

## NOTICE OF PUBLIC INFORMATION

### DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 12, Department of Environmental Quality- Underground Storage Tanks  
**Articles and its heading:** 6, Underground Storage Tank Assurance Fund  
**Section numbers:** R18-12-605.01 and R18-12-607.01

2. **Subject matter of the special rules:**

The purpose of these special rulemakings is to establish UST State Assurance Fund coverage for the costs of corrective actions relating to soil remediation, and to establish preapproval procedures for all corrective actions and related costs for which payment is being sought pursuant to A.R.S. § 49-1052.

This Notice is being submitted to the Office of the Secretary of State pursuant to Laws 1995 Ch. 1, 4 S.S., §. 10, which requires that the Department establish rules for the coverage of the costs of corrective actions relating to soil remediation, and rules for pre-approval of work plans. Section 10 dictates that these rules be adopted by the Director no later than August 15, 1996. Additionally, the legislature expressly exempted these rules from A.R.S. Title 41, Chapter 6 (the Arizona Administrative Procedure Act). However, these rules are subject to public notice and hearing.

Since the text of the special rules will not be published in the *Arizona Administrative Register*, please obtain copies by calling the Department at (602) 207-2222 (1-800-234-5677 ext. 2222) or by picking up a copy at the Customer Service Office at the Department of Environmental Quality, 3033 North Central Avenue, Phoenix, Arizona, after July 5, 1996.

In accordance with the amendments to A.R.S. § 49-1052(O), this special rule will provide coverage for the costs of corrective actions relating to soil remediation that are consistent with remediation standards developed pursuant to A.R.S. Title 49, Chapter 1, Article 4. Payment from the State Assurance fund shall be made for corrective action costs to remediate to levels approved by the Department pursuant to this rule.

Additionally, amendments to A.R.S. § 49-1052(B), require the Department to establish a preapproval procedure for all corrective actions and related costs for which payment is being sought pursuant to A.R.S. § 49-1052. Under the preapproval rules, those parties seeking payment for expenses related to a corrective action must submit a work plan to the Department in accordance with the preapproval procedures.

- | <b>3. Sections Affected</b> | <b>Rulemaking Action</b> |
|-----------------------------|--------------------------|
| R18-12-605.01               | New Section              |
| R18-12-607.01               | New Section              |
| R18-12-707(B)               | Amend                    |

4. **A citation to all published notices relating to the proceeding:**  
None.

5. **The date, time and location of public hearings:**

- Date: July 31, 1996  
Time: 1 p.m.  
Location: Flagstaff City Council Chambers  
211 West Aspen  
Flagstaff, Arizona
- Date: August 1, 1996  
Time: 1 p.m.  
Location: Public Meeting Room  
Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona
- Date: August 2, 1996  
Time: 1 p.m.  
Location: State Office Building  
Room 222  
400 West Congress  
Tucson, Arizona

*Arizona Administrative Register*  
**Notices of Public Information**

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6. Name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:

Name: Michael L. Denby or Martha L. Seaman

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