

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

DEPARTMENT OF ADMINISTRATION

1. **Title and its heading:** 2, Administration
Chapter and its heading: 6, Department of Administration - Public Buildings Maintenance
Articles and their headings: 1, Traffic and Parking
2, In General
3, Severability
4, Energy Conservation and Solar Design Standards
Section numbers: R2-6-101 through R2-6-109, R2-6-201 through R2-6-212, R2-6-301, and R2-6-401. (Sections may be added, deleted, or modified during this rulemaking to address the subject matter in question 2.)
2. **Subject matter of the proposed rules:**
The Department is updating and reorganizing this Chapter. Rules of general applicability in Article 2 will be repealed and replaced by a new Article 1. Traffic and parking rules will be moved from Article 1 to Article 2. The severability rule will be moved from Article 3 to Article 5. A new Article 3, governing solicitation on state property, will be proposed. Article 4, concerning energy conservation and solar design standards, will be repealed and replaced with a new Article 4, governing special events on state property. All Sections in Chapter 6 will be updated to reflect current rule drafting style.
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: Scott Cooley
Address: Department of Administration
1400 West Washington, Suite 270
Phoenix, Arizona 85007
Telephone: (602) 542-2058
Fax: (602) 542-1795
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
Written and oral comments will be accepted at the location listed above between 8 a.m. and 5 p.m., Monday through Friday, until the close of record. No date has been selected for the close of record and no oral proceedings have been scheduled.
6. **A timetable for agency decisions or other action in the proceeding:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 2, Department of Agriculture - Animal Services Division
Articles and their headings: 1, Definitions
5, State-Federal Cooperative Disease Control Program
6, Health Requirements Governing Admission of Animals
Section numbers: R3-2-101, R3-2-501, R3-2-502, R3-2-503, R3-2-601, and R3-2-612.
2. **The subject matter of the proposed rules:**
These rules govern the state and federal cooperative disease control program and the importation of cattle. The proposed rules add additional requirements to prevent the introduction of brucellosis or tuberculosis from cattle imported from Mexico. The tuberculosis preventive actions contained in the *Border State Veterinarian's Consensus Document* was endorsed by the Arizona/Sonora Animal Health Committee in the fall of 1995. This Committee requested the State Veterinarian to promulgate rules incorporating the tuberculosis preventive measures contained in the *Consensus Document*. Additional rule changes include adding definitions, updating each incorporation by reference, correcting old terminology, eliminating text duplicated by statute, and rewriting the rules for clarity and understanding.

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3. **A citation to all published notices relating to the proceeding:**
1 A.A.R. 32, January 27, 1995.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Shirley Conard, Rules Specialist
Address: Department of Agriculture
1688 West Adams, Room 124
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
5. **The time during which written submissions may be made 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:**
Unknown.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 27, Arizona Health Care Cost Containment System - Health Care for Private Employer Groups/
AHCCCS Administered
Articles and their headings: 1, Definitions
2, Scope of Services
3, Eligibility and Enrollment
4, Contracts, Administration, and Standards
5, General Provisions and Standards
6, Grievance and Appeal Process
7, Standard for Payments
8, Coordination of Benefits
Section numbers: R9-27-101, R9-27-201 through R9-27-211, R9-27-301 through R9-27-310, R9-27-401 through R9-27-408, R9-27-501 through R9-27-516, R9-27-601 through R9-27-603, R9-27-701 through R9-27-705, and R9-27-801
2. **The subject matter of the proposed rules:**
The proposed rules changes are necessary to:
 - Standardize the name of the program;
 - Remove references to the AHCCCS Administration and AHCCCS rules to comply with state statutes which require Healthcare Group rules to stand alone;
 - Remove procedures from rules; and
 - Allow flexibility in order for the program to be more marketable to both the health plans and to the uninsured public.
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: Cheri Tomlinson
Address: AHCCCS Administration, Office of Policy Analysis and Coordination
801 East Jefferson Street, Mail Drop #4200
Phoenix, Arizona 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Administration will accept written comments sent to the address indicated above. Public hearing dates have yet to be determined.

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6. A timetable for agency decisions or other action in the proceeding:
Initiate rulemaking in 1996.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Title and its heading: 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Articles and their headings: 7, Existing Stationary Source Performance Standards
9, New Source Performance Standards
11, Federal Hazardous Air Pollutants
Section numbers: R18-2-731, R18-2-901, R18-2-1101, and Appendix 2
2. The subject matter of the proposed rules:
This rulemaking updates the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs) through July 1, 1996, by incorporating by reference all relevant new EPA regulations.
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: Mark Lewandowski, Rule Development
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012-2809
Telephone: (602) 207-2230
Fax: (602) 207-2251
OR
Name: Martha L. Seaman, Rule Development Section Manager
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012-2809
Telephone: (602) 207-2222
Fax: (602) 207-2251
5. The time during which written submissions may be made and the time and place where oral comments may be made:
The dates for oral proceedings and the close of the written comment period will be announced in the Notice of Proposed Rulemaking that appears in this Register.
6. A timetable for agency decisions or other action in the proceeding:
The dates for oral proceedings and the close of the written comment period will be announced in the Notice of Proposed Rulemaking that appears in this Register.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Title and its heading: 18, Environmental Quality
Chapter and its heading: 13, Department of Environmental Quality - Solid Waste Management
Articles and their headings: 4, Solid Waste Facility Plan Application Content
5, Solid Waste Facility Plan Review Procedures
8, Solid Waste Facility Self-certification Notice and Submission Requirements
Section numbers: R18-13-401 et seq., R18-13-501 et seq., and R18-13-801 et seq.
2. The subject matter of the proposed rules:
This rulemaking is procedural in nature. Article 4 contains the information that is required for each solid waste facility plan. The information is of a general nature, and common to all solid waste facility plans. Article 4 contains no technical design and operations standards and is meant to be used with another Article such as landfills.

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Article 5 contains the procedures for review of a solid waste facility plan that is prepared and submitted to ADEQ. Additionally, Article 5 contains the timeframes for review by ADEQ of solid waste facility plans. Articles 4 and 5 are intended to be used with another Article which will contain the design and operation standards plan review for solid waste facilities which currently have design and operations rules such as municipal solid waste landfills.

During the 42nd Legislature, second regular session, the Arizona Legislature allowed a solid waste facility to operate without plan approval. The solid waste facility must certify that it will operate in conformity with the standards established by ADEQ. This new process that does not require plan approval is called "self-certification." Article 8 contains the general information that all solid waste facilities will submit to ADEQ for the self-certification process. Article 8 is similar to Article 4 in that it requires a companion Article with the design and operations standards. Therefore, when Article 8 is effective, only a solid waste facility with design and operation standards that can use the self-certification process will be required to comply with this Article.

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: Lynn Keeling
Address: Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012
Telephone: (602) 207-2223 or (800) 234-5677, ext. 2223 (Arizona only)
Fax: (602) 207-2251

OR

Name: Martha L. Seaman, Rule Development Section Manager
Address: Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012
Telephone: (602) 207-2222
Fax: (602) 207-2251

5. The time during which written submissions may be made and the time and place where oral comments may be made:

The Department distributed the draft proposed rule in July. An informal comment period ends July 31, 1996. If the Department is able to address the informal comments, the rule will be proposed in September 1996.

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

None.

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DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 13, Department of Environmental Quality - Solid Waste Management
Articles and their headings: 7, Solid Waste Facility Plan Review Fees
Section numbers: R18-13-701

2. **The subject matter of the proposed rules:**

This rulemaking is to amend the solid waste plan review fees to include the fees for the review of a special waste management plan component of a solid waste facility plan review.

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: Lynn Keeling
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2223 or (800) 234-5677, ext. 2223 (Arizona only)
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Name: Martha L. Seaman, Rule Development Section Manager
Address: Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2222
Fax: (602) 207-2251

5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Department distributed the draft proposed rule in July. An informal comment period ends August 9, 1996. If the Department is able to address the informal comments, the rule will be proposed later in August 1996.
6. **A timetable for agency decisions or other action in the proceeding:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA STATE LOTTERY COMMISSION

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 3, Arizona State Lottery Commission
Articles and their headings: 3, Instant Lottery Games
Section number: R19-3-327
2. **The subject matter of the proposed rules:**
This rule identifies a new instant ticket game.
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: Sandy Williams, Executive Director
Address: Arizona State Lottery Commission
4740 East University Drive
Phoenix, Arizona 85034
Telephone: (602) 921-4400
Fax: (602) 921-4512
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Commission will accept written comments between 8 a.m. and 5 p.m. Monday through Friday (except state holidays).
The Commission will accept oral comments between 8 a.m. and 4:30 p.m. Monday through Friday (except state holidays).
6. **A timetable for agency decisions or other action in the proceeding:**
None.