

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 II—Control of Air Pollution from Sulfur Compounds

Allowable Emissions from Solid Fossil Fueled Boilers 131.04.01.005

Pursuant to the authority of Section 3.09(d) of the Texas Clean Air Act, Article 4477-5, Vernon's Texas Civil Statutes, the members of the Texas Air Control Board approve the amendments to Rule 131.04.01.005 of Regulation II, Control of Air Pollution from Sulfur Compounds, to read as follows:

.005. Allowable Emissions from Solid Fossil Fueled Boilers.

(a) Except as provided in subsection (b) of this rule, no person may cause, suffer, allow, or permit emissions of sulfur dioxide from any solid fossil fuel-fired steam generator to exceed three pounds per million Btu heat input. New proven technology must be applied in removing sulfur dioxide from the emissions from solid fossil fuel-fired steam generators when it becomes available.

(b) No person may cause, suffer, allow, or permit emissions of sulfur dioxide from any solid fossil fuel-fired steam generator located in Milam County, which began operation prior to January 1, 1955, to exceed the following limits:

| Period | SO ₂ Emission Limit (lbs. per million Btu heat input) |
|--|--|
| On or before December 31, 1980 | 5.0 |
| On or after January 1, 1981, and before January 1, 1982 | 4.5 |
| On or after January 1, 1982 | 4.0 |

New proven technology must be applied in removing sulfur dioxide from the emissions from solid fossil fuel-fired steam generators when it becomes available.

Doc. No. 799645

131.04.01.011-.014

Pursuant to the authority of Section 3.09(d) of the Texas Clean Air Act, Article 4477-5, Vernon's Texas Civil Statutes, the members of the Texas Air Control Board approve the amendments to Rules 131.04.01.011-.014 of Regulation II (Control of Air Pollution from Sulfur Compounds) to read as follows:

.011. Temporary Fuel Shortage Plan Filing Requirements. If any person is unable to comply with Rules .006, .007, .008, .009, or any permit requirements (other than those required under Section 111 of the Federal Clean Air Act) limiting sulfur dioxide emissions from any combustion unit solely because of the nonavailability of low sulfur fuels, that person must file with the Texas Air Control Board a Temporary Fuel Shortage Control Plan, which shall include all of the following:

(1) Evidence of the nonavailability of low sulfur fuels. Such evidence shall include but not be limited to statements from suppliers of fuel as to the availability of lower sulfur fuels, the price of such fuels, and the expected duration of any period of nonavailability of particular fuels. The person filing the plan must annually request and receive an extension from the executive director or the plan will automatically expire. The executive director may make an independent determination that there is no longer a necessity to operate under the Temporary Fuel Shortage Control Plan. This determination shall be effective on the date specified in the executive director's written notification of such determination.

(2) A statement that all emission inventory data required by the board are complete, accurate, and on file with the board.

(3) Data for each source within the entire plant that utilizes the higher sulfur fuel. The data shall include the type, quantity, and sulfur content of all the fuels to be burned, excess air to be used, and the associated sulfur abatement procedure to be used, if any.

(4) Any other information as specified by the board or the executive director. The executive director may require more frequent and extensive monitoring for persons affected by Rule .011 than would normally be required for persons affected by Rules .006-.009.

.012. Temporary Fuel Shortage Plan Operating Requirements. After a person has filed an approvable Temporary Fuel Shortage Control Plan pursuant to Rule .011, the provisions of that plan will govern the operation of the source with regard to emissions of sulfur dioxide during the periods of low sulfur fuel shortages, and Rules .006-.009 or any permit requirements (other than those required under Section 111 of the Federal Clean Air Act) limiting sulfur dioxide emissions from any combustion unit shall not apply during these periods, provided that the person has complied with the notification procedures of Rule .013 and provided that the cumulative emissions of sulfur dioxide from the entire plant will not cause or contribute to a violation of any national ambient air quality standard and/or PSD increment for sulfur dioxide. An evaluation of the plan will be made by the executive director using appropriate diffusion modeling. If the plan cannot adequately demonstrate that the burning of higher sulfur fuels will not cause or contribute to a violation of any national ambient air quality standard and/or any PSD increment for sulfur dioxide, then the person filing the plan

may request that the governor file a petition for relief under Section 110(f) of the Federal Clean Air Act with the President of the United States of America.

.013. Temporary Fuel Shortage Plan Notification Procedures. Any person who finds it necessary to operate under a Temporary Fuel Shortage Control Plan filed pursuant to Rule .011 must comply with the following notification procedures:

(1) The executive director and the appropriate local air pollution control agency shall be notified in writing as soon as practicable of a fuel shortage or impending fuel shortage which causes or may cause an excessive emission that contravenes Rules .006, .007, .008, .009, or any permit requirements. Such notification shall include an estimate of the expected duration of the fuel shortage which will necessitate the person to operate under the Temporary Fuel Shortage Control Plan.

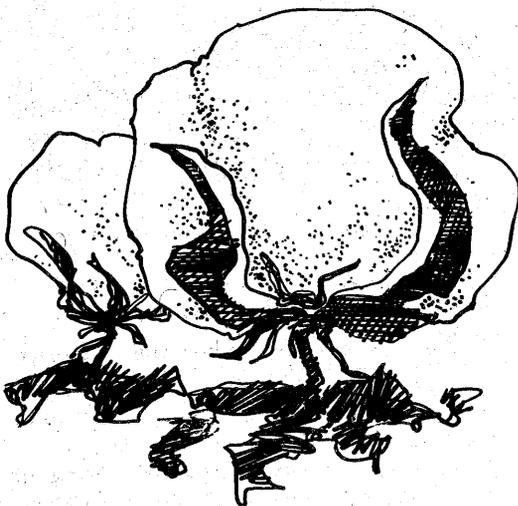
(2) The executive director and the appropriate local air pollution control agency shall be notified in writing as soon as practicable of the termination of a fuel shortage which would allow the person to operate in compliance with Rules .006-.009.

.014. Temporary Fuel Shortage Plan Reporting Requirements. Any person who files a Temporary Fuel Shortage Control Plan under Rule .011 and operates under that plan pursuant to Rules .012 and .013 must submit to the Texas Air Control Board on a semiannual basis a written report detailing the types, quantity, and sulfur content of fuels burned during the prior six months, the sources at which these fuels were burned, and the dates on which the higher sulfur fuel was burned.

Issued in Austin, Texas, on December 14, 1979.

Doc. No. 799646 Bill Stewart, P.E.
Executive Director
Texas Air Control Board

Effective Date: January 19, 1980
Proposal Publication Date: October 16, 1979
For further information, please call (512) 451-5711, ext. 354.



Texas Department of Human Resources

Food Stamps

The Department of Human Resources adopts the following new rules and amendments to its rules concerning additional expenses which can be deducted for certain households participating in the Food Stamp Program. These rule changes are adopted as a result of federally mandated regulations, issued by the United States Department of Agriculture (USDA), to be effective January 1, 1980. With these changes, household members who are age 60 or over, or who receive SSI or social security disability payments, may claim medical expenses exceeding \$35 per month. In addition, the household may receive a full deduction for excess shelter costs without regard to the current \$90 cap which limits excess shelter costs. However, these new costs deductions will not be available for other household members, including spouses and dependents not eligible in their own right.

Application Process 326.15.23

This amendment is adopted under the authority of the Human Resources Code, Chapter 33, effective January 1, 1980, pursuant to federal requirements.

.011. Content of Interview.

(a) The scope of the interview may not extend beyond household circumstances directly related to the determination of eligibility and basis of issuance. The interviewer must not simply review the information contained in the application form, but must explore and resolve with the household any unclear and incomplete information. During the interview, the worker should be sure that the applicant understands each step of the certification process, the reason for asking certain questions, the confidentiality of information, DHR's responsibility for making fair and impartial decisions, the client's rights and responsibilities, including the responsibility of reporting changes, and program procedures and processing standards.

(b)-(d) (No change.)

Doc. No. 799618

Definition of Income 326.15.41.059, .061-.064

These amendments are adopted under the authority of the Human Resources Code, Chapter 33, effective January 1, 1980, pursuant to federal requirements.

.059. Shelter Costs.

(a) Monthly shelter costs in excess of 50% of net income after all other deductions have been allowed are deductible. The shelter deduction alone, or in combination with the dependent care deduction cannot exceed the maximum allowed, unless the household includes a member who is age 60 or over, or who receives SSI or social security disability income. These households must receive an excess shelter deduction for the full monthly amount that exceeds 50% of the household's monthly income after all other applicable deductions. The shelter deduction applies only to continuing charges for shelter currently occupied by the household, except as provided in Rule .060. The combined shelter/dependent care