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Pages 2779-2859

In This Issue...

Attorney General

Opinions

2787-JM-904 (RQ-1376)

2787-JM-905 (RQ-1387)

2787-JM-906 (RQ-1254)

2787-JM-907 (RQ-1292)

2787-JM-908 (RQ-1045)

2788-JM-909 (RQ-1134)

2788-JM-910 (RQ-1178)

2788-JM-911 (RQ-1135)

Requests for Opinions

2788-(RQ-1434)-(RQ-1445)

2789-(RQ-1446)-(RQ-1448)

Emergency Sections

Office of the Secretary of State

2791-Elections

Proposed Sections

Office of the Secretary of State

2793-Elections

Texas Board of Private Investigators and Private Security Agencies

2793-Rules of Procedure and Seal

2793-Handgun; Security Officer Commission

2794-Employee Records

2794-Registration of Employers or Private Investigators

2795-Consumer Information

Texas Department of Health

2795-Hospital Licensing

Texas Air Control Board

2796-General Rules

2797-Volatile Organic Compounds

Comptroller of Public Accounts

2822-Tax Administration

Adopted Sections

Texas Historical Commission

2829-Texas Main Street

2829-Publication

Texas State Board of Dental Examiners

2829-Conduct

State Board of Insurance

2836-Property and Casualty Insurance

Texas Air Control Board

2836-Hazardous and Solid Waste Management Facilities

Texas Water Commission

2838-Industrial Solid Waste and Municipal Hazardous Waste

Texas Department on Aging

2839-Registration of Board and Lodging Homes

Open Meetings

2841-Texas Air Control Board

2841-Texas Commission on the Arts

2841-State Bar of Texas

2841-Texas Commission for the Blind/Texas Rehabilitation Commission

CONTENTS CONTINUED INSIDE

Library Auditorium, 1515 Young Street, Dallas; and June 30, 1988, 2 p.m., City Council Chambers, 1000 Throckmorton, Fort Worth.

Copies of the proposed sections are available at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearings. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by 4 p.m. on July 1, 1988, at the TACB central office will be included in the hearing record. Written comments should be sent to the Regulation Development Section, Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723.

The amendment is proposed under Texas Civil Statutes, Article 4477-5, §3.09(a), which provide the TACB with the authority to make rules and regulations consistent with the general intent and purposes of the Texas Clean Air Act and to amend any rule or regulation the TACB makes.

§115.221. Control Requirements.

(a) The owner or operator of a dry cleaning facility using perchloroethylene shall apply the following control procedures.

(1)-(3) (No change.)

(4) Reduce the volatile organic compounds from all solvent stills to 60 weight percent or less of wet waste material and store material in vapor-tight containers.

(5) (No change.)

(b) Compliance with this section shall be determined by applying the following test methods, as appropriate:

(1) Test Methods 1-4 (40 Code of Federal Regulations 60, Appendix A) for determining flow rates, as necessary;

(2) Test Method 18 (40 Code of Federal Regulations 60, Appendix A) for determining gaseous organic compound emissions by gas chromatography;

(3) Test Method 25 (40 Code of Federal Regulations 60, Appendix A) for determining total gaseous nonmethane organic emissions as carbon;

(4) Test Methods 25A or 25B (40 Code of Federal Regulations 60, Appendix A) for determining total gaseous organic concentrations using flame ionization or nondispersive infrared analysis; or

(5) equivalent test methods approved by the executive director.

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 May 27, 1988.

TRD-8805432 Allen Eli Bell
Executive Director
Texas Air Control Board

Proposed date of adoption: September 16, 1988

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

Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks

• 31 TAC §115.262

The Texas Air Control Board (TACB) proposes an amendment to §115.262, concerning control of volatile organic compound (VOC) leaks from gasoline tank trucks in Dallas, El Paso, Harris, and Tarrant counties. The proposed amendment specifies the test methods to be used to determine compliance with the applicable control requirement. The proposed amendment is part of a series of revisions to Chapter 115 to insure the maximum effectiveness of controls adopted in conjunction with the Post-1982 State Implementation Plan (SIP) revisions for ozone in Dallas and Tarrant counties.

Bennie L. Engelke, director of management and staff services, has determined that for the first five-year period the proposed section is in effect there will be no fiscal implications for state or local government or small businesses not expressly required to comply with the section as proposed. The test methods proposed by the section is in common practice within the affected industry and are not expected to result in additional capital or operational expense.

Les Montgomery, director of technical support and regulation development program, also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be more effective and consistent enforcement of controls for reducing emissions of volatile organic compounds in Dallas and Tarrant counties after August 31, 1990. In addition, these measures are necessary to satisfy commitments included in the SIP revisions for Dallas and Tarrant counties.

Public hearings on this proposal are scheduled for the following times and places: June 29, 1988, 10 a.m., Texas Air Control Board Auditorium, 6330 Highway 290 East, Austin; June 29, 1988, 7 p.m., Downtown Central Library Auditorium, 1515 Young Street, Dallas; and June 30, 1988, 2 p.m., City Council Chambers, 1000 Throckmorton, Fort Worth.

Copies of the proposed section are available at the central office of the Texas Air Control Board, 6330 Highway 290 East, Austin, Texas 78723, and at all TACB regional offices. Public comment, both oral and written, on the proposed changes is invited at the hearings. The TACB would appreciate receiving five copies of testimony prior to or at the hearing. Written testimony received by 4 p.m. on July 1, 1988, at the TACB central office will be included in the hearing record. Written comments should be sent to the Regulation Development Section, Texas Air Control Board, 6330 Highway 290 East, Austin,

Texas 78723.

The amendment is proposed under Texas Civil Statutes, Article 4477-5, §3.09(a), which provide the TACB with the authority to make rules and regulations consistent with the general intent and purposes of the Texas Clean Air Act and to amend any rule or regulation the TACB makes.

§115.262. Testing Requirements.

(a) (No change.)

[(b) Pressure in the tank must change no more than three inches of water (0.75 kPa) in five minutes when pressurized to a gauge pressure of 18 inches of water (4.5 kPa) and when evacuated to a vacuum of 6 inches of water (1.5 kPa).]

[(b)][(c)] Any tank failing to meet the testing criteria of subsection (a)[(b)] of this section shall be repaired and retested within 15 days.

(c) Testing required in paragraph (a) of this section shall be conducted in accordance with the following test methods, as appropriate:

(1) Test Method 27 (40 Code of Federal Regulations 60, Appendix A) for determining vapor tightness of gasoline delivery tank using pressure-vacuum test; or

(2) equivalent test methods approved by the executive director.

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 May 27, 1988.

TRD-8805431 Allen Eli Bell
Executive Director
Texas Air Control Board

Proposed date of adoption: September 16, 1988

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

TITLE 34. PUBLIC FINANCE

Part I. Comptroller of Public Accounts

Chapter 3. Tax Administration

Subchapter V. Bingo Regulation and Tax

• 34 TAC §3.541

The Comptroller of Public Accounts proposes an amendment to §3.541, concerning notification to the comptroller. The amendment deletes subsection (b) which duplicates provisions in the Bingo Enabling Act, Texas Civil Statutes, Article 179d, and reletters subsections (c) and (d).

Jim Shear, director of the comptroller's economic analysis center, has determined that for the first five-year period the proposed section is in effect there will be no fiscal implica-