

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
PERSONNEL ADMINISTRATION**

1. **Title and its heading:** 2, Administration
Chapter and its heading: 5, Department of Administration - Personnel Administration
Article and its heading: 9, Separations
Section numbers: R2-5-902 and R2-5-904
2. **The subject matter of the proposed rules:**
The proposed rulemaking is permanent rulemaking that will replace the temporary exempt rules that expired June 30, 1999. They contain procedures for conducting a reduction in force, including the bases for reduction, class status, type of employment, calculation of retention points, offer of position, employee review requests, and provision for severance pay for employees willing to volunteer for a reduction in force. The proposed rules are essentially the same as the exempt rules that were promulgated pursuant to Laws 1997, Chapter 288 and repealed automatically June 30, 1999.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Gordon Carrigan, Human Resources Generalist
Address: Department of Administration
1831 W. Jefferson, Room 107
Phoenix, AZ 85007
Telephone: (602) 542-4784
Fax: (602) 542-4507
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m. Oral comments will be accepted Monday through Friday, 8 a.m. to 4 p.m. Comments will be accepted at the address listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding:**
Unknown at this time.

NOTICE OF RULEMAKING DOCKET OPENING

OFFICE OF THE SECRETARY OF STATE

1. **Title and its heading:** 2, Administration
Chapter and its heading: 12, Office of the Secretary of State
Article and its heading: 6, Data Processing Fees and Expedited Services Fee
Section numbers: R2-12-601 and R2-12-602
2. **The subject matter of the proposed rules:**
These rules establish fees for the Data Processing fund per A.R.S. § 41-127(B) and a fee for expedited services per A.R.S. § 41-126(C).
3. **A citation to all published notices relating to the proceeding:**
None published.

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

Name: Connie Copeland, Director
Business Services

Address: Secretary of State
Business Services Division
1700 W. Washington, 7th Floor
Phoenix, AZ 85007-2888

Telephone: (602) 542-5561

Fax: (602) 542-7386

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

To be determined.

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

To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF BUILDING AND FIRE SAFETY

1. Title and its heading: 4, Professions and Occupations

Chapter and its heading: 36, Department of Building and Fire Safety

Article and its heading: 9, Consumer Complaints

Section numbers: To be determined

2. The subject matter of the proposed rules:

The proposed rules will implement new statutes that were passed during the 1999 legislative session to create a consumer complaint process. The proposed rulemaking will entail the promulgation of new rules.

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

None.

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

Name: Larry Pointer

Address: Department of Building and Fire Safety
99 East Virginia, Suite #100
Phoenix, Arizona 85004

Telephone: (602) 255-4072

Fax: (602) 255-4962

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

Written comments will be accepted by the Department Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. The date, time, and location for oral comments, if scheduled, will be posted in the Notice of Proposed Rulemaking.

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

Not yet determined.

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: 1, General Provisions; 2, Radiation Machine Facility Registration or Licensing, Installation and Service Registration, and Mammographic Facility Certification; 3, Radioactive Material Licensing; 4, Standards for Protection Against Ionizing Radiation; 5, Radiation Safety Requirements for Industrial Radiographic Operations; 6, Use of X-rays in the Healing Arts; 7, Use Of Radionuclides in the Healing Arts; 9, Radiation Safety Requirements For Particle Accelerators; 12, Administrative Provisions
Section numbers: R12-1-102, R12-1-202, R12-1-206, R12-1-303, R12-1-401, R12-1-402, R12-1-403, R12-1-404, R12-1-405, R12-1-406, R12-1-407, R12-1-408, R12-1-409, R12-1-410, R12-1-411, R12-1-412, R12-1-413, R12-1-414, R12-1-415, R12-1-416, R12-1-417, R12-1-418, R12-1-419, R12-1-420, R12-1-421, R12-1-422, R12-1-423, R12-1-424, R12-1-425, R12-1-426, R12-1-427, R12-1-428, R12-1-429, R12-1-430, R12-1-431, R12-1-432, R12-1-433, R12-1-434, R12-1-435, R12-1-436, R12-1-437, R12-1-438, R12-1-439, R12-1-440, R12-1-441, R12-1-442, R12-1-443, R12-1-444, R12-1-445, R12-1-446, R12-1-447, R12-1-448, R12-1-449, R12-1-450, R12-1-501, R12-1-502, R12-1-503, R12-1-504, R12-1-505, R12-1-506, R12-1-507, R12-1-508, R12-1-509, R12-1-510, R12-1-511, R12-1-512, R12-1-521, R12-1-522, R12-1-523, R12-1-524, R12-1-531, R12-1-532, R12-1-533, R12-1-534, R12-1-541, R12-1-606, R12-1-608, R12-1-612, R12-1-615, R12-1-703, R12-1-714, R12-1-720, R12-1-904, R12-1-905, R12-1-913, R12-1-914, R12-1-1209

2. **Subject matter of the proposed rules:**
The majority of the changes are the result of a 5-year review of the rules contained in Article 4, completed in June, and Article 5 which was completed in the fall of 1998. Many other changes are being made to remain compatible with Nuclear Regulatory Commission (NRC) standards; to incorporate regulatory requirements that were previously addressed in license conditions, and to improve the readers understanding of existing rules. Under consideration at this time are the following new rules: R12-1-512, R12-1-612, R12-1-720, R12-1-905, R12-1-913, and R12-1-914.
Agency docket number:
#0046

3. **A citation to all published notices relating to the proceedings:**
None.

4. **Name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Aubrey Godwin
Address: Arizona Radiation Regulatory Agency
4814 South 40th Street
Phoenix, Arizona 85040

5. **The time during which written comments can be made:**
Written comments will be accepted 8 a.m. to 5 p.m., Monday through Friday.
The time and place where oral comments can be made:
Oral comments will be accepted 8 a.m. to 4:30 p.m., Monday through Friday, at the address listed in question #4.

6. **A timetable for agency decision or other action in the proceeding:**
A timetable is not available at this time.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation, Motor Vehicle Division
Article and its heading: 2, Titles and Registration
Section numbers: R17-4-238
2. **Subject matter of the proposed rules:**
The Motor Vehicle Division proposes repeal of the entire rule as partially inconsistent with, and partially duplicative of A.R.S. § 28-4363. The rule is obsolete, dating back to 1939. This action is in compliance with recommendations made in the division's 5-year-rule review report of January 30, 1998.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: George R. Pavia
Address: Department of Transportation
3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014
Telephone: (602) 712-8446
Fax: (602) 241-1624
E-Mail: gpavia@dot.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:**
Oral or written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF 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: 1, General
3, Permits and Permit Revisions
Section numbers: R18-2-101, R18-2-301, R18-2-304, R18-2-306, R18-2-309, and R18-2-320
2. **The subject matter of the proposed rules:**
The Department of Environmental Quality will propose to incorporate 40 CFR 64 (the federal CAM, or compliance assurance monitoring rules) into Arizona air quality rules. In addition, ADEQ will also propose to clarify existing language concerning significant revisions for Class I sources so that CAM will be implemented the same way in Arizona as the rest of the country. ADEQ will also propose to modify the definition of major source at R18-2-101(61) to ensure continued approvability of Arizona's air permitting rules under Part 70.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mark Lewandowski or Martha Seaman

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Address: Department of Environmental Quality
3033 N. Central Avenue
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:**
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
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: 8, Emissions From Mobile Sources (New and Existing)
Section numbers: To be determined
2. **The subject matter of the proposed rules:**
ADEQ is considering a rulemaking that would adopt California's emission standards for new, small off-road engines sold or introduced into commerce anywhere in the state of Arizona beginning with the 2003 model year. Under A.R.S. § 49-542.04(B)(1) through (5), these standards may apply to engines under 25hp.
- The rule will cover the engines in such items as: lawn mowers, weed trimmers, chain saws, golf carts, specialty vehicles, go-carts, generators and pumps (both spark ignited and diesel).
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Frederick Merrill, Rule Development Section
Address: Department of Environmental Quality
3033 N. Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2242
Fax: (602) 207-2251
E-mail: merrill.fred@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.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be announced.