

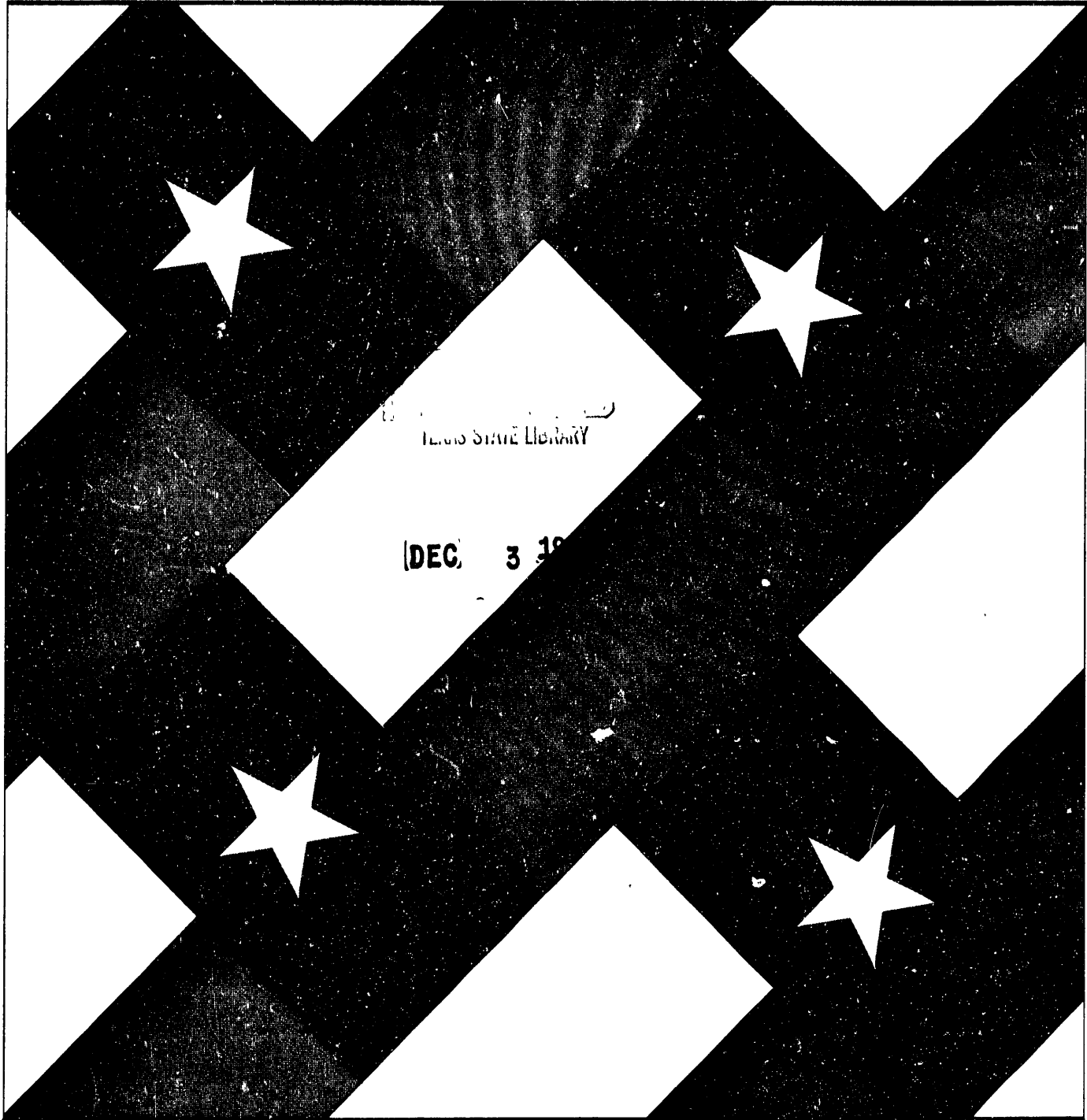
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Texas Register

Volume 9, Number 87 November 20, 1984

Pages 5955 - 5978



Highlights

The Texas Savings and Loan Department requests an attorney general opinion concerning the establishment of a savings and loan association on the moon page 5959

The Automated Information Systems Advisory Council proposes amendments in a chapter

concerning acquisition of automated information systems Earliest possible date of adoption December 21 page 5960

The Texas Department of Human Resources proposes new sections concerning the regulation of child care administrators Earliest possible date of adoption December 21 page 5963

**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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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- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date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).



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P.O. Box 13824
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512-475-7886

Myra McDaniel
Secretary of State

Director
Susan Johnson
Deputy Director
Dave Harrell

Documents Section Coordinator
Jane Hooks

Document Editors
Cynthia Cooke, Phyllis Smith
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Sue Bumpous

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Richard Salinas, Kathy Kincade

Typographers
Virginia J. Gregory,
Gale Hathcock-Inman

Circulation Section Coordinator
Dee Wright

Circulation Assistant
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TAC Editor
William Craig Howell
Jes Simmons

Administrative Assistant
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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.

Appointment Made November 7 Texas Advisory Board on Occupational Therapy

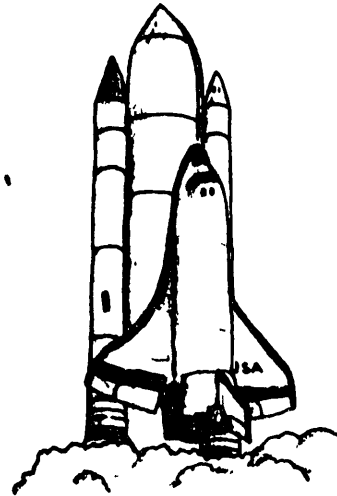
To represent the public for a term to expire February 1,
1987:

Donald S. Thomas
3901 Balcones Drive
Austin, Texas 78703

Mr. Thomas is being appointed pursuant to Senate Bill
1213, 68th Legislature, 1983.

Issued in Austin, Texas, on November 7, 1984.

TRD-8411480 Mark White
Governor of Texas



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.

The Attorney General

Requests for Opinions

RQ-453. Request from Joyce A. Hammer, Board of Vocational Nurse Examiners, Austin, concerning the meaning of "approved course of not less than 12 months" for purposes of the Licensed Vocational Nurse Act, Texas Civil Statutes, Article 4528c.

RQ-454. Request from Rene Guerra, criminal district attorney, Edinburg, concerning the authority of a county to transfer funds and property to a nonprofit industrial foundation for development of an industrial park.

RQ-455. Request from L. L. Bowman III, commissioner, Texas Savings & Loan Department, Austin, concerning whether a savings and loan association is authorized to establish a branch office on the moon.

RQ-456. Request from T. R. Bandy, Jr., Nueces County attorney, Corpus Christi,

concerning whether a county may contribute funds to a nonprofit corporation engaged in an educational program for the abatement of litter and trash.

TRD-8411526

Opinions

JM-226 (RQ-297). Request from Lloyd Doggett, chairman, Subcommittee on Consumer Affairs, Texas State Senate, Austin, concerning whether Texas Civil Statutes, Article 1175, §19, authorizes a home rule city to adopt and enforce regulations which are applicable outside city limits and which provide standards for the safe storage of hazardous materials over the watersheds in and surrounding the home rule city.

Summary of Opinion. Pursuant to Texas Civil Statutes, Article 1175, §19, home rule cities may regulate the location and storage of hazardous materials in their watersheds

within their boundaries and within their extraterritorial jurisdiction.

JM-227 (RQ-190). Request from Lloyd Criss, chairman, Committee on Labor and Employment Relations, Texas House of Representatives, Austin, concerning whether an employee of a state agency may be terminated while collecting workmen's compensation due to an on-the-job injury.

Summary of Opinion. The Texas Department of Mental Health and Mental Retardation may not automatically terminate nonprobationary employees who are collecting worker's compensation benefits and who are on leave of absence without pay for more than six weeks. The mere fact that an employee is in such status for a fixed period of time is not per se an adequate basis for terminating such an employee, and in the absence of a legitimate independent reason, such termination violates the state policy expressed in Texas Civil Statutes, Article 8307c, §1.

TRD-8411527

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 1. ADMINISTRATION Part X. Automated Information Systems Advisory Council Chapter 201. Acquisition of Automated Information Systems

1 TAC §201.1

The Automated Information Systems Advisory Council (AISAC) proposes amendments to §201.1, concerning legislative and policy requirements for formal review and comment on automated information system equipment procurements. The amendments use identical content and format as reflected in emergency rules published in the June 29, 1984, issue of the *Texas Register* and renewed in the October 30, 1984, edition.

The amended section was adopted under the provision of Texas Civil Statutes, Article 4413(32h), §9, which require publication of guidelines to aid state governmental bodies in making sound judgments in the acquisition, development, and use of effective, efficient, and economical automated information systems. The adopted section was published in the March 19, 1982, issue of the *Texas Register* and became effective on April 2, 1982.

The amendments respond to Senate Bill 179, Article V, §24, 68th Legislature, 1983, concerning excess obligations prohibited. The bill requires that departments and agencies committing state funds beyond the end of the biennium for the purchase or lease of automated information systems equipment obtain long-range plan approval from the AISAC. The May 23, 1984, open meeting outlined AISAC responsibilities pertaining to procurement specifications proprietary to one vendor.

Charles K. Winston, Jr., executive 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 or small businesses as a result of enforcing or administering the rule.

Mr. Winston also has determined that for each year of the first five years the rule as proposed is in effect there is no significant public benefit anticipated as a result of enforcing the rule as proposed. 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 Charles K. Winston, Jr., Executive Director, Automated Information Systems Advisory Council, P.O. Box 13564, Austin, Texas 78711.

The amendments are proposed under Texas Civil Statutes, Article 4413(32h), §9, and Senate Bill 179, Article V, §24, 68th Legislature, 1983, which provide the AISAC with authority to adopt guidelines and to approve long-range plans.

§201.1. Automated Information Systems Advisory Council Guidelines.

(a) (No change.)

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

(1)-(4) (No change.)

(5) Long-range plan—A document relating to automated information systems and the computers on which they are automated which has been prepared by the management and approved by the chief executive officer of a state governmental body, which:

(A)-(E) (No change.)

(F) Includes an explanation for lease or purchase of automated information systems equipment where it is expected that state-appropriated funds will be needed beyond the end of the biennium [is utilized in support of the governmental body's legislative appropriation request];

(G) includes an explanation of the relationship of the plan to the governmental body's legislative appropriations request.

(6) Justification statement—The information provided in support of a proposed action in the acquisition of automated information systems, the computers on which they are automated or services related to the automation of information systems, or the computers on which they are automated, or major conversions of automated information systems. This document must include:

(A) the manner in which the organization uses or will use the automated system requiring the items being acquired, the results to be achieved, and, if appropriate, a dollar estimate of the value of those results [a brief statement of the proposed action, the results to be achieved, and the benefits to be derived];

(B) (No change.)

(C) a description of the automated information system, computers, or services to be acquired, or the major conversion to be accomplished. Agencies should include all requisitions and justification material with proposal submission;

(D) a statement of acquisition costs and annual operating expenses, both those of the proposed action itself and estimated incremental costs entailed in consequence (e.g., for training, system development, absorbed main-frame capacity, etc.);

(E) (No change.)

(F) a statement of alternatives considered, including the utilization of existing state resources. If automated information systems are to be acquired under the provisions of Texas Civil Statutes, Article 601.B, §3.09, information regarding this action must be included in the proposal;

(G) an analysis of a proposed action to acquire automated information systems equipment on a lease or purchase arrangement where it is expected that state-appropriated funds will be needed beyond the end of the biennium. The following information is required:

(i) anticipated interest charges over the life of the contract to the extent that this can be determined;

(ii) anticipated cost savings to be realized through present acquisition of the equipment compared

with later outright purchase should adequate funds become available;

(iii) any other information the agency may deem appropriate; and

(iv) an affirmative statement that the agency reasonably expects to be able to make payments beyond the current biennium without having to rely on an increased level of general revenue appropriations;

(H) a statement to the effect that if the proposed action involves general revenue funding that the proposed action was included in the organization's legislative appropriations request, or an explanation as to why it was not.

(7) (No change.)

(c) (No change.)

(d) Review of proposed actions.

(1) (No change.)

(2) The advisory council shall review each action proposed by a state governmental body and shall, within 60 days after the receipt of a proposal and its justification statement, file with the governor, lieutenant governor, State Purchasing and General Services Commission, and state auditor a report about whether the strategic objectives described by the governmental body in its long-range plan currently on file with the advisory council and the results to be achieved as defined in the justification would be fulfilled if the governmental body's proposed action were taken. A copy of said report will also be sent to the governmental body proposing the subject action. In those instances of a proposed equipment lease or purchase arrangement using appropriated funds, where the arrangement may exceed the biennium, the Automated Information Systems Advisory Council (AISAC) will note approval of appropriate portion(s) of the existing long-range plan in the AISAC comment letter relating to the proposal. When an organization is required to certify approval of a long-range plan, the governmental body may send a letter to the AISAC requesting plan approval. This letter would be expected to include a justification conforming to subsection (b)(6) of this section and a reference to the portion of the plan which applies.

(3) For those acquisitions of automated information systems to be acquired under the provisions of Texas Civil Statutes, Article 601.B, §3.09, the covering letter to the AISAC must include a reference to this circumstance. [Justifications for proposed actions filed with the advisory council prior to October 1, 1982, should include evidence to indicate the relationship of the proposed action to the overall long-range plan of the governmental body in lieu of the filing of the governmental body's long-range plan prior to that date.]

(4) (No change.)

(e)-(f) (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 November 12, 1984.

TRD-8411501 Charles K. Winston, Jr.
Executive Director
Automated Information Systems
Advisory Council

Earliest possible date of adoption:

December 21, 1984

For further information, please call (512) 475-2362.



TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 69. Purchased Social Services

Subchapter F. Regional Monitoring and Management

40 TAC §69.94

The Texas Department of Human Resources proposes an amendment to §69.94, concerning requirements of contractors receiving block grant funds, in the department's purchased social services chapter. The amendment adds options for satisfying the annual audit requirements for contractors and makes minor editorial changes.

David Hawes, programs budget and statistics director, has determined that for the first five-year period the rule as proposed 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 as proposed is that service providers will have an option in the method of reporting annual audits. There is no anticipated economic cost to individuals required to comply with the rule as proposed.

Comments on the proposal may be submitted to Cathy Rossberg, Administrator, Policy Development Support Division—711, 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 Codes, Title 2, Chapter 22, which authorizes the department to administer public assistance programs.

§69.94. *Renewal of Contracts.*

(a) (No change.)

(b) The department may reduce or not renew a contract funded by the block grant if:

(1)-(4) (No change.)

(5) The contractor does not provide the department with a copy of the agency's annual audit or does not notify the contract manager in writing that the audit is available for review.

(6) (No change.)

(c)-(d) (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 November 14, 1984.

TRD-8411539

Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Earliest possible date of adoption

December 21, 1984

For further information, please call (512) 450-3766.

Chapter 79. Legal Services

Subchapter F. Contract Administration

40 TAC §79.501

The Texas Department of Human Resources proposes amendments to §79.501, concerning contract administration, in the department's legal services chapter. The amendments add options for satisfying the annual audit requirements for contractors. Editorial changes also have been made to further clarify contractors' responsibilities.

David Hawes, programs budget and statistics director, has determined that for the first five-year period the rule as proposed 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 as proposed is that service providers will have an option in the method of reporting annual audits. There is no anticipated economic cost to individuals required to comply with the rule as proposed.

Comments on the proposal may be submitted to Cathy Rossberg, Administrator, Policy Development Support Division—711, Texas Department of Human Resources, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Register*.

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

§79.501. *Contract Administration.* The department has the authority to contract for services including direct delivery of services to clients. Negotiation, using competition to the maximum extent feasible, is the principal method for direct contract procurement by the department. Formal advertising is used when it is possible to completely describe the services needed so that price alone is the deciding factor. The following are required for contracts for services.

(1)-(4) (No change.)

(5) Cost principles—Cost principles for determining allowable costs under cost contracts and fixed-

price contracts based on cost estimates are [will be] used. The cost principles are found in 45 Code of Federal Regulations 74 and 7 Code of Federal Regulations 275. The DHR may develop detailed cost principles [may be developed by the department] for specific programs [program application].

(6) Cost or price analysis—The contract [contracting] manager must [shall] perform a cost or price analysis for [in connection with] every negotiated procurement action, including contract modifications. The method and degree of analysis, however, depends [is dependent] on the facts of individual situations [surrounding the particular procurement and pricing situation].

(7) Contractor responsibility—The department awards contracts only to responsible contractors with [that possess] the potential to fulfill [ability to perform successfully under] the terms and conditions of a proposed procurement. In awarding contracts, the department considers the contractor's [Consideration is given to such matters as contractor] integrity, his record of past performance, and his financial and technical resources or accessibility to necessary resources. To be considered, each contractor must be eligible for [No firm currently ineligible or barred from] the award of a direct federal contract. No contractor currently ineligible or barred from such award may [will] be awarded a contract under a project supported by federal grant funds.

(8) Contractor records, access, and audit—Authorized department representatives [of the department] and all appropriate federal and state agencies must [shall] have access to the contractor's and subcontractor's pertinent records, [of contractors' and subcontractors'] books, [and] documents, or other evidence. The department and other agencies may [for the purpose of] audit, examine, and copy these records. [examination, and copying, and shall be permitted to enter and inspect.] The contractor must permit entrance and inspection upon reasonable notice of [,] the premises where the contractor is performing the work required by the contract. In addition, each contractor receiving block grant funds must send the contract manager a copy of the agency's annual audit or notify him in writing that the audit is available for review. [This includes access to all cost records concerning any costs where the department pays a share of that cost].

(9) Procurement records—The department's contract [contracting] manager must [shall] maintain records sufficient to detail the significant history of a procurement. He must include in these records the [shall include, but are not limited to,] rationale for the method of procurement, proposal solicitations, selection of contract type, contractor selection, and the basis for the cost or price negotiated. When appropriate, documentation is also required to support other justifications.

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 November 14, 1984.

TRD-8411540 Marlin W Johnston
Commissioner
Texas Department of Human
Resources

Earliest possible date of adoption:
December 21, 1984

For further information, please call (512) 450-3766.

Chapter 85. General Licensing Procedures

Subchapter YY. Institutional Administrators Licensing

The Texas Department of Human Resources proposes an amendment to §85.5011 and new §§85.5010, 85.5019, and 85.5020, concerning licensing requirements for child care administrators, in the department's general licensing procedures chapter. The amendment and new sections clarify who must be licensed, establish a provisional license, expand grounds for revoking a license, and develop procedures for placing a licensed administrator on probation.

Cris Ros-Dukler, assistant commissioner for licensing, 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.

Ms. Ros-Dukler 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 is that risk to children in out-of-home care will be reduced by ensuring that administrators are licensed and are acting in compliance with the department's minimum standards. There is no anticipated economic cost to individuals required to comply with the rules as proposed.

Comments on the proposal may be submitted to Cathy Rossberg, Administrator, Policy Development Support Division—709, Texas Department of Human Resources 153-E, P.O. Box 2960, Austin, Texas 78769, within 30 days of publication in this *Register*.

40 TAC §§85.5010, 85.5019, 85.5020

The new sections are proposed under the Human Resources Code, Title 2, Chapter 43, which authorizes the department to establish rules for the regulation of child care administrators.

§85.5010. License Required.

(a) A person must be licensed as a child care administrator under Chapter 43 of the Human Resources Code if he administers a child care facility that:

- (1) provides 24-hour-a-day care for seven or more children (excluding agency foster family homes and agency foster group homes); and
- (2) is licensed or certified under Chapter 42 of the Human Resources Code.

(b) Administrators of independently licensed or certified foster group homes who are not licensed administrators on the date these rules become effective must:

- (1) submit a completed application for an administrator's license within 60 days of the effective date of these rules; and
- (2) take and pass the administrator's licensing examination within 120 days of the effective date of these rules.

(c) People employed on the effective date of these rules as administrators of independently licensed or certified foster group homes who do not meet the educa-

tion and experience qualifications cited in §85.5011 of this title (relating to Applicant Qualifications), may apply for a provisional administrator's license. An applicant for a provisional administrator's license must:

(1) submit a completed application for an administrator's license within 60 days of the effective date of these rules;

(2) submit with the application documentation that he was employed as the administrator of an independently licensed or certified foster group home on the effective date of these rules;

(3) submit with the application a plan for meeting the education and experience requirements in §85.5011(c) of this title (relating to Applicant Qualifications). The applicant must include in the plan the specific requirement(s) that he plans to meet, the academic institution or place of employment where he plans to complete the required education and/or experience, and the time frame for completing the requirement(s);

(4) take and pass the administrator's licensing examination within 120 days of the effective date of these rules.

(d) A provisional child care administrator's license is valid only for the administration of the independently licensed or certified foster group home where the licensee was employed on the effective date of these rules.

(e) In addition to other grounds for probation or revocation, unsatisfactory progress towards the completion of the requirements for a full administrator's license is grounds for probation or revocation of a provisional administrator's license.

§85.5019. Revocation of License. Addition to the grounds for revocation specifically cited in the Human Resources Code, Chapter 43, §43.010, the department may revoke an administrator's license based on the following findings by agency and institutional licensing staff related to the child care facility where the licensed administrator is employed. This includes employment in a position other than facility administrator. The department may revoke an administrator's license if the department determines that a licensed administrator's action, decision, or failure to act:

(1) resulted in the finding that the facility was not in compliance with minimum standards; and

(2) endangered or threatened to endanger the health, safety, or well-being of children in care.

§85.5020. Probation.

(a) The department may place a licensed administrator on probation (for no longer than the term of license) rather than revoke his administrator's license if:

(1) as a result of his actions, decisions, or failure to act, the child care facility where he is employed has failed on more than one occasion to comply with standards according to agency and institutional licensing staff, but has not endangered the health, safety, and well-being of children in care;

(2) he fails to correct noncompliances previously cited by agency and institutional licensing staff within the time limit for correction, and the correction is demonstrably his responsibility; or

(3) as a result of his actions, decisions, or failure to act, a single serious violation of standards, as defined in §85.3056 of this title (relating to Denial or Revocation of a License without a Standard-by-Standard Evaluation) and according to agency and institutional licensing staff, has occurred in the child care facility where he is employed, but children do not continue to be in immediate danger.

(b) An administrator may be placed on probation only once during the two-year term of his license.

(c) The department may revoke an administrator's license during the term of probation if the conditions of probation are not met.

(d) An administrator who has been notified that he is being placed on probation may request an administrative review by contacting the director of Licensing.

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 November 13, 1984.

TRD-8411509 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Earliest possible date of adoption:
December 21, 1984

For further information, please call (512) 450-3766.

40 TAC §85.5011

The amendment is proposed under the Human Resources Code, Title 2, Chapter 43, which authorizes the department to establish rules for the regulation of child care administrators.

§85.5011. Applicant Qualifications.

(a)-(b) (No change.)

(c) If the applicant has less than a masters or doctor of philosophy degree in social work or other area of study, he must have additional child care experience as specified in Human Resources Code, §43.004. [If his work experience does not include child care experience at a 24-hour child care facility, he must substantiate that his experience relates to supervision, guidance, or instruction of children.]

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 November 13, 1984.

TRD-8411508 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Earliest possible date of adoption:
December 21, 1984

For further information, please call (512) 450-3766.

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 with the *Register*.

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*. 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.

Withdrawn Rules

TITLE 25. HEALTH SERVICES Part II. Texas Department of Mental Health and Mental Retardation

Chapter 405. Client (Patient) Care Subchapter GG. Prescribing of Psychoactive Drugs

25 TAC §§405.821-405.828

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed repeal of §§405.821-405.828 submitted by the Texas Department of Mental Health and Mental Retardation has been automatically withdrawn, effective November 13, 1984. The notice of proposed repeal appeared in

the May 11, 1984, issue of the *Texas Register* (9 Tex-Reg 2591).

TRD-8411522
Filed: November 13, 1984

25 TAC §§405.821-405.835

Pursuant to Texas Civil Statutes, Article 6252-13a, §5(b), and 1 TAC §91.24(b), the proposed new §§405.821-405.835 submitted by the Texas Department of Mental Health and Mental Retardation have been automatically withdrawn, effective November 13, 1984. The proposed new sections appeared in the May 11, 1984, issue of the *Texas Register* (9 Tex-Reg 2592).

TRD-8411523
Filed: November 13, 1984

Open Meetings

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours prior to a scheduled meeting time. 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*.

Automated Information Systems Advisory Council

Tuesday, November 27, 1984, 9 a.m. The Board of the Automated Information Systems Advisory Council (AISAC) will meet in the commissioners conference room, 510 South Congress Avenue, Austin. According to the agenda, the board will approve the previous meeting minutes and consider procurement proposals, a review of the AISAC, and a management study of the state auditor's office. The board will also convene in executive session to discuss staff-related matters pertaining to the AISAC review and the management study of the state auditor's office.

Contact: Charlotte D. Craig, 510 South Congress Avenue, Austin, Texas 78704, (512) 475-2362.

Filed: November 15, 1984, 9:19 a.m.
TRD-8411590

Texas State Board of Chiropractic Examiners

Thursday and Friday, November 15 and 16, 1984, 9 a.m. daily. The Texas State Board

of Chiropractic Examiners made an emergency addition to the agenda of a meeting held in Building C-245, 1300 East Anderson Lane, Austin. The addition concerned the feasibility of pooling advertising resources by chiropractors. The emergency status was necessary because the board was not notified until November 13, 1984.

Contact: Edna A. Parsons, 1300 East Anderson Lane, Building C-245, Austin, Texas 78752, (512) 835-2006.

Filed: November 24, 1984, 1:25 p.m.
TRD-8411569

Texas State Board of Dental Examiners

Thursday-Saturday, November 29-December 1, 1984, 8 a.m. daily. The Texas State Board of Dental Examiners made additions to the agenda of a meeting to be held at the Hyatt Regency Hotel, 208 Barton Springs Road, Austin. The additions concern discussion of 1985 dental and dental hygiene examinations, a report by the Educational Committee, discussion of the state auditor's recommendations, a request of a dentist for re-

view of his failing grade on the board's examination, and a request from a dentist to limit his practice. The board also will meet in executive session to discuss pending litigation.

Contact: William S. Nail, 411 West 13th Street, Suite 503, Austin, Texas 78701, (512) 475-2443.

Filed: November 14, 1984, 10:30 a.m.
TRD-8411553

Economic Development Commission

Wednesday, November 14, 1984. Entities of the Economic Development Commission met in emergency session via conference call originating from Room 409, 410 East Fifth Street, Austin. Times, entities, and agendas follow.

9 a.m. The Task Force on Bonds, Loans, and Incentives took action on loan requests for the Naples Industrial, Inc., rural loan application and revised the Brenham Industrial Foundation, Inc., rural loan. The emergency status was necessary because it

was imperative that the task force review and recommend action prior to the full board meeting on November 16, 1984.

10 a.m. The Texas Small Business Industrial Development Corporation took action on the bond counsel selection to represent three projects submitted by the Office of the Governor concerning small business revitalization and considered a change in the statutory agent. The emergency status was necessary because it was imperative that the bond counsel be selected to represent these projects prior to the inducement hearing scheduled for November 15, 1984.

Contact: John Kirkley or Margo Wilton, 410 East Fifth Street, Austin, Texas, (512) 472-5059.

Filed: November 13, 1984, 4:43 p.m.
TRD-8411536, 8411535

Texas Education Agency

Friday, November 16, 1984, 10:30 a.m. The Committee for Long-Range Planning of the State Board of Education of the Texas Education Agency (TEA) met in emergency session in Jon Brumley's office, 200 InterFirst Tower, 801 Cherry Street, Fort Worth. According to the agenda, the committee interviewed representatives of invited firms who submitted proposals in response to the request for proposals seeking firms to conduct an executive search for the new commissioner of education. The emergency status was necessary to enable the committee to develop a recommendation concerning the firm to be hired and to present this recommendation at the December meeting of the State Board of Education.

Contact: W. N. Kirby, 201 East 11th Street, Austin, Texas 78701, (512) 475-3723.

Filed: November 14, 1984, 1:24 p.m.
TRD-8411570

Wednesday, November 21, 1984, 9 a.m. The Subcommittee of the Committee for Study of Accountable Costs of the Texas Education Agency (TEA) made an emergency location change of a meeting to be held in Room 101, TEA North Building, 1200 East Anderson Lane, Austin. The meeting was originally scheduled to be held in Room 214. The emergency status was necessary because Room 214 has been scheduled for another meeting.

Contact: Tom Anderson, 201 East 11th Street, Austin, Texas 78701, (512) 475-4324.

Filed: November 14, 1984, 1:24 p.m.
TRD-8411571

Wednesday, November 21, 1984, 9 a.m. The Subcommittee of the Committee for Study of Accountable Costs of the Texas Education Agency (TEA) will meet in Room 214, TEA North Building, 1200 East Anderson Lane, Austin. According to the agenda, the subcommittee will discuss methodology for the study of accountable costs required by the Texas Education Code, §16.201.

Contact: Tom Anderson, 201 East 11th Street, Austin, Texas, (512) 475-4324.

Filed: November 13, 1984, 3 p.m.
TRD-8411533

Texas Employment Commission

Friday, November 16, 1984, 9 a.m. The Texas Employment Commission (TEC) met in emergency session in Room 644, TEC Building, 15th Street and Congress Avenue, Austin. According to the agenda, the commission discussed with Dr. Janet Norwood, commissioner, Bureau of Labor Statistics, the TEC's participation in the various programs of the bureau. The emergency status was necessary because of the late notice of the visit by Dr. Norwood.

Contact: Steve Hollahan, TEC Building, Room 660, 15th Street and Congress Avenue, Austin, Texas, (512) 397-4400.

Filed: November 14, 1984, 4:05 p.m.
TRD-8411586

State Board of Insurance

Tuesday, November 13, 1984, 1:45 p.m. The State Board of Insurance met in emergency session in Room 414, 1110 San Jacinto Street, Austin. According to the agenda, the board considered pending litigation. The emergency status was necessary to consider pending litigation.

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

Filed: November 13, 1984, 11:38 a.m.
TRD-8411537

Wednesday, November 14, 1984, 2 p.m. The State Board of Insurance made an emergency addition to the agenda of a meeting held in Room 414, 1110 San Jacinto Street, Austin. The addition concerned consideration of the American Association of Insurance Services' filing for approval of an inland marine manual and simplified language forms and endorsements. The emer-

gency status was necessary because these items needed to be considered promptly or the programs would have gone into effect automatically.

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

Filed: November 14, 1984, 9:15 a.m.
TRD-8411541



Library Systems Act Advisory Board

Wednesday, December 12, 1984, 10 a.m. The Library Systems Act Advisory Board will meet in Room 202, Lorenzo de Zavala Archives and Library Building, 12th and Brazos Streets, Austin. Items on the agenda include election of a new chairman, a report on multitype library systems, and proposed rule changes for the Library Systems Act.

Contact: Patricia Smith, P.O. Box 12927, Austin, Texas 78711, (512) 475-4119.

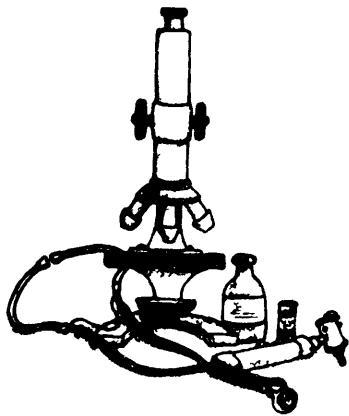
Filed: November 13, 1984, 10:37 a.m.
TRD-8411524

Texas Low-Level Radioactive Waste Disposal Authority

Monday, November 19, 1984, 1 p.m. The Texas Low-Level Radioactive Waste Disposal Authority met in a rescheduled emergency session in Room 618, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda summary, the authority approved the previous meeting minutes; heard the general manager's report; and considered old business concerning selection of two or more potential disposal sites, new business, and public comments. The authority also met in executive session pursuant to Texas Civil Statutes, Article 6252-17, §2(f), to consider the status of site acquisition negotiations. The emergency status was necessary because board rules required that the November quarterly meeting be held by November 21, 1984. The meeting originally was scheduled for November 14, 1984, as published at 9 TexReg 5766, but was rescheduled because of a lack of a quorum.

Contact: L. R. Jacobi, Jr., P.E., 1300-C East Anderson Lane, Suite 175, Austin, Texas 78752, (512) 835-6795.

Filed: November 13, 1984, 2:39 p.m.
TRD-8411531



Texas State Board of Medical Examiners

Thursday, November 15, 1984, 5 p.m. The Texas State Board of Medical Examiners met in emergency session via conference call originating from 1101 Camino LaCosta, Austin. According to the agenda, the board discussed personnel and possible litigation. The board also met in executive session under authority of Texas Civil Statutes, Article 6252-17, as related to Article 4495b, 4.05(d), 5.06(e)(1), and Attorney General Opinion H-484, 1974, to discuss future meetings. The emergency status was necessary because information which necessitated immediate attention had been received.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078.

Filed: November 14, 1984, 12:51 p.m.
TRD-8411558

Thursday, November 29, 1984, 7:30 p.m. The Reciprocity Committee of the Texas State Board of Medical Examiners will meet at 1101 Camino LaCosta, Austin. According to the agenda, the committee will interview licensure candidates; consider licensure files; and discuss Ph.D.-M.D. program and information dissemination. The committee will also meet in executive session under authority of Texas Civil Statutes, Article 6252-17, as related to Article 4495b, 4.05(d), 5.06(e)(1), and Attorney General Opinion H-484, 1974.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078.

Filed: November 14, 1984, 12:51 p.m.
TRD-8411559

Friday-Thursday, November 30-December 6, 1984, 8 a.m. daily. The Texas State Board of Medical Examiners will meet at 1101 Camino LaCosta, Austin. According to the agenda, the board will conduct hearings on alleged Act violations; interview licensure candidates and candidates for licensure sta-

tus change; consider committee meetings and reports, rules on hearing officers, future meetings, a sanction report, and an update concerning a medical school; approve orders, a resolution, the minutes, duplicate licenses, exams, and reports; discuss an open records request, an orientation procedure, legal services, abortion, permits, and rules; and administer exams. The board will also meet in executive session under authority of Texas Civil Statutes, Article 6252-17, as related to Article 4495b, 4.05(d), 5.06(e)(1), and Attorney General Opinion H-484, 1984.

Contact: Jean Davis, P.O. Box 13562, Austin, Texas 78711, (512) 452-1078.

Filed: November 14, 1984, 12:51 p.m.
TRD-8411560

Board of Pardons and Paroles

Wednesday, November 21, 1984, 9:30 a.m. The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board will conduct full board interviews, meeting with interested parties in connection with the cases of Lynn Reece, TDC 264,465; and William Bokemeyer, BPP 000,005, subject to the board's jurisdiction.

Contact: Daniel R. Guerra, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2700.

Filed: November 13, 1984, 10:24 a.m.
TRD-8411520

Texas Public Building Authority

Thursday, November 29, 1984, 10 a.m. The Texas Public Building Authority will meet in Room 213, State Capitol, Austin. According to the agenda, the authority will consider approval of the August 22, 1984, minutes; consider the budget and expenditure report and a report concerning the Texas Youth Commission bond package; update the Texas Employment Commission project; discuss new bond projects; and set a time and place for the next meeting. The authority will also meet in executive session to discuss pending litigation and reconvene in open session to discuss any decisions made in executive session.

Contact: Gayle Baker, 201 East 14th Street, Room 907, Austin, Texas 78711, (512) 475-0290.

Filed: November 14, 1984, 3:07 p.m.
TRD-8411580

Public Utility Commission of Texas

Monday, November 19, 1984, 11 a.m. The Hearings Division of the Public Utility Commission of Texas rescheduled a hearing held in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda, the division considered Docket 5975—complaint of W. Thomas Anderson, Jr., against Glenlake Water System. The hearing was originally scheduled for 9 a.m. on November 19, 1984, as published at 9 Tex-Reg 5852.

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

Filed: November 15, 1984, 9:15 a.m.
TRD-8411592

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

Monday, November 26, 1984, 10 a.m. A prehearing conference in Docket 5634—application of Windermere Utility Company to amend a sewer certificate of convenience and necessity within Travis County.

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

Filed: November 14, 1984, 2:04 p.m.
TRD-8411572

Tuesday, November 27, 1984, 1:30 p.m. A rescheduled prehearing conference in Docket 5930—application of the City of Jasper to amend its certificate of convenience and necessity within Jasper County. The prehearing was originally scheduled for November 9, 1984, as published at 9 TexReg 5766.

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

Filed: November 14, 1984, 2:05 p.m.
TRD-8411573

Wednesday, November 28, 1984, 9 a.m. A second prehearing conference in Docket 5871—application of the City of Cedar Park to amend a water and sewer certificate of convenience and necessity within Travis County and Williamson County.

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

Filed: November 14, 1984, 2:04 p.m.
TRD-8411574

Wednesday, January 9, 1985, 10 a.m. A re-scheduled prehearing in Docket 5948—application of Guadalupe-Blanco River Authority for authority to implement a new contract rate. The prehearing was originally scheduled for Wednesday, January 10, 1985, as published at 9 TexReg 5852.

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

Filed: November 15, 1984, 9:15 a.m.
TRD-8411593

Monday, January 21, 1985, 10 a.m. A hearing on the merits in Docket 5129—application of Military Highway Water Supply Corporation to amend a certificate of convenience and necessity within Hidalgo County; and Docket 5758—application of the City of Weslaco to amend its certificate of convenience and necessity within Hidalgo County.

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

Filed: November 14, 1984, 2:04 p.m.
TRD-8411575

State Purchasing and General Services Commission

Thursday, November 15, 1984, 10 a.m. The State Purchasing and General Services Commission made emergency additions to the agenda for a meeting held in Room 916, LBJ Building, 111 East 17th Street, Austin. The additions concerned a report on progress in implementing the computer procurement study and a photocopier purchase analysis. The emergency status was necessary because these two items came up too late to be submitted on a nonemergency basis, and it was important that they be considered at this meeting.

Contact: Homer A Foerster, P.O. Box 13047, Austin, Texas 78711, (512) 475-2211 or STS 822-2211.

Filed: November 13, 1984, 1:29 p.m.
TRD-8411600

State Securities Board

Tuesday, November 27, 1984, 10 a.m. The Securities Commissioner of the State Securities Board will conduct a hearing at 1800 San Jacinto Street, Austin. According to the agenda summary, the hearing is to determine whether a cease and desist order should be issued prohibiting the sale of

securities issued by McCoy and Stiles Oil, Inc., formerly known as Jimmy McCoy Oil, Inc.

Contact: A. J. Ellisor, 1800 San Jacinto Street, Austin, Texas.

Filed: November 14, 1984, 9:41 a.m.
TRD-8411544

Texas Tech University

Friday, November 16, 1984. A committee of the Board of Regents of Texas Tech University and the full board made additions to the agendas of meetings held in the board suite, Administration Building, Texas Tech University campus, Lubbock. Times, committees, and agenda additions follow.

8 a.m. The Finance and Administration Committee made emergency additions concerning ratification of an oil and gas lease and a report on investments of Ilse Wolfe funds. The emergency status was necessary because the oil and gas lease needed to be ratified prior to January 18, 1985, which is the date of the next Board of Regents meeting.

3:25 p.m. The Board of Regents took action on a report by the Finance and Administration Committee.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: November 13, 1984, 10:11 a.m.
TRD-8411518

Friday, November 16, 1984, 11 a.m. The Academic and Student Affairs Committee of the Board of Regents of the Texas Tech University Health Sciences Center made an emergency addition to the agenda of a meeting held in the board suite, Administration Building, Texas Tech University campus, Lubbock. The addition concerned extension of the upper level B.S.N. degree program to the Permian Basin. The emergency status was necessary because the proposal needs to be presented to the Coordinating Board, Texas College and University System, in January, and consequently it was necessary to take this action in sufficient time to assemble the presentation.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: November 14, 1984, 10:39 a.m.
TRD-8411555

Friday, November 16, 1984, 2 p.m. The Board of Regents of the Texas Tech Univer-

sity Health Sciences Center made an emergency addition to the agenda of a meeting held in the board suite, Administration Building, Texas Tech University campus, Lubbock. The addition concerned reports and action concerning the Academic and Student Affairs Committee. The emergency status was necessary because the proposal needs to be presented to the Coordinating Board, Texas College and University System, in January, consequently it was necessary to take this action in sufficient time to assemble the presentation.

Contact: Freda Pierce, P.O. Box 4039, Lubbock, Texas 79409, (806) 742-2161.

Filed: November 14, 1984, 10:40 a.m.
TRD-8411556

Veterans Affairs Commission

Friday, December 14, 1984, 9 a.m. The Veterans Affairs Commission will meet on the sixth floor, E. O. Thompson Building, 920 Colorado Street, Austin. According to the agenda, the commission will consider reports on activities and make decisions relative to general administrative matters pertaining to Texas' veterans' programs.

Contact: Aubrey L. Bullard, P.O. Box 12277, Austin, Texas 78711, (512) 475-4185.

Filed: November 13, 1984, 10:37 a.m.
TRD-8411525

Texas Water Commission

The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Days, times, and agendas follow.

Tuesday, December 18, 1984, 2 p.m. The commission will conduct a hearing on a petition for the creation of White Oak 1960 Municipal Utility District containing 131.823 acres of land.

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

Filed: November 14, 1984, 2:23 p.m.
TRD-8411576

Tuesday, December 18, 1984, 2 p.m. The commission will conduct a hearing on a petition for the creation of Harris County Municipal Utility District 257, containing 252.7211 acres of land.

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

Filed: November 14, 1984, 2:24 p.m.
TRD-8411577

Thursday, January 3, 1985, 9:30 a.m. The Texas Water Commission will meet in the classroom, Rolling Hills Water Treatment Plant, 2500 Southeast Loop 820, Fort Worth. According to the agenda summary, the commission will consider an application of Marathon Utilities, Inc., 1217 South Chilton, Tyler, Texas 75701, to the Texas Department of Water Resources for proposed Permit 13014-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 35,000 gallons per day from the proposed Carousel Shores Wastewater Treatment Plant, which is to serve the domestic needs of residents of a mobile home park.

Addition to the previous agenda:

The commission will consider an application of Kendrick, Moss, & Associates, Inc., P.O. Box 545, Colleyville, Texas 76034, to the Texas Department of Water Resources for proposed Permit 12993-01 to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 250,000 gallons per day from the proposed Avondale Sewage Treatment Plant, which is to serve a new mobile home park.

Contact: Joseph W. O'Neal, P.O. Box 13087, Austin, Texas 78711, (512) 475-2711.

Filed: November 13, 1984, 1:52 p.m.
TRD-8411529, 8411530

Regional Agencies

Meetings Filed November 13

The Bastrop County Appraisal District, Board of Directors, met in emergency session at 1200 Cedar Street, Bastrop, on November 15, 1984, at 7:30 p.m. Information may be obtained from Clifton L. Kessler, P.O. Drawer 578, Bastrop, Texas 78602, (512) 321-3925

The Dallas Area Rapid Transit Authority, Service Plan/Work Program, met at 601 Pacific Avenue, Dallas, on November 16, 1984, at 3:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 748-3278.

The Deep East Texas Council of Governments, Board of Directors, met in emergency session at the Corrigan City Hall, 101 West Ben Franklin, Corrigan, on November 15, 1984, at 1:30 p.m. Information may be obtained from Mary L. Hobbs, 274 East Lamar Street, Jasper, Texas 75951, (409) 384-5704.

The Region XI Education Service Center, Board of Directors, will meet at 3001 North Freeway, Fort Worth, on November 27, 1984, at noon. Information may be obtained from R. P. Campbell, 3001 North Freeway, Fort Worth, Texas 76106, (817) 625-5311, ext. 102.

The Guadalupe-Blanco River Authority, Industrial Development Corporation, will meet at 933 East Court Street, Seguin, on November 21, 1984, at 9:30 a.m. The Board of Directors will meet at the same location on the same day at 10 a.m. Information may be obtained from John H. Specht, P.O. Box 271, Seguin, Texas 78156-0271, (512) 379-5822.

The Jack County Appraisal District, Board of Directors, will meet at the Los Creek Office Building, 216-D South Main, Jacksboro, on November 20, 1984, at 7 p.m. Information may be obtained from Doris G. Ray or Linda Williams, 258 South Main, Jacksboro, Texas 76056, (817) 567-6301.

The Lower Colorado River Authority, Ad Hoc Committee on Executive Compensation, will meet in emergency session at 3700 Lake Austin Boulevard, Austin, on November 21, 1984, at 10 a.m. Information may be obtained from Elof H. Soderberg, P.O. Box 220, Austin, Texas 78767, (512) 473-3200.

The Lower Rio Grande Valley Development Council, Board of Directors, will meet at the Harlingen Chamber of Commerce, 311 East Tyler, Harlingen, on November 20, 1984, at 1:30 p.m. Information may be obtained from Robert A. Chandler, 1701 West Highway 83, Suite 707, McAllen, Texas 78501, (512) 682-3481.

The Central Appraisal District of Rockwall County, Board of Directors, met in emergency session at 106 North San Jacinto, Rockwall, on November 13, 1984, at 7:30 p.m. The Appraisal Review Board will meet in the small courtroom, first floor, Rockwall County Courthouse, Rockwall, on November 27, 1984, at 9 a.m. Information may be obtained from Eugene "Bo" Daffin, 106 North San Jacinto, Rockwall, Texas 75087, (214) 722-2034.

The Sabine River Industrial Development Authority, Board of Directors, will meet at the Holiday Inn, Longview, on November 20, 1984, at 9:30 a.m. and 10 a.m. Information may be obtained from Sam F. Collins, P.O. Box 579, Orange, Texas 77630, (409) 883-2531.

The San Antonio River Authority, Board of Directors, will meet in the conference room, 100 East Guenther Street, San Antonio, on November 21, 1984, at 2 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 9284, San Antonio, Texas 78204, (512) 227-1373

The West Central Texas Council of Governments, Private Industry Council, met in emergency session at 1025 East North 10th Street, Abilene, on November 15, 1984, at 12:45 p.m. Information may be obtained from Tom K. Smith, P.O. Box 3195, Abilene, Texas 79604, (915) 672-8544.

The West Texas Council of Governments, Board of Directors, met in emergency session in the conference room, eighth floor, Two Civic Center Plaza, El Paso, on November 16, 1984, at 9:30 a.m. Information may be obtained from Bernie Guy, 2 Civic Center Plaza, El Paso, Texas 79999, (915) 541-4689.

TRD-8411519

Meetings Filed November 14

The Central Counties Center for Mental Health and Mental Retardation Services, Board of Trustees, will meet at 302 South 22nd Street, Temple, on November 20, 1984, at 7:45 p.m. Information may be obtained from Steven B. Schnee, Ph.D., P.O. Box 518, Temple, Texas 76503.

The Comal County Appraisal District, Board of Directors, met at 644 North Loop 337, New Braunfels, on November 19, 1984, at 7:30 p.m. Information may be obtained from Glenn L. Brucks, P.O. Box 1222, New Braunfels, Texas 78130, (512) 625-8597.

The Pecan Valley Mental Health and Mental Retardation Region, Board of Trustees, will meet at the Pecan Valley Mental Health and Mental Retardation Region Outpatient Clinic, 104 Charles Street, Granbury, on November 21, 1984, at 8 a.m. Information may be obtained from Theresa Mulloy, Ed.D., P.O. Box 973, Stephenville, Texas 76401, (817) 965-7806.

TRD-8411538

Meeting Filed November 15

The Houston-Galveston Area Council, Board of Directors, will meet in the confer-

ence room, fifth floor, 3555 Timmons,
Houston, on October 20, 1984, at 9:30 a.m.

Information may be obtained from Charlene
McCarthy, P.O. Box 22777, Houston,

Texas 77027, (713) 627-3200, ext. 596.
TRD-8410591

In Addition

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.

Texas Air Control Board Applications for Construction Permits

The Texas Air Control Board gives notice of applications for construction permits received during the period of November 2-9, 1984.

Information relative to the following applications, including projected emissions and the opportunity to comment or to request a hearing, may be obtained by contacting the office of the executive director at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

A copy of all material submitted by the applicant is available for public inspection at the central office of the Texas Air Control Board at the previously mentioned address, and at the regional office for the air quality control region within which the proposed facility will be located.

Listed are the names of the applicants and the cities in which the facilities are located; type of facilities; location of the facilities (if available); permit numbers; and type of application—new source or modification.

Dimmitt Operating, Inc., Dimmitt; corn wet milling/corn sweeteners; 700 East Jones, Castro County; 3535A; modification

E. I. Du Pont de Nemours & Company, Inc., Ingleside; cogeneration unit; Ingleside, San Patricio County; 9539; new source

Acme Brick Company, Sealy; brick manufacturing facility; 562 Peters at San Felipe Road, Austin County; 9540; new source

Southwestern Public Service Company, Idalou; coal-fired steam electric generator; three miles east of Idalou, Lubbock County; 9541; new source

Southwestern Public Service Company, Idalou; coal-fired boiler—Unit 2; three miles east of Idalou, Lubbock County; 9542; new source

Southwestern Public Service Company, Idalou; coal handling facility 1 and facility 2; three miles east of Idalou, Lubbock County; 9543; new source

Southwestern Public Service Company, Idalou; lime handling facility 1 and facility 2; three miles east of Idalou, Lubbock County; 9544; new source

D & B Materials, Inc., Helotes; rock crusher; Helotes, Bexar County; 9545; new source

Tenneco Oil Company, Calliham; gas sweetening and dehydration; Calliham, McMullen County; 9546; new source

City Rendering Company, Division of Darling Delaware City; inedible rendering; 8423 Quintana, Bexar County; 9547; new source

Capitol Aggregates, Inc., Oak Hill; concrete batch plant; U.S. Highway 290 West, 3.5 miles from State Highway 71, Travis County; 9548; new source

Birdsong Peanuts Corporation, Pearsall; peanut shelling; Highway 81 North, two miles from Pearsall, Frio County; 9030A; modification

Trinity Industries, Inc., Saginaw; railcar painting facility; Business Highway 287 North and Peden Road, Tarrant County; 6864A; modification

Trinity Industries, Inc., Saginaw; shot blast facility; Business Highway 287 North and Peden Road, Tarrant County; 7318A; modification

Holly Sugar Corporation, Hereford; pulverized coal fired boiler; Holly Sugar Road, Deaf Smith County; 9549; new source

Austin Paving Company, Dallas; coal fired hot mix asphalt; 11143 Goodnight Lane, Dallas County; 9550; new source

Pioneer Concrete of Texas, Inc., Austin; hot mix asphalt; 8900 Ramirez, Travis County; 9551; new source

Issued in Austin, Texas, on November 12, 1984.

TRD-8411599 Paul M. Shinkawa
Director of Hearings
Texas Air Control Board

Filed: November 13, 1984
For further information, please call (512) 451-5711, ext. 354.



Comptroller of Public Accounts Decision 13,365

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 petitioner instituted a Special Early Retirement Program which gives eligible employees an opportunity to receive monthly payments until age 62 or for 48 months, whichever occurs sooner, if they would choose to retire early. These payments are in addition to all other payments they would normally receive upon retirement. The petitioner's handbook provided that it would not have to pay the full amount if the employee went to work for another petitioner company. And, in conflict, the special early retirement application precluded future employment with another petitioner company.

The comptroller held that there is a distinct difference between a liability that has a condition precedent and a condition subsequent. If there is a condition precedent attached to a liability there is no existing legal obligation or debt prior to the time the condition occurs. In the case of a condition subsequent however, there is an existing legal obligation or debt, although the obligation will cease, if the condition occurs, in this case, reemployment with another petitioner company.

The comptroller also held that the amounts in the special early retirement fund should be considered a reduction of taxable capital. In the event an employee does become employed with another petitioner company, the remaining allocated to be paid to him would be removed from the account and would no longer be claimed as a reduction of taxable capital.

Issued in Austin, Texas, on November 9, 1984.

TRD-8411534 Bob Bullock
Comptroller of Public Accounts

Filed: November 13, 1984
For further information, please call (512) 475-1938.

Office of the Consumer Credit Commissioner Correction of Error

A miscellaneous document of the Office of the Consumer Credit Commissioner contained an error as submitted in the November 13, 1984, issue of the *Texas Register* (9 TexReg 5858).

The dates for the Indicated (Weekly) Rate—Article 1.04(a)(1) should be 11/12/84-11/18/84.

Rate Ceilings

The consumer credit commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Indicated (Weekly) Rate—Article 1.04(a)(1) 11/19/84-11/25/84	18.00%	18.00%
Monthly Rate— Article 1.04(c)(1) 11/01/84-11/30/84	20.00%	20.00%
Standard Quarterly Rate—Article 1.04(a)(2) 10/01/84-12/31/84	21.19%	21.19%
Retail Credit Card Quarterly Rate— Article 1.11 ⁽³⁾ 10/01/84-12/31/84	21.00%	N/A
Lender Credit Card Quarterly Rate— Article 15.02(d) ⁽³⁾ 10/01/84-12/31/84	21.19%	N/A
Standard Annual Rate— Article 1.04(a)(2) ⁽²⁾ 10/01/84-12/31/84	21.19%	21.19%
Retail Credit Card Annual Rate— Article 1.11 ⁽³⁾ 10/01/84-12/31/84	21.00%	N/A
Annual Rate Applica- ble to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card Balances with Annual Implementation Dates from 10/01/84-12/31/84	19.32%	N/A
Judgment Rate— Article 1.05, §2 12/01/84-12/31/84	10.00%	10.00%

(1) For variable rate commercial transactions only.

(2) Only for open-end credit as defined in Texas Civil Statutes, Article 5069-1.01(f).

(3) Credit for personal, family, or household use

(4) Credit for business, commercial, investment, or other similar purpose.

Issued in Austin, Texas, on November 14, 1984.

TRD-8411543 Sam Kelley
Consumer Credit Commissioner

Filed: November 14, 1984
For further information, please call (512) 475-2111.

ate, 60 skilled, 60 personal care beds, and one isolation bed.

Issued in Austin, Texas, on November 14, 1984.

TRD-8411542 John R. Neel
General Counsel
Texas Health Facilities
Commission

Filed: November 14, 1984
For further information, please call (512) 475-8940.

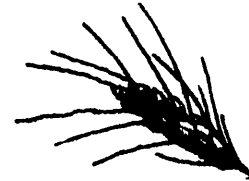
Texas Health Facilities Commission Application Accepted for Amendment, Declaratory Ruling, Notice of Intent, and Petition for Reissuance of Certificate of Need

Notice is hereby given by the Texas Health Facilities Commission of an application 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 the application, 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 the application 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.

Woodlands Place Nursing Center, Inc., a Texas corporation, The Woodlands AN83-0426-402A(091384)
CN/AMD—Request for an increase in the gross square footage of the facility from 52,800 to 55,700 square feet, and an increase in the total project cost from \$3.6 million to \$5.447 million in Certificate of Need AN83-0426-402, which authorized the certificate holder to construct, equip, and operate a 181-bed nursing facility consisting of 60 intermedi-



Texas Department of Human Resources Consultant Contract Awards

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Services furnishes this notice of consultant contract award. The request for proposals was published in the August 17, 1984, issue of the *Texas Register* (9 TexReg 4481).

Description of Contract, Contractor, and Amount of Contract. The contractor will provide consulting services to abused and neglected children and their families in Dallas and adjacent counties. The program includes: psychological testing, evaluation, and counseling services—Parenting Guidance Center, 2928 West Fifth Street, Fort Worth, Texas 76107-2242, \$187,443; Family Services, Inc., 716 West Magnolia, Fort Worth, Texas 76104, \$82,006; Child Study Center, 1300 West Lancaster, Fort Worth, Texas 76102, \$18,500; Dr. Joan W. Garner, 2828 Forest Lane, Suite 1147, Dallas, Texas 75234, \$50,000; Thomas A. VanHoose, 1509 Main Street, Suite 625, Dallas, Texas 75201, \$30,000; Wesley Street Clinic, 3812 Wesley Street, Greenville, Texas 75401, \$30,000; Family Guidance Center, Inc., 2200 Main Street, Dallas, Texas 75201, \$154,500; counseling services in office and in client's own home—Geneveve G. Banks, 1515 West Mockingbird Lane, Dallas, Texas, \$27,000; and psychological/psychiatric testing, evaluation, and counseling services—Dallas Child Guidance, 2101 Welborn, Dallas, Texas 75219, \$220,000.

Term of Contract. The contracts began November 1, 1984, and end August 31, 1985.

Due Dates for Reports. The client-specific reports are due within the number of days from examination of the individual as specified in the contract.

Issued in Austin, Texas, on November 12, 1984.

TRD-8411505 Martin W. Johnston
Commissioner
Texas Department of Human
Resources

Filed: November 12, 1984
For further information, please call (512) 450-3766.

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Resources (DHR) reports the selection of a private contractor to provide consultant services to this agency. The notice of request for proposal was published in the August 24, 1984, issue of the *Texas Register* (9 TexReg 4603).

Description of Service. The purpose of this contract is to provide psychological evaluation and treatment services to clients in DHR Region 04 to help remediate the effects of abuse and neglect and to prevent further harm.

Name of Consultant. The consultant selected is West Texas Psychological Associates, 3471 Knickerbocker Road, Suite 508, San Angelo, Texas 76904.

Total Value and Terms of the Contract. The contract began November 1, 1984, and ends on October 31, 1985. Payment for consultant services under this contract will not exceed \$97,000.

Due Dates. Since the consultant reports will be psychological evaluations and client progress notes, the reports are due within the number of days specified in the contract.

Issued in Austin, Texas, on November 12, 1984.

TRD-8411507 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Filed: November 12, 1984

For further information, please call (512) 450-3766.

In accordance with Texas Civil Statutes, Article 6252-11c, the Texas Department of Human Resources (DHR) reports the selection of a private contractor to provide consultant services to this agency. The notice of request for proposals was published in the August 24, 1984, issue of the *Texas Register* (9 TexReg 4603).

Description of Services. The purpose of this contract is to provide treatment services to clients in DHR region 04 to help remediate the effects of abuse and neglect and to prevent further harm.

Name of Consultant. The consultant selected is Lyons & Mayben Counseling Services, Inc., 2257 Industrial, Suite B, Abilene, Texas, 79605.

Total Value and Terms of the Contract. The contract began November 1, 1984, and ends on October 31, 1985. Payment for consultant services under this contract will not exceed \$126,000.

Due Dates. Since the consultant reports will be client progress notes, the reports are due within the number of days specified in the contract.

Issued in Austin, Texas, on November 12, 1984.

TRD-8411506 Marlin W. Johnston
Commissioner
Texas Department of Human
Resources

Filed: November 12, 1984

For further information, please call (512) 450-3766.

Texas Department of Public Safety Consultant Proposal Request

In accordance with Texas Civil Statutes, Article 6252-11c, the Nuclear Waste Programs Office (NWPO), Division of Emergency Management, Texas Department of Public Safety, announces this request for proposals to deliver the services described. The NWPO intends to award the contract to L. Edwin Garner, Geologist, P.O. Box 13252, Austin, Texas 78711, unless a better and more satisfactory offer is received. This contract is a continuation of a previous consulting arrangement.

Interested parties must demonstrate the ability to do the following tasks:

(1) review and provide written technical comment to the NWPO on the geological and hydrological data and interpretations presented in U.S. Department of Energy reports and plans, including, but not limited to:

- (a) a Permian Basin site recommendation report;
 - (b) guidelines for the recommendation of sites for nuclear waste repositories;
 - (c) environmental assessment for Permian Basin sites, gulf interior region sites, paradox basin sites, the Nevada test site, and the Hanford Reservation site;
 - (d) a Permian Basin site characterization plan;
 - (e) a Permian Basin site characterization analysis;
- and

(f) a Nuclear Waste Policy Act mission plan;

(2) provide briefings on geological and hydrological investigations undertaken by the U.S. Department of Energy Salt Repository Project Office and the Office of Civilian Radioactive Waste Management to NWPO staff, staff of other selected agencies, NWPO advisory committees, and public officials;

(3) consult with NWPO staff on geological and hydrological aspects of high-level nuclear waste management and disposal;

(4) assist other state agencies, as needed, in requested state reviews of U.S. Department of Energy reports and plans, including those previously listed;

(5) attend and file reports on technical meetings as requested by the NWPO;

(6) assist NWPO staff in evaluation of geological and hydrological aspects of state and federal technical rules related to high-level nuclear waste management and disposal.

Offerors must have the capability to accomplish the requested services, and proposals must include documentation of this capability. Specifically, the offeror must demonstrate experience with and knowledge of the following:

(1) evaluation of the geological and hydrological technical requirements of the Nuclear Waste Policy Act of 1982 (Public Law 97-425), Nuclear Regulatory Commission rule (Code of Federal Regulations, Title 10, Part 60), Environmental Protection Agency proposed rule (Code of Federal Regulations, Title 40, Part 191), and the Texas Water Code, Chapter 27 and Chapter 28, and applicable rules;

(2) reports and documents of the U.S. Department of Energy Salt Repository Project Office;

(3) reports and publications of the University of Texas Bureau of Economic Geology on the geology and geohydrology of the Palo Duro Basin, Texas Panhandle;

(4) guidelines for recommendation of sites for nuclear waste repositories, proposed rule (Code of Federal Regulations, Title 10, Part 960).

In addition, proposals must provide a detailed budget breakdown by major category of expense, evidence of legal authority to contract with the NWPO, previous experience with similar work, a list of personnel and a breakdown of their time commitments to this project, an understanding of the nature of the work, and an ability to produce work products as requested by the NWPO through August 31, 1985.

Proposals must be received by the Nuclear Waste Programs Office, Division of Emergency Management, Texas Department of Public Safety, by December 7, 1984. The office will choose among any proposals submitted on the basis of demonstrated competence, knowledge, and qualifications, and on the reasonableness of the proposed fee for the services and, if other considerations are equal, will give preference to a private consultant whose principle place of business is within the state or who will manage the consulting engagement wholly from one of its offices within the state.

For details, contact Steve Frishman, Nuclear Waste Programs Office, P.O. Box 12428, Austin, Texas 78711, (512) 475-1577.

Issued in Austin, Texas, on November 13, 1984.

TRD-8411532 Steve Frishman
Director
Nuclear Waste Programs Office
Division of Emergency
Management
Texas Department of Public
Safety

Filed: November 13, 1984
For further information, please call (512) 465-2345.

Railroad Commission of Texas Correction of Error

An adopted rule submitted by the Railroad Commission of Texas contained an error as published in the October 26, 1984, issue of the *Texas Register* (9 TexReg 5523).

Section 11.452(b)(4) should read:

(4) a reasonable description of the portion of the iron ore or iron ore gravel exploration or surface iron ore or iron ore gravel mining and reclamation operation to which it applies.

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 November 5-9, 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 November 5-9, 1984

B. C. Production Company, Inc., Bruce McKee, and Ron Helfenstine, doing business as Eagle Mountain Development Company, Fort Worth; proposed 46-acre housing development; approximately 1,300 feet south of Boat Club Road and 700 feet east of Lechner Road in Tarrant County; 13005-01; new permit

Harry J. Glauser III, Houston; proposed residential and commercial subdivision; approximately 4,000 feet west of the crossing of FM Road 149 (West Montgomery Road) over Cypress Creek in Harris County; 13020-01; new permit

The City of Montgomery; wastewater treatment plant; north of the City of Montgomery, approximately 4,000 feet generally north of the intersection of FM Road 149 and State Highway 105 just east of a point where FM Road 149 crosses Town Creek in Montgomery County; 11521-01; renewal

New Caney Independent School District, New Caney; high school sewage treatment plant; approximately ¼ mile west of U.S. Highway 59, at a point approximately 1¼ miles north of FM Road 1314 and three miles south of New Caney in Montgomery County; 11648-01, renewal

Camsco Produce Company, Inc., Hillsboro; mushroom farm; southwest of the City of Hillsboro on the north side of County Road 310 and approximately 0.8 mile west of the intersection of IH 35 and County Road 310 in Hill County; 02726; new permit

The City of West; wastewater treatment plant; approximately 4,000 feet northeast of City Hall and approximately 1,500 feet northeast of the intersection of Oak Street and FM Road 2114 in West in McLennan County; 10544-01; renewal

Harris County, Houston; sewage treatment plant; 1 1/4 miles east of State Highway 6 and three miles north of IH 10 in the vicinity of Addicks in Harris County; 10932-01; renewal

The City of Pilot Point; wastewater treatment plant; approximately one mile west-southwest of the intersection of U.S. Highway 377 and State Highway Loop 387, approximately 1 1/2 miles northwest of the intersection of U.S. Highway 377 and FM Road 455 in Denton County; 10361-01; renewal

Five Star Properties, Inc., Dallas; proposed housing development; approximately 1.2 miles south and 0.1 mile west of the intersection of FM Road 3040 and a gravel road known as Ace Lane and approximately 1.4 miles west and 1.2 miles south of the intersection of FM Road 3040 and State Highway 121 in Denton County; 13043-01; new permit

The City of Bishop; wastewater treatment plant; approximately 1.5 miles south of the center of the City of Bishop, west of U.S. Highway 77 and adjacent to Carreta Creek in Nueces County; 10427-01; renewal

Atascosa County Water Control and Improvement District 1, Charlotte; wastewater treatment plant; approximately 1,500 feet south and 3,100 feet west of the intersection of State Highway 140 and State Highway 97 in Atascosa County; 10142-01; amendment

Ana-Lab Corporation, Kilgore; wastewater treatment plant; at the Fin and Feather Marina, approximately 500 feet north of FM Road 2928 and 1.2 miles due north of Oak Hill Cemetery in Sabine County; 12143-01; renewal

Orange County Water Control and Improvement District 1, Vidor; wastewater treatment plant; in northwest Vidor, approximately 300 feet northwest of the intersection of Oak Lane and Ferndale Streets in Orange County; 10875-01; renewal

The City of Groesbeck; wastewater treatment plant; northeast of Groesbeck, approximately one mile northeast of the intersection of State Highway 164 and State Highway 14 on the north side of FM Road 1245 in Limestone County; 10182-01; renewal

The City of Sabinal; wastewater treatment plant; on the west side of the Sabinal River approximately 200 yards west of the end of Tyler Avenue in Sabinal, Uvalde County; 10604-01; renewal

Western Seafood Company, Freeport; shrimp handling facility; at 400 West Brazos Street in the City of Freeport; 02727; new permit

U.S. Department of Energy, Freeport; strategic petroleum reserve site; adjacent to the Brazos River (Diversion Channel) southwest of the City of Freeport in Brazoria County; 02271; amendment

Issued in Austin, Texas, on November 9, 1984.

TRD-8411481 Mary Ann Hefner
 Chief Clerk
 Texas Water Commission

Filed: November 12, 1984
For further information, please call (512) 475-4514.

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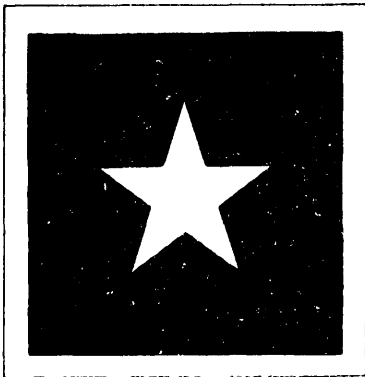
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