

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, and the adoption may go into effect no sooner than 20 days after filing, except where a federal statute or regulation requires implementation of a rule on shorter notice.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

Numbering System—Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the chapter of rules to which the rule belongs. The third unit (two digits) indicates the subchapter of rules, if any, within the chapter. The fourth unit (three digits) indicates the individual rule.

Texas Air Control Board Regulation V—Control of Air Pollution from Volatile Organic Compounds

The Texas Air Control Board is withdrawing from consideration the proposed adoption of the following rules under the chapter entitled Regulation V—Control of Air Pollution from Volatile Organic Compounds:

- 131.07.51.103, Double Seals Required
- 131.07.52.102, Spew Gauges
- 131.07.55.102, Transfer of Wastewater Streams
- 131.07.55.104, Chemical Manufacturing Plants
- 131.07.56.103, Fugitive Emission Control
- 131.07.57.101-.103, the subchapter entitled Process Unit Turnaround and Fugitive Emission Control in Chemical Manufacturing Plants in Ozone Nonattainment Areas
- 131.07.58.103, Volatile Organic Compound Vent Gas Streams

The text of the proposals was published in the October 17, 1978, issue of the *Texas Register* (3 TexReg 3637).

Doc. Nos. 792218 and 792292-792297

Comptroller of Public Accounts

Tax Administration

Minerals Tax Division 026.02.03

Under the authority of Texas Revised Civil Statutes Annotated, Article 306 (Vernon 1969), the comptroller of public accounts has adopted Rule 026.02.03.008 to read as follows:

.008. *Tax Reimbursements Included in Rates Authorized by the Department of Energy.*

(a) Tax reimbursement collected by gas producers under rates prescribed by the U.S. Department of Energy as a

result of the Natural Gas Policy Act of 1978 shall not be considered a part of the producer's gross cash receipts subject to the Texas gas occupation tax and should not be included on either the producer's or the purchaser's tax reports.

(b) The maximum lawful price of "certain Permian Basin" gas as defined by the Federal Energy Regulatory Commission Regulation, Chapter I, Subchapter H, (271)(K) (December 1, 1978), shall be deemed to include tax reimbursements of 2.6 cents per mcf for large producers and 3.05 cents per mcf for small producers whenever the taxable value equals or exceeds 34.7 cents for large producers and 40.7 cents for small producers. These tax reimbursements and any reimbursement for taxes paid under Chapter 3 of Title 122A, Texas Taxation—General Annotated, in excess of the above amounts are not a part of the producer's gross cash receipts subject to the Texas gas occupation tax and should not be included on either the producer's or purchaser's tax reports. Whenever the taxable value is less than 34.7 cents for large producers and 40.7 cents for small producers, taxable value shall be determined in the following manner: Taxable value equals T minus C divided by 1.075, where T equals total rate being received and C equals marketing costs being deducted for tax purposes.

Issued in Austin, Texas, on April 11, 1979.

Doc. No. 792263

Bob Bullock
Comptroller of Public Accounts

Effective Date: May 2, 1979

For further information, please call (512) 475-1936.

Texas State Board of Registration for Professional Engineers

Practice and Procedure

Board Review of Application 383.01.08

Under the authority of Section 8, Article 3271a, Vernon's Annotated Texas Statutes, the Texas State Board of Registration for Professional Engineers has amended Rules 383.01.08.001 and .002 to facilitate speedier registration of qualified professional engineering applicants.

.001. *Initial Review.* An application will be considered complete when all information required by the act, the board rules, and the instructions has been received and accepted by the executive director or his designated representative. When an application is complete, it will be reviewed by the executive director or his designated representative, and a summary of the application will be prepared. This summary will include a recommendation that the application be approved, not approved, rejected, or that no action be taken in accordance with board Rule 383.01.05.001(j). The application will then be circulated to each board member for his or her individual review and vote.

.002. *Approved Applications.*

(a) If on the basis of the initial review, the executive director or his designated representative recommends that an applicant be granted registration and the first board mem-