

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 Education Agency

Title 19, Part 2

The Texas Education Agency (TEA) proposes the review of 19 TAC Chapter 53, Regional Education Service Centers, pursuant to Texas Government Code, §2001.039. The rules being reviewed by TEA in Chapter 53 are organized under Subchapter AA, Commissioner's Rules.

As required by Texas Government Code, §2001.039, TEA will accept comments as to whether the reasons for adopting Chapter 53, Subchapter AA, continue to exist.

The public comment period on the review of Chapter 53, Subchapter AA, begins May 19, 2023, and ends June 19, 2023. A form for submitting public comments on the proposed rule review is available on the TEA website at <https://tea.texas.gov/about-tea/laws-and-rules/commissioner-rules-tac/commissioner-of-education-rule-review>.

TRD-202301657

Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: May 8, 2023



Texas Commission on Environmental Quality

Title 30, Part 1

The Texas Commission on Environmental Quality (commission) files this Notice of Intention to Review 30 Texas Administrative Code Chapter 118, Control of Air Pollution Episodes.

This proposal is *limited* to the review in accordance with the requirements of Texas Government Code, §2001.039, which requires a state agency to review and consider its rules for readoption, readoption with amendments, or repeal every four years. During this review, the commission will assess whether the reasons for initially adopting the rules in Chapter 118 continue to exist.

Comments regarding suggested changes to the rules in Chapter 118 may be submitted but will not be considered for rule amendments as part of this review. Any such comments may be considered in a future rulemaking action by the commission.

Submittal of Comments

The commission invites public comment on this preliminary review of the rules in Chapter 118. Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on

Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Non-Rule Project Number 2023-060-118-AI. Comments must be received by June 20, 2023. For further information, please contact Jamie Zech, Air Quality Division, at (512) 239-3935.

TRD-202301675

Guy Henry
Acting Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: May 9, 2023



The Texas Commission on Environmental Quality (commission) files this Notice of Intention to Review 30 TAC Chapter 292, Special Requirements for Certain Districts and Authorities.

This proposal is *limited* to the review in accordance with the requirements of Texas Government Code, §2001.039, which requires a state agency to review and consider its rules for readoption, readoption with amendments, or repeal every four years. During this review, the commission will assess whether the reasons for initially adopting the rules in Chapter 292 continue to exist.

Comments regarding suggested changes to the rules in Chapter 292 may be submitted but will not be considered for rule amendments as part of this review. Any such comments may be considered in a future rulemaking action by the commission.

Submittal of Comments

The commission invites public comment on this preliminary review of the rules in Chapter 292. Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Non-Rule Project Number 2023-057-292-OW. Comments must be received by June 20, 2023. For further information, please contact Avery Nguyen, Water Supply Division, at (512) 239-0324.

TRD-202301673

Guy Henry
Acting Deputy Director, Environmental Law Division
Texas Commission on Environmental Quality
Filed: May 9, 2023

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The Texas Commission on Environmental Quality (commission) files this Notice of Intention to Review 30 TAC Chapter 336, Radioactive Substance Rules.

This proposal is *limited* to the review in accordance with the requirements of Texas Government Code, §2001.039, which requires a state agency to review and consider its rules for re-adoption, re-adoption with amendments, or repeal every four years. During this review, the commission will assess whether the reasons for initially adopting the rules in Chapter 336 continue to exist.

Comments regarding suggested changes to the rules in Chapter 336 may be submitted but will not be considered for rule amendments as part of this review. Any such comments may be considered in a future rulemaking action by the commission.

Submittal of Comments

The commission invites public comment on this preliminary review of the rules in Chapter 336. Written comments may be submitted to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://tceq.commentinput.com/>. File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference Non-Rule Project Number 2023-058-336-WS. Comments must be received by June 20, 2023. For further information, please contact Omar Lopez, Radioactive Materials Division, at (512) 239-2036.

TRD-202301674

Guy Henry

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: May 9, 2023

◆ ◆ ◆ Adopted Rule Reviews

Texas Historical Commission

Title 13, Part 2

The Texas Historical Commission (hereinafter referred to as the Commission) adopts the review of Texas Administrative Code, Title 13, Part 2, for Chapter 30, Texas Heritage Trails Program.

This review was completed pursuant to Texas Government Code, §2001.039. The Commission has assessed whether the reason(s) for adopting or re-adopting this chapter continues to exist. The notice of a proposed review was published in the February 17, 2023, issue of the *Texas Register* (48 TexReg 969).

The Commission received no comments related to the review of the above-noted chapter.

As a result of the internal review, the Commission has determined that certain revisions are appropriate and necessary. The Commission finds that the reasons for initially adopting these rules continue to exist and re-adopts Chapter 30 in accordance with the requirements of Texas Government Code, §2001.039.

This concludes the review of 13 TAC Chapter 30.

TRD-202301646

Mark Wolfe

Executive Director

Texas Historical Commission

Filed: May 5, 2023

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State Board of Dental Examiners

Title 22, Part 5

The Texas State Board of Dental Examiners (Board) filed a Notice of Intent to Review to consider for re-adoption, revision, or repeal the rule chapters listed below, in their entirety, under Title 22, Part 5, of the Texas Administrative Code (TAC). This review was conducted in accordance with Texas Government Code §2001.039.

Rule Chapters Under Review

The Board reviewed the following rule chapters:

Chapter 100, General Provisions

Chapter 101, Dental Licensure

Chapter 102, Fees

Public Comments

A combined Notice of Intent to Review for all of the chapters listed above was published in the March 10, 2023, issue of the *Texas Register* (48 TexReg 1453). The public comment period closed on April 10, 2023. The Board did not receive any public comments.

Board Action

At its meeting on May 5, 2023, the Board re-adopted the following rule chapters, in their entirety and in their current form: 22 TAC, Chapter 100, General Provisions; Chapter 101, Dental Licensure; and Chapter 102, Fees. This concludes the review of these rule chapters in accordance with Texas Government Code §2001.039.

TRD-202301662

Lauren Studdard

General Counsel

State Board of Dental Examiners

Filed: May 8, 2023

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Texas Commission on Law Enforcement

Title 37, Part 7

Pursuant to the notice of proposed rule view published in the February 10, 2023, issue of the *Texas Register* (48 TexReg 720), the Texas Commission on Law Enforcement (Commission) has reviewed and considered for re-adoption of Texas Administrative Code, Title 37, Part 7, Chapters 211-229, in accordance with Texas Government Code, §2001.039.

No comments were received in response to the proposed rule review notice.

The Commission determined that the initial reasons for re-adoption continue to exist without changes. At the Commission's meeting on April 20, 2023, the Commission took final action to re-adopt Texas Administrative Code, Title 37, Part 7, Chapters 211-229 in its entirety and current form.

This concludes the review of Texas Administrative Code, Title 37, Part 7, Chapters 211-229.

TRD-202301624

John Beauchamp
Interim Executive Director
Texas Commission on Law Enforcement
Filed: May 3, 2023

