

# REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

## Proposed Rule Reviews

Texas Health and Human Services Commission

### Title 1, Part 15

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 1, Part 15, of the Texas Administrative Code:

Chapter 377, Children's Advocacy Programs

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 377, Children's Advocacy Programs, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [FHSPublicComments@hhs.texas.gov](mailto:FHSPublicComments@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 377" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the chapter being reviewed will not be published, but may be found in Title 1, Part 15, of the Texas Administrative Code on the Secretary of State's website at ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401102

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: March 11, 2024



Department of State Health Services

### Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 31, Nutrition Services

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule con-

tinue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 31, Nutrition Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [HHSCRulesCoordinationOffice@hhs.texas.gov](mailto:HHSCRulesCoordinationOffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 31" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401129

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: March 13, 2024



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 40, Stock Medication in Schools and Other Entities

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 40, Stock Medication in Schools and Other Entities, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [hhsrulescoordinationoffice@hhs.texas.gov](mailto:hhsrulescoordinationoffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 40" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401036

Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: March 8, 2024



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services, proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 137, Birthing Centers

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 137, Birthing Centers, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HCR\_PRU@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 137" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401127  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: March 13, 2024



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services, proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 140, Health Professions Regulation

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 140, Health Professions Regulation, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HCR\_PRU@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 140" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401128  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: March 13, 2024



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 217, Milk and Dairy

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 217, Milk and Dairy, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to milk\_regulatory@dshs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 217" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401131  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: March 13, 2024



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 300, Manufacture, Distribution, And Retail Sale of Consumable Hemp Products

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 300, Manufacture, Distribution, And Retail Sale of Consumable Hemp Products, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to dshshempprogram@dshs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 300" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401130

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: March 13, 2024



## Health and Human Services Commission

### Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for re-adoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code:

#### Chapter 743, Minimum Standards for Shelter Care

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 743, Minimum Standards for Shelter Care, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247 or by email to [CCRRules@hhs.texas.gov](mailto:CCRRules@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 743" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401134

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: March 13, 2024



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for re-adoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code:

#### Chapter 747, Minimum Standards for Child-Care Homes

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 747, Minimum Standards for Child-Care Homes, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [CCRRules@hhs.texas.gov](mailto:CCRRules@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 747" in the subject line. The deadline for comments is on or before 5:00 p.m.

central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401135

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: March 13, 2024



## Texas Commission on Fire Protection

### Title 37, Part 13

The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal, of the Texas Administrative Code, Title 37, Part 13, Chapter 429, concerning Fire Inspector and Plan Examiner. Chapter 429 consists of Subchapter A, Minimum Standards for Fire Inspector Certification, §429.1, Minimum Standards for Fire Protection Inspector Personnel, §429.3, Minimum Standards for Basic Fire Protection Inspector Certification, §429.5, Minimum Standards for Intermediate Fire Protection Inspector Certification, §429.7, Minimum Standards for Advanced Fire Protection Inspector Certification, §429.9, Minimum Standards for Master Fire Protection Inspector Certification, §429.11, International Fire Service Accreditation Congress (IFSAAC) Seal, Subchapter B, Distance Training Provider, §429.201, Minimum Standards for Plan Examiner Personnel, §429.203, Minimum Standards for Plan Examiner I Certification, §429.205, International Fire Service Accreditation Congress (IFSAAC) Seal.

This review will be conducted according to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Texas Commission on Fire Protection, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Mike Wisko, Agency Chief, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas, 78768-2286 or by email to [amanda.khan@tcfp.texas.gov](mailto:amanda.khan@tcfp.texas.gov). Any proposed changes to the rules as a result of the review will be published in the *Texas Register* in compliance with Texas Government Code, Chapter 2001, and will be open for the required public comment period prior to final adoption or repeal by the commission.

TRD-202401141

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Filed: March 13, 2024



The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal, of the Texas Administrative Code, Title 37, Part 13, Chapter 445, concerning Administrative Inspections and Penalties. Chapter 445 consists of §445.1, Entity Inspections, §445.3, Right of Access, §445.5, Duty To Comply; Enforcement, §445.7, Procedures, §445.9, Minor Violations, §445.11, Major Violation, §445.13, Disciplinary

Hearings, §445.15, Judicial Enforcement, §445.17, Liability for Violations, §445.19, Inspection Forms.

This review will be conducted according to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Texas Commission on Fire Protection, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments about this notice of intention to review should be directed to Amanda Khan, Division Chief of Support Services, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768-2286 or by email to amanda.khan@tcfp.texas.gov. Any proposed changes to the rules because of the review will be published in the *Texas Register* in compliance with Texas Government Code, Chapter 2001, and will be open for the required public comment period before final adoption or repeal by the commission.

TRD-202401154  
Mike Wisko  
Agency Chief  
Texas Commission on Fire Protection  
Filed: March 13, 2024



Department of Aging and Disability Services

#### **Title 40, Part 1**

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of Aging and Disability Services, proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 40, Part 1, of the Texas Administrative Code:

Chapter 77, Employment Practices

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 77, Employment Practices, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsaskhr@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 77" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 1, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202401035  
Jessica Miller  
Director, Rules Coordination Office  
Department of Aging and Disability Services  
Filed: March 8, 2024



#### **Adopted Rule Reviews**

Department of State Health Services

#### **Title 25, Part 1**

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code:

Chapter 448, Standard of Care

Notice of the review of this chapter was published in the January 5, 2024, issue of the *Texas Register* (49 TexReg 61). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 448 in accordance with §2001.039 of the Texas Government Code, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 448. Any amendments or repeals to Chapter 448 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 448 as required by the Texas Government Code §2001.039.

TRD-202400999  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: March 7, 2024



Health and Human Services Commission

#### **Title 26, Part 1**

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC): Chapter 554, Nursing Facility Requirements for Licensure and Medicaid Certification

Notice of the review of this chapter was published in the January 12, 2024, issue of the *Texas Register* (49 TexReg 149). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 554 in accordance with §2001.039 of the Texas Government Code, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 554. Any amendments or repeals to Chapter 554 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 554 as required by the Texas Government Code §2001.039.

TRD-202401118  
Jessica Miller  
Director, Rules Coordination Office  
Health and Human Services Commission  
Filed: March 11, 2024



Texas Commission on Environmental Quality

#### **Title 30, Part 1**

The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 60, Compliance History, as required by Texas Government Code (TGC), §2001.039. TGC, §2001.039, requires a state agency to review

and consider for reoption, reoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the September 8, 2023, issue of the *Texas Register* (48 TexReg 5074).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 60 are required because Chapter 60 requires TCEQ to rate the compliance history of every owner or operator of a facility that is regulated under any of these state environmental laws: water-quality laws (Texas Water Code (TWC), Chapter 26); laws for the installation and operation of injection wells (TWC, Chapter 27); Sub-surface Area Drip Dispersal Systems (TWC, Chapter 32); the Texas Solid Waste Disposal Act (Texas Health and Safety Code (THSC), Chapter 361); the Texas Clean Air Act (THSC, Chapter 382); Removal of Convenience Switches (THSC, Chapter 375); and the Texas Radiation Control Act (THSC, Chapter 401).

TWC, §5.753, concerning the Standard for Evaluating Compliance History, authorizes the agency to "develop standards for evaluating and using compliance history that ensure consistency" among regulated entities. Additionally, TWC, §5.754, concerning Classification and Use of Compliance History, authorizes the agency to establish a set of standards for the classification of a person's compliance history, establish methods of assessing the compliance history of regulated entities, and requires the use of compliance history when making decisions regarding the issuance, renewal, amendment, modification, denial, suspension or revocation of a permit, enforcement matters, the use of announced investigations, and participation in innovative programs. Chapter 60 establishes the rules the agency uses to meet these statutory mandates, including the components, formulas, and classifications that are used to measure regulated entities' performance.

#### Public Comment

The public comment period closed on October 9, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 60 continue to exist and readopts these sections in accordance with the requirements of TGC, §2001.039.

TRD-202401100

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: March 8, 2024



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of Review 30 Texas Administrative Code (30 TAC) Chapter 213, Edwards Aquifer, as required by Texas Government Code (TGC), §2001.039. TGC, §2001.039, requires a state agency to review and consider for reoption, reoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the September 8, 2023, issue of the *Texas Register* (48 TexReg 5074).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 213 remain necessary to regulate activities posing a threat to groundwater quality of the Edwards Aquifer and maintain Texas Surface Water Quality Standards in hydrologically-connected surface waters.

#### Public Comment

The public comment period closed on October 9, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 213 continue to exist and readopts these sections in accordance with the requirements of TGC, §2001.039.

TRD-202401096

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: March 8, 2024



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (30 TAC) Chapter 230, Groundwater Availability Certifications for Platting, as required by Texas Government Code, §2001.039. TGC, §2001.039, requires a state agency to review and consider for reoption, reoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the September 8, 2023, issue of the *Texas Register* (48 TexReg 5074).

The review assessed whether the initial reasons for adopting the rules continue to exist, and TCEQ has determined that those reasons exist. The rules in Chapter 230 are required because the rules in Chapter 230 contain the requirements if municipal and county authorities require certification in the plat application that adequate groundwater is available for a proposed subdivision if groundwater under that land is to be the source of the water supply. This chapter is necessary to implement the requirements related to the form and content of a certification of groundwater availability for platting by municipal and county authorities as provided by Texas Local Government Code, §212.0101 and §232.0032. TCEQ has previously recognized that these rules were adopted to protect consumer rights and to provide a tool to aid those municipal and county platting authorities that choose to use the rule to oversee development. When these rules were first adopted, TCEQ responded to public comments and stated that use of these rules was not mandatory unless the platting authority for municipal and county governments require the certification as specified in the Local Government Code. Platting authorities can use these rules to help assure adequate groundwater is available as part of the subdivision platting process.

#### Public Comment

The public comment period closed on October 9, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 230 continue to exist and readopts these sections in accordance with the requirements of TGC §2001.039.

TRD-202401097

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: March 8, 2024



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 307, Texas Surface Water Quality Standards (TSWQS), as required by Texas Government Code (TGC), §2001.039. TGC, §2001.039, requires a state agency to review and consider for reoption, reoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the September 8, 2023, issue of the *Texas Register* (48 TexReg 5074).

The review assessed whether the initial reasons for adopting the rules continue to exist, and TCEQ has determined that those reasons exist. The rules in Chapter 307 are required because the TSWQS establish instream water quality requirements for all surface waters in the state. Almost all water-related program activities in Texas are based on the TSWQS, and these standards affect state, federal, and local programs. TCEQ is directed to establish water quality standards in Texas Water Code, §26.023.

Public Comment

The public comment period closed on October 9, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 307 continue to exist and readopts these sections in accordance with the requirements of TGC, §2001.039.

TRD-202401101

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: March 8, 2024



Texas Commission on Fire Protection

**Title 37, Part 13**

The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 427, concerning Training Facility Certification, published in the October 15, 2021, issue of the *Texas Register* (46 TexReg 7080). The review was conducted pursuant to the Texas Government Code, Chapter 2001, §2001.039.

The Commission received no comments on the proposed rule review.

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 427.

TRD-202401126

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Filed: March 13, 2024



The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 459, concerning Fire and Life Safety Educator. The review was conducted according to the Texas Government Code, Chapter 2001, §2001.039.

The Commission received no comments on the proposed rule review, which was published in the December 23, 2022, issue of *Texas Register* (47 TexReg 8763).

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 459.

TRD-202401132

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Filed: March 13, 2024



The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 461, concerning Incident Commander. The review was conducted according to the Texas Government Code, Chapter 2001, §2001.039.

The Commission received no comments on the proposed rule review, which was published in the December 23, 2022, issue of *Texas Register* (47 TexReg 8763).

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 461.

TRD-202401133

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Filed: March 13, 2024



The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 491, concerning Voluntary Regulation of State Agencies and State Agency Employees. The proposed review appeared in the December 23, 2022, issue of the *Texas Register* (47 TexReg 8759). The review was conducted according to the Texas Government Code, Chapter 2001, §2001.039.

The Commission received no comments on the proposed rule review.

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 491.

TRD-202401136

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Filed: March 13, 2024



The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 493, concerning Voluntary Regulation of Federal Agencies and Federal Fire Fighters. The proposed review appeared in the December 23, 2022, issue of the *Texas Register* (47 TexReg 8759). The review was conducted according to the Texas Government Code, Chapter 2001, §2001.039.

The Commission received no comments on the proposed rule review.

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 493.

TRD-202401137

Mike Wisko  
Agency Chief  
Texas Commission on Fire Protection  
Filed: March 13, 2024

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The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 495, concerning Regulation of Nongovernmental Departments. The proposed review appeared in the December 23, 2022, issue of the *Texas Register* (47 TexReg 8759). The review was conducted according to the Texas Government Code, Chapter 2001, §2001.039.

The Commission received no comments on the proposed rule review.

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 495.

TRD-202401139  
Mike Wisko  
Agency Chief  
Texas Commission on Fire Protection  
Filed: March 13, 2024

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State Pension Review Board

**Title 40, Part 17**

The Texas Pension Review Board (Board) has completed its rule review of 40 Texas Administrative Code Chapter 601, concerning general provisions, in accordance with Texas Government Code §2001.039. Texas Government Code §2001.039 requires a state agency to review and consider for re adoption, re adoption with amendments, or repeal each of its rules every four years. The Board published its Notice of Intent to Review these rules in the October 6, 2023, issue of the *Texas Register* (48 TexReg 5830). The Board did not receive comments on the proposed rule review.

The review assessed whether the initial reasons for adopting the rules continue to exist and the Board has determined that those reasons exist. As a result of the review, the Board finds that the reasons for adopting the rules in 40 TAC §§601.1, 601.20, 601.30, 601.40, 601.50 and 601.60 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code §2001.039.

This concludes the Board's review of Chapter 601 as required by Texas Government Code §2001.039.

TRD-202401031  
Tamara Aronstein  
General Counsel  
State Pension Review Board  
Filed: March 7, 2024

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The Texas Pension Review Board (Board) has completed its rule review of 40 Texas Administrative Code Chapter 603, concerning officers and meetings, in accordance with Texas Government Code §2001.039. Texas Government Code §2001.039 requires a state agency to review and consider for re adoption, re adoption with amendments, or repeal each of its rules every four years. The Board published its Notice of Intent to Review these rules in the October 6, 2023, issue of the *Texas Register* (48 TexReg 5830). The Board did not receive comments on the proposed rule review.

The review assessed whether the initial reasons for adopting the rules continue to exist and the Board has determined that those reasons exist. As a result of the review, the Board finds that the reasons for adopting the rules in 40 TAC §603.1 continue to exist and readopts this section in accordance with the requirements of Texas Government Code §2001.039.

This concludes the Board's review of Chapter 603 as required by Texas Government Code §2001.039.

TRD-202401030  
Tamara Aronstein  
General Counsel  
State Pension Review Board  
Filed: March 7, 2024

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The Texas Pension Review Board (Board) has completed its rule review of 40 Texas Administrative Code Chapter 604, concerning the Historically Underutilized Business Program, in accordance with Texas Government Code §2001.039. Texas Government Code §2001.039 requires a state agency to review and consider for re adoption, re adoption with amendments, or repeal each of its rules every four years. The Board published its Notice of Intent to Review these rules in the October 6, 2023, issue of the *Texas Register* (48 TexReg 5831). The Board did not receive comments on the proposed rule review.

The review assessed whether the initial reasons for adopting the rules continue to exist and the Board has determined that those reasons exist. As a result of the review, the Board finds that the reasons for adopting the rules in 40 TAC Chapter §604.1 continue to exist and readopts this section in accordance with the requirements of Texas Government Code §2001.039.

This concludes the Board's review of Chapter 604 as required by Texas Government Code §2001.039.

TRD-202401032  
Tamara Aronstein  
General Counsel  
State Pension Review Board  
Filed: March 7, 2024