

NOTICES OF RULEMAKING DOCKET OPENING

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

NATUROPATHIC PHYSICIANS BOARD OF MEDICAL EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 18, Naturopathic Physicians Board of Medical Examiners
Article and its heading: 1, In General
2, Licenses; Certificates; Renewal
Section numbers: R4-18-101, R4-18-102, R4-18-103, Table 1, R4-18-107, R4-18-201, R4-18-202, R4-18-203, R4-18-204, R4-18-205, R4-18-206, R4-18-207, R4-18-208.
2. **The subject matter of the proposed rule:**
As required by A.R.S. § 41-1072 through § 41-1078, the Board is establishing time-frames for each type of approval, license, and certificate issued by the Board. The rules also set forth application requirements. The Board is repealing current definitions because they are not used in the rules and is providing new definitions to clarify terms used in the rules. The fee provisions are being repealed because, under A.R.S. § 32-1527, the Board is required to establish fees at an open public meeting. A.R.S. § 41-1005(26) provides an exemption from the Administrative Procedure Act for fees.
3. **A citation to all published notices relating to the proceeding:**
Not applicable.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Dr. John Brewer, Executive Director

Address: Naturopathic Physicians Board of Medical Examiners
1400 West Washington, Room 230
Phoenix, Arizona 85007

Telephone: (602) 542-8242
Fax: (602) 542-3093
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will continue to accept written comments at the location listed above between 8 a.m. and 5 p.m., Monday through Friday, until the close of record.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and their headings: 9, Penalties And Miscellaneous
10, Uniformed Controlled Substances And Drug Offenses
Section numbers: R4-23-901, R4-23-1001, R4-23-1003, R4-23-1005, R4-23-1006

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2. Subject matter of the proposed rule:

The rule seeks to amend the Sections R4-23-901, R4-23-1001, R4-23-1003, R4-23-1005, and R4-23-1006 based on the Board's 5-year rule review in September 1997. Section R4-23-901 establishes penalties for violation of Board rules. Section R4-23-1001 establishes requirements for character and fingerprint identification. Section R4-23-1003 establishes specific requirements for controlled substance records and order forms. Section R4-23-1005 identifies the substances excepted from the schedules of controlled substances. Section R4-23-1006 identifies the substances excepted from drug offenses.

The agency docket number, if applicable:

R9901

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: Dean Wright, Compliance Officer
Address: Arizona Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015
Telephone: (602) 255-5125, Ext. 131
Fax: (602) 255-5740

5. The time during which the agency will accept written comments:

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m. Oral comments may be made:

Time: Monday through Friday, 8 a.m. to 4:30 p.m.

Location: Arizona Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015

Nature: Oral comments

Written and oral comments will be accepted until the close of record on a date and time not yet determined.

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

None.

NOTICE OF RULEMAKING DOCKET OPENING

**ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Article and its heading: 6, Emissions from Existing and New Nonpoint Sources
Section numbers: Not determined at this time

2. The subject matter of the proposed rule:

The rule, to be adopted by the Agricultural Best Management Practices Committee, will establish a general permit specifying best management practices for regulated agricultural activities to reduce particulate matter less than 10 microns (PM-10). The rule will apply only in the Maricopa PM-10 nonattainment area and is required to comply with A.R.S. § 49-457.

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

4 A.A.R. 10 (semi-annual index); December 31, 1998 (list of Governor appointed Committee members).

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

Name: Ross Rodgers

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Address: Governor's Agricultural Best Management Practices Committee
Department of Environmental Quality
3003 North Central Avenue, 5th Floor
Phoenix, Arizona 85012

Telephone: (602) 207-2325

Fax: (602) 207-2366

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

Both written and oral comments will be accepted during business hours until further notice is provided. Notice of an oral proceeding will be provided in a later edition of the *Register*.

6. **A timetable for agency decisions or other action on the proceeding, if known:**

A.R.S. § 49-457 mandates the Agricultural Best Management Practices Committee adopt the rule by June 10, 2000.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY
SOLID WASTE MANAGEMENT

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 13, Department of Environmental Quality - Solid Waste Management
Article and its heading: 25, Recycling
Section numbers: R18-13-2501 (*section numbers may be added, deleted or modified to address the subject matter of the proposed rule*)

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

This rulemaking is to make a rule that describes the recycling emblem and its usage.

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

Not applicable.

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

Primary Contact:

Name: Deborah K. Blacik

Address: Arizona 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

Secondary Contact:

Name: Martha Seaman

Address: Arizona Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012

Telephone: (602) 207-2222 or (800) 234-5677, Ext. 2222 (Arizona only)

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:**

To be announced in the Notice of Proposed Rulemaking.

6. **A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
POLLUTION PREVENTION**

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 17, Department of Environmental Quality - Pollution Prevention
Article and its heading: 1, General
Section numbers: R18-17-102 (*section numbers may be added, deleted or modified to address the subject matter of the proposed rule*)
2. **The subject matter of the proposed rule:**
This rulemaking is to make a rule to identify a substances list to be used by facilities in completing the annual toxic data report.
3. **A citation to all published notices relating to the proceeding:**
Not applicable.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Primary Contact:
Name: Deborah K. Blacik
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
Secondary Contact:
Name: Martha Seaman
Address: Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012
Telephone: (602) 207-2222 or (800) 234-5677, Ext 2222 (Arizona only)
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:**
To be announced in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY
POLLUTION PREVENTION**

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 17, Department of Environmental Quality - Pollution Prevention
Article and its heading: 1, General
Section numbers: R18-17-103 (*section numbers may be added, deleted or modified to address the subject matter of the proposed rule*)
2. **The subject matter of the proposed rule:**
This rulemaking is to make a rule to establish the procedure by which ADEQ would conduct, at the facility's expense, an on-site visit, train the facility contacts in pollution prevention, and complete a pollution prevention plan or toxic data report for those facilities that do not submit a plan or toxic data report and are required to file.

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

Not applicable.

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

Primary Contact:

Name: Deborah K. Blacik
Address: Arizona 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

Secondary Contact:

Name: Martha Seaman
Address: Arizona Department of Environmental Quality
3033 North Central Avenue, 8th Floor
Phoenix, Arizona 85012
Telephone: (602) 207-2222 or (800) 234-5677, Ext. 2222 (Arizona only)
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:

To be announced in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WEIGHTS AND MEASURES

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 2, Department of Weights and Measures
Article and its heading: 7, Motor Fuels and Petroleum Products
Section numbers: R20-2-701, R20-2-750, R20-2-751, R20-2-752, R20-2-753, R20-2-754, R20-2-755, R20-2-756, R20-2-757, R20-2-758, R20-2-759, R20-2-760, R20-2-761, R20-2-762, Table 1, Table 2

2. The subject matter of the proposed rule:

The rule would implement 1998 legislation (Ch. 171) requiring all gasoline produced and shipped to Maricopa County and sold or offered for sale for use in motor vehicles in area A (approximately the Phoenix metropolitan area, including portions of Yavapai and Pinal Counties) to meet specifications similar to California Phase 2 reformulated gasoline with an ethanol content of 10% by volume from November through March, beginning November 2, 2000. A.R.S. § 41-2124(F) directs the Department of Environmental Quality to adopt such a rule in consultation with the Department of Weights and Measures.

Additionally, the rule would implement proposed 1999 "technical amendments" legislation (HB 2189), make other minor amendments recommended by the regulated community, and address issues related to clarity, conciseness and understandability.

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

Notice of Docket Opening: 4 A.A.R. 3344, October 23, 1998.

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

Name: Michelle Ringsmuth
Address: Department of Environmental Quality
3003 North Central Avenue T-5109B
Phoenix, Arizona 85012-2905

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Telephone: (602) 207-2372 (Any extension may be reached in-state by dialing 1-800-234-5677, and asking for that extension.)

Fax: (602) 207-2366

E-mail: ringsmuth.michelle@ev.state.az.us

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

To be announced in the Notice of Proposed Rulemaking. See next week's *Register*.

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

To be announced in the Notice of Proposed Rulemaking. See next week's *Register*.