon and 9 a.m. respectively. The annual conference (TourCon XIX) of the Texas Tourist Development Agency will be held at the Americana Hotel, Fort Worth. According to the agenda, the conference

will conduct seminars and general sessions concerned with tourism-related subjects.

Contact: Margaret Younger, Box 12008, Austin, Texas 78711, (512) 475-4326.

Filed: August 22, 1984, 2:37 p.m.
TRD-848728

Texas Water Commission

Monday, August 27, 1984, 8:30 a.m. The Texas Water Commission met in emergency session in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission considered an application of the Texas Parks and Wildlife Department for emergency orders to require releases of water from Lake Texana for protection of the Lavaca River Delta Marsh. The applicant sought releases of 10,400 acre-feet of water for the month of August from Lake Texana, Navidad River, Lavaca River Basin, to protect the Lavaca River Delta Marsh. The emergency status was necessary because of the critical situation in the Lavaca River Delta Marsh.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: August 22, 1984, 1:43 p.m.
TRD-848723

Thursday, September 6, 1984, 10 a.m. The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the commission will conduct a hearing on an application by Brazoria Equipment Company, Inc., doing business as Coastal Equipment Company, for proposed Permit 39056 to operate a Class II and Class III industrial solid waste land disposal facility consisting of a landfill with a maximum total capacity of 313,000 cubic yards and encompassing a maximum surface area of 27.67 acres and to authorize a discharge of uncontaminated stormwater runoff variable with rainfall. The proposed landfill is to be located 1,300 feet east of the City of Hitchcock in Galveston County, and the stormwater runoff is to be discharged into Segment 2424 of the San Jacinto-Brazos Coastal Basin.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514

Filed: August 22, 1984, 11:19 a.m.
TRD-848721

Monday, October 15, 1984, 10 a.m. The Texas Water Commission will meet in Room 124A, Stephen F. Austin Building,

1700 North Congress Avenue, Austin. According to the agenda, the commission will conduct a hearing ordering the City of Denison to appear to show cause, if any, why Waterloo Lake Dam should not be breached. The dam and 579 acre-foot recreational reservoir, known as Waterloo Lake, is on an unnamed tributary of Iron Ore Creek, tributary of Choctaw Creek, tributary of the Red River, Red River Basin, located within the Denison City limits in Grayson County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: August 22, 1984, 1:43 p.m.
TRD-848724

Regional Agencies

Meetings Filed August 21

The Bexar Appraisal District, met in emergency session at 535 South Main, San Antonio, on August 24, 1984, at 9 a.m. Information may be obtained from Bill Burnette, 535 South Main, San Antonio, Texas 78204, (512) 224-8511.

The Lee County Appraisal District, Board of Directors, will meet at 218 Richmond Street, Giddings, on August 29, 1984, at 9 a.m. Information may be obtained from James L. Dunham, 218 East Richmond Street, Giddings, Texas 78942, (409) 542-9618.

TRD-848681

Meetings Filed August 22

The Alamo Area Council of Governments, Executive Committee, will meet in Suite 420, 118 Broadway, San Antonio, on August 29, 1984, at noon. Information may be obtained from Al J. Notzon III, 118 Broadway, Suite 400, San Antonio, Texas 78205 (512) 225-5201

The Blanco County Central Appraisal District, Board of Directors, will meet at the Blanco County Courthouse Annex, Johnson City, on August 31, 1984, at 6 p.m. Information may be obtained from Hollis Petri, P.O. Box 338, Johnson City, Texas 78636, (512) 868-4624.

The Edwards County Appraisal District, Board of Directors, met in emergency session in the new county office building, Rocksprings, on August 22, 1984, at 2 p.m. Information may be obtained from Glen

Texas Register

Whitehead, Box 378, Rocksprings, Texas 78880, (512) 683-2337.

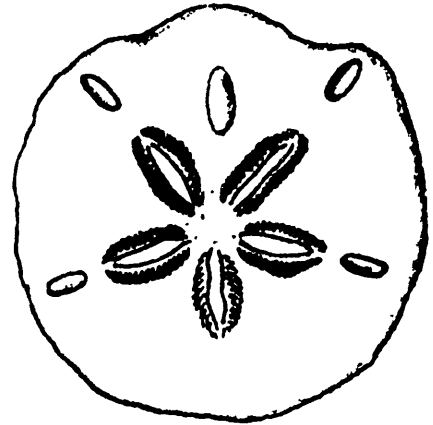
The Sabine River Authority of Texas, Board of Directors, will meet at the San Augustine Inn, U.S. Highway 96 and State Route 21, San Augustine, on August 30, 1984, at 10 a.m. Information may be obtained from Sam F Collins, P.O. Box 579, Orange, Texas 77630, (409) 883-2531.

The South Texas Development Council, STED Corporation Board of Trustees, will meet at the Zapata Public Library, Zapata, on August 29, 1984, at 11:30 a.m. In-

formation may be obtained from Roberto Mendiola, P.O. Box 2187, Laredo, Texas 78044-2187, (512) 722-3995.
TRD-848720

Meeting Filed August 23

The Region VIII Education Service Center, Board of Directors, met at K-Bob's Restaurant, Highway 271 South, Mount Pleasant, on August 27, 1984, at 7 p.m. Information may be obtained from Scott Ferguson, 100 North Riddle Street, Mount Pleasant, Texas 75455, (214) 572-8551.
TRD-848739



The *Register* is required by statute to publish applications to purchase control of state banks (filed by the banking commissioner); notices of rate ceilings (filed by the consumer credit commissioner), changes in interest rate and applications to install remote service units (filed by Texas Savings and Loan commissioner), and consultant proposal requests and awards (filed by state agencies, regional councils of government, and the Texas State Library and Archives Commission).

In order to aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows. This often includes applications for construction permits (filed by the Texas Air Control Board), applications for amendment, declaratory ruling, and notices of intent (filed by the Texas Health Facilities Commission), applications for waste disposal permits (filed by the Texas Water Commission), and notices of public hearing.

In Addition

Banking Department of Texas Application to Acquire Control of a State Bank

Texas Civil Statutes, Article 342-401a, require any person who intends to buy control of a state bank to file an application with the banking commissioner for the commissioner's approval to purchase control of a particular bank. A hearing may be held if the application is denied by the commissioner.

On August 10, 1984, the banking commissioner received an application to acquire control of The City State Bank of Palacios, Palacios, by R. B. Trull, Florence M. Trull, Bruce G. Herlin, Robert G. Herlin, Edwin Bowers, Billy B. Hamlin, J. Fred Hutt, J. W. Jenkins, and Jack A. Goodner, all of Palacios, and Ross D. Margraves, Jr., and F. John Burton, Jr., both of Houston.

On August 20, 1984, notice was given that the application would not be denied.

Additional information may be obtained from William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on August 20, 1984.

TRD-848682 William F. Aldridge
Director of Corporate Activities
Banking Department of Texas

Filed: August 21, 1984

For further information, please call (512) 475-4451.

Comptroller of Public Accounts Decision 13,158

For copies of the following opinion, contact Bob Bullock, Comptroller of Public Accounts, Attention: Administrative Law Judges, 111 East 17th Street, Austin, Texas 78774. Copies will be furnished without charge and edited to comply with confidentiality statutes.

Summary of Decision. The taxpayer contends that he should be allowed to use a special franchise tax reporting method, although he did not receive approval 15 days in advance as required by 34 TAC §3.393. The comptroller held that the tax was valid and correctly assessed according to the statute, and did not violate substantive due process.

Issued in Austin, Texas, on August 17, 1984.

TRD-848652 Bob Bullock
Comptroller of Public Accounts

Filed: August 20, 1984

For further information, please call (512) 475-1938.

Texas Department of Health Intent to Revoke Radioactive Material Licenses

The Bureau of Radiation Control, Texas Department of Health, is seeking the revocation of Radioactive Material License 5-3069, issued to Wellington Resources Corporation, for the following reasons.

The agency determined that the licensee is no longer located at 8150 North Central Expressway, Dallas, Texas 75206. The licensee has not notified the agency of a change of address and no forwarding address is available.

All attempts by the agency to contact the licensee by telephone, by mail, and by inspection have been unsuccessful. Therefore, the Texas Department of Health, Bureau of Radiation Control, recommends that the radioactive material license issued to Wellington Resources Corporation be revoked immediately.

In accordance with the *Texas Regulations for Control of Radiation*, §13.8, this notice affords the opportunity for a hearing to show cause why the radioactive material license should not be revoked. A written request for a hearing must be received within 30 days from the date of publication of this notice to be valid. Such written request must be filed with David K. Lacker, Director, Radi-

ation Control Program, 1100 West 49th Street, Austin, Texas 78756. Should no request for a public hearing be timely filed, the radioactive material license will be revoked 14 days after the end of the 30-day period of notice.

Issued in Austin, Texas, on August 21, 1984

TRD-848707 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: August 21, 1984

For further information, please call (512) 835-7000.

The Bureau of Radiation Control, Texas Department of Health, is seeking the revocation of Radioactive Material License 12-3161, issued to Permian Tracers, Inc., P.O. Box 183, Gardendale, Texas 79758, for the following reasons.

- (1) The licensee failed to respond to a certified letter from the agency dated April 30, 1984.
- (2) No radioactive material was ever possessed or used by the licensee.
- (3) An agency attempt to perform an inspection on March 16, 1984, was unsuccessful.

All attempts by the agency to obtain information from the licensee concerning the status of the license have been unsuccessful. Therefore, the Texas Department of Health, Bureau of Radiation Control, recommends that the radioactive material license issued to Permian Tracers, Inc., be revoked immediately.

In accordance with the *Texas Regulations for Control of Radiation*, §13.8, this notice affords the opportunity for a hearing to show cause why the radioactive material license should not be revoked. A written request for a hearing must be received within 30 days from the date of publication of this notice to be valid. Such written request must be filed with David K. Lacker, Director, Radiation Control Program, 1100 West 49th Street, Austin, Texas 78756. Should no request for a public hearing be timely filed, the radioactive material license will be revoked 14 days after the end of the 30-day period of notice.

Issued in Austin, Texas, on August 21, 1984

TRD-848708 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: August 21, 1984

For further information, please call (512) 835-7000

The Bureau of Radiation Control, Texas Department of Health, is seeking the revocation of Radioactive Material License 5-2791, issued to Twin Pines Exploration, for the following reasons

- (1) In accordance with *Texas Regulations for Control of Radiation* (TRCR), §41.32, Radioactive Material License 5-2791 expired February 28, 1983. The licensee has not submitted to the agency a request to renew the radioactive material license.
- (2) The agency determined that the licensee is no longer located at 7180 Gaston Avenue, #217, Dallas,

Texas 75214. The licensee has not notified the agency of a change of address and no forwarding address is available.

All attempts by the agency to contact the licensee by telephone, inspection, and certified mail have been unsuccessful. Therefore, the Texas Department of Health, Bureau of Radiation Control, recommends that the radioactive material license issued to Twin Pines Exploration be revoked immediately.

In accordance with TRCR, §13.8, this notice affords the opportunity for a hearing to show cause why the radioactive material license should not be revoked. A written request for a hearing must be received within 30 days from the date of publication of this notice to be valid. Such written request must be filed with David K. Lacker, Director, Radiation Control Program, 1100 West 49th Street, Austin, Texas 78756. Should no request for a public hearing be timely filed, the radioactive material license will be revoked 14 days after the end of the 30-day period of notice.

Issued in Austin, Texas, on August 21, 1984.

TRD-848709 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: August 21, 1984

For further information, please call (512) 835-7000.

Licensing Actions for Radioactive Materials

The Texas Department of Health has taken actions regarding licenses for the possession and use of radioactive materials as listed in the table below. The subheading labeled "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout Texas" indicates that the radioactive material may be used on a temporary basis at job sites throughout the state.

NEW LICENSES ISSUED:

Location	Name	License #	City	Amend-ment #	Date of Action
Throughout Texas	Shoreline Perforators, Inc	08-3650	Victoria	0	07/31/84
Throughout Texas	H B Zachry Company	06-3686	La Grange	0	07/25/84
Throughout Texas	World Technical Services	11-3696	Deer Park	0	08/01/84
Throughout Texas	Pickett-Jacobs Consultants, Inc	07-3690	Tyler	0	07/24/84

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location	Name	License #	City	Amend-ment #	Date of Action
Borger	Cominco American, Inc	01-2772	Borger	5	07/20/84
Borger	Golden Plains Community Hospital	01-2542	Borger	3	07/30/84
Crosbyton	Crosbyton Clinic Hospital	02-3240	Crosbyton	1	07/30/84

Decatur	Decatur Community Hospital	05-2382	Decatur	4	08/02/84
Fort Worth	Halton General Hospital	05-3364	Fort Worth	3	07/26/84
Grand Prairie	Medical Ancillary Services, Inc	05-3212	Grand Prairie	5	07/26/84
Houston	The University of Texas System Cancer Center	11-466	Houston	29	07/26/84
Houston	Cypress Fairbanks Medical Center, Inc	11-3424	Houston	2	07/30/84
Houston	The Methodist Hospital	11-457	Houston	13	07/30/84
Linden	Linden Municipal Hospital	07-2721	Linden	5	08/02/84
Longview	Good Shepherd Medical Center	07-2411	Longview	17	08/01/84
McAllen	Rio Grande Regional Hospital	08-3288	McAllen	7	08/02/84
Midland	Midland Memorial Hospital	12-728	Midland	29	07/26/86
Midlothian	Chaparral Steel Company	05-2015	Midlothian	8	07/31/84
Morton	Cochran Memorial Hospital	02-3347	Morton	2	07/27/84
Pasadena	Pasadena Radiation Therapy Center	11-3634	Pasadena	1	08/02/84
Pasadena	Celanese Chemical Company, Inc	11-1130	Houston	22	07/31/84
Post	Garza Memorial Hospital	02-3296	Post	3	07/27/84
Quitman	Wood County Central Hospital	07-3376	Quitman	1	07/30/84
San Angelo	Angelo Community Hospital	04-2487	San Angelo	13	07/30/84
San Antonio	Santa Rosa Medical Center	09-556	San Antonio	19	07/26/84
San Antonio	Santa Rosa Medical Center	09-2237	San Antonio	17	07/30/84
Throckmorton	Throckmorton County Memorial Hospital	04-3256	Throckmorton	1	08/02/84
Throughout Texas	Rountree and Company	07-3412	Longview	2	08/01/84
Throughout Texas	Universal Tubular Service	11-2697	Houston	5	07/31/84
Throughout Texas	City of Bryan, Engineering Department	06-3002	Bryan	1	07/26/84
Throughout Texas	Dresser Atlas	11-446	Houston	71	07/27/84
Throughout Texas	Mechanical Systems	11-3311	Houston	3	08/01/84
Throughout Texas	Shell Development Company	11-2116	Houston	13	07/31/84
Throughout Texas	E I du Pont de Nemours & Company	08-1753	Ingleside	15	07/25/84
Throughout Texas	Cotton's Inspection Service, Inc	12-2869	Odessa	5	07/25/84
Throughout Texas	Phillips Petroleum Company	11-3054	Bartlesville, OK	3	07/31/84
Throughout Texas	C-E Vetco Services, Inc	11-1958	Houston	14	07/31/84
Throughout Texas	Schlumberger Well Services	11-1833	Houston	37	08/02/84
Throughout Texas	Maurer Tools, Inc	11-3040	Houston	5	08/02/84

Wichita Falls PPG Industries, Inc 04-1868 Wichita Falls 5 07/31/84

In issuing new licenses and amending and renewing existing licenses, the Texas Department of Health, Bureau of Radiation Control, has determined that the applicants are qualified by reason of training and experience to use the material in question for the purposes requested in accordance with the *Texas Regulations for Control of Radiation* in such a manner as to minimize danger to public health and safety or property and the environment; the applicants' proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property and the environment; the issuance of the license(s) will not be inimical to the health and safety of the public or the environment; and the applicants satisfy any applicable special requirements in the Texas Regulations for Control of Radiation.

This notice affords the opportunity for a hearing on written request of a licensee, applicant, or "person affected" within 30 days of the date of publication of this notice. A "person affected" is defined as a person who is resident of a county, or a county adjacent to the county, in which the radioactive materials are or will be located, including any person who is doing business or who has a legal interest in land in the county or adjacent county, and any local government in the county; and who can demonstrate that he has suffered or will suffer actual injury or economic damage due to emissions of radiation. A licensee, applicant, or "person affected" may request a hearing by writing David K. Lacker, Chief, Bureau of Radiation Control (Director, Radiation Control Program), 1100 West 49th Street, Austin, Texas 78756-3189

Any request for a hearing must contain the name and address of the person who considers himself affected by agency action, identify the subject license, specify the reasons why the person considers himself affected, and state the relief sought. If the person is represented by an agent, the name and address of the agent must be stated.

Copies of these documents and supporting materials are available for inspection and copying at the office of the Bureau of Radiation Control, Texas Department of Health, 1212 East Anderson Lane, Austin, from 8 a.m. to 5 p.m. Monday through Friday (except holidays).

Issued in Austin, Texas, on August 21 1984

TRD-848700 Robert A MacLear, M D
Deputy Commissioner
Professional Services
Texas Department of Health

Filed August 21, 1984
For further information, please call (512) 835-7000.



Public Hearings

The Texas Department of Health will conduct three public hearings on solid waste disposal site applications, as follows.

(1) Application 1665 of the Texas Department of Corrections to operate a proposed municipal solid waste incinerator with an energy recovery unit to be located approximately six miles northwest of the City of Riverside, approximately five miles northwest of the intersection of FM Road 980 and State Highway 19, and approximately 2.2 miles north of FM Road 980 on Texas Department of Corrections Ellis II Unit property in Walker County. The incinerator will burn solid waste to generate electricity.

The hearing will be held at 10 a.m. on Tuesday, September 11, 1984, in the courtroom, Criminal Justice Center, Sam Houston University, Huntsville.

(2) Application 1493 of San Jacinto Memorial Park to operate a proposed Type IV municipal solid waste disposal site (for brush, construction-demolition wastes, and rubbish only) to be located at 14659 Market Street Road, north of IH-10 between Channelview and Cloverleaf, and on the west side of East Belt, in Harris County.

The hearing will be held at 9 a.m. on Tuesday, September 18, 1984, at the Holiday Inn-East Belt, 15157 IH-10 East and Dell Dale Road, Channelview.

(3) Application 1586 of Olshan Genoa-Red Bluff Landfill, Inc., formerly filed under the name of Ronald B. Dokell, to operate a proposed Type IV municipal solid waste disposal site (brush, construction/demolition wastes, and rubbish only) to be located in the southeast part of Houston, approximately 0.5 mile east of the intersection of Genoa-Red Bluff (G-RB) Road and State Highway 3, in the southwest corner of the intersection of Haynesworth Lane and G-RB Road, and 6,500 feet west of the north end of the Ellington Airforce Base runway, in Harris County.

The hearing will be held at 10 a.m. on Tuesday, September 25, 1984, in Meadowbrook Room 3, Holiday Inn, 2391 South Wayside Drive, Houston.

Issued in Austin, Texas, on August 21, 1984.

TRD-848701 Robert A. MacLean, M.D.
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: August 21, 1984
For further information, please call (512) 458-7271.

Texas Health Facilities Commission Applications Accepted for Amendment, Declaratory Ruling, and Notices of Intent

Notice is hereby given by the Texas Health Facilities Commission of applications accepted as of the date of this publication. In the following list, the applicant is listed first, file number second, the relief sought third, and a

description of the project fourth. DR indicates declaratory ruling; AMD indicates amendment of previously issued commission order; CN indicates certificate of need; PFR indicates petition for reissuance; NIE indicates notice of intent to acquire major medical equipment; NIEH indicates notice of intent to acquire existing health care facilities; NIR indicates notice of intent regarding a research project; NIE/HMO indicates notice of intent for exemption of HMO-related project; and EC indicates exemption certificate.

Should any person wish to become a party to any of the previously stated applications, that person must file a proper request to become a party to the application within 15 days after the date of this publication of notice. If the 15th day is a Saturday, Sunday, state or federal holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, state or federal holiday. A request to become a party should be mailed to the chair of the commission at P.O. Box 50049, Austin, Texas 78763, and must be received at the commission no later than 5 p.m. on the last day allowed for filing of a request to become a party.

The contents and form of a request to become a party to any of these applications must meet the criteria set out in 25 TAC §515.9. Failure of a party to supply the necessary information in the correct form may result in a defective request to become a party.

Day Surgery Center of Lubbock, a partnership,
for Day Surgery Center of Lubbock, Lubbock
AS83-0707-025A(081084)

CN/AMD—Request for an amendment of Certificate of Need AS83-0707-025, which authorized the certificate holder to establish a 10,000-square-foot freestanding ambulatory surgical center through the completion of the first floor of a building to be constructed. The certificate holder requests an amendment to change the location of the facility from 4401 Brownfield Highway in Lubbock to a site three blocks away at 2301 Quaker Avenue in Lubbock; to relocate from a multistory condominium office building to a site which will accommodate a 10,000-square-foot, single-story structure to be constructed by the certificate holder; and to reduce the total project cost from \$2,128,290 to \$2,117,690.

American Medical International, Inc., Houston
AO84-0813-523

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility nor a notice of intent to acquire major medical equipment is required for American Medical International, Inc., to acquire Houston Cardiovascular Rehabilitation Foundation from Houston Cardiovascular Rehabilitation Association; or, in the alternative, that only a notice of intent to acquire an existing health care facility is required. Houston Cardiovascular Rehabilitation Foundation is an existing outpatient cardiovascular rehabilitation center which does not serve inpatients, does not perform ambulatory surgery, and is located at 6418 Fannin Street, Houston.

County of Zapata and the Community Action
Council of South Texas for Zapata Family
Clinic, Zapata

AO82-0727-081A(081484)

CN/AMD—Request for an extension of the completion deadline from August 7, 1984, to August 12, 1985, in Certificate of Need AO82-0727-081, which authorized the certificate holder to replace the existing family clinic building with a 7,334-square-foot facility containing six medical examination/treatment areas and two dental operatories.

Issued in Austin, Texas, on August 22, 1984

TRD-848717 John R. Neel
 General Counsel
 Texas Health Facilities
 Commission

Filed: August 22, 1984

For further information, please call (512) 475-6940.

Petition for Reissuance of Certificate of Need

Notice is hereby given by the Texas Health Facilities Commission of an application (including a general project description) for petition of reissuance of certificate of need which has been filed with the commission.

The commission may require a hearing on a petition for reissuance of certificate of need when it is determined that good cause exists for such a hearing. A request for a hearing on a petition for reissuance of certificate of need must be submitted to the commission within 15 days after publication of notice and show reason why a hearing should be held. Requests for a hearing are to be mailed to the chairperson of the commission, P.O. Box 50049, Austin, Texas 78763, and must be postmarked no later than the day prior to the last day allowed for filing requests for hearing.

The petition will be approved only if the commission determines that it qualifies under the criteria of Texas Civil Statutes, Article 4418h, §3.13, and 25 TAC §§509.81-509.85 and §§513.51-513.53.

In the following list, the applicant is listed first, the file number second, and the relief sought and description of the project third.

Convalescent Services, Inc. for Bayou Glen Jones
Road Nursing Center, Houston
AN83-0722-053R(081384)

PFR—Petition for reissuance of Certificate of Need AN83-0722-053, which authorized the certificate holder to construct a 17,650-square-foot building addition to contain 60 ICF beds, dining, sitting, storage, housekeeping maintenance, and medical records rooms.

Issued in Austin, Texas, on August 22, 1984.

TRD-848716 John R. Neel
 General Counsel
 Texas Health Facilities
 Commission

Filed: August 22, 1984

For further information, please call (512) 475-6940.

Texas Department of Human Resources Consultant Contract Award

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Resources (DHR) furnishes this notice of consultant contract award. The consultant proposal request was published in the June 12, 1984, issue of the *Texas Register* (9 TexReg 3198).

Description of Services. The DHR is contracting with a consultant to assist in conducting research aimed at developing and implementing a case-mix reimbursement system for the Texas Medicaid ICF/SNF Program. The consultant will also assist the DHR in automating the cost report processing for the Texas Medicaid ICF/SNF Program, including any special data analyses required by the DHR.

Contractor. The contract has been awarded to Robert C. Godbout, Ph.D., P.O. Box 4358, Austin, Texas 78765.

Total Value. The total value of this contract is not to exceed \$30,000. The DHR will be billed monthly based on actual hours worked.

Beginning and Ending Dates. The beginning date of the contract is September 1, 1984; the ending date of the contract is August 31, 1985.

Due Date of Report. A final report on all activities of the consultant is due on August 31, 1985.

Issued in Austin, Texas, on August 21, 1984.

TRD-848671 Marlin W. Johnston
 Commissioner
 Texas Department of Human
 Resources

Filed: August 21, 1984

For further information, please call (512) 441-3355, ext. 2037.

Office of the Secretary of State Texas Register Schedule Variation

Due to the September 3, 1984, Labor Day federal holiday, the filing deadline for rules to be published in the September 7, 1984, issue of the *Texas Register* has been changed. Rules for the September 7 issue must be filed by 10 a.m. on Friday, August 31. The deadline for Open Meetings notices does not change; Open Meetings still must be filed by 10 a.m. on Tuesday, September 4. This schedule variation will not affect the mailing date of the issue.

Texas Water Commission Applications for Waste Disposal Permits

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of August 13-17, 1984.

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) 475-2678.

Listed is the name of the applicant and the city in which each facility is located; type of facility; location of the facility; permit number; and type of application—new permit, amendment, or renewal.

Period of August 13-17, 1984

City of Jacksonville; wastewater treatment plant; on Canada Street, southeast of the crossing of Ragsdale Creek by Canada Street, southeast of the City of Jacksonville in Cherokee County; 10693-01; amendment

City of Presidio; wastewater treatment plant; approximately 11,000 feet east-northeast of the intersection of U.S. Highway 67 and RM Road 170 in Presidio County; 12955-01; new permit

Texas Parks and Wildlife Department, Fairfield; wastewater treatment plant; within the boundaries of Fairfield Lake State Park, at the southern extremity of Fairfield Lake, approximately two miles northeast of the intersection of FM Road 488 and FM Road 1124 in Freestone County; 11627-01; amendment

City of Breckenridge; wastewater treatment plant; approximately 6,000 feet north-northeast of the intersection of U.S. Highway 180 and U.S. Highway 183, approximately 1,000 feet east of U.S. Highway 183 in Stephens County; 10040-01; amendment

City of Terrell, wastewater treatment plant; approximately one mile south of the intersection of IH 20 and State Highway 34, south of the City of Terrell in Kaufman County, 10747-01; renewal

City of Gorman; wastewater treatment plant; southwest of the City of Gorman, west of FM Road 679 (Crescent Street) in Eastland County; 10091-01; renewal

County of Victoria, Victoria; sewage treatment plant; approximately five miles west of the City of Victoria

on U.S. Highway 59 at Aloe Field in Victoria County; 12226-01; renewal

City of Calvert; wastewater treatment plant; approximately one mile southwest of midtown Calvert, northwest of FM Road 1644 and east of Tidwell Creek in Robertson County; 10095-01; renewal

City of Cumby; wastewater treatment plant; south of and adjacent to the Louisiana and Arkansas Railroad, at a point approximately 1,000 feet north of the intersection of IH 30 and FM Road 275 and east of the City of Cumby in Hopkins County; 10773-01; renewal

Wilson Systems, Inc., Odessa; brine mine; on a 4.89-acre site approximately six miles southeast of Midland in Midland County; BR50043; new permit

Permian Brine Sales, Inc., Pyote, brine mine; on a 8.3-acre site approximately three miles northwest of the intersection of State Highway 2355 and State Highway 115 in the City of Pyote, on the west side of State Road 2355 in Ward County; BR50032; new permit

Permian Brine Sales, Inc., Kermit; brine mine; on a 55.5-acre site approximately 2.7 miles west of the intersection of State Highway 302 and State Highway 115 in the City of Kermit in Winkler County; BR-50050; new permit

M & P Construction Company, Inc., Crane; brine mine; on a 3.67-acre site in the CCSD RGNG RR Company Survey, Block F, Section 213, approximately one mile southeast of Crane in Crane County; BR50067; new permit

K. E. Davis, doing business as Snyder Brine Company, Snyder; brine mine; just north of the City of Snyder in the Green Hills Addition of H & GN RR Survey, Block 3, Section 157, Scurry County; BR50071; new permit

Buddy W. Gregory, Felton M. Baker, and Cullen H. Landis, Austin; recreation park and campground; approximately four miles northwest of the intersection of Texas Highway 71 and Ranch Road 2322 and south of Pace Bend Park at the confluence of the Pedernales River and Lake Travis in Travis County; 12958-01; new permit

Gulf Chemical and Metallurgical Company, A division of Associated Metals and Minerals Corporation, Texas City; tin smelting facility/waste disposal well; approximately two miles southeast of the City of Lamarque, on company property, approximately 1,300 feet south of the north property line and 950 feet east of the west property line, within the H. B. Littlefield Survey, Abstract No. 143, Galveston County; WDW-237; new permit

Issued in Austin, Texas, on August 17, 1984.

TRD-848637 Mary Ann Hefner
Chief Clerk
Texas Water Commission

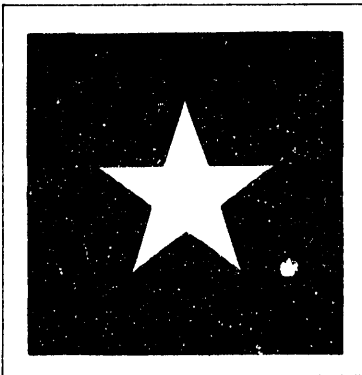
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For further information, please call (512) 475-4514.

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