

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF CHIROPRACTIC EXAMINERS

- Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 7, Board of Chiropractic Examiners  
**Article and its heading:** 8, Continuing Education  
**Section number:** R4-7-801
- Subject matter of the proposed rule:**  
The Board will adopt new rules that establish the procedures by which the Board will enforce compliance with the continuing education requirement.  
**The agency docket number, if applicable:**  
None.
- A citation to all published notices relating to the proceeding:**  
None published.
- Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Elaine LeTarte  
Address: Board of Chiropractic Examiners  
5060 North 19th Avenue, Suite 416  
Phoenix, Arizona 85015  
Telephone: (602) 255-1444  
Fax: (602) 255-4289
- The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will accept written comments between 8 a.m. and 5 p.m., Monday through Friday.  
The Board plans to schedule a public hearing at a later date.
- A timetable for agency decisions or other action in the proceeding:**  
None.

### NOTICE OF RULEMAKING DOCKET OPENING

#### RADIATION REGULATORY AGENCY

- Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 1, Radiation Regulatory Agency  
**Articles and their headings:** 1, General Provisions  
2, Registration of Radiation Machines and Services  
3, Licensing of Radioactive Material  
4, Standards for Protection Against Radiation (heading to be changed)  
5, Radiation Safety Requirements for Industrial Radiographic Operations  
7, Use of Sealed Sources in the Healing Arts (Article to be repealed and a new Article adopted)  
9, Radiation Safety Requirements for Particle Accelerators  
13, License and Registration Fees  
17, Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies

**Section numbers:** R12-1-102, R12-1-202, R12-1-301 through R12-1-323, Schedules A, B, C, D, and E, R12-1-418, R12-1-419, R12-1-448, R12-1-506, R12-1-511, R12-1-521, R12-1-523, R12-1-701 through R12-1-750, R12-1-903, R12-1-907, R12-1-909, R12-1-1302, R12-1-1715, R12-1-1716, R12-1-1721, R12-1-1723, R12-1-1742, R12-1-1743, and R12-1-1751.

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**2. Subject matter of the proposed rule:**

In Article 1 the definition of "Radiation Safety Officer" is modified to include reference to radiation machine facilities. The addition to Article 2 requires the radiation machine applicant to provide specifications concerning the machine facility with the application. The Agency will review the safety aspects of the facility before issuing a registration.

Article 3 is revised to include requirements for preparation of radioactive drugs by nuclear pharmacists and decommissioning requirements for radioactive material licensees possessing specified types and quantities of radioactive material. This requirement is expected to affect very few radioactive material licensees. Licensing requirements for manufacture, preparation, and commercial distribution of radioactive drugs for medical use is added to correlate with new pharmacist requirements in Article 7. Also, specific licensing requirements for medical and industrial radiography are removed. Medical requirements are moved to Article 7 while radiography requirements are moved to Article 5. Decommissioning requirements for facilities going out of business are added. Many corrections are made as a result of incorrect numbering, references, and terminology, discovered during the last Five-year Review performed in February 1994.

The requirement for a single person to use a personnel monitoring device that was inadvertently deleted is added at this time and a rule in Article 4 is revised because of an incorrect numbering system. Additionally, incident reporting requirements mandated by Arizona's NRC agreement are included in the Article with other reporting requirements.

Article 5 is revised to clarify quarterly inventory record requirements and to include specific licensing requirements that were formerly located in Article 3.

Article 7 is revised to include requirements governing the medical uses of radioactive material. The requirements being adopted are currently listed in 10 CFR 35. The majority of these requirements are not new to the medical community. They have been in force for a number of years through license condition. New requirements include quality management programs for medical programs, treatment of research subjects, and nuclear pharmacist qualifications. Some of the requirements in this Article were formerly located in Article 3.

Article 9 is revised to include needed changes discovered during the last Five-year Review performed in April 1995.

Article 13 is revised to include correct references to the Article 3 changes noted above.

Article 17 is revised to include needed changes discovered during the last Five-year Review performed in December 1994. The majority of changes are corrections to existing requirements. One additional requirement is added, the need to notify the Agency prior to attempting to retrieve a radioactive source lodged downhole.

**The agency docket number, if applicable:**

Project #0024

**3. A citation to all published notices relating to the proceeding:**

None published.

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Aubry Godwin  
Address: Radiation Regulatory Agency  
4814 South 40th Street  
Phoenix, Arizona 85040  
Telephone: (602) 255-4845

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will accept written comments between 8 a.m. and 5 p.m. Monday through Friday.

The Department will accept oral comments between 8 a.m. and 4:30 p.m., Monday through Friday, at the location listed above.

**6. A timetable for agency decisions or other action in the proceeding:**

None.

**NOTICE OF RULEMAKING DOCKET OPENING**

**RADIATION REGULATORY AGENCY**

- 1. Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 1, Radiation Regulatory Agency  
**Article and its heading:** 2, Registration of Radiation Machines and Services  
**Section numbers:** Appendix A (Forms ARRA-4, ARRA-4X, ARRA-4XT, ARRA-4PAT, ARRA-4IG, ARRA-4IR, ARRA-4PAR, ARRA-4S, ARRA-13, ARRA-1004, ARRA-1005, ARRA-1030, ARRA-1050, ARRA-1070, ARRA-1090).

**2. Subject matter of the proposed rule:**

The purpose of this change is to add all of the current registration and licensing forms for radiation-producing machines to Article 2. In the past all of the forms were available from the Agency. Only a single form is now listed in this Article.

The reader should note that the name of this Article is changing to: Registration and Certification of Ionizing Radiation Machine Facilities, Registration of Services, and Licensing of Nonionizing Radiation Machine Facilities. This change should be approved by the Attorney General within the next 60 days.

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3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Aubry Godwin  
Address: Arizona Radiation Regulatory Agency  
4814 South 40th Street  
Phoenix, Arizona 85040
5. **The time during which the agency will accept written comments and the time and place where may be made:**  
The Department will accept written comments between 8 a.m. and 5 p.m. Monday through Friday.  
The Department will accept oral comments between 8 a.m. and 4:30 p.m., Monday through Friday, at the location listed above.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 8, Department of Environmental Quality - Waste Management  
**Article and its heading:** 14, Medical Waste  
**Section numbers:** R18-8-1401 through R18-8-1416
2. **Subject matter of the proposed rule:**  
Pursuant to A.R.S. § 761, this rule package identifies categories of regulated biohazardous medical waste and sets forth proper segregation, packaging, storage, transportation, treatment standards, and disposal requirements. In addition, it sets forth requirements for solid waste facilities which accept biohazardous medical waste.  
**The agency docket number, if applicable:**  
None.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Martha Seaman  
Address: Department of Environmental Quality  
3033 North Central Avenue, Room 831  
Phoenix, Arizona 85012  
Telephone: (602) 207-2222  
Fax: (602) 207-2251
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments for 30 days following publication of the proposed rulemaking.  
The Department will schedule an oral proceeding, within the statutorily mandated time frame, to be noticed in the *Register*.
6. **A timetable for agency decisions or other action in the proceeding:**  
At this time, it is anticipated that proposed rules will be published in the *Register* in the fall of 1995.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 10, Department of Environmental Quality - Wastewater Management Authority of Arizona  
**Article and its headings:** 1, Financing of Wastewater Facilities and Nonpoint Source Discharge Programs  
**Section numbers:** R18-10-101 through R18-10-115
2. **Subject matter of the proposed rule:**  
The subject matter of the proposed rules is the financing of wastewater facilities and nonpoint source discharge programs. The financing includes the types of financial assistance available, eligibility criteria, federal requirements, and fund administration. This Article was originally designed after the federal construction grants program for wastewater facilities.

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Terminology has changed, new financial assistance has become available, and the requirements for financial assistance have been made more flexible. Therefore, the rules are being amended to reflect the changes from the federal regulations and state statutes.

**The agency docket number, if applicable:**

None.

**3. A citation to all published notices relating to the proceeding:**

None published.

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Martha Seaman  
Address: Department of Environmental Quality  
3033 North Central Avenue, Room 831  
Phoenix, Arizona 85012  
Telephone: (602) 207-2222  
Fax: (602) 207-2251

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department will publish this information in the Notice of Proposed Rulemaking.

**6. A timetable for agency decisions or other action in the proceeding:**

To be published in the Notice of Proposed Rulemaking. No draft rule exists at this time. ADEQ is compiling the changes to create a proposed rule package.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA RACING COMMISSION**

**1. Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming

**Chapter and its heading:** 2, Arizona Racing Commission

**Article and its headings:** 1, Horse Racing

**Section number:** Unknown

**2. Subject matter of the proposed rule:**

The rule will address all aspects of mule racing.

**The agency docket number, if applicable:**

None.

**3. A citation to all published notices relating to the proceeding:**

None.

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Aikaterine Vervilos  
Address: Arizona Racing Commission  
15 South 15th Avenue, Suite 100  
Phoenix, Arizona 85007  
Telephone: (602) 542-5151  
Fax: (602) 542-5177

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Commission will accept written comments from 8 a.m. to 5 p.m. Monday through Friday.

The Commission has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or other action in the proceeding:**

None.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA RACING COMMISSION**

**1. Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming

**Chapter and its heading:** 2, Arizona Racing Commission

**Article and its headings:** 1, Horse Racing

**Section number:** R19-2-125

**2. Subject matter of the proposed rule:**

The rule covers eligibility, application forms, due dates, fees, disqualification, eligible races, distribution of the awards, and the appeals process of decisions made for the Arizona Stallion Awards.

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**The agency docket number, if applicable:**

None.

**3. A citation to all published notices relating to the proceeding:**

94 A.A.R. 170, August 31, 1994  
Vol. # Page # Issue date

94 A.A.R. 245, October 31, 1994  
Vol. # Page # Issue date

1 A.A.R. 440, May 5, 1995  
Vol. # Page # Issue date

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Aikaterine Vervilos  
Address: Arizona Racing Commission  
15 South 15th Avenue, Suite 100  
Phoenix, Arizona 85007  
Telephone: (602) 542-5151  
Fax: (602) 542-5177

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Commission will accept written comments from 8 a.m. to 5 p.m. Monday through Friday.

The Commission has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or other action in the proceeding:**

None.