

changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3522).

The purpose of the repeals are to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeals.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeals are adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000559 Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

### Fugitive Emission Control in Synthetic Organic Chemical, Polymen and Resin Manufacturing Processes in Harris County

#### • 31 TAC §§115.271-115.275

The Texas Air Control Board (TACB) adopts the repeal of §§115.271-115.275, without changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3522).

The purpose of the repeals are to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeals.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeals are adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel

and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000580 Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

### Fugitive Emission Control in Natural Gas/Gasoline Processing Operations in Harris County

#### • 31 TAC §§115.281-115.285

The Texas Air Control Board (TACB) adopts the repeal of §§115.281-115.285, without changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3523).

The purpose of the repeals are to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeals.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeals are adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000581 Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

### Specified Consumer-Solvent Products in Dallas and Tarrant Counties

#### • 31 TAC §§115.291, 115.293, 115.294

The Texas Air Control Board (TACB) adopts the repeal of §§115.291, 115.293, and 115.294, without changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3523).

The purpose of the repeals are to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeals.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeals are adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000582 Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

### Alternate Means of Control

#### • 31 TAC §115.401

The Texas Air Control Board (TACB) adopts the repeal of §115.401, without changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3524).

The purpose of the repeal is to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeal.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeal is adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000583 Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

◆ ◆ ◆  
**Volatile Organic Compound  
Exemption Status in  
Brazoria, Dallas, El Paso,  
Galveson, Gregg, Harris,  
Jefferson, Nueces, Orange,  
Tarrant, and Victoria  
Counties**

◆ ◆ ◆  
• 31 TAC §115.412, §115.413

The Texas Air Control Board (TACB) adopts the repeal of §115.412 and §115.413, without changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3524).

The purpose of the repeals are to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeals.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeals are adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000564      Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

◆ ◆ ◆  
**Compliance and Control Plan  
Requirements in Brazoria,  
Dallas, El Paso, Galveston,  
Gregg, Harris, Jefferson,  
Nueces, Orange, Tarrant,  
and Victoria Counties**

◆ ◆ ◆  
• 31 TAC §§115.421-115.424

The Texas Air Control Board (TACB) adopts the repeal of §§115.421-115.424, without changes to the proposed text as published in the July 21, 1989, issue of the *Texas Register* (14 TexReg 3525).

The purpose of the repeals are to remove material superceded by a new undesignated head, which is adopted in concurrent action.

The Administrative Procedure and Texas Register Act, Texas Civil Statutes, Article 6252-13a, §5(c)(1), requires categorization of comments as being for or against a proposal.

No comments were received regarding adoption of the repeals.

Copies of the hearing transcript are available for inspection at the central office of the TACB, 6330 Highway 290 East, Austin, Texas, 78723.

The repeals are adopted under the Texas Clean Air Act (TCAA), §382.017, which provides the TACB with the authority to make rules and regulations consistent with the policy and purposes of the TCAA.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on January 16, 1990.

TRD-9000565      Allen Eli Bell  
Executive Director  
Texas Air Control Board

Effective date: February 15, 1990

Proposal publication date: July 21, 1989

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

◆ ◆ ◆  
**TITLE 40. SOCIAL  
SERVICES AND  
ASSISTANCE  
Part I. Texas Department  
of Human Services**

**Chapter 29. Purchased Health  
Services**

**Subchapter G. Hospital  
Services**

◆ ◆ ◆  
• 40 TAC §29.606

The Texas Department of Human Services (DHS) adopts an amendment to §29.606, without changes to the proposed text as published in the August 18, 1989, issue of the *Texas Register* (14 TexReg 4114).

Section 29.606 is amended in response to Rider 54 of Senate Bill 222, the Appropriations Act for Fiscal Years 1990/1991. The amendment specifies that, at final settlement of the hospital's fiscal year, hospitals with 100 or fewer licensed beds will be reimbursed the greater of the prospective payments made to the hospital or the amount of reimbursement that would have been made to the hospital during the fiscal year under similar methods and procedures used in Title XVIII of the Social Security Act, as amended, effective October 1, 1982, by Public Law 97-248, Tax Equity and Fiscal Responsibility Act (TEFRA). The amount of reimbursement will be calculated without imposing a TEFRA cap.

The section will function by helping the continued availability and accessibility of services for Medicaid recipients.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 16, 1990.

TRD-9000494      Cathy Rossberg  
Agency Liaison, Policy  
Communication  
Services  
Texas Department of  
Human Services

Effective date: February 6, 1990.

Proposal publication date: August 18, 1989.

For further information, please call: (512) 450-3765

◆ ◆ ◆  
**Chapter 85. General Licensing  
Procedures**

**Subchapter O. Exemptions  
from Licensing**

The Texas Department of Human Services adopts the repeal of §§85.2047, amendments to §§85.2011, 85.2017-85.2019, 85.2022, 85.2030, and 85.2037, and new §85.1407, without changes to the proposed text as published in the July 18, 1989, issue of the *Texas Register* (14 TexReg 3461).

The repeal, amendments, and new section are justified because they provide the public with clearer and more concise department rules.

The repeal, amendments, and new section will function by clarifying existing sections and conforming to the licensing statute.

No comments were received regarding adoption of the proposals.

◆ ◆ ◆  
• 40 TAC §85.1407

The new section is adopted under the Human Resources Code, Title 2, Chapters 22 and 42, which authorizes the department to administer public and general licensing programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on January 16, 1990.

TRD-9000491      Cathy Rossberg  
Agency Liaison, Policy  
Communication  
Services  
Texas Department of  
Health

Effective date: March 15, 1990.

Proposal publication date: July 18, 1989.

For further information, please call: (512) 450-3765