

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Due to time restraints, the Secretary of State's Office will no longer edit the text of proposed rules. We will continue to make numbering and labeling changes as necessary.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the Register before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 3. AGRICULTURE

CHAPTER 4. DEPARTMENT OF AGRICULTURE - PLANT SERVICES DIVISION

PREAMBLE

- 1. Sections Affected**
R3-4-248
- Rulemaking Action**
Amend
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 3-107
Implementing statute: A.R.S. § 3-201.01(A)
- 3. A list of all previous notices appearing in the Register addressing the adopted rule:**
Notice of Rulemaking Docket Opening: 5 A.A.R. 1617, May 28, 1999; republished in 6 A.A.R. 3114, August 18, 2000
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Ross Rodgers, rule writer
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-Mail: ross.rodgers@agric.state.az.us
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
This rulemaking updates the Japanese beetle rule to ensure that pest risks are acceptably managed. The rule follows the guidelines established by the National Plant Board in the U.S. Domestic Japanese Beetle Harmonization Plan. This plan establishes a framework to encourage states to consistently and appropriately characterize Japanese beetle pest risk and infestation status based on up-to-date scientific and field information; and to pursue more uniform adoption and implementation of pest risk mitigation measures to reduce pest risk to a level acceptable to receiving states.
Adult Japanese beetles feed on foliage, flowers, and fruits of hundreds of different plants while the larvae feed on plant roots. It is an economic pest of turf, pastures, fruit trees and ornamental plantings.

Japanese beetle is univoltine, requiring 1 year to complete its life cycle in most parts of its range. Depending upon latitude and weather, adult beetles emerge from the soil to mate and feed as early as mid-May in warmer areas and as late as July in colder climates. Males emerge a few days before the females. Emerging females are sexually mature, carry an average of 20 eggs, and begin to oviposit immediately after mating.

Oviposition sites are usually selected on the basis of proximity to feeding sites, ground cover, and condition of the soil. Oviposition usually occurs near the area where the female has been feeding, preferably on grass covered soil and soil moist enough to prevent egg desiccation and loose enough to allow digging. Female beetles burrow into the soil and deposit 1 to 3 eggs at a time at a depth of 2 to 4 inches. Each female may produce 40 to 60 eggs in a lifetime; eggs hatch within 2 weeks of oviposition.

After hatching, larvae begin feeding on nearby rootlets and continue feeding until the rootlet is consumed. Larvae then move horizontally until a new rootlet is found. As soil temperatures cool in the fall, larvae move deeper into the soil. All activity ceases when temperatures reach about 10° C (50°F) with most larvae overwintering as third instars. When soil temperatures warm in the spring, larvae move upward again and feed for a time before entering an inactive prepupal condition. Since the species is adapted to develop in moist soil, Japanese beetle eggs must absorb water to successfully complete embryonic development. As a result, if there is not sufficient moisture in the soil, the eggs will die. The maximum temperature for incubation is approximately 30°C. And, Japanese beetle eggs are not cold hardy. In general, Japanese beetle develop from egg to adult at temperatures between 17.5 and 27.5°C.

Subsection (B). Japanese beetle infested areas include any county, parish, regional municipality, or state that is known to harbor an infestation. The determination of infested areas, and the changes made in subsection (B), quarantine area, is determined by detection and delimitation surveys of any location or area considered infested with the Japanese beetle when multiple adult Japanese beetles are detected within the same area in a single year; adult Japanese beetles are trapped at the same location for 2 or more successive years; or an alternate life stage is found associated with the detection of an adult. A state or county is considered infested if no delimitation or mitigation action is taken once Japanese beetle is detected, or after 2 consecutive years of detections. An infested area retains its infested status until eradication efforts have resulted in 2 subsequent and consecutive years of negative trap surveys conducted at the delimitation level after the first eradication treatment has been applied.

Subsection (C). Feeding damage to turf that is well-maintained is usually not obvious until the density of larvae exceeds 10 per square foot; in poorly maintained turf the damage threshold is lower. Newly emerged beetles prefer low growing plants for the first few days, then switch to fruit and shade trees for the next several weeks, then return to the low growing plants. Pupation occurs after about 10 days and lasts 8 to 20 days before adult eclosion. Records have shown that although Japanese beetle has been recorded as feeding on 435 plant species, of these 47 are frequent hosts.

The free movement of Japanese beetle host commodities between and among states, and portions of states of equal pest status, is allowed when consistent with standard phytosanitary and nursery inspection practices designed to prevent artificial movement of plant pests.

The U.S. Domestic Japanese Beetle Harmonization Plan allows for 4 Japanese beetle regulatory strategies based on a state's pest classification.

- (1) Category 1 – Uninfested/Quarantine Pest.
- (2) Category 2 – Uninfested or Partially Infested/Regulated Non-Quarantine Pest.
- (3) Category 3 – Partially or Generally Infested/No Regulatory Significance.
- (4) Category 4 – Historically Not Known To Be Infested/No Regulatory Significance.

The main factors affecting the natural spread of Japanese beetle, besides availability of food and oviposition sites, are topography, temperature, rainfall, and wind. Assuming adequate soil moisture, when extensive areas of flat farming land are present, Japanese beetle spreads rapidly. However, mountainous areas of forests slow migration. Japanese beetle eggs and larvae in the soil are susceptible to desiccation. For survival, there must be rainfall or irrigation throughout the year of at least 10 inches. In the summer the soil temperature must be between 17.5°C (63.5°F) and 72.5°C (162.5°F) for development and survival. In winter, temperatures must exceed 9.4°C (15°F) to prevent larval mortality. Snow cover helps to thermally insulate the soil and prevent mortality when air temperatures reach lethal levels. The spread of Japanese beetle along its leading edge has been variously estimated to be between 2 to 15 miles per year. Predictions regarding the future spread of Japanese beetle have been based primarily on these temperature and rainfall requirements.

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6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material.

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

A. *The Arizona Department of Agriculture.*

This rulemaking should not have adverse economic effects for the Department.

B. *Political Subdivision.*

Political subdivisions of this state are not directly affected by the implementation and enforcement of this rulemaking.

C. *Businesses Directly Affected By the Rulemaking.(Common and private carriers, railroads instate and out-of-state nurseries.*

D. *Private and public employment.*

Private and public employment is not directly affected by the implementation and enforcement of this rulemaking.

E. *Consumers and the Public.*

This rulemaking increases the positive public relations between the nursery industry and consumers by providing more stringent quarantine requirements to assure that plants are not infested.

F. *State Revenues.*

This rulemaking will have no impact on state revenues.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Ross Rodgers, rule writer
Address: Arizona Department of Agriculture
1688 West Adams, Room 235
Phoenix, Arizona 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-Mail: ross.rodgers@agric.state.az.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: October 30, 2000
Time: 3:00 p.m.
Location: Arizona Department of Agriculture
1688 West Adams, Room 206
Phoenix, Arizona 85007
Nature: Oral Proceeding

Written comments on the proposed rules or preliminary economic, small business and consumer impact statement must be received by 4:30 p.m., October 30, 2000. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Department's coordinator, Patrick Stevens, (602) 542-4316 (voice) or 1-800-367-8939 (TTY Relay). Requests should be made as early as possible to allow time to arrange the accommodation.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 3. AGRICULTURE

CHAPTER 4. DEPARTMENT OF AGRICULTURE - PLANT SERVICES DIVISION

ARTICLE 2. QUARANTINE

Section

R3-4-248. Japanese Beetle

ARTICLE 2. QUARANTINE

R3-4-248. Japanese beetle

A. Notice of quarantine. It has been determined that the Japanese beetle, *Popillia japonica* (Newman), is a dangerous insect pest not known to occur in the state of Arizona; that the Japanese beetle is a serious threat to forest trees, agricultural crops, turf grass and certain ornamental plants. In order to prevent the introduction into the state of Arizona, and the spread within the state of this serious pest, it is hereby ordered and declared that the entry of quarantined articles into the state of Arizona shall be governed by the following regulation.

~~B.~~ A. Pest: Definitions.

"Bareroot" means plants with less than that amount of soil that can harbor any Japanese beetle life stage.

"Bulk density" means the dry weight in pounds of 1 cubic yard of potting media.

"Free from soil" means free from soil in amounts that could contain concealed Japanese beetle larvae or pupae.

"Pest" means the Japanese beetle, ~~Popillia japonica~~ *Popillia japonica* (Newman), which in the larval stage attacks the roots, and as an adult attacks the leaves and fruits of many plants.

~~C.~~ B. Area under quarantine. All states and districts in the United States.

C. Infested areas.

1. Entire states of The entire states of Connecticut, Delaware, ~~District of Columbia~~, Illinois, Indiana, Kentucky, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, ~~and~~ West Virginia, and the District of Columbia.
2. Alabama. The counties of Autauga, Blount, Calhoun, Chambers, Cherokee, Clay, Cleburne, Colbert, Coosa, Cullman, Dekalb, Elmore, Etowah, Fayette, Franklin, Jackson, Jefferson, Lee, Limstone, Macon, Madison, Marion, Marshall, Morgan, Randolph, St. Clair, Shelby, Talladega, Tallapoosa, Tuscaloosa, and Winston.
3. Arkansas. The counties of Benton and Washington.
4. Georgia. The counties of Baldwin, Banks, Barrow, Bartow, Bibb, Burke, Butts, Carroll, Catoosa, Chattahoochee, Chattooga, Cherokee, Clarke, Clayton, Cobb, Columbia, Coweta, Date, Dawson, DeKalb, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Glascock, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Harris, Hart, Heard, Henry, Houston, Jackson, Jasper, Jefferson, Jones, Lamar, Lincoln, Lumpkin, McDuffie, Macon, Madison, Marion, Meriwether, Monroe, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Peach, Pickens, Pike, Polk, Putnam, Rabun, Richmond, Rockdale, Schley, Spaulding, Stephens, Talbot, Taliaferro, Taylor, Towns, Troup, Twiggs, Union, Upson, Walker, Walton, Warren, Washington, White, Whitfield, Wilkes, and Wilkinson.
5. Iowa. The counties of Dubuque, Linn, and Scott.
6. Kansas. The counties of Crawford, Johnson, Sedgwick, Shawnee, and Wyandotte.
7. Maine. All counties except Aroostook, and Washington.
8. Michigan. The counties of Allegan, Barry, Berrien, Branch, Calhoun, Cass, Clare, Clinton, Eaton, Genessee, Hillsdale, Ingham, Ionia, Jackson, Kalamazoo, Kent, Lake, Lapeer, Lenawee, Livingston, Macomb, Mason, Monroe, Muskegon, Oakland, Oceana, Ottawa, Saginaw, Shiawassee, St. Clair, St. Joseph, Van Buren, Washtenaw, and Wayne.
9. Minnesota. The counties of Carver, Dakota, Hennepin, Ramsey, Scott and Washington.
10. Missouri. The counties of Christian, Clay, Franklin, Jackson, Platte, Stone, St. Louis, and St. Louis City.
11. Nebraska. The counties of Douglas and Lancaster.
12. Oklahoma. The counties of Cherokee, Kay, Oklahoma, and Tulsa.

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13. Tennessee. The counties of Anderson, Bedford, Benton, Bledsoe, Blount, Bradely, Campbell, Cannon, Carter, Cheatham, Claiborne, Clay, Cocks, Coffee, Crockett, Cumberland, Davidson, Decatur, De Kalb, Dickson, Fentress, Franklin, Giles, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Henry, Hickman, Houston, Humphreys, Jackson, Jefferson, Johnson, Knox, Lawrence, Lincoln, Loudon, Macon, Marshall, Marion, Maury, McMinn, Meigs, Monroe, Montgomery, Moore, Morgan, Overton, Perry, Pickett, Polk, Putnam, Rhea, Roane, Robertson, Rutherford, Scott, Sequatchie, Sevier, Smith, Stewart, Sullivan, Sumner, Trousdale, Unicoi, Union, Van Buren, Warren, Washington, White, Williamson, and Wilson.

14. Texas. The counties of Collin, Dallas, Harris, Tarrant, and Van Zandt.

15. Wisconsin. The counties of Dane, Door, Eau Claire, Fond du Lac, Kenosha, Milwaukee, Racine, Rock, Sheboygan, Walworth, Waukesha, and Wood.

1. Portions of the states listed below:

Alabama—Counties of Cleburne, Jefferson, and Lee.

Georgia—Counties of Banks, Barrow, Bartow, Bibb, Burke, Carroll, Cherokee, Clarke, Clayton, Cobb, Coweta, Columbia, Dawson, DeKalb, Douglas, Elbert, Fannin, Fayette, Forsyth, Fulton, Franklin, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Hart, Henry, Jackson, Jones, Lumpkin, Madison, McDuffie, Monroe, Muscogee, Murray, Newton, Oconee, Oglethorpe, Paulding, Pickens, Rabun, Richmond, Rockdale, Spalding, Stephens, Towns, Union, Walker, Walton, and White.

Illinois—Counties of Coles, Cook, DuPage, Edgar, Effingham, Fayette, Iroquois, Kankakee, LaSalle, Macon, Madison, Rock Island, St. Clair, Tazewell, Vermilion, and Will.

Indiana—Counties of Allen, Benton, Boone, Carroll, Cass, Clark, Clay, Clinton, Daviess, Dearborn, DeKalb, Delaware, Dubois, Elkhart, Franklin, Fulton, Greene, Henricks, Huntington, Jackson, Jasper, Jefferson, Jennings, Kosciusko, LaGrange, Lake, La Porte, Lawrence, Marion, Marshall, Martin, Miami, Montgomery, Newton, Noble, Ohio, Orange, Parke, Porter, Pulaski, Putnam, St. Joseph, Starke, Steuben, Sullivan, Switzerland, Tippecanoe, Vermillion, Vanderburgh, Vigo, Wabash, Washington, Wayne, Wells, White, and Whiteley.

Kentucky—Counties of Bath, Bell, Boone, Bourbon, Boyd, Bracken, Breathitt, Campbell, Carroll, Carter, Casey, Clark, Clay, Daviess, Edmonson, Elliott, Estill, Fayette, Fleming, Floyd, Gallatin, Garrard, Grant, Greenup, Hardin, Harlan, Jackson, Jefferson, Jessamine, Johnson, Kenton, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Madison, Magoffin, Martin, Mason, McCreary, Menifee, Montgomery, Morgan, Nicholas, Oldham, Owsley, Perry, Pike, Powell, Pulaski, Robertson, Roekcastle, Rowan, Trimble, Wayne, Whitley, Wolfe, and Woodford.

Maine—Counties of Androscoggin, Cumberland, Kennebec, Lincoln, Oxford, Sagadahoc, and York.

Michigan—Counties of Allegan, Barry, Berrien, Calhoun, Cass, Kalamazoo, Lenawee, Macomb, Monroe, Oakland, Washtenaw, and Wayne.

Missouri—City of St. Louis, County of St. Louis.

Ohio—Counties of Adams, Allen, Ashland, Ashtabula, Athens, Auglaize, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clermont, Clinton, Columbiana, Coshocton, Crawford, Cuyahoga, Defiance, Delaware, Erie, Fairfield, Fayette, Franklin, Fulton, Gallia, Geauga, Green, Guernsey, Hamilton, Hancock, Hardin, Harrison, Henry, Highland, Hoeking, Holmes, Huron, Jackson, Jefferson, Knox, Lake, Lawrence, Licking, Logan, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Meigs, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Ottawa, Perry, Picaway, Preble, Pike, Portage, Putnam, Ross, Richland, Sandusky, Scioto, Seneca, Shelby, Stark, Summit, Trumbull, Tuscarawas, Union, Van Wert, Vinton, Washington, Warren, Wayne, Williams, Wood, and Wyandot.

South Carolina—Counties of Aiken, Anderson, Calhoun, Cherokee, Chester, Chesterfield, Darlington, Dillon, Fairfield, Florence, Greenville, Horry, Lancaster, Lexington, Marion, Marlboro, McCormick, Newberry, Oconee, Pickens, Richland, Spartanburg, Union, and York.

Tennessee—Counties of Anderson, Blount, Campbell, Carter, Claiborne, Cocks, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Monroe, Morgan, Polk, Roane, Sevier, Sullivan, Unicoi, Washington, and Weakley.

D. Commodities covered:

1. Soil, separately or with other things (except potting soil), except when commercially treated and packaged;
2. Plants with roots (except houseplants grown in the home and not for sale, greenhouse grown plants, soil free aquatic plants, moss, and hycopodium known as clubmoss or ground pine or running pine);
2. Humus, compost, and manure, mulch, plant litter separately or with another commodity, except when commercially packaged;
3. Grass sod;
4. Aireraft (during months of June, July, and August whenever there is swarming of adult Japanese beetles in the area under quarantine);
4. All plants with roots, except bareroot plants free from soil;
5. Plant crowns or roots for propagation, except when free from soil;

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6. Bulbs, corms, tubers, and rhizomes of ornamental plants, except when free from soil;
- ~~5.7. Any other products, articles, or means of conveyance, of any character whatsoever when it is determined by an inspector that they present a hazard of spread of Japanese beetle and the person in possession thereof has been so notified plant or appliance determined by an inspector to present a hazard of spreading the pest.~~
- E.** Restrictions.
1. ~~Movement of regulated articles. Regulated articles may be moved from the area under quarantine into the state of Arizona only when such articles are accompanied by a valid certificate from an authorized inspector of the state of origin or Federal Certificate issued by a United States Department of Agriculture inspector giving evidence of the following conditions:~~
2. ~~Certificates:~~
- a. ~~When, in the judgment of the inspector, they have not been exposed to infestation.~~
- b. ~~When they have been examined by the inspector and found to be free of infestation.~~
- c. ~~When they have been treated under the observation of an inspector and in accordance with a method selected by him to bring about a successful treatment for the presence of Japanese beetles.~~
- d. ~~Aircraft and other conveyances arriving in the state of Arizona from the area under quarantine, which have not been properly treated and certified at origin may be held for inspection during the months of June, July and August at the place of inspection until either found free of live Japanese beetles or treated by an approved manner and released by an inspector of the Arizona Commission of Agriculture and Horticulture.~~
1. A covered commodity may be moved from the area under quarantine into Arizona only when it is accompanied by a certificate of inspection.
2. Plants with soil shall be accompanied by an original certificate of inspection declaring the plants were treated within 15 days before shipment.
3. Plants with soil shall be accompanied by an original certificate of inspection declaring 1 of the following procedures:
- a. The greenhouse in which the plants were produced was constructed to prevent entry of the pest, the plants and greenhouses were inspected and found free from all stages of the pest, and the plants and soil were protected from subsequent infestation while being stored, packed, and shipped.
- b. The plants were produced in an area not under quarantine, were transported into an area under quarantine in a closed conveyance or closed container, and at all times were protected from becoming infested with the pest.
- c. The plants were produced in an area under quarantine not infested with the pest and approval is obtained from the Associate Director.
5. Exemptions.
- a. Grass sod shall not be accepted from any state except: California, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington.
- b. Privately-owned houseplants, grown indoors, and free from the pest are exempt from this Section.
- F.** ~~Disposition of violations. Any shipment, conveyance or lot of quarantined articles as herein defined arriving in Arizona in violation of this quarantine shall be immediately sent out of the state or destroyed at the option and expense of the owner or owners, his or their the owner's responsible agents, and under the direction supervision of the Entomologist or his inspector.~~
- G.** ~~General rules. See "General Rules and Definitions, Article 1".~~
- E.** Treatments. The following treatments conform to the guidelines established in the U.S. Domestic Japanese Beetle Harmonization Plan and shall be supervised by an authorized official of the origin state.
1. Dip treatment – balled and burlapped, potted, and containerized plants. Chlopyrifos (Dursban 4E or equivalent, Dursban TNP) applied at a rate of 2 pounds active ingredient (64 ounces) per 100 gallons of water for at least 2 minutes and until complete saturation occurs.
- a. Only balled and burlapped, potted and containerized nursery stock with rootballs 12 inches in diameter or smaller are eligible.
- b. Treatment shall be applied between September 15 and April 15 in the southern states and between September 1 and May 1 in the northern states as determined by the state of origin.
- c. Growing media shall be at least 50o F at the time of treatment.
- d. Treated material shall be shipped before beetle flight, or be protected from re-infestation.
- e. During the adult flight period all treated plants shall be protected from re-infestation.
- f. The treatment shall be performed no more than 15 days before shipment.
2. Drench treatment – container plants only. Field potted plants are not eligible for certification using this protocol. The treatment shall be performed no more than 15 days before shipment. Containers exposed to a second flight season shall be retreated.
- a. Imidacloprid (Marathon 60WP). Apply 1/2 gram of active ingredient per gallon as a prophylactic treatment just before the pest flight season (June 1, or as determined by the phytosanitary official). During the adult flight season, plants shall be retreated after 16 weeks if not shipped to assure adequate protection.

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- b. Bifenthrin (Talstar Nursery Flowable 7.9%). Mix at the rate of 20 ounces per 100 gallons of water. Apply, as a drench, approximately 8 ounces of tank mix per 6 inches of container diameter.
- 3. Media (Granule) incorporation – container plants only. All pesticides used for media incorporation shall be mixed before potting and plants shall be potted at least 30 days before shipment. Field potted plants are not eligible for treatment. Containers exposed to a second flight season shall be repotted with a granule incorporated mix or retreated using 1 of the drench treatments listed in subsection (E)(2).
 - a. Imidacloprid (Marathon 1G). Mix at the rate of 5 pounds per cubic yard.
 - b. Bifenthrin (Talstar Nursery Granular or Talstar T&O Granular (0.2G)). Mix at the rate of 25 ppm or (0.33) of a pound per cubic yard based on a potting media bulk density of 200.
 - c. Tefluthrin (Fireban 1.5 G). Mix at the rate of 25 ppm based on a potting media bulk density of 400.
- 4. Methyl bromide fumigation. Methyl bromide fumigation at NAP, chamber or tarpaulin, for nursery stock.
 - a. Long term exposure.
 - 24 g/m³ (1 1/2 lb/1000 ft³) for 2 1/2 hours at 23.8oC (75oF) or above
 - (18 g (oz) minimum gas concentration at 1/2 hour)
 - (12 g (oz) minimum gas concentration at 2 1/2 hours)
 - 32 g/m³ (2 lb/1000 ft³) for 2 1/2 hours at 21o-23.3oC (70o-74oF)
 - (24 g (oz) minimum gas concentration at 1/2 hour)
 - (16 g (oz) minimum gas concentration at 2 1/2 hours)
 - 40 g/m³ (2 1/2 lb/1000 ft³) for 3 hours at 15.5o-20.5oC (60o-69oF)
 - (30 g (oz) minimum gas concentration at 1/2 hour)
 - (20 g (oz) minimum gas concentration at 3 hours)
 - 48 g/m³ (3 lb/1000 ft³) for 4 hours at 10o-15oC (50o-59oF)
 - (36 g (oz) minimum gas concentration at 1/2 hour)
 - (24 g (oz) minimum gas concentration at 4 hours)
 - 56 g/m³ (3 1/2 lb/1000 ft³) for 4 1/2 hours at 4.4o-9.4oC (40o-49oF)
 - (42 g (oz) minimum gas concentration at 1/2 hour)
 - (28 g (oz) minimum gas concentration at 4 1/2 hours)
 - b. Short term exposure.
 - 48 g/m³ (3 lb/1000 ft³) for 2 1/2 hours at 15.5o-20.5oC (60o-69oF)
 - (36 g (oz) minimum gas concentration at 1/2 hour)
 - (24 g (oz) minimum gas concentration at 2 1/2 hours)
 - 64 g/m³ (4 lb/1000 ft³) for 2 1/2 hours at 10o-15oC (50o-59oF)
 - (48 g (oz) minimum gas concentration at 1/2 hour)
 - (32 g (oz) minimum gas concentration at 2 1/2 hours)
 - 80 g/m³ (5 lb/1000 ft³) for 2 1/2 hours at 4.4o-9.4oC (40o-49oF)
 - (60 g (oz) minimum gas concentration at 1/2 hour)
 - (40 g (oz) minimum gas concentration at 2 1/2 hours)
 - c. Material treated from October through April shall be shipped before beetle flight or be protected from re-infestation. During the adult flight period all treated plants shall be protected from re-infestation if they are held before shipment.
- 5. Additional treatments may be accepted if the proposed product is appropriately labeled, effectively controls the pest, and is approved by the Associate Director.

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 4. NONCOMMUNICABLE DISEASES

PREAMBLE

1. Sections Affected

R9-4-105
R9-4-501
R9-4-501
R9-4-502
R9-4-502

Rulemaking Action

Repeal
Re-number
New Section
Re-number
Amend

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2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 36-136(F)

Implementing statute: A.R.S. § 36-133

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 5 A.A.R. 4375, November 19, 1999

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

Name: Georgia Yee
Office Chief

Address: Arizona Department of Health Services
Bureau of Public Health Statistics
Office of Health Registries
2700 North 3rd Street, Suite 4075
Phoenix, Arizona 85004

Telephone: (602) 542-7308

Fax: (602) 364-0296

E-Mail: geyee@hs.state.az.us

or

Name: Kathleen Phillips
Rules Administrator

Address: Arizona Department of Health Services
1740 West Adams Street, Room 102
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-Mail: kphilli@hs.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The Arizona Department of Health Services (Department) rules concerning birth defects reporting are located in Title 9, Chapter 4, Articles 1 and 5, of the Arizona Administrative Code. The rules specify that birth defects is a reportable disease. The rules meet the requirements of A.R.S. § 36-133 that the Department establish procedures for reporting birth defects. The rules also respond to the public's need for a system that monitors the yearly incidence rates of birth defects. The information gathered and compiled by the Department is used by researchers to identify effective treatments and used by other health care professionals to provide intervention and prevention programs, thus lowering the infant mortality rate.

The Department is repealing R9-4-105 and proposing a new definitions Section within Article 5. The new Section, R9-4-501, will add new definitions, delete unnecessary definitions, and clarify the language in the existing definitions. Also, the Department is adding prenatal diagnostic facilities as 1 of the facilities required to permit the Department to review patient records. The existing R9-4-501 will be renumbered as R9-4-502 and will be amended to clarify the language to specify how often the Department will review patient records at hospitals, genetic testing facilities, prenatal diagnostic facilities and Children's Rehabilitative Services program.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting materials:

Not applicable

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant authority of a political subdivision of this state:

Not applicable

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8. The preliminary summary of the economic, small business, and consumer impact:

As used in this summary, “minimal” economic impact means less than \$1,000 per year, “moderate” means between \$1,000 and \$10,000 per year, and “substantial” means greater than \$10,000 per year.

The Department’s cost for the preparation of the rule package is moderate and includes writing and printing drafts, consulting stakeholders, and copying and mailing materials.

The estimated cost to the Secretary of State’s office is minimal, reflecting staff time to publish the amendments. The estimated cost to the Governor’s Regulatory Review Council is minimal, reflecting council members and staff time to review and approve the amendments.

Small businesses that will be affected by the amendments include prenatal diagnostic facilities. Minimal costs will be incurred by prenatal diagnostic facilities for permitting the Department to review patient records for the reporting of birth defects.

Large businesses will not be affected by the amendments.

The public will benefit substantially from a complete population-based birth defects reporting system that may lead to a reduction in the number of individuals who develop birth defects and who may die of birth defects. The information gathered and compiled by the Department is used by researchers to identify effective treatments and used by other health care professionals to provide intervention and prevention programs, thus lowering the infant mortality rate.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Georgia Yee
Office Chief

Address: Arizona Department of Health Services
Bureau of Public Health Statistics
Office of Health Registries
2700 North 3rd Street, Suite 4075
Phoenix, Arizona 85004

Telephone: (602) 542-7308

Fax: (602) 364-0296

E-Mail: geyee@hs.state.az.us

or

Name: Kathleen Phillips
Rules Administrator

Address: Arizona Department of Health Services
1740 West Adams, Rm. 102
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-Mail: kphilli@hs.state.az.us

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department has not scheduled any oral proceedings at this time. A person may submit written comments or a request for an oral proceeding on the proposed rules no later than 5 p.m., November 6, 2000, to the individuals listed in questions 4 and 9.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporation by reference and their location in the rules:

Not applicable

13. The full text of the rule follows:

TITLE 9. HEALTH SERVICES

CHAPTER 4. DEPARTMENT OF HEALTH SERVICES - NONCOMMUNICABLE DISEASES

ARTICLE 1. DEFINITIONS

Section

R9-4-105: Definitions, birth defects monitoring program Repealed

ARTICLE 5. BIRTH DEFECTS MONITORING PROGRAM

Section

R9-4-501. Definitions

R9-4-501: R9-4-502. Procedures; access to medical permission to review patient records

ARTICLE 1. DEFINITIONS

R9-4-105. Definitions, birth defects monitoring program Repealed

In Article 5, unless the context otherwise requires:

1. "Arizona Birth Defects Monitoring Program" (ABDMP) means birth defects registry within the Department.
2. "Adverse reproductive outcome" means conditions which individually and collectively represent unsatisfactory pregnancy results, including spontaneous abortions, low birth weight, fetal deaths, birth defects, infant mortality, chromosomal abnormalities, genetic mutations and changes in sex ratios.
3. "Birth defect" means an abnormality of structure, function, or body chemistry, present at or before birth or which may appear later in life.
4. "ICD-9-CM" means the International Classification of Diseases, 9th Revision, Clinical Modification, Volumes One and Two, U.S. Department of Health and Human Resources, Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, incorporated herein by reference and on file with the Office of the Secretary of State.
5. "Reportable case" means any child from birth to one year of age who has been diagnosed as having a birth defect.
6. "Reporting source" means hospitals, genetic testing facilities and the Department's Children's Rehabilitative Services program.

ARTICLE 5. BIRTH DEFECTS MONITORING PROGRAM

R9-4-501. Definitions

In this Article, unless otherwise specified:

1. "ABDMP" means the Arizona Birth Defects Monitoring Program within the Department.
2. "Birth defect" means an abnormality of structure, function, body chemistry, or gene present at or before birth which may be diagnosed before or at birth, or later in life.
3. "CRS" means the Children's Rehabilitative Services program within the Department.
"Fetus" has the same meaning as in A.R.S. § 36-2152(H)(2).
5. "Genetic testing facility" means an organization, institution, corporation, partnership, business, or entity that conducts tests to analyze and diagnose genetic conditions in human beings.
6. "Patient" means an individual admitted to or receiving care in a hospital, genetic testing facility, prenatal diagnostic facility, or the CRS.
7. "Personal identifiers" means confidential information that can be solely attributed to a specific individual.
8. "Prenatal diagnostic facility" means an organization, institution, corporation, partnership, business, or entity that conducts diagnostic ultrasound or other medical procedures that diagnose a birth defect in human beings.
9. "Reporting source" means a hospital, genetic testing facility, prenatal diagnostic facility, or the CRS.

R9-4-501. R9-4-502. Procedures; access to medical permission to review patient records

A. Reporting sources with patients up to one A reporting source providing care to a fetus or patient from birth to 1 year of age who have has been diagnosed as having a birth defect shall allow permit the ABDMP to access and to extract review and record personal identifiers, demographic, and diagnostic data from the following documents:

1. Disease indices prepared according to subsection (B),
2. Intensive care unit logs,
3. Labor and delivery logs,
4. Pathology-autopsy logs (for stillbirths),
5. Patient medical records,

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- 6. ~~Pediatric admission and discharge date,~~
- 7. ~~6.~~ Ultrasound logs, and
- 8. ~~7.~~ ~~Reports~~ Laboratory reports pertaining to chromosomal analysis and tests for detection of hereditary biochemical disorders.

~~C.B.~~ The disease indices that hospitals are to make accessible to the ABDMP shall list, in ascending order, each ICD-9-CM diagnosis code and shall indicate A hospital shall prepare a disease index listing an ICD-9-CM diagnosis code for each patient identified in subsection (A) arranged in ascending order. Next to each ICD-9-CM diagnosis code listed in the index, the hospital shall provide the following information:

- 1. Whether the diagnosis code reflects ~~the primary~~ a principal or a secondary diagnosis,
- 2. The age of the patient,
- 3. The dates of admission and discharge, and
- 4. ~~each~~ The patient's medical record number.

~~B. C.~~ Access to the medical records by ABDMP shall be allowed once every six months for hospitals with fewer than 2000 births per year, and once every three months for hospitals with 2000 or more births per year. A reporting source shall permit ABDMP to review the documents listed in subsection (A) once every 30 days.

Editor's note: In accordance with A.A.C. R1-1-109(D), the following Notice of Proposed Rulemaking is republished to correct printing errors in the text and replaces Notice of Proposed Rulemaking: 6 A.A.R. 3414 -3460, September 8, 2000.

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 14. DEPARTMENT OF HEALTH SERVICES - LABORATORIES

PREAMBLE

<u>1. Section Affected</u>	<u>Rulemaking Action</u>
R9-14-601	Repeal
R9-14-601	New Section
R9-14-602	Amend
R9-14-603	Repeal
R9-14-603	New Section
R9-14-604	Repeal
R9-14-604	New Section
R9-14-605	Renumber
R9-14-605	New Section
R9-14-606	Renumber
R9-14-606	Amend
R9-14-607	Renumber
R9-14-607	Amend
R9-14-608	Renumber
R9-14-608	New Section
R9-14-609	Renumber
R9-14-609	Amend
R9-14-610	Renumber
R9-14-610	Amend
R9-14-611	Renumber
R9-14-611	Amend
R9-14-612	Renumber
R9-14-612	Amend
R9-14-613	Renumber
R9-14-613	Amend
R9-14-614	Renumber
R9-14-614	Amend
R9-14-615	Renumber
R9-14-615	Amend
R9-14-616	Repeal

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R9-14-616	Renumber
R9-14-616	Amend
R9-14-617	Renumber
R9-14-617	Amend
R9-14-618	Renumber
R9-14-618	Amend
R9-14-619	Renumber
R9-14-619	Amend
R9-14-620	New Section
Table 1	New Table

2. The specific authority for the rulemaking, including both the authorizing statutes (general) and the statutes the rules are implementing (specific):

Authorizing statutes: A.R.S. §§ 36-136 and 36-495.13

Implementing statutes: A.R.S. §§ 36-495.01, 36-495.03, 36-495.05, 36-495.06, 36-495.07, 36-495.08, 36-495.09, and 36-495.14

3. A list of all previous notices appearing in the Register addressing the proposed rules:

Notice of Rulemaking Docket Opening: 5 A.A.R. 4660, December 17, 1999

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

Name: Steven D. Baker, Program Manager
Address: Arizona Department of Health Services
Office of Laboratory Licensure, Certification, and Training
3443 North Central Ave., # 810
Phoenix, Arizona 85012

Telephone: (602) 255-3454

Fax: (602) 255-3462

E-Mail: sbaker@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
1740 West Adams, Room # 102
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-Mail: kphilli@hs.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The rules pertain to licensing in-state and out-of-state laboratories that conduct testing of samples for contaminants, pollutants, and hazardous substances for state and federal environmental compliance purposes. The rules establish minimum standards of proficiency, methodology, quality assurance, operation, and safety for these environmental laboratories. The proposed rules establish updated standards for environmental laboratory compliance testing; increase and clarify the fees associated with licensing; add a zone fee to be paid by out-of-state laboratories; create an installment payment plan to allow small businesses to pay their method and instrument fees, proficiency evaluation fees, and technical update fees on a monthly basis rather than in a lump sum; clarify time-frame requirements; clarify the rules; and change the rules to conform to current rulemaking format and style requirements.

The Department developed the rules with the assistance of the Rules Subcommittee of the Environmental Laboratory Advisory Council. The Department worked with the Rules Subcommittee to revise the draft rules to address the concerns of Rules Subcommittee members. For example, the Department determined, as a result of Rules Subcommittee comments, that implementing an installment payment plan to allow small businesses to pay method and instrument, proficiency evaluation, and technical update fees on a monthly basis would ease the burden resulting from the fee increase in the rules.

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Also as a result of Rules Subcommittee concerns, the Department surveyed all licensed private laboratories regarding their small business status, to assure that the Department accurately portrayed the impact of the rules on small businesses. The Department also added several methods and made other revisions to the text of the rules at the request of Rules Subcommittee members.

In this rulemaking, the Department is repealing R9-14-601, R9-14-603, and R9-14-604 and replacing them with new Sections that conform to current rulemaking format and style requirements. In addition, the new R9-14-601 adds definitions for terms previously undefined and for new terms. The Department is adding a new Section at R9-14-605 that clarifies that the Department may conduct compliance monitoring at any time and describes the procedures to be followed when the Department issues a notice of deficiencies. The current R9-14-605 is being renumbered to R9-14-606 and amended to clarify provisional licensing, to comply with A.R.S. § 36-495.05 and the Administrative Procedure Act, and to conform to current rulemaking format and style requirements.

The Department is renumbering and amending the current R9-14-613, R9-14-614, and R9-14-615 to clarify the rules and to conform to current rulemaking format and style requirements. The Department is renumbering and amending the current R9-14-606 to generate increased fees that reflect the costs to the Department of conducting laboratory inspections and investigations, verifying information submitted with applications, and performing other activities related to licensure. The amended fees Section will also add fees for new parameters. The Department set the fee increase at 30% because that is the level at which fee revenue will enable the Department to employ a full staff of auditors and thus complete inspections every 12 months, as the authorizing statutes intend. The Department is adding a new Section at R9-14-608 to explain the process for payment of fees and to add the option of a payment plan for small businesses to pay their method and instrument, proficiency evaluation, and technical update fees on a monthly basis rather than in a lump sum.

The Department is renumbering and amending the current R9-14-608, R9-14-609, R9-14-610, R9-14-611, and R9-14-612 to be consistent with current United States Environmental Protection Agency (EPA) and Arizona Department of Environmental Quality (ADEQ) requirements. Since the rules were last revised in June 1997, the EPA and ADEQ have approved and required additional methods for testing environmental contaminants to implement improved and changing technologies that result in increased sensitivity, accuracy, and efficiency in environmental testing. Additionally, the EPA and ADEQ have disallowed the use of some outdated methods that employ older technologies. Thus, these Sections are being amended to add new methods and to delete outdated methods. In addition, the Department is amending the current R9-14-608 to correct the citation format of the material previously incorporated by reference, to make the information easier to use.

The Department is repealing R9-14-616, because laboratory safety is now being addressed as part of laboratory operation. The Department is also renumbering and amending the current R9-14-617 to clarify the requirements for mobile laboratories. The Department is also renumbering and amending the current R9-14-618 to clarify the requirements for out-of-state laboratories and to add a zone fee to cover the opportunity costs lost due to employee travel to out-of-state laboratories. Finally, the Department is adding a new time-frames Section at R9-14-620.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The proposed rules increase the fees associated with licensing by 30%. This results in an increase in application fees by \$258 to \$420, depending on the number of parameters licensed for the laboratory and the number of facilities licensed. Each laboratory will also pay up to \$2,240 more in method and instrumentation fees, depending on the number of methods and instruments included on the laboratory's license. For most of the laboratories licensed (118 out of 156), this increase in method and instrumentation fees will be minimal, with 41 of the laboratories incurring an increase of less than \$100, 56 incurring an increase between \$100 and \$499, and 21 incurring an increase between \$500 and \$999.

Each laboratory will also pay an additional \$23 each year for proficiency evaluation audits. Each out-of-state laboratory will also pay an additional \$23 each year for technical updates if the laboratory chooses to receive them by facsimile transmission rather than through the Internet.

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The proposed rules also add a zone fee of \$88 to \$225 to be paid by out-of-state laboratories to reimburse the Department for the time that each Department auditor is in travel status en route to onsite compliance monitoring activities. The zone fee is based on the time necessary to travel to the out-of-state laboratory and will be payable for each Department auditor who travels to the laboratory to conduct the compliance monitoring activity.

Approximately 25 of the 117 licensed private laboratories are small businesses, 10 of them out-of-state laboratories. Of these, 15 will be minimally impacted by the proposed rules with a total increase in fees of between \$281 and \$916, and 10 will be moderately impacted with a total increase in fees of between \$1,014 and \$2,702. The Department is attempting to ease the burden of the increased fees on small businesses by allowing small businesses to pay method and instrument fees, proficiency evaluation fees, and technical update fees through a monthly installment plan rather than in a lump sum due at the time of application.

The Department will incur moderate costs in implementing the proposed rules. The Department will incur a cost of approximately \$1,500 initially for staff time to update the office of laboratory licensure's application and billing system. In addition, the Department will incur a moderate cost for staff time to write, review, and promulgate the rules. The Office of the Secretary of State and the Governor's Regulatory Review Council will also incur minimal-to-moderate costs related to the rulemaking process.

The Department will benefit substantially from the proposed rules because fee revenues could increase by as much as \$162,381 annually. The Department anticipates, however, that the 30% fee increase will result in an actual increase in fee revenue of 20 to 30% due to industry consolidations and individual laboratories' efforts to conserve funds by eliminating little used methods or parameters in renewing their licenses.

The fee increase is designed to enable the office to operate as the legislature intended by providing the funding needed for the office to fill 1.79 FTE auditor vacancies that have left the office inadequately staffed for more than 2 years. The office needs to fill the auditor vacancies to conduct audits every 12 months, as the authorizing statutes intend, rather than every 18 to 24 months, as is currently occurring.

The office had a small surplus for FY2000 (approximately \$13,400), but there is a projected funding shortfall of approximately \$1500 for FY2001, even with the inadequate staffing that the office currently has. If the office had the 6 FTE auditors that it needs to perform inspections every 12 months (rather than the current 4.21 FTE auditors), the funding shortfall would be approximately \$108,000.

To compensate for the fee increases, laboratories may choose to increase testing fees charged to their clients, although in some instances this will not be possible. These clients, if drinking water or waste water treatment systems, may pass the increased testing fees on to system users, the public, who would notice increases of pennies on their billing statements.

The public will be the primary beneficiary of the proposed rules. The public is significantly affected by the accuracy of the data used to evaluate air quality, environmental projects such as hazardous waste clean-ups, engineering projects such as sewage treatment plants, and the quality of the drinking water in underground aquifers and wells and surface waters. Without the fee increase included in the proposed rules, the office of laboratory licensure will not be able to function effectively to monitor the environmental laboratories that perform this compliance testing, and the public may suffer as a result.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Steven D. Baker, Program Manager

Address: Arizona Department of Health Services
Office of Laboratory Licensure, Certification, and Training
3443 North Central Ave. # 810
Phoenix, Arizona 85012

Telephone: (602) 255-3454

Fax: (602) 255-3462

E-Mail: sbaker@hs.state.az.us

or

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Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
1740 West Adams, Room # 102
Phoenix, Arizona 85007
Telephone: (602) 542-1264
Fax: (602) 542-1090
E-Mail: kphilli@hs.state.az.us

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule.

Date:	October 11, 2000	October 12, 2000	October 13, 2000
Time:	10:00 a.m.	9:00 a.m.	10:30 a.m.
Location:	City of Tucson Building 310 West Alameda 3rd Floor Conf. Rm. Tucson, Arizona 85701	3443 North Central Ave. 9th Floor Conf. Rm. Phoenix, Arizona 85012	Flagstaff City-Coconino County Public Library 300 West Aspen Ave. Flagstaff, Arizona 86001
Nature:	Oral Proceeding	Oral Proceeding	Oral Proceeding

Written comments may be submitted until the close of record, October 13, 2000, at 5:00 p.m., to either individual listed in questions #4 and #9.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporation by reference and their location in the rules:

R9-14-601: 40 CFR Part 136 app. B (1998).

R9-14-610:

- A3 Technicon Industrial Systems, Industrial Method No. 380-75WE, Fluoride in Water and Wastewater (July 1977).
- A4 Office of Water, EPA, Pub. No. EPA-821-R-99-005, Method 1631, Revision B: Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry (May 1999).
- C1 Hach Company, Hach Water Analysis Handbook (3rd ed. 1997).
- D3 National Exposure Research Laboratory—Cincinnati, EPA, Pub. No. EPA/600/R-95/131, Methods for the Determination of Organic Compounds in Drinking Water: Supplement III (August 1995).
- D4 Office of Ground Water and Drinking Water Technical Support Center, EPA, Pub. No. EPA 815-B-97-001, Manual for the Certification of Laboratories Analyzing Drinking Water: Criteria and Procedures Quality Assurance (4th ed. March 1997).
- D5 J.W. Munch and W.J. Bashe, EPA, Method 549.2: Determination of Diquat and Paraquat in Drinking Water by Liquid-Solid Extraction and High Performance Liquid Chromatography with Ultraviolet Detection (rev. 1 1997).
- D6 Anne M. Pawlecki-Vonderheide and David J. Munch, EPA, Method 515.3: Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Extraction, Derivatization and Gas Chromatography with Electron Capture Detection (rev. 1 July 1996).
- E 40 CFR Part 136 app. A (1998).
- E1 Office of Water Engineering and Analysis Division, EPA, Pub. No. EPA-821-R-93-010-A, Methods for the Determination of Nonconventional Pesticides in Municipal and Industrial Wastewater: Volume I (rev. 1 August 1993).

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- F Office of Solid Waste and Emergency Response, EPA, Pub. No. SW-846, Test Methods for Evaluating Solid Waste (3rd ed. 1986 & Update I, July 1992; Update IIA, August 1993; Update II, September 1994; Update IIB, January 1995; Update III, December 1996).
- H Environmental Monitoring Systems Laboratory–Research Triangle Park, EPA, Pub. No. EPA-600/M4-82-020, Interim Method for the Determination of Asbestos in Bulk Insulation Samples (December 1982).
- H2 Kim A. Brackett et al., EPA, Pub. No. EPA/600/R-94/134, Method 100.2: Determination of Asbestos Structures over 10 µm in Length in Drinking Water (June 1994).
- J1 L.L. Thatcher et al., U.S. Department of the Interior, “Methods for Determination of Radioactive Substances in Water and Fluvial Sediments,” published in Techniques of Water-Resources Investigations of the United States Geological Survey at bk. 5, ch. A5 (3rd ed. 1989).
- K Division of State Laboratory Services, Arizona Department of Health Services, Method No. BLS-188, Ethylene Glycol in Waste Water (rev. April 1991); and Bureau of State Laboratory Services, Arizona Department of Health Services, C₁₀ - C₃₂ Hydrocarbons in Soil - 8015AZ (rev. 1.0 September 1998).
- K1 Office of Water, EPA, Pub. No. EPA-821-R-98-002, Method 1664, Revision A: N-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated N-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetry (February 1999).
- K2 Office of Water, EPA, Pub. No. EPA-821-B-98-016, Analytical Methods for the Determination of Pollutants in Pharmaceutical Manufacturing Industry Wastewater (July 1998).
- M Environmental Monitoring Systems Laboratory–Cincinnati, EPA, Pub. No. EPA/600/4-90/027, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (4th ed. September 1991).
- M1 Environmental Monitoring Systems Laboratory–Cincinnati, EPA, Pub. No. EPA/600/4-90/027F, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (4th ed. August 1993).
- N Cornelius I. Weber et al., EPA, Pub. No. EPA/600/4-89/001, Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (2nd ed. March 1989); and Environmental Monitoring and Support Laboratory–Cincinnati, EPA, Pub. No. EPA/600/4-89/001a, Supplement to “Short-term Methods for Estimating the Chronic Toxicity of Effluents and Surface Waters to Freshwater Organisms,” (EPA/600/4-89/001) (rev. 1 September 1989).
- N1 Environmental Monitoring Systems Laboratory–Cincinnati, EPA, Pub. No. EPA-600-4-91-002, Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms (3rd ed. July 1994).
- P1 Jay Vasconcelos and Stephanie Harris, EPA, Pub. No. EPA 910/9-92-029, Consensus Method for Determining Groundwaters Under the Direct Influence of Surface Water Using Microscopic Particulate Analysis (MPA) (October 1992).
- P2 G. Shay Fout et al., EPA, Pub. No. EPA/600/R-95/178, ICR Microbial Laboratory Manual (April 1996).
- P3 Charles P. Gerba, University of Arizona, UofA2000: *Ascaris lumbricoides* in Water (1999).
- S1 Center for Environmental Research Information, EPA, Pub. No. EPA/625/R-96/010b, Compendium Method TO-15: Determination of Volatile Organic Compounds (VOCs) in Air Collected in Specially-Prepared Canisters and Analyzed by Gas Chromatography/Mass Spectrometry (GC/MS) (January 1997).
- U Environmental Measurements Laboratory, U.S. Department of Energy, Pub. No. HASL-300, EML Procedures Manual, Vol. I (27th ed. rev. February 1992).

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- X1 Bureau of Radiation and Inorganic Analytical Services, New Jersey Department of Environmental Protection, Determination of Ra-228 in Drinking Water (August 1990).
- Y Office of Water, EPA, Pub. No. EPA/821/R-99/013, Method OIA-1677: Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry (January 2000).

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

CHAPTER 14. DEPARTMENT OF HEALTH SERVICES - LABORATORIES

ARTICLE 6. LICENSING OF ENVIRONMENTAL LABORATORIES

Sections

- R9-14-601. Definitions
- R9-14-602. ~~License~~ Applicability
- R9-14-603. Initial ~~Licensure~~ License Process
- R9-14-604. ~~Licensure~~ Regular License Renewal Process
- R9-14-605. ~~Provisional License~~ Compliance Monitoring
- R9-14-606. ~~Licensure fees~~ Provisional Licensing
- R9-14-607. ~~Proficiency Evaluation~~ Fees
- R9-14-608. ~~Approved Methods and References~~ Payment of Fees
- R9-14-609. ~~Drinking Water Sample Matrix~~ Proficiency Evaluation
- R9-14-610. ~~Wastewater Sample Matrix~~ Approved Methods and References
- R9-14-611. ~~Solid, Liquid, and Hazardous Waste~~ Drinking Water Sample Matrix Methods
- R9-14-612. ~~Air Wastewater~~ Sample Matrix Methods
- R9-14-613. ~~Quality Assurance~~ Solid, Liquid, and Hazardous Waste Sample Methods
- R9-14-614. ~~Operation~~ Air Sample Methods
- R9-14-615. ~~Laboratory Records and Reports~~ Quality Assurance
- R9-14-616. ~~Laboratory Safety~~ Operation
- R9-14-617. ~~Mobile Laboratories~~ Laboratory Records and Reports
- R9-14-618. ~~Out-of-State Environmental Laboratory Licensure~~ Mobile Laboratories
- R9-14-619. Out-of-State Environmental Laboratory Licensing
- R9-14-620. Time-frames
- Table 1. Time-frames (in days)

ARTICLE 6. LICENSING OF ENVIRONMENTAL LABORATORIES

~~R9-14-601.~~ Definitions

Words and phrases defined in A.R.S. §§ 36-495 have the same meaning when used in these rules. In this Article, unless otherwise specified:

1. "ADEQ" means the Arizona Department of Environmental Quality.
2. "Approved method" means an analytical test method which is recognized by the Department as acceptable to test for the presence of the particular contaminant.
3. "Arizona Permit System for Aquifer Protection" means the permit system specified in A.R.S. §§ 49-241 through 49-251.
4. "Arizona Permit System for Reuse of Wastewater" means the permit system specified in A.R.S. §§ 49-104 and 49-250.
5. "Blind proficiency evaluation audit" means that the Department submits a series of proficiency evaluation samples to a laboratory in such a manner that the laboratory is unaware that it is testing a proficiency evaluation sample.
6. "Categories" of laboratory testing means drinking water, wastewater, hazardous waste, or air.
7. "Clean Air Act" means 42 U.S.C.A. 7401-7642.
8. "Clean Water Act" means 33 U.S.C.A. 1251-1376.
9. "Comprehensive Environmental Response, Compensation and Liability Act" means 42 U.S.C.A. 9601-9657, commonly referred to as the Superfund Act.
10. "Contiguous grounds" means real property which can be enclosed by a single unbroken boundary line which does not enclose property owned or leased by others.
11. "Effluent" means an outflow, as of a stream which flows out of a facility.

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12. “Environmental water laboratory” means a laboratory that holds a valid license issued by the Department prior to the effective date of this Article.
13. “EPA” means the United States Environmental Protection Agency.
14. “Federal Insecticide Fungicide and Rodenticide Act” means 7 U.S.C.A. 136-136y.
15. “Intercomparison studies” means the proficiency evaluation service for radiochemical samples established by EPA’s Environmental Monitoring Systems Laboratory.
16. “Licensure” means the approval by the Department of a laboratory to perform compliance testing for environmental monitoring programs, categories of laboratory testing, parameters of laboratory testing and approved methods of laboratory testing as defined in A.R.S. § 36-495.03 through A.R.S. § 36-495.16 and this Article.
17. “Parameter” means 1 of a set of chemical, physical, radiochemical, microbiological, or biological properties whose value determines the characteristics of an environmental sample.
18. “Proficiency evaluation audit” means an audit conducted by a service on a series of samples submitted to a laboratory for use in evaluating the laboratory’s ability to correctly analyze compliance testing samples.
19. “Proficiency evaluation service” means the Department, EPA, or an independent service acceptable to the Department which provides proficiency evaluation audit samples and evaluates the results of the proficiency evaluation audit.
20. “Principal State Laboratory System” means the system which includes the Department, Division of State Laboratory Services, and the Radiation Regulatory Agency Laboratory, which are certified by EPA.
21. “Radiation assessment proficiency evaluation audit” means any proficiency evaluation audit required by EPA under the Safe Drinking Water Act for radiochemistry testing.
22. “Resource Conservation and Recovery Act” means 42 U.S.C.A. 6921-6939B.
23. “Safe Drinking Water Act” means 42 U.S.C.A. 300f-300j-11.
24. “Single Method” means the approved method licensure fee for any single method listed in that subsection.
25. “U.S.C.A.” means *United States Code Annotated*.
26. “Water pollution proficiency evaluation audit” means any proficiency evaluation audit established by the EPA under the Clean Water Act.
27. “Water supply study audit” means any proficiency evaluation audit required by the EPA under the Safe Drinking Water Act.

R9-14-601. Definitions

In addition to the definitions in A.R.S. § 36-495, the following definitions apply in this Article, unless otherwise specified:

1. “Acceptance criteria” means the range of satisfactory test results for a parameter.
2. “ADEQ” means the Arizona Department of Environmental Quality.
3. “Affiliate” means a business organization that:
 - a. Controls or has the power to control the business organization that owns the laboratory.
 - b. Is controlled by or could be controlled by the business organization that owns the laboratory, or
 - c. Could be controlled by the same business organization as could the business organization that owns the laboratory.
4. “Alternate method” means an analytical test procedure or technique not listed by parameter in A.A.C. R9-14-611 through R9-14-614, but approved by the Department following the procedures in A.A.C. R9-14-610(B).
5. “Analyst” means an individual who performs compliance testing at a laboratory.
6. “Applicant” means the following individual or individuals requesting a license on behalf of a business organization that owns a laboratory:
 - a. If the laboratory is owned by a sole proprietor, the individual owning the laboratory;
 - b. If the laboratory is owned by an unincorporated association, any 2 individuals who together own a majority interest in the laboratory;
 - c. If the laboratory is owned by a corporation, any 2 officers of the corporation;
 - d. If the laboratory is owned by a limited liability company, the designated manager or, if no manager is designated, any 2 members of the limited liability company;
 - e. If the laboratory is owned by a partnership, any 2 of the partners; or
 - f. If the laboratory is owned by a governmental entity, the designated director of the laboratory.
7. “Approved method” means an analytical test procedure or technique authorized by the Department to test for the presence of a particular contaminant.
8. “ASTM” means American Society for Testing and Materials.

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9. “Blind proficiency evaluation audit” means the Department’s determination of a laboratory’s ability to analyze samples correctly, accomplished by submitting samples for testing in such a manner that the laboratory is not aware that they are test samples.
10. “BLS” means Bureau of State Laboratory Services.
11. “Business organization” means an entity such as a sole proprietorship, an unincorporated association, a corporation, a limited liability company, a partnership, or a governmental entity.
12. “Classification Level I license” means an approval issued by the Department to a laboratory authorizing compliance testing of 1 to 9 total parameters.
13. “Classification Level II license” means an approval issued by the Department to a laboratory authorizing compliance testing of 10 to 17 total parameters.
14. “Classification Level III license” means an approval issued by the Department to a laboratory authorizing compliance testing of more than 17 total parameters.
15. “Client” means an individual or a business organization that submits a sample to a laboratory for compliance testing.
16. “Contaminant” means a matter, pollutant, hazardous substance, or other substance for which a sample is being tested.
17. “Contiguous grounds” means real property that can be enclosed by a single unbroken boundary line that does not enclose property owned or leased by another.
18. “Critical step” means an event in the testing procedure that is required to be performed within a specified time period by regulation, method, standard operating procedure, or quality assurance plan.
19. “Data outlier” means a test result that falls outside of acceptance criteria.
20. “Days” means calendar days, excluding the day of the act, event, or default from which a designated period of time begins to run and excluding the last day of the period if it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day that is not a Saturday, a Sunday, or a legal holiday.
21. “Effluent” means an outflow, as of a stream that flows out of a facility.
22. “EPA” means the United States Environmental Protection Agency.
23. “Initial Demonstration of Capability” means a test performed by an analyst, as prescribed by a method, to document the analyst’s ability to perform the method at the laboratory.
24. “Investigation” means an evaluation of laboratory compliance conducted by the Department upon its own initiative or upon receipt of a written complaint.
25. “Laboratory inspection” means the Department’s initial or annual assessment of a laboratory’s operations to determine compliance.
26. “Licensee” means a person or persons to whom the Department issues a license to operate a laboratory.
27. “Method” means an analytical test procedure or technique.
28. “Method detection limit” means the minimum concentration of a contaminant that can be measured and reported with 99% confidence that the concentration of the contaminant is greater than 0, determined from analyzing a sample in a given parameter as prescribed by the individual method or by 40 CFR Part 136 app. B (1998), which is incorporated by reference and on file with the Department and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments.
29. “Method reporting limit” means the minimum concentration of a contaminant that a laboratory routinely reports after analyzing a sample in a given parameter.
30. “Mobile laboratory” means a non-stationary facility where analysts test samples.
31. “Parameter” means the combination of a particular type of sample with the particular test method by which it will be analyzed for a particular contaminant.
32. “Proficiency evaluation audit” means a proficiency evaluation service’s determination of a laboratory’s ability to analyze samples correctly, accomplished by submitting samples to the laboratory for testing and then analyzing the acceptability of the laboratory’s results.
33. “Proficiency evaluation service” means the Department, the EPA, or an independent service acceptable to the Department.
34. “Principal State Laboratory System” means the Department, the Bureau of State Laboratory Services, and the Radiation Regulatory Agency Laboratory.
35. “Quality control checks” means the steps taken by a laboratory to monitor the accuracy and precision of its analysis of samples.
36. “RDX” means Hexahydro-1,3,5-trinitro-1,3,5-triazine.

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37. “Records” means all written, recorded, and electronic documentation necessary to reconstruct all laboratory activities that produce data and includes all information relating to the laboratory’s equipment, analytical test methods, and related activities.
38. “Sample” means a specimen that is a representative part of a whole or a single item from a group.
39. “Single laboratory” means an individual laboratory facility or multiple laboratory facilities located on contiguous grounds and owned by the same person.
40. “Small business” means a business organization, including its affiliates, that is independently owned and operated, that is not dominant in its field, and that employs fewer than 100 full-time employees or had gross annual receipts of less than \$4 million in its last fiscal year.
41. “Standard operating procedure” means the reduction to writing of a laboratory’s method for carrying on business, analysis, or action, with techniques and procedures for performing routine or repetitive tasks.
42. “Statistical outlier” means an individual data point that has a value far from those of the other data points in a set and that has been determined through statistical analysis to have derived from a different population than the other data points.

R9-14-602. License Applicability

- ~~A.~~ This Article shall does not apply to ~~compliance testing of those laboratories and parameters as outlined in~~ exempted by A.R.S. §§ 36-495.02.A.3. § 36-495.02(A) or to
- ~~B.~~ This Article shall not apply to laboratory compliance testing which is performed pursuant to under the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 136-136y.

R9-14-603. Initial Licensure Process

- ~~A.~~ To obtain a license the laboratory shall file a complete application on a form provided by the Department pursuant to A.R.S. § 36-495.03 (A) and (B), and submit payment of all applicable fees to the Department pursuant to R9-14-606.
- ~~B.~~ Multiple laboratories located on contiguous grounds and under the same ownership may be licensed under a single license.
- ~~C.~~ Multiple laboratories, including mobile laboratories located on non-contiguous grounds and under the same ownership may be licensed independently or under a single license at the owner’s discretion. If the laboratory chooses the single license option, each nonmobile laboratory shall be located within Arizona and each mobile laboratory shall maintain Arizona vehicle registration.
- ~~D.~~ An application for licensure shall be made for any of the approved methods contained in R9-14-608 and R9-14-609 through R9-14-612 for compliance testing required by ADEQ; the Clean Air Act; the Clean Water Act; the Comprehensive Environmental Response, Compensation and Liability Act; the Resource Conservation and Recovery Act; the Safe Drinking Water Act; or the Toxic Substance Control Act.
- ~~E.~~ The Department shall determine if the application is complete and mail notification to the applicant with a detailed list of deficiencies if incomplete within 3 weeks from receipt of the application and fees. An application is not complete without payment of all applicable fees. Upon receipt of a complete application, the Department shall schedule a laboratory inspection, proficiency evaluation audit, or both, no longer than 1 month later for an in-state lab and 2 months later for an out of state lab. The Department and applicant may mutually agree to extend the inspection date.
- ~~F.~~ The Department may grant a temporary license for all sample matrices except drinking water, to an out-of-state laboratory, before an on-site inspection occurs, provided:
 1. The laboratory has submitted a complete application;
 2. The laboratory has provided successful proficiency evaluation results from current EPA studies or 3rd party proficiency evaluation audits, and
 3. The laboratory has provided current certification information for comparable testing from another state certification program.
- ~~G.~~ The Department shall provide the laboratory director with a written report of findings of compliance with A.R.S. Title 36, Chapter 4.3, Article 1 and this Article, within 6 weeks from the completion of any inspection, investigation, or proficiency evaluation audit.
- ~~H.~~ If the laboratory is not in compliance:
 1. Within 3 weeks from receipt of a report of noncompliance, the laboratory shall submit a written corrective action plan acceptable to the Department with corrective action and completion dates no longer than 4 months from the date the laboratory receives the written report of noncompliance.
 2. Within 6 weeks of receipt of the laboratory’s plan of corrective action, the Department shall provide the laboratory with a written approval or disapproval.
 3. If the laboratory’s plan of corrective action is disapproved by the Department, the laboratory shall submit a new corrective action plan for the items which the Department has disapproved within 3 weeks from receipt of the Department’s written disapproval.

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- 4. ~~Within 3 weeks of receipt of the laboratory's revised corrective action plan, the Department shall provide the laboratory with a written approval or disapproval of the revised plan.~~
- ~~I. The Department will send written notification of approval or denial of an application within 9 months for an in-state lab and 10 months for an out of state lab. Denials shall set forth the reasons for denial and all other information required under A.R.S. § 41-1076.~~
- ~~J. This Section shall apply to a laboratory not currently licensed in Arizona until either of the following occurs:
 - 1. The laboratory owner or operator is issued a laboratory license pursuant to this Article, or
 - 2. The laboratory owner or operator is notified of the Department's intent to deny a laboratory license.~~
- ~~K. Notification by the Department of issuance or denial of a license shall not exceed 9 months for in-state labs, and 10 months for out of state labs from the date that the Department determined that the application was complete. Completeness review is 3 weeks. The overall time frame is 9 months and 3 weeks for in-state labs and 10 months and 3 weeks for out of state labs.~~
- ~~L. For the purpose of computing time frames in this Section intermediate Saturdays, Sundays, and legal holidays shall be included in the computation. The last day of the time period will be included unless it is a Saturday, Sunday, or legal holiday.~~

R9-14-603. Initial License Process

- A. To obtain a license, an applicant shall submit to the Department a completed application on a form provided by the Department. The application shall comply with A.R.S. § 36-495.03(A)-(B). An applicant shall submit to the Department the appropriate application fee or fees along with the completed application form.**
- B. An applicant shall submit the following information on the application form:**
 - 1. The name of the laboratory;
 - 2. The physical and mailing address of the laboratory;
 - 3. The name and address of each individual and business organization that has an ownership interest in the laboratory;
 - 4. For each business organization with an ownership interest in the laboratory, the name of each officer, principal, and statutory agent;
 - 5. The name of the individual directing the laboratory;
 - 6. The classification level for which applied;
 - 7. Whether the applicant is applying for a single laboratory or multiple laboratories;
 - 8. If the applicant is applying for a mobile laboratory, the vehicle make, vehicle identification number, and Arizona vehicle license number of the laboratory;
 - 9. If the applicant is applying for a mobile laboratory that is affiliated with a non-mobile laboratory, the name of the non-mobile laboratory;
 - 10. The name, title, and educational background of each individual authorized to sign final reports for the laboratory;
 - 11. A list of the references and methods for which the applicant is requesting a license;
 - 12. A list of the instruments and equipment that the laboratory will use for compliance testing;
 - 13. A list of the software that the laboratory will use for instrument control and data reduction interpretation;
 - 14. If the applicant is applying for an out-of-state laboratory, whether the applicant wants the laboratory to receive technical updates by facsimile transmission or through the Internet;
 - 15. If the applicant is applying as a small business for a private laboratory and wants to pay method, instrument, and proficiency evaluation fees in installments, the applicant shall provide the following information:
 - a. A list of the affiliates of the business organization that owns the laboratory;
 - b. The relationship between each affiliate and the business organization that owns the laboratory;
 - c. Whether the laboratory is independently owned and operated;
 - d. The type of business organization that owns the laboratory;
 - e. If the business organization that owns the laboratory is a corporation, whether the stock of the corporation or any of its affiliates is publicly traded;
 - f. The number of individuals employed full-time by the business organization that owns the laboratory;
 - g. The number of individuals employed full-time by each affiliate of the business organization that owns the laboratory;
 - h. Whether the gross annual receipts of the business organization that owns the laboratory were less than or greater than or equal to \$4,000,000 in the last fiscal year;
 - i. Whether the combined gross annual receipts of the affiliates of the business organization that owns the laboratory were less than or greater than or equal to \$4,000,000 in the last fiscal year; and
 - j. Whether the business organization that owns the laboratory is dominant in its field; and
 - 16. A notarized statement by the applicant and the director of the laboratory verifying the information on the application.
- C. The application may include an agreement between the applicant and the Department that the Department may submit supplemental requests for additional information.**

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- D.** Multiple laboratories located on contiguous grounds and owned by the same person may be:
 - 1. Licensed as a single laboratory, or
 - 2. Licensed separately if the applicant submits an application and an application fee as required by A.A.C. R9-14-607(A) for each laboratory.
- E.** Multiple laboratories, including mobile laboratories, located on noncontiguous grounds and owned by the same person may be:
 - 1. Licensed separately, or
 - 2. Operated under a single license if:
 - a. The applicant submits an application and an application fee as required by A.A.C. R9-14-607(B) for each laboratory,
 - b. Each non-mobile laboratory is located in Arizona, and
 - c. Each mobile laboratory maintains an Arizona vehicle registration.
- F.** An application is not complete without payment of the appropriate application fee or fees and payment of the amount billed under A.A.C. R9-14-608(C).

R9-14-604. Licensure Renewal Process

- A.** ~~At least 1 month prior to the expiration of its current license, a laboratory must submit to the Department, a complete application and payment of all applicable fees prescribed in A.A.C. R9-14-606.~~
- B.** ~~The Department shall notify the laboratory director of any deficiency in the application and payment of fees within 3 weeks from the receipt of the application and fees. If the application is complete and proper fees are submitted, the Department shall renew a laboratory license, unless the Director determines pursuant to A.R.S. § 36-495.09 that grounds exist to deny the license.~~
- C.** ~~The Department may grant a temporary license to a laboratory with an existing laboratory license, if the laboratory is moving to a new location. The Department shall not grant the temporary license to such laboratories if the owner or director is also changed.~~
- D.** ~~The Department may conduct a laboratory inspection or proficiency evaluation audit, or both, at any time during the licensure period.~~
- E.** ~~The Department shall provide the laboratory director with a written report of findings within 6 weeks from the completion of any inspection, investigation, or proficiency evaluation audit.~~
- F.** ~~A licensed laboratory that cannot demonstrate compliance with this Article, shall submit to the Department within 6 weeks from the date the laboratory receives the written report of findings, a written plan to correct deficiencies listed in the written report of findings with corrective action and completion dates acceptable to the Department.~~
- G.** ~~The Department shall provide the laboratory with a written response within 6 weeks of receipt of the laboratory's plan of corrective action to the Department's written report of findings.~~

R9-14-604. Regular License Renewal Process

- A.** To renew a regular license, an applicant shall submit to the Department an application completed on the same type of form used for an initial license. An applicant shall submit to the Department the appropriate application fee or fees along with the completed application form.
- B.** If the applicant is applying for an in-state laboratory, the applicant shall submit the completed application at least 30 days before expiration of the current license.
- C.** If the applicant is applying for an out-of-state laboratory, the applicant shall submit the completed application at least 60 days before expiration of the current license.
- D.** An application is not complete without payment of the appropriate application fee or fees and payment of the amount billed under A.A.C. R9-14-608(C).

R9-14-605. Compliance Monitoring

- A.** The Department shall conduct a laboratory inspection and may conduct an investigation or proficiency evaluation audit, or both, of an applicant's laboratory as part of the substantive review for an initial license.
 - 1. The Department shall commence the laboratory inspection, investigation, or proficiency evaluation audit, or combination of the 3, no more than 30 days after notice of administrative completeness has been mailed for an in-state laboratory or no more than 60 days after notice of administrative completeness has been mailed for an out-of-state laboratory.
 - 2. The Department and applicant may mutually agree in writing to extend the laboratory inspection, investigation, or proficiency evaluation audit dates.
- B.** The Department may conduct a laboratory inspection, investigation, or proficiency evaluation audit, or any combination of the 3, of a licensee's or applicant's laboratory at any other time before or during the license period.
- C.** The Department shall comply with A.R.S. § 41-1009 in conducting laboratory inspections and investigations that occur at a laboratory.

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- D.** If the Department determines based on a laboratory inspection, investigation, or proficiency evaluation audit, or any combination of the 3, that a laboratory is not in compliance with A.R.S. Title 36, Chapter 4.3 and this Article, the Department shall request that the licensee or applicant submit to the Department a written corrective action plan, unless the Department determines:
1. That the deficiencies were committed intentionally;
 2. That the deficiencies cannot be corrected within a reasonable period of time;
 3. That the deficiencies are evidence of a pattern of noncompliance;
 4. That the deficiencies are a risk to any person; the public health, safety, or welfare; or the environment; or
 5. That there is a reasonable belief, as stated in A.R.S. § 36-495.09(B), that a violation of A.R.S. § 36-495.09(A)(5) has occurred and that the life or safety of the public is immediately affected.
- E.** A corrective action plan shall be in writing and shall include the corrective action that will be taken and the date by which corrective action will be completed, which cannot be more than 120 days after the date that the Department requested the corrective action plan.
1. A licensee shall submit a corrective action plan to the Department within 45 days from the date that the Department requested the corrective action plan.
 2. An applicant shall submit a corrective action plan to the Department within 28 days from the date that the Department requested the corrective action plan.
- F.** If the Department disapproves a corrective action plan, the Department shall send to the licensee or applicant a written notice of disapproval requesting that the licensee or applicant submit to the Department a revised corrective action plan for the items that the Department disapproved.
1. A licensee or an applicant shall submit the revised corrective action plan to the Department within 21 days from the date of the written notice of disapproval.
 2. If a licensee or an applicant does not submit a revised corrective action plan within 21 days from the date of the written notice of disapproval, the Department may deny the application or take any other action authorized by law.
- G.** A licensee or an applicant shall notify the Department when corrective action has been completed.
- H.** The Department shall determine if a laboratory is in substantial compliance with A.R.S. Title 36, Chapter 4.3 and this Article within 30 days of notification that the corrective action has been completed. If the Department determines that the licensee or applicant has not corrected the deficiencies or that the licensee or applicant has not corrected the deficiencies within a reasonable period of time, the Department may take any enforcement action authorized by law as a result of the deficiencies.
- I.** Under A.R.S. § 41-1009(G), the Department's decision regarding whether a licensee or an applicant may submit a corrective action plan to correct deficiencies identified in a laboratory inspection or investigation at the laboratory or whether these deficiencies have been corrected or have not been corrected within a reasonable period of time is not an appealable agency action as defined by A.R.S. § 41-1092.

R9-14-605 R9-14-606. Provisional Licensure Licensing

- A.** The Department may issue a provisional license to a licensee when ~~its~~ the Department suspends the licensee's regular license because of deficiencies identified in an investigation, laboratory inspection, or proficiency evaluation audit ~~identifies deficiencies, but the number and nature of deficiencies do not pose a risk to public health, safety, or the environment.~~
- B.** The Department may issue a provisional license for any of the following reasons:
1. The laboratory does not adhere to the applicable references in R9-14-608 or the requirements for facilities, equipment, reagents, quality control practices, or approved methods appropriate to the sample matrix as listed in R9-14-609 through R9-14-612;
 2. The laboratory fails to participate in a proficiency evaluation audit and submit results within the acceptance limits or the time frames established by the proficiency evaluation service;
 3. Two consecutive proficiency evaluation audit reports have the same parameter deemed outside acceptance limits by a proficiency evaluation service; or
 4. The laboratory fails to submit a written corrective action report to the Department within 6 weeks of the receipt of proficiency evaluation audit results that are deemed outside acceptable limits.
- ~~CB.~~** The Department shall issue an amended certified list of parameters for ~~the~~ a provisional license.
- ~~DC.~~** The ~~A~~ licensee shall return its regular license to the Department within ~~40 working~~ 14 days from the date of receipt of written notification ~~that the Department issued a provisional license of the license suspension.~~
- ~~ED.~~** A provisional license ~~shall be~~ is valid for a set period established by the Department, not to exceed ~~the expiration date of the laboratory's suspended license~~ 12 months.
- ~~FE.~~** A laboratory ~~A licensee~~ with a provisional license ~~may who desires to renew its~~ the laboratory's regular license ~~provided that it applies shall apply~~ for renewal at least 6 weeks prior to the 30 days before expiration of ~~its~~ the provisional license. ~~At such time, the~~ The Department shall issue to the laboratory a regular renewed license renewal, unless the Director determines pursuant to A.R.S. § 36-495.09 that grounds exist to revoke the license the licensee is not in full compliance with the corrective action plan; A.R.S. Title 36, Chapter 4.3; and this Article.

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E. The Department shall not issue a provisional license to an applicant for an initial license.

R9-14-606 R9-14-607. Licensure fees Fees

A. Each laboratory applying for a license shall pay to the Department, at the time of application, a nonrefundable application fee except as required by A.R.S. § 41-1077, in U.S. dollars, dependent upon the following laboratory license classifications: An applicant applying for a single license for a single laboratory shall submit to the Department, at the time of application, the following non-refundable application fee:

- | | |
|--|---------------------------------|
| 1. <u>For a classification Level I –A license for compliance testing is limited to 1 to 9 total parameters in any combination of categories of laboratory testing. license:</u> | \$1,000.00
<u>\$1,300.00</u> |
| 2. <u>For a classification Level II –A license for compliance testing is limited to 10 to 17 total parameters in any combination of categories of laboratory testing. license:</u> | \$1,270.00
<u>\$1,651.00</u> |
| 3. <u>For a classification Level III –A license for compliance testing for greater than 17 total parameters in any combination of categories of laboratory testing. license:</u> | \$1,400.00
<u>\$1,820.00</u> |

B. Multiple laboratories An applicant applying under the for a single license option for multiple laboratories not on contiguous grounds shall pay submit to the Department, at the time of application, a non-refundable application fee, except as required by A.R.S. § 41-1077, for each noncontiguous laboratory, as outlined in R9-14-603, dependent upon the following laboratory license classifications as follows:

- | | |
|--|------------------------------|
| 1. <u>For a classification Level I –license:</u> | \$860.00 <u>\$1,118.00</u> |
| 2. <u>For a classification Level II –license:</u> | \$1,130.00 <u>\$1,469.00</u> |
| 3. <u>For a classification Level III –license:</u> | \$1,270.00 <u>\$1,651.00</u> |

C. Concurrently with the licensure application fee, the applicant A licensee or an applicant shall pay submit to the Department a non-refundable fee, except as required by A.R.S. § 41-1077, for licensure of licensing each approved methods method, alternate method, and associated instrumentation calculated by the Department instrument requested on the application or during the license period, as follows:

- | | |
|--|-----------------------------|
| 1. Microbiology Testing Fees | |
| a) Total coliform: | |
| i. Most Probable Number | \$136.00 <u>\$177.00</u> |
| ii. Membrane filtration | <u>136.00</u> <u>177.00</u> |
| iii. MMO MUG (Colilert or Colisure only) | 91.00 <u>118.00</u> |
| iv. Colisure | <u>118.00</u> |
| v. Presence-Absence | 136.00 <u>177.00</u> |
| b) Fecal coliform: | |
| i. Most Probable Number | 136.00 <u>177.00</u> |
| ii. Membrane filtration | <u>136.00</u> <u>177.00</u> |
| c) Fecal streptococcus: | |
| i. Most Probable Number | 136.00 <u>177.00</u> |
| ii. Membrane filtration | <u>136.00</u> <u>177.00</u> |
| d. Salmonella | 136.00 <u>177.00</u> |
| e. Heterotrophic plate count | 91.00 <u>118.00</u> |
| f. Any 1 approved method in each group for total coliform, fecal coliform, fecal streptococcus, Salmonella, and heterotrophic plate count. | 408.00 <u>530.00</u> |
| g. Any combination of approved methods for total coliform, fecal coliform, fecal streptococcus, Salmonella, and heterotrophic plate count. | 725.00 <u>943.00</u> |
| h. Viruses | 227.00 <u>295.00</u> |
| i. Parasites | <u>227.00</u> <u>295.00</u> |
| j. <u>Microscopic Particulate Analysis</u> | <u>199.00</u> |
| 2. Bioassay | |
| Any combination of methods for estimating the chronic and acute toxicity of effluents and waters to fresh water organisms. | \$544.00 <u>\$707.00</u> |
| 3. Demand | |
| a. Biochemical Oxygen Demand | \$91.00 <u>\$118.00</u> |
| b. Chemical Oxygen Demand | 91.00 <u>118.00</u> |

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4. Inorganic Chemistry - Metals
- a) ~~Flame atomic absorption (FAA) approved methods.~~
- i. Each metal for which the laboratory applies using any single ~~FAA flame atomic absorption~~ approved method from any single approved method reference. \$15.00 ~~\$20.00~~
each, up to a maximum of \$295.00 ~~\$384.00~~
- ii. Each metal for which the laboratory applies using any combination of ~~FAA flame atomic absorption~~ approved methods from any combination of approved method references. \$24.00 ~~\$31.00~~
each, up to a maximum of \$468.00 ~~\$608.00~~
- b) ~~Electrothermal graphite furnace atomic absorption (GFAA) approved methods.~~
- i. Each metal for which the laboratory applies using any single ~~GFAA graphite furnace atomic absorption~~ approved method from any single approved method reference. \$15.00 ~~\$20.00~~
each, up to a maximum of \$272.00 ~~\$354.00~~
- ii. Each metal for which the laboratory applies using any combination of ~~GFAA graphite furnace atomic absorption~~ approved methods from any combination of approved method references. \$24.00 ~~\$31.00~~
each, up to a maximum of \$435.00 ~~\$566.00~~
- c) ~~Inductively Coupled Plasma (ICP) coupled plasma emission spectrometer approved methods.~~
- i. Each metal for which the laboratory applies using any single ~~ICP inductively coupled plasma~~ approved method from any single approved method reference. \$12.00 ~~\$16.00~~
each, up to a maximum of \$260.00 ~~\$338.00~~
- ii. Each metal for which the laboratory applies using any combination of ~~ICP inductively coupled plasma~~ approved methods from any combination of approved method references. \$18.00 ~~\$23.00~~
each, up to a maximum of \$390.00 ~~\$507.00~~
- d) ~~Inductively Coupled Plasma/Mass Spectrometer (ICP/MS) coupled plasma/mass spectrometer approved methods.~~
Each metal for which the laboratory applies using any ~~ICP/MS inductively coupled plasma/mass spectrometer~~ approved method from any approved method reference. \$18.00 ~~\$23.00~~
each, up to a maximum of \$390.00 ~~\$507.00~~
- e) ~~Colorimetric metal testing approved methods.~~
Each colorimetric approved method for which the laboratory applies. \$45.00 ~~\$59.00~~
- f) ~~Mercury cold vapor approved methods.~~
- i. Any single mercury cold vapor approved method from any single approved method reference for which the laboratory applies. \$91.00 ~~\$118.00~~
- ii. Any combination of mercury cold vapor approved methods from any combination of approved method references for which the laboratory applies. \$136.00 ~~\$177.00~~
- g) ~~Metals by hydride generation approved methods.~~
Each hydride metal for any approved ~~method from~~ method from any approved method reference for which the laboratory applies. \$45.00 ~~\$59.00~~
each, up to a maximum of \$68.00 ~~\$88.00~~
5. Inorganic Chemistry - Nonmetals
- a) ~~Nonmetals Group IA~~
- i. ~~Total Alkalinity~~ \$23.00 ~~\$30.00~~
- ii. Chloride 23.00 ~~30.00~~
- iii. Chlorine 23.00 ~~30.00~~
- iv. Chlorine dioxide 23.00 ~~30.00~~
- v. Color 23.00 ~~30.00~~
- vi. Hardness (as ~~CaCO₃~~ CaCO₃) 23.00 ~~30.00~~
- vii. Hydrogen ion (pH) 23.00 ~~30.00~~
- viii. Ozone 23.00 ~~30.00~~
- ix. Specific conductance 23.00 ~~30.00~~
- x. Total Dissolved Solids (Filterable Residue) 23.00 ~~30.00~~
- xi. Turbidity 23.00 ~~30.00~~
- b) ~~Nonmetals Group IB~~
- i. Nitrate \$45.00 ~~\$59.00~~
- ii. Sulfate 45.00 ~~59.00~~
- iii. Fluoride 45.00 ~~59.00~~
- iv. Sodium Azide 45.00 ~~59.00~~
- v. Sodium/Potassium Perchlorate 45.00 ~~59.00~~

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c).	Maximum for any combination of Nonmetals Group IA and IB for the 1st approved method for which the laboratory applies.		\$255.00	\$332.00
d).	Each additional Nonmetals Group IA approved method for which the laboratory applies.		\$11.00	\$14.00
e).	Each additional Nonmetals Group IB approved method for which the laboratory applies.		\$23.00	\$30.00
f).	Nonmetals Group IIA			
	i. Acidity		\$23.00	\$30.00
	ii. Total Hardness		23.00	30.00
	iii. Surfactants		23.00	30.00
	iv. Total Residue		23.00	30.00
	v. Nonfilterable Residue		23.00	30.00
	vi. Settleable Residue		23.00	30.00
	vii. Volatile Residue		23.00	30.00
g).	Nonmetals Group IIB			
	i. Ammonia		\$45.00	\$59.00
	ii. Bromide		45.00	59.00
	iii. Total Kjeldahl Nitrogen		45.00	59.00
	iv. Nitrite		45.00	59.00
	v. Orthophosphate		45.00	59.00
	vi. Total Phosphorus		45.00	59.00
h).	Maximum for any combination of Nonmetals Group IIA and IIB for the 1st approved method for which the laboratory applies.		340.00	\$442.00
i).	Each additional Nonmetals Group IIA approved method for which the laboratory applies.		\$11.00	\$14.00
j).	Each additional Nonmetals Group IIB approved method for which the laboratory applies.		\$23.00	\$30.00
k).	Ion chromatograph approved methods. Each ion for which the laboratory applies using any IC ion chromatograph approved method from any approved method reference.		\$20.00	\$26.00
			each, up to a maximum of \$200.00	\$260.00
6.	Major Analytical Chemistry Instruments			
a.	Each Gas Chromatograph (GC) instrument.		\$45.00	\$59.00
b.	Each Gas Chromatograph/Mass Spectrometer (GC/MS) instrument.		91.00	\$118.00
c.	Each Atomic Absorption Spectrometer instrument.		45.00	\$59.00
d.	Each Inductively Coupled Plasma Atomic Emission Spectrometer instrument.		45.00	\$59.00
e.	Each Inductively Coupled Plasma Atomic Emission Spectrometer/Mass Spectrometer Instrument instrument.		91.00	\$118.00
f.	Each High Performance Liquid Chromatograph instrument.		45.00	\$59.00
g.	Each High Performance Liquid Chromatograph/Mass Spectrometer instrument.		91.00	\$118.00
h.	Each Ion Chromatograph instrument.		45.00	\$59.00
i.	Each Total Organic Halide (TOX) instrument.		45.00	\$59.00
j.	Each Transmission Electron Microscope (TEM).		182.00	\$237.00
k.	Each X-Ray Diffraction instrument.			\$59.00
7.	Volatile Organic Chemistry			
	Purgeable Organic GC and GC/MS approved methods.			
a.	Volatile Organics by GC by EPA Methods 502.2, 8021A, 8021B	Single Method	\$91.00	\$118.00
b.	Purgeable Halocarbons by EPA Methods Method 601 and 8010B Method 601		45.00	59.00
c.	Total Trihalomethanes (TTHM) by EPA Methods 502.2, 524.2, 551, 551.1		45.00	59.00
	Maximum Trihalomethane Potential (MTP) 510.1			45.00
d.	Purgeable Aromatics by EPA Methods 602, 8015A, 8015M, 8020A, 8015B		45.00	59.00
e.	Fuel Class Hydrocarbons by BLS Method 191 8015AZ		45.00	59.00
	Halogenated and Aromatic Volatiles by EPA Method 8021A		91.00	
f.	Acrolein, Acrylonitrile, and Acetonitrile by EPA Methods 603, 8031, 8032 8032A, 8033, 8316		45.00	59.00
				68.00
				88.00

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g.	<u>Acrylamide, Acrylonitrile, and Acrolein by EPA Method 8316</u>	59.00		
h.	<u>Purgeables by GC/MS by EPA Methods 524.2, 624, 1624, 8260A 8260B</u>	91.00	<u>118.00</u>	<u>181.00 235.00</u>
8.	<u>Semivolatile Organic Chemistry</u>			
	<u>Semivolatile organic GC approved methods</u>	<u>Single Method</u>		<u>Combination</u>
a.	<u>Aniline and Derivatives by EPA Method 8131</u>	69.00	<u>90.00</u>	
b.	<u>Benzidines by EPA Method 605</u>	45.00	<u>59.00</u>	
c.	<u>Benzidines and Nitrogen Pesticides by EPA Method 553</u>	69.00	<u>90.00</u>	
d.	<u>Bis(2-chloroethyl)ether Hydrolysis Products by EPA Method 8430</u>	69.00	<u>90.00</u>	
e.	<u>Carbamates/Urea Pesticides by EPA Methods 531.1, 632, 8318</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
f.	<u>Carbonyl Compounds by EPA Method 8315 8315A</u>	69.00	<u>90.00</u>	
g.	<u>Chlorinated Herbicides by EPA Methods 515.2, 555, 8151 8151A, Standard Methods 6640-B, ASTM D-3478-85</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
h.	<u>Chlorinated Hydrocarbons by EPA Methods 612, 8121</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
i.	<u>1,2-Dibromoethane and 1,2-Dibromo-3-Chloropropane by EPA Methods 504.1, 554 551.1, 8011, BLS Method 127</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
j.	<u>Diquat and Paraquat by EPA Method 549.1 549.2</u>	69.00	<u>90.00</u>	
k.	<u>Endothall by EPA Method 548.1</u>	69.00	<u>90.00</u>	
l.	<u>Glyphosate by EPA Method Methods 547, 6651</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
m.	<u>Haloacetic Acetic Acids by EPA Method Methods 552 and 552.1 and 552.2</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
n.	<u>Haloethers by EPA Methods 611, 8111</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
o.	<u>Nitroaromatics and Cyclic Ketones by EPA Methods 609, 8091, 8330</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
p.	<u>Nitroaromatics and Nitramines by EPA Method 8330</u>		90.00	
q.	<u>Nitroglycerine by EPA Method 8332</u>	69.00	<u>90.00</u>	
r.	<u>Nitrosamines by EPA Methods 607, 8070, 8330 8070A</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
s.	<u>Nonvolatiles by HPLC/MS by EPA Methods 8321 8321A, 8325</u>	91.00	<u>118.00</u>	<u>136.00 177.00</u>
t.	<u>Organochlorine Pesticides/Polychlorinated Biphenyls by EPA Methods 505, 508, 508.1, 608, 8081, 8082, Standard Method 6630C, ASTM Method D3086-85, EPA-600/4-81-045</u>	91.00	<u>118.00</u>	<u>136.00 177.00</u>
u.	<u>Organophosphorus and Nitrogen Pesticides by EPA Methods 507, 614, 1657, 8141A</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
v.	<u>Phenols by EPA Methods 604, 8041A 8041</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
w.	<u>Polynuclear Aromatic Hydrocarbons by EPA Methods 550, 550.1, 610, 8100, 8310</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
	<u>Polynuclear Aromatic Hydrocarbons by EPA Method 8310</u>		69.00	
x.	<u>Phthalate Esters by EPA Methods; 506, 606, 8061 8061A, 506</u>	69.00	<u>90.00</u>	102.00 <u>133.00</u>
y.	<u>Semivolatile organic organics GC/MS approved methods by EPA Methods 525.2, 625, 1625, 8270B 8270C</u>	91.00	<u>118.00</u>	<u>182.00 237.00</u>
z.	<u>Semivolatile organics GC/FTIR by EPA Method 8410</u>	69.00	<u>90.00</u>	
aa.	<u>Tetrazine by EPA Method 8331</u>	69.00	<u>90.00</u>	
bb.	<u>Triazine Pesticides by EPA Method 619</u>	69.00	<u>90.00</u>	
cc.	<u>Dioxin and Furans by EPA Methods 613, 1613, 613, 8280 8280A, 8290,</u>	272.00	<u>354.00</u>	362.00 <u>471.00</u>
	<u>Director approved GC methods</u>		69.00	
	<u>Director approved GC/MS methods</u>		91.00	
9.	<u>Radiochemicals</u>			
a.	<u>Fee for radiochemistry testing</u>			\$270.00 <u>\$351.00</u>
b.	<u>Each radioisotope counting instrument</u>			45.00 <u>59.00</u>
c.	<u>Gross Alpha Activity</u>			91.00 <u>118.00</u>
d.	<u>Gross Beta Activity</u>			91.00 <u>118.00</u>
e.	<u>Radium-226</u>			91.00 <u>118.00</u>

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f.	Radium-228	91.00	118.00
g.	Cesium-134	91.00	118.00
h.	Iodine-131	91.00	118.00
i.	Polonium-210	91.00	118.00
j.	Radon-222	91.00	118.00
k.	Strontium-89	91.00	118.00
l.	Strontium-90	91.00	118.00
m.	Tritium	91.00	118.00
n.	Uranium	91.00	118.00
o.	Photon Emitters, each method	91.00	118.00
p.	Each radiochemical approved method when the laboratory applies for 5 or more.	73.00	95.00
10.	Hazardous Characteristic Testing Approved Methods		
a.	Corrosivity toward steel	\$38.00	\$49.00
b.	Ignitability	38.00	49.00
c.	Reactivity	38.00	49.00
d.	Extraction Procedure Toxicity Characteristic*	91.00	118.00
e.	Toxicity Characteristic Leaching Procedure*	181.00	235.00
f.	Synthetic Characteristic Leaching Procedure*	181.00	235.00
	*(The fee fees for these procedures are for the sample extraction and leaching processes only.)		
11.	Miscellaneous Compliance Testing		
a.	Total Organic Carbon	\$45.00	\$59.00
b.	Total Organic Halides	45.00	59.00
c.	Purgeable Organic Halides	68.00	88.00
d.	Extractable Organic Halides	68.00	88.00
e.	Ethylene Glycol	91.00	118.00
f.	Total Petroleum Hydrocarbon	91.00	118.00
g.	Oil and Grease	45.00	59.00
h.	Cyanide; total, direct, and amenable to chlorination	91.00	118.00
i.	Total Phenols	91.00	118.00
j.	Lead in paint	23.00	30.00
k.	Magnesium - gravimetric	23.00	30.00
l.	Sulfide	45.00	59.00
m.	Sulfite	45.00	59.00
n.	Silica	45.00	59.00
o.	Bulk Asbestos Identification	136.00	177.00
p.	White Phosphorous	69.00	90.00
q.	Immunoassay Tests (each) <u>Each Immunoassay Test</u>	45.00	59.00
r.	Compatibility Test for Wastes and Membrane Liners	20.00	26.00
s.	Cation-Exchange Capacity of Soil	20.00	26.00
	Director approved methods		20.00
t.	Asbestos fiber counting by:		
i.	Light microscopy	136.00	177.00
ii.	Electron microscopy	227.00	295.00
iii.	Electron Microscopy <u>microscopy</u> with X-Ray Diffraction	300.00	390.00
12.	Ambient Air Compliance Testing Approved Methods		
a.	Carbon Monoxide	\$181.00	\$235.00
b.	Hydrocarbons	181.00	235.00
c.	Lead	181.00	235.00
d.	Nitrogen Dioxide	181.00	235.00
e.	Ozone	181.00	235.00
f.	Particulate Matter	181.00	235.00
g.	Sulfur Oxides	181.00	235.00
h.	Maximum for ambient air testing-	952.00	1,238.00
13.	Air - Stationary Sources and Stack Testing Approved Methods		
a.	Carbon Dioxide/Oxygen/Excess Air	\$181.00	\$235.00
b.	Carbon Monoxide	181.00	235.00
c.	Carbonyl Sulfide/Carbon Dioxide	181.00	235.00
d.	Fluoride	181.00	235.00
e.	Gaseous Organic Compounds	181.00	235.00

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f.	Hydrogen Sulfide	181.00	235.00
g.	Inorganic Lead	181.00	235.00
h.	Moisture Content	181.00	235.00
i.	Nitrogen Oxide	181.00	235.00
j.	Particulate Emissions:		
i.	Asphalt Processing	91.00	118.00
ii.	Fiberglass Insulation	91.00	118.00
iii.	Nonsulfate	91.00	118.00
iv.	Nonsulfuric Acid	91.00	118.00
v.	Pressure Filters	91.00	118.00
vi.	Stationary Sources	91.00	118.00
vii.	Sulfur Dioxide	91.00	118.00
viii.	Wood Heaters	91.00	118.00
ix.	Particulate emissions maximum	544.00	707.00
k.	Sulfur and Total Reduced Sulfur	181.00	235.00
l.	Sulfur Dioxide	181.00	235.00
m.	Sulfuric Acid Mist	181.00	235.00
n.	<u>Toxic Organic Compounds in Ambient Air by Method TO-15</u>		118.00
o.	Volatile Matter/Density/Solids/Water	181.00	235.00
p.	Vapor Tightness - Gasoline Delivery Tank	181.00	235.00
q.	Volatile Organic Compounds	181.00	235.00
r.	Wood Heaters Certification and Burn Rates	181.00	235.00
s.	Stationary Sources and Stack Testing maximum	2,720.00	3,536.00
t.	<u>Petroleum product analysis:</u>		
i.	<u>Hydrometer method</u>		59.00
ii.	<u>Sulfur</u>		118.00
iii.	<u>Heat of Combustion</u>		59.00
14.	Arizona Emission Test Approved Methods <u>Particulate Emissions:</u>		
a.	Sulfuric Acid Mist/-Sulfur Oxides	\$181.00	\$235.00
b.	Dry Matter	181.00	235.00
15.	Hazardous Air Pollutant Approved Methods For <u>for</u> National Emission Standards		
a.	Arsenic	\$181.00	\$235.00
b.	Beryllium	181.00	235.00
c.	Mercury	181.00	235.00
d.	Polonium-210	181.00	235.00
e.	Vinyl Chloride	181.00	235.00
f.	Maximum for hazardous air pollutants	680.00	884.00
16.	<u>When an alternate method is a revision of a method listed in A.A.C. R9-14-611 through A.A.C. R9-14-614, the fee is the same as for the listed method, unless the technology of the alternate method is different from that of the listed method. All other alternate method fees are charged as follows:</u>		
a.	<u>Alternate Gas Chromatography method</u>		90.00
b.	<u>Alternate Gas Chromatography/Mass Spectrometry method</u>		118.00
c.	<u>Alternate miscellaneous method</u>		58.00
D.	The laboratory <u>An applicant shall pay submit to the Department a nonrefundable, except as required by A.R.S. §41-1077, handling non-refundable administrative fee of \$78.00 \$101.00 for each all proficiency evaluation audit audits to occur during the license period and the actual cost for proficiency evaluation audit materials, if applicable.</u>		
E.	<u>An applicant for an out-of-state laboratory shall submit to the Department an annual fee of \$98.00 if the applicant chooses to receive technical updates from the Department by facsimile transmission.</u>		
EF.	Except for the appointment of an acting laboratory director, a change in the laboratory name, directorship, or ownership a laboratory which <u>A licensee that requests an amendment or modification to its to change its license by adding a parameter to the license before its expiration date, shall pay all applicable licensure licensing fees. Laboratories A licensee shall have 3 free modifications to may delete parameters at no charge 3 times during a licensure license period. Thereafter, each additional deletion shall be charged at a rate of \$10.00 the Department shall charge \$13.00 per parameter for processing each deletion.</u>		
F.	Each out-of-state licensed laboratory shall pay an annual fee of \$75.00 if the laboratory chooses to receive technical updates from the Department by FAX.		

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R9-14-608. Payment of Fees

- A.** Upon receipt of a license application, the Department calculates the amount owed by the applicant by adding together the following:
1. The fees for the methods and instruments for which licensure is requested on the application, as provided in A.A.C. R9-14-607(C);
 2. The proficiency evaluation audit fee, as provided in A.A.C. R9-14-607(D); and
 3. The technical update fee, as provided in A.A.C. R9-14-607(E), if the applicant is applying for an out-of-state laboratory and has requested to receive technical updates from the Department by facsimile transmission.
- B.** If a laboratory is owned by a small business, the applicant may submit the amount calculated under subsection (A) to the Department in 12 equal installments, with the 1st installment billed by the Department as described in subsection (C) and an installment due on the 1st day of each month for 11 months thereafter.
- C.** After calculating the total fee as described in subsection (A), the Department shall send the applicant a notice of administrative deficiencies and a bill showing the following amount due:
1. If the laboratory is owned by a small business, the amount of the 1st installment; or
 2. If the laboratory is not owned by a small business, the total amount calculated under subsection (A).
- D.** If an applicant or licensee for a laboratory owned by a small business fails to submit an installment within 7 days from its due date, the Department shall charge a \$20.00 fee for processing the late payment. If an applicant or licensee for a laboratory owned by a small business fails to submit an installment within 30 days from its due date, the Department may initiate action under A.R.S. § 36-495.09.

~~R9-14-607.~~ R9-14-609. Proficiency Evaluation

- A.** ~~Each~~ Once in each 12-month period, or more often if requested by the Department, each laboratory shall demonstrate proficiency as determined by the Department through proficiency evaluation audits by participating in a proficiency evaluation audit provided by the Principal State Laboratory System, if available, or a proficiency evaluation service provider approved by the Department. The laboratory shall analyze and report proficiency evaluation audit samples for the testing program, category of testing, each parameter, and approved methods for which an initial license or renewal license has been issued or requested and for which proficiency evaluation samples are available. ~~Proficiency evaluation parameters reported by the~~ For a laboratory for subsections (B) through (G) of this Section to demonstrate proficiency for a parameter, test results reported by the laboratory for the parameter shall be within acceptance limits criteria established by the Principal State Laboratory System or proficiency evaluation service or in addition for subsection (B) as required by 40 CFR §§ 141.24, f.17.
- B.** 1. To maintain licensure a license for the approved methods listed for chemistry in ~~R9-14-609~~ A.A.C. R9-14-611, the a laboratory shall demonstrate continued proficiency through audits provided as described in subsection (A) by participating, every 12 months, in a the EPA's water supply study (WS) audit program, the Principal State Laboratory System proficiency evaluation audit program, if available, or a proficiency evaluation service accepted by the Department as required by the EPA under the Safe Drinking Water Act, 42 U.S.C. §§ 300f to 300j-26.
- C.** 2. To maintain licensure a license for the approved methods listed for chemistry in ~~R9-14-610 and R9-14-611~~ A.A.C. R9-14-612 and R9-14-613, the a laboratory shall demonstrate continued proficiency through audits provided as described in subsection (A) by participating, every 12 months, in a the EPA's water pollution (WP) proficiency evaluation audit program, the Principal State Laboratory System proficiency evaluation audit program, if available, or a proficiency evaluation service accepted by the Department as required by the EPA under the Clean Water Act, 33 U.S.C. §§ 1251-1387.
- D.** To maintain licensure for the approved methods listed for microbiology in ~~R9-14-609 through R9-14-611~~, the laboratory shall demonstrate continued proficiency through audits provided by the EPA's proficiency evaluation audit program, the Principal State Laboratory System proficiency evaluation audit program, if available, or a proficiency evaluation service accepted by the Department.
- E.** To maintain licensure for the approved methods listed for radiochemicals in ~~R9-14-609 through R9-14-611~~, the laboratory shall demonstrate continued proficiency through audits provided by the EPA's radiation assessment proficiency evaluation audit and the Intercomparison studies audit programs.
- F.** To maintain licensure for the approved methods listed in ~~R9-14-612~~, the laboratory shall demonstrate continued proficiency through audits provided by the EPA proficiency evaluation audit program, the Principal State Laboratory System proficiency evaluation audit program, if available, or from a proficiency evaluation service accepted by the Department.
- B.** A laboratory analyst shall test each proficiency evaluation sample within the holding times required for its parameter and shall use the same procedures and techniques employed for routine sample testing.
- C.** The proficiency evaluation service shall provide the evaluation results directly to the Department.
- G.D.** The Department may submit blind proficiency evaluation audit samples to a licensed laboratory at any time during the license period.

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- H.** The laboratory shall test all proficiency evaluation audit samples within holding times required by the approved method for each of the audit parameters and report the results to the proficiency evaluation service. Principal State Laboratory System chemistry proficiency evaluation audit sample results shall be reported to the Department within 2 months from the time of receipt. Principal State Laboratory System microbiology proficiency evaluation audit sample results shall be reported to the Department within 2 weeks from the time of receipt.
- I.** The Department shall issue a report of Principal State Laboratory System proficiency evaluation audit findings to the laboratory within 2 months of the deadline date for results of the proficiency evaluation audit.
- E.** If a proficiency evaluation audit is provided by the Principal State Laboratory System, a licensee or an applicant shall submit to the Department payment for the actual costs of the proficiency evaluation audit materials.
- F.** If a proficiency evaluation audit is not provided by the Principal State Laboratory System, a licensee or an applicant shall select a proficiency evaluation service from a list provided by the Department. A licensee or an applicant shall contract with and pay the proficiency evaluation service directly for a proficiency evaluation audit.

R9-14-608 R9-14-610. Approved Methods and References

- A.** All compliance samples shall be tested by approved methods and the results shall be validated by reference to the applicable quality assurance requirements listed in the following Key References; or in R9-14-609 through R9-14-612 as appropriate to the sample matrix, and/or as specifically required by ADEQ or EPA. A licensee shall ensure that compliance testing is performed according to an approved method or an alternate method and may use method alterations approved by the Director under subsection (B). The approved methods listed by parameter in A.A.C. R9-14-611 through R9-14-614 are found in the following references, which are incorporated by reference with the modifications described below and are on file with the Department and the Office of the Secretary of State. This incorporation by reference contains no future editions or amendments. The references published by the EPA, the U.S. Department of Energy, the U.S. Department of Health and Human Services, and the U.S. Department of the Interior are available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. The other references are available as provided below.
- B.** ~~If approved methods are not available for a particular testing program, category of testing or parameter, and different methods are required by EPA or ADEQ, a lab may use another method if the method is approved by the Director.~~
 - 1. ~~For existing methods which are not approved methods under this Article, a laboratory may submit a petition to the Department requesting approval. The petition shall include reference to the EPA or ADEQ statute or rule which requires the use of the different method.~~
 - 2. ~~A laboratory may submit a petition to the Department requesting the approval of a recommended or locally developed procedure.~~
 - a) ~~The petition shall contain:~~
 - i) ~~Name, telephone number, and address of the person submitting the petition;~~
 - ii) ~~Identification of the pollutant or parameter for which approval of a recommended or locally developed procedure is being requested;~~
 - iii) ~~Written justification for using the recommended or locally developed procedure including a detailed description of the recommended or locally developed procedure, together with references to published or other studies confirming the general applicability of the recommended or locally developed procedure to the type of sample matrix for which its use is intended, and reference to the EPA or ADEQ requirement to use a recommended or locally developed procedure; and~~
 - iv) ~~Data which demonstrates the performance of the recommended or locally developed procedure in terms of accuracy, precision, reliability, ruggedness, ease of use and ability to achieve a detection limit appropriate for the proposed use of the method.~~
 - b) ~~The Department may approve a recommended or locally developed procedure if it determines that the criteria listed in R9-14-608(2)(a)(iv) have been demonstrated.~~
 - e) ~~The Department may require that the recommended or locally developed procedure be tested in parallel with a reference laboratory for precision and accuracy.~~
- C.** ~~The following references identified by a capital letter under the heading "Key" contain the approved methods which are listed by parameter in R9-14-609 through R9-14-612. The following approved methods are incorporated by reference and on file with the Office of the Secretary of State and the Department. This incorporation by reference contains no future editions or amendments.~~

Key	Reference
A	"Methods for Chemical Analysis of Water and Wastes," Environmental Monitoring and Support Laboratory-Cincinnati, EPA, Pub. No. EPA-600/4-79-020, Methods for Chemical Analysis of Water and Wastes EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, (revised rev. March 1983).
A1	"Methods for the Determination of Metals in Environmental Samples-Supplement 1", Environmental Monitoring and Support Laboratory-Cincinnati, EPA, Pub. No. EPA-600/R-94-111 EPA/600/R-94/111, Methods for the Determination of Metals in Environmental Samples: Supplement I, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, (May 1994).

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- A2 “Methods for the Determination of Inorganic Substances in Environmental Samples”, Environmental Monitoring Systems Laboratory, EPA, Pub. No. EPA-600/R-93-100, EPA/600/R-93/100, Methods for the Determination of Inorganic Substances in Environmental Samples (August 1993), modified to increase the maximum holding time from 48 hours to 14 days at 4° C. for chlorinated, unacidified drinking water samples collected for determination of nitrate.
- A3 Technicon Industrial Systems, Industrial Method No. 380-75WE, Fluoride in Water and Wastewater (July 1977), available from Bran & Luebbe Analyzing Inc., 1025 Busch Parkway, Buffalo Grove, IL 60089.
- A4 Office of Water, EPA, Pub. No. EPA-821-R-99-005, Method 1631, Revision B: Mercury in Water by Oxidation, Purge and Trap, and Cold Vapor Atomic Fluorescence Spectrometry (May 1999).
- B “Interim Radiochemical Methodology for Drinking Water,” Herman L. Krieger, EPA, Pub. No. EPA-600/4-75-008, EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, revised Interim Radiochemical Methodology for Drinking Water (March 1976).
- C “Standard Methods for the Examination of Water and Wastewater,” APHA-AWWA-WPCF, Washington, D.C., American Public Health Association et al., Standard Methods for the Examination of Water and Wastewater (19th Edition, ed. 1995), available from American Public Health Association, 1015 15th Street, NW, Washington, DC 20005.
- C1 “Hach Handbook of Water Analysis,” 1979, Hach Chemical Company, Loveland, CO-80537 Hach Water Analysis Handbook (3rd ed. 1997), available from Hach Company, P.O. Box 389, Loveland, CO 80539-0389.
- E2 “Iron, 1,10-Phenanthroline Method,” Method 8008, 1980, Hach Chemical Company, P.O. Box 389, Loveland, CO 80537.
- D “Methods for the Determination of Organic Compounds in Drinking Water,” Environmental Monitoring Systems Laboratory-Cincinnati, EPA, Pub. No. EPA/600/4-88/039, Methods for the Determination of Organic Compounds in Drinking Water EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio; (rev. July 1991).
- D1 “Methods for the Determination of Organic Compounds in Drinking Water, Supplement I,” Environmental Monitoring Systems Laboratory-Cincinnati, EPA, Pub. No. EPA/600/4-90/020, EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio; Methods for the Determination of Organic Compounds in Drinking Water: Supplement I (July 1990).
- D2 “Methods for the Determination of Organic Compounds in Drinking Water, Supplement II,” Environmental Monitoring Systems Laboratory-Cincinnati, EPA, Pub. No. EPA/600/R-92/129, EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio; Methods for the Determination of Organic Compounds in Drinking Water: Supplement II (August 1992).
- D3 National Exposure Research Laboratory-Cincinnati, EPA, Pub. No. EPA/600/R-95/131, Methods for the Determination of Organic Compounds in Drinking Water: Supplement III (August 1995).
- D3D4 “Manual for the Certification of Laboratories Analyzing Drinking Water, 4th Edition,” Office of Ground Water and Drinking Water Technical Support Center, EPA, Pub. No. EPA 570/9-90/008 815-B-97-001, Manual for the Certification of Laboratories Analyzing Drinking Water: Criteria and Procedures Quality Assurance EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, April 1990, and updated September 1992 and (4th ed. March 1997).
- D4 “The Determination of the Maximum Total Trihalomethane Potential,” Method 510.1, EMSL, EPA, Cincinnati, Ohio 45268.
- D5 “Tetra through Octa Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS”, EPA-821-B-94-005, October 1994; J.W. Munch and W.J. Bashe, EPA, Method 549.2: Determination of Diquat and Paraquat in Drinking Water by Liquid-Solid Extraction and High Performance Liquid Chromatography with Ultraviolet Detection (rev. 1 June 1997).
- D6 Anne M. Pawlecki-Vonderheide and David J. Munch, EPA, Method 515.3: Determination of Chlorinated Acids in Drinking Water by Liquid-Liquid Extraction, Derivatization and Gas Chromatography with Electron Capture Detection (rev. 1 July 1996).
- E “Appendix A To Part 136 – Methods for Organic Chemical Analysis of Municipal and Industrial Wastewater,” 40 CFR Part 136 app. A, 1996 (1998).
- E1 “Appendix C to Part 136 – Inductively Coupled Plasma – Atomic Emission Spectrometric Method for Trace Element Analysis of Water and Wastes, Method 200.7,” 40 CFR Part 136, 1996. Office of Water Engineering and Analysis Division, EPA, Pub. No. EPA-821-R-93-010-A, Methods for the Determination of Non-conventional Pesticides in Municipal and Industrial Wastewater: Volume I (rev. 1 August 1993).
- F “Test Methods for Evaluating Solid Waste,” EPA SW-846, 3rd Edition, EPA, Office of Solid Waste and Emergency Response, Washington, D.C., September EPA, Pub. No. SW-846, Test Methods for Evaluating Solid Waste (3rd ed. 1986 & Update I, July 1992; Update IIA, August 1993; Update II, September 1994; Update IIB, January 1995; Update III, December 1996), and updated September 1994.

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- F1 “PCB’s in Transformer Oil/Waste Oil,” Thomas A. Bellar and James J. Lichtenberg, EPA, Pub. No. EPA-600/4-81-045, The Determination of Polychlorinated Biphenyls in Transformer Fluid and Waste Oils (September 1982).
- G “National Institute for Occupational Safety and Health—Manual of Analytical Methods,” U.S. Department of Health and Human Services, Pub. No. 84-100, NIOSH Manual of Analytical Methods: Volume 1, Cincinnati, Ohio, 3rd Edition, (3rd ed. February 1984), updated May 1985, August 1987, and May 1989.
- H “Interim Method for Determination of Asbestos in Bulk Insulation Samples,” Environmental Monitoring Systems Laboratory—Research Triangle Park, EPA, Pub. No. EPA-600/4-82-020 EPA-600/M4-82-020, Interim Method for the Determination of Asbestos in Bulk Insulation Samples EPA, Environmental Monitoring Systems Laboratory, Research Triangle Park, North Carolina, (March December 1982).
- H1 “Analytical Method for Determination of Asbestos Fibers in Water,” Eric J. Chatfield and M. Jane Dillon, EPA, Pub. No. EPA/600/4-83-043 EPA-600/4-83-043, Analytical Method for Determination of Asbestos Fibers in Water EPA, Environmental Research Laboratory, Athens, GA, (September 1983).
- H2 Kim A. Brackett et al., EPA, Pub. No. EPA/600/R-94/134, Method 100.2: Determination of Asbestos Structures over 10 µm in Length in Drinking Water (June 1994).
- I “Annual Book of ASTM Standards,” ASTM, Annual Book of ASTM Standards, Volume Vols. 11.01 and 11.02, Water and Environmental Technology, American Society for Testing and Materials, Philadelphia, Pennsylvania (1995), available from ASTM, 1916 Race Street, Philadelphia, PA 19103-1187.
- J “Methods for Determination of Inorganic Substances in Water and Fluvial Sediments”, U.S. Department of Interior, U.S. Geological Survey, U.S. Department of the Interior, “Methods for Determination of Inorganic Substances in Water and Fluvial Sediments.” published in Techniques of Water-Resources Investigations of the United States Geological Survey at bk. 5, ch. A1 Washington, D.C., 3rd Edition (3rd ed. 1989).
- J1 L.L. Thatcher et al., U.S. Department of the Interior, “Methods for Determination of Radioactive Substances in Water and Fluvial Sediments,” published in Techniques of Water-Resources Investigations of the United States Geological Survey at bk. 5, ch. A5 (3rd ed. 1989).
- K Test Methods for the Determination of: “Ethylene Dibromide and Dibromochloropropane in Water,” BLS-127, revised June 1990; “TPH in Soil,” 418.1AZ, revised Bureau of State Laboratory Services, Arizona Department of Health Services, Method 418.1AZ: TPH in Soil (September 7, 1994); “Ethylene Glycol in Wastewater,” BLS-188, revised April 1990 Division of State Laboratory Services, Arizona Department of Health Services, Method No. BLS-188, Ethylene Glycol in Waste Water (rev. April 1991); and “Quantitation of Fuel Class Hydrocarbons by GC,” BLS-191, issued September 1991 Bureau of State Laboratory Services, Arizona Department of Health Services, C₁₀ - C₃₂ Hydrocarbons in Soil - 8015AZ (rev. 1.0 September 1998), Department of Health Services, Division available from the Bureau of State Laboratory Services, 1520 W. Adams Street, Phoenix, Arizona AZ 85007-2698.
- K1 Office of Water, EPA, Pub. No. EPA-821-R-98-002, Method 1664, Revision A: N-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated N-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetry (February 1999).
- K2 Office of Water, EPA, Pub. No. EPA-821-B-98-016, Analytical Methods for the Determination of Pollutants in Pharmaceutical Manufacturing Industry Wastewater (July 1998).
- L “Prescribed Procedures for Measurement of Radioactivity in Drinking Water,” Herman L. Krieger and Earl L. Whittaker, EPA, Pub. No. EPA-600/4-80-032, Prescribed Procedures for Measurement of Radioactivity in Drinking Water EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, (August 1980).
- M Environmental Monitoring Systems Laboratory—Cincinnati, EPA, Pub. No. EPA/600/4-90/027, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (4th ed. September 1991).
- M1 Environmental Monitoring Systems Laboratory—Cincinnati, EPA, Pub. No. EPA/600/4-90/027F, Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms (4th ed. August 1993).
- N Cornelius I. Weber et al., EPA, Pub. No. EPA/600/4-89/001, Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms (2nd ed. March 1989); and Environmental Monitoring and Support Laboratory—Cincinnati, EPA, Pub. No. EPA/600/4-89/001a, Supplement to “Short-term Methods for Estimating the Chronic Toxicity of Effluents and Surface Waters to Freshwater Organisms.” (EPA/600/4-89/001) (rev. 1 September 1989).
- N1 Environmental Monitoring Systems Laboratory—Cincinnati, EPA, Pub. No. EPA-600-4-91-002, Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms (3rd ed. July 1994).
- O “National Primary and Secondary Ambient Air Quality Standards,” 40 CFR Part 50, Subchapter C, (1995).

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- P "USEPA Manual of Methods for Virology," Gerald Berg et al., EPA, Pub. No. EPA-600/4-84/013 EPA-600/4-84-013, USEPA Manual of Methods for Virology EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, (February 1984).
- P1 Jay Vasconcelos and Stephanie Harris, EPA, Pub. No. EPA 910/9-92-029, Consensus Method for Determining Groundwaters Under the Direct Influence of Surface Water Using Microscopic Particulate Analysis (MPA) (October 1992).
- P2 G. Shay Fout et al., EPA, Pub. No. EPA/600/R-95/178, ICR Microbial Laboratory Manual (April 1996).
- P3 Charles P. Gerba, University of Arizona, UofA2000: Ascaris lumbricoides in Water (1999), available from the University of Arizona, Microbial Analytical Laboratory, Building No. 90, Rm. 406, Tucson, AZ 85721.
- Q "Standards of Performance For New Stationary Sources, Appendix A - Test Methods," 40 CFR Part 60, Appendix app. A; (1995).
- R "Arizona Testing Manual For Air Pollutant Emissions," Arizona Office of Air Quality, ADEQ, Arizona Testing Manual for Air Pollutant Emissions Phoenix, Arizona, (rev. F March 1992, Revision F), available from the Office of Air Quality, ADEQ, 3033 N. Central Avenue, Phoenix, AZ 85012.
- S "National Emission Standards for Hazardous Air Pollutants, Appendix B Test Methods and Appendix C - Quality Assurance Procedures," 40 CFR Part 61, Appendix apps. B and C; (1995).
- S1 Center for Environmental Research Information, EPA, Pub. No. EPA/625/R-96/010b, Compendium Method TO-15: Determination of Volatile Organic Compounds (VOCs) in Air Collected in Specially-Prepared Canisters and Analyzed by Gas Chromatography/Mass Spectrometry (GC/MS) (January 1997).
- T Broadway, Susan Broadaway et al., "Final Report of Equivalency Testing for Colisure," Montana State University, Bozeman, MT, Final Report of Equivalency Testing for Colisure (September 29, 1992), available from Millipore Corp. Technical Services Department, 80 Ashby Road, Bedford, MA 01730.
- U "National Primary Drinking Water Regulations," 40 CFR Part 141, Subpart C, Appendix C, 1994.
- V "The Determination of Inorganic Anions in Water by Ion Chromatography," EPA 600/4-84-017, EPA, Environmental Monitoring and Support Laboratory, Cincinnati, Ohio, August 1991.
- WU Environmental Measurements Laboratory (EML) Procedures Manual, HASL-300, Vol. 1, U.S. Department of Energy, Pub. No. HASL-300, EML Procedures Manual, Vol. I 27th Edition, 1990, New York, N.Y. (27th ed. rev. February 1992).
- XV Radiochemistry Procedures Manual, Eastern Environmental Radiation Facility (EERF) EPA-Montgomery, EPA, Pub. No. EPA 520/5-84/006 520/5-84-006, Montgomery, AL, Eastern Environmental Radiation Facility Radiochemistry Procedures Manual (August 1984 2nd prtg. 1988).
- YW Radiochemical Analytical Procedures for Analysis of Environmental Samples, EPA, Environmental Monitoring and Support Laboratory (EMSL), EMSL-LV0539-17, Las Vegas, NV, Las Vegas, EPA, Pub. No. EMSL-LV-0539-17, Radiochemical Analytical Procedures for Analysis of Environmental Samples (March 1979).
- ZX "Test Methods for Escherichia coli in Drinking Water, EC Medium with Mug Tube Procedure, Nutrient Agar with Mug Membrane Filter Procedure," Office of Ground Water and Drinking Water, EPA, Pub. No. EPA/600/4-91/016, Test Methods for Escherichia Coli in Drinking Water: EC Medium with Mug Tube Procedure, Nutrient Agar with Mug Membrane Filter Procedure EPA, Environmental Monitoring Systems Laboratory, Cincinnati, Ohio, (July 1991).
- X1 Bureau of Radiation and Inorganic Analytical Services, New Jersey Department of Environmental Protection, Determination of Ra-228 in Drinking Water (August 1990), available from New Jersey Department of Environmental Protection, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625.
- Y Office of Water, EPA, Pub. No. EPA/821/R-99/013, Method OIA-1677: Available Cyanide by Flow Injection, Ligand Exchange, and Amperometry (January 2000).
- B.** If an approved method or existing alternate method is not available for a particular parameter, or a different method or method alteration is required or authorized by an EPA or ADEQ statute or rule, a licensee may petition the Department for approval of a new alternate method or method alteration.
1. For a method or method alteration required or authorized by an EPA or ADEQ statute or rule, the petition shall include:
- a. The name, address, and telephone number of the licensee submitting the petition;
 - b. The name, address, and telephone number of the laboratory for which approval of the method or method alteration is requested;
 - c. Identification of the parameter for which approval of the method or method alteration is requested; and
 - d. Reference to the EPA or ADEQ statute or rule that requires or authorizes the use of the method or method alteration for which approval is requested.

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2. For a method or method alteration that is not required or authorized by an EPA or ADEQ statute or rule, the petition shall include:
 - a. The name, address, and telephone number of the licensee submitting the petition;
 - b. The name, address, and telephone number of the laboratory for which approval of the method or method alteration is requested;
 - c. Identification of the parameter for which approval of the method or method alteration is requested; and
 - d. Written justification for using the method or method alteration for which approval is requested, including the following:
 - i. A detailed description of the method or method alteration;
 - ii. References to published or other studies confirming the general applicability of the method or method alteration to the parameter for which its use is intended;
 - iii. Reference to the EPA or ADEQ requirement to test the parameter; and
 - iv. Data that demonstrate the performance of the method or method alteration in terms of accuracy, precision, reliability, ruggedness, ease of use, and ability to achieve a detection limit appropriate for the proposed use of the method or method alteration.
3. Before approving a new alternate method or method alteration that is not required or authorized by an EPA or ADEQ statute or rule, the Department may require that the method or method alteration be performed by a laboratory designated by the Department to verify that, using the parameter for which its use is intended, the method or method alteration produces data that comply with subsection (B)(2)(d)(iv).
4. The Department may approve a new alternate method or method alteration that is not required or authorized by an EPA or ADEQ statute or rule if the Department determines that use of the method or method alteration is justified as described in subsection (B)(2)(d).

R9-14-609 R9-14-611. Drinking Water Sample Matrix Methods

~~Every A laboratory which that conducts compliance testing under this rule of drinking water shall follow the guidelines in Key Reference ~~D3~~ D4, listed in A.A.C. R9-14-610(A), excluding requirements for laboratory personnel ~~educational~~ education and experience, requirements, and use the following approved methods, unless a method falls under the alternate specifications pursuant to R9-14-608(A) or (B). To locate the source of the approved method, cross reference the capital letter listed under "Key" to the reference designation listed in R9-14-608. When the identification and measurement of radio nuclides other than those listed in subsections (E)(1) through (11) of this Section are required, Key reference "X" or "Y" is to be used, except in cases where alternative methods have been requested or approved in accordance with R9-14-608 (A) through (C). In addition, when conducting compliance testing of a drinking water sample for a listed contaminant or group of contaminants, a laboratory shall use at least 1 of the corresponding methods listed below, unless the laboratory uses an alternate method approved by the Department for such testing under A.A.C. R9-14-610(B). Where 2 methods listed are joined by the word "and," a laboratory shall use both methods listed. To locate the source of each method listed, cross reference the capital letter listed under the term "Key" below to the corresponding key-reference list in A.A.C. R9-14-610(A).~~

<u>A. Microbiology:</u>	<u>Key</u>	<u>Approved Method</u>
1. Total Coliforms:		
a. Multiple Tube	<u>C</u>	9221 <u>B</u> and <u>C</u>
	<u>C1</u>	<u>8001</u>
b. Membrane Filter	<u>C</u>	9222 <u>B, C</u>
c. Coli-ert (OMPG-MUG) <u>Colilert</u>	<u>C</u>	9223 <u>B</u>
d. Colisure	<u>T</u>	Broadway et al.
e. Presence - Absence	<u>C</u>	9224 <u>E</u> <u>9221D</u>
2. Heterotrophic Plate Count	<u>C</u>	9215 <u>B</u>
3. Escherichia coli	<u>ZX</u>	Tube Procedure
		Membrane Filter Procedure
4. Fecal coliform	<u>C</u>	9221 <u>E</u> , 9222 <u>D</u>
	<u>C1</u>	<u>8001</u>
5. <u>Viruses</u>	<u>P2</u>	<u>600/R-95/178</u>
6. <u>Giardia and Cryptosporidium</u>	<u>P2</u>	<u>600/R-95/178</u>
<u>B. Sample preparation for metals:</u>	<u>Key</u>	<u>Approved Method</u>
1. Preliminary Filtration	<u>C</u>	3030 <u>B</u>
2. Acid Extractable Metals	<u>C</u>	3030 <u>C</u>
3. Acid Digestion:		
a. Nitric Acid	<u>C</u>	3030 <u>E</u>
b. Nitric Acid/Hydrochloric Acid	<u>C</u>	3030 <u>F</u>
c. Nitric Acid/Sulfuric Acid	<u>C</u>	3030 <u>G</u>
d. Nitric Acid/Perchloric Acid	<u>C</u>	3030 <u>H</u>

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e. Nitric Acid/Perchloric Acid/Hydrofluoric Acid	C	3030I
4. Dry Ashing	E	3030J
5.4. Microwave Assisted Digestion	C	3030K
C. Inorganic chemical and physical characteristics:	Key	Approved Method
1. Alkalinity	C	2320 <u>2320B</u>
	I	D1067-92B
	J	<u>I-1030-85</u>
2. Aluminum	A1	200.7, 200.8, 200.9
	C	3120B, 3113B, 3111D, 3113B, 3120B
	J	I-3051-85
3. Antimony	A1	200.8, 200.9
	C	3113B
	I	D3697-92
4. Arsenic	A1	200.7, 200.8, 200.9
	C	3113B, 3114B, 3120B
	I	<u>D2972-93B, C</u>
	J	I-1062-85
5. <u>Asbestos</u>	<u>H1</u>	<u>100.1</u>
	<u>H2</u>	<u>100.2</u>
56. Barium	A1	200.7, 200.8
	C	3111D, 3113B, 3120B
67. Beryllium	A1	200.7, 200.8, 200.9
	C	3113B, 3120B
	I	D3645-93B
8. <u>Bromate</u>	<u>A2</u>	<u>300.1</u>
9. <u>Bromide</u>	<u>A2</u>	<u>300.0, 300.1</u>
710. Cadmium	A1	200.7, 200.8, 200.9
	C	3113B
811. Calcium	A1	200.7
	C	3111B, 3120B, 3500-Ca D
	I	D511-93 A, B
912. Chloride	A2	300.0
	C	<u>4110B, 4500-CI D</u>
	I	<u>D4327-91</u>
4013. Chlorine, Total Residual	A2	330.1, 330.2, 330.3, 330.4, 330.5
	C	4500-CI D, E, F, G, H, I
	C1	8021, 8167, 8168, 8370
414. Chlorine Dioxide	C	4500-CI O2 <u>4500-CI O2</u> , C, D, E
15. <u>Chlorite</u>	<u>A2</u>	<u>300.0, 300.1</u>
4216. Chromium, Total	A1	200.7, 200.8, 200.9
	C	3113B, 3120 <u>3120B</u>
4317. Color	C	2120 B, C, D
	J	I-1250-84
4418. Copper	A1	200.7, 200.8, 200.9
	C	<u>3111B, 3113B, 3120</u> <u>3120B</u>
	I	D1688-90A, D1688-90C <u>C</u>
4519. Corrosivity	C	2330B
4620. Cyanide	A2	335.4
	C	4500-CN C, E, F, G
	I	D2036-91A, <u>B</u>
	J	I-3300-85
4721. Cyanide, Amenable	C	4500-CN G
	I	D2036-91B
4822. Fluoride	A2	300.0
	<u>A3</u>	<u>380-75WE</u>
	C	<u>4110B, 4500-F B, C, D, E, 4110B</u>
	<u>C1</u>	<u>8029</u>
	I	D1179-93B, <u>D4327-91</u>

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1923.Hardness	A1	Sum of Ca and Mg by 200.7 as their carbonates.
	C	2340B, C, Sum of Ca & Mg by ICP as their carbonates.
2024.Iron	A1	200.7, 200.9
	C	3111B, 3113B, 3120B
2125.Lead	A1	200.8, 200.9
	C	3113B
	I	D3559-90D
2226.Magnesium	A1	200.7, 200.8, 200.9
	C	3111B, 3120 3120B
2327.Manganese	A1	200.7, 200.8, 200.9
	C	3111B, 3113B, 3120B
	F	D858-90A, D858-90C
2428.Methylene Blue Active Substances	C	5540C
2529.Mercury	A	245.2
	A1	200.8, 245.1, 200.8
	C	3112B
	I	D3223-91
2630.Nickel	A1	200.7, 200.8, 200.9
	C	3111B, 3113B, 3120B
2731.Nitrate	A2	300.0, 353.2, 300.0
	C	4110B, 4500-NO₃, D, E, F, 4110B
	I	D3867-90A, D3867-90B B, D4327-91
2832.Nitrite	A2	300.0, 353.2, 300.0
	C	4500-NO₂ 4110B, 4500-NO₂ B, E, F, 4110B
	I	D3867-90A, D3867-90B B, D4327-91
2933.Ortho-Phosphate	A2	300.0, 365.1, 300.0
	I	D-515-88A D515-88A, D4327-91
	C	4110, 4500-P-E 4500-P-E, F, 4110
	J	I-2601-85 I-1601-85, I-2598-85, I-2601-90
3034.Ozone	C	4500-O₃ 4500-O₃ B
3135.pH (Hydrogen Ion)	A	150.1, 150.2
	C	4500-H B
	C1	8156
	I	D1293-84
3236.Residue, Filterable (FDS)	C	2540C
	J	I-1750-84
33. Temperature, Degrees Celsius	E	2550B
34. Turbidity, NTU: Nephelometric	A	180.1
	E	2130
3537.Selenium	A1	200.8, 200.9
	C	3113B, 3114B
	I	D3859-93A, D3859-93B B
	J	I-3667-85
3638.Silica	A1	200.7
	C	4500-Si D, E, F, 3120B
	I	D859-88
	J	I-1700-85 I-2700-85
3739.Silver	A1	200.7, 200.8, 200.9
	C	3111B, 3113B, 3120B
	J	I-3720-85
3840.Sodium	A1	200.7
	C	3111B, 3120B, D1428-82A
3941.Specific Conductance	C	2510B
	C1	8160
	I	D1125-91A

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4042.Strontium	A1	200.7
	C	3500-Sr B, C, D
4143.Sulfate	A	375.2
	A2	300.0, 375.2
	C	4110 4110B, 4500-SO4 4500-SO4 C, D, F
	I	D4327-91
44. <u>Temperature, Degrees Celsius</u>	C	2550B
4245.Thallium	A1	200.8, 200.9
46. <u>Total Organic Carbon</u>	C	5310B, C, D
47. <u>Turbidity: Nephelometric</u>	A2	180.1
	C	2130B
48. <u>Ultraviolet Absorbing Organic Constituents</u>	C	5910B
4349.Zinc	A1	200.7, 200.8
	C	3111B, 3120B
D. Organic chemicals:	Key	Approved Method
1. Total Trihalomethanes	D D3	502.2, 524.2, 551.1
	D 1	551
	D 2	524.2
2. Halogenated Volatiles <u>Volatile Organics</u>	D D3	502.2, 524.2
	D 2	524.2
3. Aromatic Volatiles	D	502.2
	D 2	524.2
43. Chlorinated Pesticides	D D3	505, 508, 508.1, 525.2
54. Polychlorinated Biphenyls (PCBs)	D	505, 508, 508A
	D3	505, 508
65. Chlorophenoxy Herbicides	E	6640B
	D	515.1
	D2	515.2, 552.1, 555
	D3	515.2
	I	D3478-85
76. 1,2-Dibromoethane (EDB) and 1,2-Dibromo-3-Chloropropane	D D3	504.1, 551.1
	D 1	551
	K	BLS-127
8. 1,2-Dibromo-3-Chloropropane (DBCP)	D	504.1
	D 1	551
	K	BLS-127
97. Nitrogen and Phosphorus Pesticides	D D3	507, 508.1, 525.2
408.Base/Neutrals and Acids	D D3	525.2
449.Carbamates	D D3	531.1
4210.Dioxins and Furans	D 5E	1613
4311.Glyphosate	D1	547
4412.Endothall	D2	548.1
4513.Diquat and Paraquat	D 2D5	549.1 549.2
4614.Polycyclic Aromatic Hydrocarbons	D	525.2
	D1	550, 550.1
	D3	525.2
4715. DBPs <u>Disinfectant By-products</u> and Chlorinated Solvents	D 1D3	551 551.1
4816.Haloacetic Acids	C	6251B
	D 1	552
	D2	552.1
	D3	551.1, 552.2
4917.Phtalate Esters and Adipates	D D3	506, 525.2
	D 1	506
2018.Benzidines and Nitrogen Pesticides	D2	553
2419.Carbonyl Compounds	D2	554
2220.Chlorinated Acids	D2	555
	D6	515.3

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E. Radiochemical:	Key	Approved Method
1. Gross Alpha	B	Gross Alpha
	C	7110B, 7110C
	<u>J1</u>	<u>R-1120-76</u>
	L	900
	V	00-01, 00-02
	<u>W</u>	<u>Gross Alpha</u>
2. Gross Beta	B	Gross Beta
	C	7110B
	<u>J1</u>	<u>R-1120-76</u>
	L	900
	V	00-01
	<u>W</u>	<u>Gross Beta</u>
3. Total Radium	B	Total Radium
	C	7500-Ra B
	L	903
43. Radium-226	B	Radium-226 Radon Emanation, Precipitation Method
	C	7500-Ra B, 7500-Ra C
	I	D2460-90, D3454-91
	<u>J1</u>	<u>R-1140-76, R-1141-76</u>
	L	903, 903.1
	U	Ra-05
	V	Ra-03, Ra-04
	<u>W</u>	<u>Radium 226</u>
54. Radium-228	<u>B</u>	<u>Radium 228</u>
	C	7500-Ra D
	<u>J1</u>	<u>R-1142-76</u>
	L	904
	V	Ra-05
	<u>W</u>	<u>Radium 228</u>
	<u>X1</u>	<u>Radium 228</u>
65. Cesium-134	B	Cesium-134
	C	7500-Cs B, 7120
	<u>J1</u>	<u>R-1110-76, R-1111-76</u>
	L	901, 901.1
	U	4.5.2.3
	<u>W</u>	<u>Gamma Spectra</u>
76. Iodine-131	B	Iodine-131 Precipitation Method, Distillation Method
	C	7500-I B, C, D, 7120
	I	D3649-91, D4785-93
	L	901.1, 902
	U	4.5.2.3
	<u>W</u>	<u>Gamma Spectra</u>
8. Radon-222	L	Lucas Cell
97. Strontium	B	Strontium
	C	7500-Sr B
	<u>J1</u>	<u>R-1160-76</u>
	L	905
	U	<u>Sr-01, Sr-02</u>
	V	<u>Sr-04</u>
	<u>W</u>	<u>Strontium</u>
408. Tritium	B	Tritium
	C	7500-H B
	I	D4107-91
	<u>J1</u>	<u>R-1171-76</u>
	L	906
	V	H-02

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49.Uranium	W B C I J1 L I U V W	Tritium Uranium 7500-U B, C D2907-91, D3972-90, D5174-91 R-1180-76, R-1181-76, R-1182-76 908, 908.1 D2907-83 U-02, U-04 00-07 Uranium C7120, 7500-Cs B, 7500-I B 901, 901.1, 902 Gamma Spectra Method 910/9-92-029
210.Gamma Emitting Isotopes	L W Key P1	
F. Biological:		
<u>Microscopic Particulate Analysis</u>		

R9-14-610 R9-14-612. Wastewater Sample Matrix Methods

Every laboratory which conducts compliance testing under this rule shall use the following approved methods, unless a method falls under an alternate method pursuant to R9-14-608(A) or (B). To locate the source of the approved method, cross reference the capital letter listed under "Key" to the reference designation listed in R9-14-608 (C). When conducting compliance testing of a wastewater sample for a listed contaminant or group of contaminants, a laboratory shall use at least 1 of the corresponding methods listed below, unless the laboratory uses an alternate method approved by the Department for such testing under A.A.C. R9-14-610(B). Where 2 methods listed are joined by the word "and," a laboratory shall use both methods listed. To locate the source of each method listed, cross reference the capital letter listed under the term "Key" below to the corresponding key-reference list in A.A.C. R9-14-610(A).

A. Microbiology:	Key	Approved Method
1. Fecal Coliforms:		
a. Multiple Tube Fermentation	C	9221E
b. Membrane Filter	C	9222D
	J	B-0050-85
2. Total Coliforms:		
a. Multiple Tube Fermentation	C	9221B
b. Membrane Filter	C	9222B
	J	B-0025-77
3. Fecal Streptococcus:		
a. Multiple Tube <u>Multiple Tube</u> <u>Fermentation</u>	C	9230B
b. Membrane Filter	C	9230C
	J	B0055-85 B-0055-85
4. Viruses	P	Methods for Virology
	C	9510
	P	Methods for Virology
	P2	600/R-95/178
5. <u>Giardia and Cryptosporidium</u>	C	9711B
	P2	600/R-95/178
6. <u>Ascaris lumbricoides</u>	C	10550
	P3	UofA2000
7. <u>Common tapeworm</u>	C	10550
8. <u>Entamoeba histolytica</u>	C	10550
B. Inorganic chemicals, nutrients and demand:	Key	Approved Method
1. Acidity	A	305.1
	C	2310B
	C1	8010
	I	D1067-92
2. Alkalinity, Total	A	310.1, 310.2
	C	2320B
	I	D1067-92
	J	I-1030-85, I-2030-85

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3. Aluminum	A	202.1, 202.2
	A1	200.7, 200.8, 200.9
	C	<u>3111D</u> , 3113B, 3111D , 3120B
	J	I-3051-85
4. Ammonia	A	350.1 , 350.2, 350.3
	<u>A2</u>	<u>350.1</u>
	C	4500-NH ₃ <u>4500-NH₃</u> , B, C, <u>D</u> , E, F, G, <u>H</u>
	<u>C1</u>	<u>8038</u>
	I	D1426-89A, D1426-89B <u>D1426-93A, B</u>
	J	I-3520-85, I-4523-85
5. Antimony	A	204.1, 204.2
	A1	200.7, 200.8, 200.9
6. Arsenic	C	<u>3111B</u> , 3113B, 3120B, 3111B
	A	206.2, 206.3, 206.4, 206.5
	A1	200.7, 200.8, 200.9
	C	3113B, <u>3120B</u> , 3500-As B, C, 3120B
	<u>C1</u>	<u>8013</u>
	I	D2972-88A, B, C <u>D2972-93A, B, C</u>
7. Barium	J	I-3060-85, I-3062-85
	A	208.1, 208.2
	A1	200.7, 200.8
	C	3111 <u>3111D</u> , 3113B, 3120B
	I	D4382-91
8. Beryllium	J	I-3084-85
	A	210.1, 210.2
	A1	200.7, 200.8, 200.9
	C	3111 , 3111D, 3113B, 3120B, 3500-Be <u>D</u>
	I	D3645-84A, D364588B, D419088 <u>D3645-94(88)A, B, D4190-82(88)</u>
	J	I-3095-85
9. Biochemical Oxygen Demand	A	405.1
	C	5210B
	<u>C1</u>	<u>8043</u>
	J	I-1578-78
10. Boron	A	212.3
	A1	200.7
	C	3120B, 4500-B B
	J	I-3112-85
11. Bromide	A	320.1
	A2	300.0
	I	D1246-88C <u>D1246-82(88)C</u>
	J	I-1125-85
12. Cadmium	A	213.1, 213.2
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3113B, 3120B, 3500-Cd <u>D</u>
	I	<u>D3557-90A, B, C, D, D4190-82(88)</u>
	D	3557-90 A, B, C, D4190-82
	J	I-3135-85, I-3136-85, I-1472-85
13. Calcium	A	215.1, 215.2
	A1	200.7
	C	3111 <u>3111B</u> , 3120B, 3500-Ca <u>D</u>
	<u>C1</u>	<u>8222</u>
	I	D511-92A, D511-92B <u>D511-93A, B</u>
	J	I-3152-85
14. Chemical Oxygen Demand	A	410.1, 410.2, 410.3, 410.4
	<u>A2</u>	<u>410.4</u>
	C	5220B, C, 5220C, D
	C1	8000, <u>8230</u>
	I	D-1252-88A, B

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	J	I-3560-85, I-3561-85, I-3562-85
15. Chloride	A	A325.1 <u>325.1</u> , 325.2, 325.3
	A2	300.0
	C	4500-CI B, C, E
	<u>C1</u>	<u>8225</u>
	I	D512-89A, D512-89B <u>B</u>
16. Chlorine, Total Residual	J	I-1183-85, <u>I-1184-85</u> , I-1187-85, I-2187-85, I-1184-85
	A	330.1, 330.2, 330.3, 330.4, 330.5
	C	4500-CI B, C, D, F, G
	<u>C1</u>	<u>8167, 8168, 10014</u>
	I	D1253-86 <u>D1253-86(92)</u>
17. Chromium, Hexavalent	A	218.4
	C	<u>3111C</u> , 3500-Cr D, 3111C
	I	D1687-92A
18. Chromium, Total	J	I-1230-85, I-1232-85
	A	218.1, 218.2, 218.3
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3113B, 3120B, 3500-Cr D
	<u>C1</u>	<u>8023</u>
	I	D1687-92A, B, C, D4190-82 <u>D4190-82(88)</u>
19. Cobalt	J	I-3236-85
	A	219.1, 219.2
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3113B, 3120B
	I	D3550-90A, B, D4190-82 <u>D3558-90A, B, C, D4190-82(88)</u>
20. Color	J	I-3239-85
	A	110.1, 110.2, 110.3
	C	2120B, 2120C <u>C</u> , 2120E <u>E</u>
21. Copper	J	I-1250-85
	A	220.1, 220.2
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3113B, 3120B, 3500-Cu D, E
	C1	8506
	I	D1688-90A, B, C, D4190-82 <u>D4190-82(88)</u>
22. Cyanide, Amenable to Chlorination	J	I-3270-85, I-3271-85
	A	335.1
	C	4500-CN G
	I	D2036-91B
<u>23. Cyanide, Available</u>	<u>Y</u>	<u>QIA-1677</u>
23 <u>24</u> .Cyanide, Total	A	335.2, 335.3
	C	4500-CN C, D, E
	I	D2036-91A
24 <u>25</u> .Fluoride	J	I-3300-85
	A	340.1, 340.2, 340.3
	A2	300.0
	C	4500-F B, C, D, E
	<u>C1</u>	<u>8029</u>
	I	D1179-88A, D1179-88B <u>D1179-93A, B</u>
25 <u>26</u> .Gold	J	I-4327-85
	A	231.1, 231.2
	C	3111B
26 <u>27</u> .Hardness	A	130.1, 130.2, Sum of ICP Ca & Mg <u>as</u> their carbonates
	A1	200.7
	C	2340B, 2340C <u>C</u>
	<u>C1</u>	<u>8226</u>
	I	D1126-86 <u>D1126-86(92)</u>
	J	I-1338-85

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2728.Iridium	A	235.1, 235.2
	C	3111B
2829.Iron	A	236.1, 236.2
	A1	200.7, 200.9
	C	3111B, C, 3113B, 3120B, 3500-Fe D
	E2 C1	8008
	I	D1068-90 A, B, C, D, 4190-82 <u>D4190-82(88)</u>
	J	I-3381-85
2930.Kjeldahl, Total Nitrogen	A	351.1, 351.2 , 351.3, 351.4
	<u>A2</u>	<u>351.2</u>
	C	4500-NH₃ B, C, E, F, G <u>Combination of 4500-N_{org} B, C</u> <u>and 4500-NH₃ C, D, F, G</u>
	I	D3590-89A, D3590-89B <u>B</u>
	J	I-4551-78
	3031.Lead	A
A1		200.7, 200.8, 200.9
C		3111B, C, 3113B, 3120B, 3500-Pb D
<u>C1</u>		<u>8033</u>
I		D3559-85 A, B, C, D, D4190-82 <u>D3559-90A, B, C, D, D4190-82(88)</u>
J		I-3399-85
32. <u>Lithium</u>	<u>A1</u>	<u>200.7</u>
3433.Magnesium	A	242.1
	A1	200.7
	C	3111B, <u>3120B</u> , 3500-Mg D, 3120B
	I	D511-92B <u>D511-93B</u>
	J	I-3447-85
	3234.Manganese	A
A1		200.7, 200.8, 200.9
C		3111B, 3113B, 3120B, 3500-Mn; D
C1		8034
I		<u>D858-90 A, B, C, D4190-82(88)</u>
J		I-3454-85
3335.Mercury	A	245.2
	A1	245.1
	<u>A4</u>	<u>1631</u>
	C	3112B
	I	D3223-91
	J	1-3462-85 <u>I-3462-85</u>
36. <u>Methylene Blue Active Substances</u>	<u>A</u>	<u>425.1</u>
	<u>C</u>	<u>5540C</u>
	<u>I</u>	<u>D2330-88</u>
3437.Molybdenum	A	246.1, 246.2
	A1	200.7, 200.8
	C	3111D, 3113B, 3120B
	J	I-3490-85
3538.Nickel	A	249.1, 249.2
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3113B, 3120B, 3500-Ni D
	<u>C1</u>	<u>8037</u>
	I	D1886-90A, B, C, D4190-82 <u>D4190-82(88)</u>
3639.Nitrate	J	I-3499-85
	A	352.1, 353.1, 353.2 , 353.3
	A2	<u>300.0, 353.2</u>
	C	4500-NO₃ <u>4500-NO₃ E, F, H</u>
	I	D3867-90A, D3867-90 B
	J	I-4545-85

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3740.Nitrite	A	354.1
	A2	300.0
	C	4500-NO ₂ B
	C1	8607 8507
	J	I-4540-85
3841.Oil and Grease and Total Petroleum Hydrocarbons	A	413.1
	C	5520B
	K1	1664
3942.Organic Carbon, Total (TOC)		A415.1
	C	5310B, C, D
	I	D2579-85A, D2579-85B D2579-93A, B
4043.Orthophosphate Orthophosphate	A	365.1, 365.2, 365.3
	A2	300.0
	C	4500-P; E, F
	C1	8048
	I	D515-88A
	J	I-4601-85
4144.Osmium	A	252.1, 252.2
	C	3111D
4245.Oxygen, Dissolved	A	360.1, 360.2
	C	4500-O C, 4500-O G
	C1	8229
	I	D888-92A, B
	J	I-1575-78, I-1576-78
4346.Palladium	A	253.1, 253.2
	C	3111B
4447.pH (Hydrogen Ion)	A	150.1
	C	4500-H B
	C1	8156
	I	D1293-84A, D1293-84B D1293-84(90)A, B
	J	I-1586-85
48. Phenols	A	420.1, 420.2
	C1	8047
4549.Phosphorus, Total	A	365.1 , 365.2, 365.3, 365.4
	A2	365.1
	C	4500-P B, E, F
	C1	8190
	I	D515-88A, D515-88B B
	J	I-4600-85
4650.Platinum	A	255.1, 255.2
	C	3111B
4751.Potassium	A	258.1
	A1	200.7
	C	3111B, <u>3120B</u> , 3500-K D, 3120B
	J	I-3630-85
4852.Residue, Total	A	160.3
	C	2540B
	J	I-3750-85
4953.Residue, Filterable (FDS)	A	160.1
	C	2540C
	J	I-1750-85
5054.Residue, Nonfilterable (TSS)	A	160.2
	C	2540D
	C1	8158
	J	I-3765-85
5155.Residue, Settleable Solids	A	160.5
	C	2540F
5256.Residue, Volatile	A	160.4
	J	I-3753-85

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5357. Rhodium	A	265.1, 265.2
	C	3111B
5458. Ruthenium	A	267.1, 267.2
	C	3111B
5559. Selenium		A270.2
	A1	200.7, 200.8, 200.9
	C	3113B, 3114B, 3120B
	I	D3859-88A <u>D3859-93A, B</u>
	J	I-3667-85
5660. Silica, Dissolved	A	370.1
	A1	200.7
	C	<u>3120B</u> , 4500-Si D, 3120B
	I	D859-88
	J	I-1700-85, I-2700-85
5761. Silver	A	272.1, 272.2
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3113B, 3120B
	J	I-3720-85
5862. Sodium	A	273.1
	A1	200.7
	C	3111B, 3120B
	J	I-3735-85
5963. Sodium Azide	C	4110C
60. Sodium/Potassium Perchlorate	V	300.0
6464. Specific Conductance	A	120.1
	C	2510B
	<u>C1</u>	<u>8160</u>
	I	D1125-91A
	J	I-1780-85
6265. Strontium	A1	200.7
	C	3111, <u>3120B</u> , 3500-Sr B, C, D 3120B
6366. Sulfate	A	375.1, 375.3, 375.4
	A2	300.0
	C	4500-SO ₄ C, D
	<u>C1</u>	<u>8051</u>
	I	D516-90
6467. Sulfide	A	376.1, 376.2
	C	4500-S D, 4500-S E F
	<u>C1</u>	<u>8131</u>
	J	I-3840-85
6568. Sulfite	A	377.1
	C	4500-SO3 <u>4500-SO₃ B</u>
	<u>C1</u>	<u>8071</u>
66. Surfactants (MBAS)	A	425.1
	C	5540C
	F	D2330-88
6769. Temperature Degrees Celsius	A	170.1
	C	2550B
6770. Thallium	A	279.1, 279.2
	A1	200.7, 200.8, 200.9
	C	3111B, 3120B
6971. Tin	A	282.1, 282.2
	A1	200.7, 200.9
	C	3111B, 3113B
	J	I-3850-78
7072. Titanium	A	283.1, 283.2
	C	3111D

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7473. Turbidity, NTU	AA2	180.1
	C	2130B
	I	D1889-88A
	J	I-3860-85
7274. Vanadium		A286.1, 286.2
	A1	200.7, 200.8
	C	3111D, 3120B, 3500-V; D, 3120B
	I	D4190-82 <u>D3373-93, D4190-82(88)</u>
7375. Zinc	A	289.1, 289.2
	A1	200.7, 200.8, 200.9
	C	3111B, C, 3120B, 3500-Zn E, F
	C1	8009
	I	D1691-90A, B, D4190-82 <u>D4190-82(88)</u>
	J	I-3900-85
C. Aquatic toxicity and bioassay: <u>Bioassay:</u>	Key	Approved Method
Static, Static/Renewal and Flow-Through	E	8711, 8910
<u>Toxicity</u>	M	600/4-90/027
	M1	600/4-90/027F
	N	600/4-89-001 and 600/4-89-001a
	N1	600/4-91/002
D. Organic chemical:	Key	Approved Method
1. Halogenated Volatiles <u>Volatile Organics</u>	D3	524.2
	E	601, 602, 624, 1624
	K2	1666
2. Aromatic Volatiles	E	602
32. Acrolein and Acrylonitrile	E	603, 624, 1624
43. Phenols	E	604
54. Benzidines	E	605
65. Phthalate Esters	E	606
76. Nitrosamines	E	607
87. Organochlorine Pesticides and PCBs	E	608
<u>Polychlorinated Biphenyls</u>		
98. Nitroaromatics and Isophorone	E	609
109. Polynuclear Aromatic Hydrocarbons	E	610
110. Haloethers	E	611
121. Chlorinated Hydrocarbons	E	612
1312. 2, 3, 7, 8-Tetrachlorodibenzo-p-Dioxin	E	613
13. <u>Tetra- through Octa-Chlorinated</u>	E	1613
<u>Dioxins and Furans</u>		
14. Triazine Pesticides	E	619
15. Purgeables	E	624, 1624
1615. Base/Neutrals and Acids	E	610, 625, 1625
1716. Carbamates and Urea Pesticides	E	632
1817. Total Petroleum Hydrocarbons	A	418.1
1918. Ethylene Glycol in Wastewater	K	BLS-188
19. <u>Organophosphorus Pesticides</u>	E1	614, 1657
E. Radiochemical:	Key	Approved Method
1. Gross Alpha	C	7110B
	I	D1943-90
	L	900
2. Gross Beta	C	7110B
	I	D1890-90
	L	900.0
3. Total Radium	C	7500-Ra B
	I	D2460-90
	L	903.0
4. Radium-226	C	7500-Ra C
	I	D3454-91
	L	903.1

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R9-14-611 R9-14-613. Solid, Liquid, and Hazardous Waste Sample Matrix Methods

Every laboratory which conducts compliance testing under this rule shall use the following approved methods, unless required by ADEQ or EPA, or unless a method falls under an alternate method pursuant to R9-14-608(A) or (B). To locate the source of the approved method, cross-reference the capital letter listed under "Key" to the reference designation listed in R9-14-608(C). When conducting compliance testing of a solid, liquid, or hazardous waste sample for a listed contaminant or group of contaminants, a laboratory shall use at least 1 of the corresponding methods listed below, unless the laboratory uses an alternate method approved by the Department for such testing under A.A.C. R9-14-610(B). Where 2 methods listed are joined by the word "and," a laboratory shall use both methods listed. To locate the source of each method listed, cross-reference the capital letter listed under the term "Key" below to the corresponding key-reference list in A.A.C. R9-14-610(A).

A. Microbiology:	Key	Approved Method
1. Total Coliforms:		
a. Multiple Tube Fermentation	F	9131
b. Membrane Filter	F	9132
B. Hazardous waste characteristics:	Key	Approved Method
1. Corrosivity:		
a. pH determination	F	9040A <u>9040B</u> , 9041A
b. corrosive <u>Corrosive</u> to steel	F	1110
c. Dermal	F	1120
2. Ignitability	F	1010, 1020A, 1030
3. Reactivity	F	Reactivity
C. Sample extraction procedures:	Key	Approved Method
1. Extraction Procedure Toxicity (EP-TOX)	F	1310A
2. Toxicity Characteristic Leaching Procedure (TCLP)	F	1311
3. Multiple Extraction Procedure	F	1320
4. Extraction Procedure For <u>for</u> Oily Waste	F	1330A
5. Synthetic Precipitation Leaching Procedure (SPLP)	F	1312
D. Metals sample preparation:	Key	Approved Method
1. Dissolved in Water	F	3005A
2. Total Recoverable in Water	F	3005A
3. Total Metals	F	3010A, 3120A
4. Oils, Greases, and Waxes	F	3040 , 3031 , <u>3040A</u>
5. Sediments, Sludges, and Soils	F	3050A <u>3050B</u>
6. Microwave Assisted Digestions	F	3015, 3051, <u>3052</u>
E. Inorganic chemical:	Key	Approved Method
1. Aluminum	F	6010A <u>6010B</u> , 6020, 7020
2. Antimony	F	6010A <u>6010B</u> , 6020, 7040, 7041, 7062
3. Arsenic	F	6010A <u>6010B</u> , 6020, 7060A, 7061A, 7062, 7063, 6020
4. Barium	F	6010A <u>6010B</u> , 6020, 7080A, 7081
5. Beryllium	F	6010A <u>6010B</u> , 6020, 7090, 7091
6. Cadmium	F	6010A <u>6010B</u> , 6020, 7130, 7131A
7. Calcium	F	6010A <u>6010B</u> , 7140
8. Chromium, Total	F	6010A <u>6010B</u> , 6020, 7190, 7191
9. Chromium, Hexavalent	F	7195, 7196A, 7197, 7198, 7199
10. Cobalt	F	6010A <u>6010B</u> , 6020, 7200, 7201
11. Copper	F	6010A <u>6010B</u> , 6020, 7210, 7211
12. Iron	F	6010A <u>6010B</u> , 7380, 7381
13. Lead	F	6010A <u>6010B</u> , 6020, 7420, 7421
14. Lithium	F	6010A <u>6010B</u> , 7430
15. Magnesium	F	6010A <u>6010B</u> , 7450
16. Manganese	F	6010A <u>6010B</u> , 6020, 7460, 7461
17. Mercury	F	7470A, 7471A, 7472
18. Molybdenum	F	6010A <u>6010B</u> , 7480, 7481
19. Nickel	F	6010A <u>6010B</u> , 6020, 7520, 7521
20. Osmium	F	6010A <u>6010B</u> , 7550
21. Potassium	F	6010A <u>6010B</u> , 7610
22. Selenium	F	6010A <u>6010B</u> , 7740, 7741A, 7742
23. Silver	F	6010A <u>6010B</u> , 6020, 7760A, 7761

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24. Sodium	F	6010A 6010B , 7770
25. Strontium	F	6010A 6010B , 7780
26. Thallium	F	6010A 6010B , 6020, 7840, 7841
27. Tin	F	6010A 6010B , 7870
28. Vanadium	F	6010A 6010B , 7910, 7911
29. Zinc	F	6010A 6010B , 6020, 7950, 7951
30. White Phosphorus by GC	F	7580
F. Sample preparation and extraction:	Key	Approved Method
1. Preparation and Extraction	F	3500A <u>3500B</u>
2. Funnel Liquid-Liquid Extraction	F	3510B <u>3510C</u>
3. Continuous Liquid-Liquid Extraction	F	3520B <u>3520C</u>
4. Solid Phase Extraction	F	3535
5. Soxhlet Extraction	F	3540B <u>3540C</u> , 3541
6. Accelerated Solvent <u>Pressurized Fluid</u> Extraction	F	3545
7. Sonication Extraction	F	3550A <u>3550B</u>
8. Supercritical Fluid Extraction	F	3560, 3561
9. Waste Dilution	F	3580A, 3585
10. <u>Equilibrium Headspace</u>	F	5021
11 11. <u>Purge and Trap</u>	F	5030A <u>5030B</u> , <u>5035</u>
12. <u>Distillation</u>	F	<u>5031</u> , <u>5032</u>
13 13. <u>Sorbent Cartridges from Organic Sampling Train</u>	F	5041 <u>5041A</u>
14 14. <u>Cyanide Extraction for Solids and Oils</u>	F	9013
15 15. <u>Bomb Preparation Method for Solid Waste</u>	F	5050
G. Sample cleanup:	Key	Approved Method
1. Cleanup	F	3600B <u>3600C</u>
2. Alumina Column	F	3610A <u>3610B</u>
3. Alumina Column - petroleum wastes	F	3611A <u>3611B</u>
4. Florisil Column	F	3620A <u>3620B</u>
5. Silica Gel Cleanup	F	3630B <u>3630C</u>
6. Gel-Permeation Cleanup	F	3640A
7. Acid-Base Partition	F	3650A <u>3650B</u>
8. Sulfur Cleanup	F	3660A <u>3660B</u>
9. Sulfuric Acid/Permanganate Cleanup	F	3665 <u>3665A</u>
H. Organic chemical:	Key	Approved Method
1. EDB <u>1,2-Dibromoethane</u> and DBCP <u>1,2-Dibromo-3-Chloropropane</u>	F	8011
2. Nonhalogenated Volatile Organics	F	8015A, 8015M <u>8015B</u>
3. Volatile Organics	F	8021A, 8260A <u>8021B</u> , <u>8260B</u>
4. Acrolein/Acrylonitrile/Acetonitrile	F	8316
5. Acrylonitrile	F	8031
6. Acrylamide	F	8032 <u>8032A</u>
7. Acetonitrile	F	8033
8. Phenols	F	8041
9. Phthalate Esters	F	8061 <u>8061A</u>
10. Nitrosamines	F	8070 <u>8070A</u> , 8330
11. Organochlorine Pesticides and PCBs	F	8081 <u>8081A</u> , 8082
12. <u>Polychlorinated Biphenyls</u>	F	<u>8082</u>
13 13. <u>PCBS Polychlorinated Biphenyls in Waste Oil</u>	F1	EPA-600/4-81-045 <u>600/4-81-045</u>
14 14. <u>Nitroaromatics and Cyclic Ketones</u>	F	<u>8091</u> , 8330, 8091
15 15. <u>Polynuclear Aromatic Hydrocarbons</u>	F	8100, 8310
16 16. <u>Haloethers</u>	F	8111
17 17. <u>Chlorinated Hydrocarbons</u>	F	8121
18 18. <u>Organophosphorus Pesticides</u>	F	8141A
19 19. <u>Chlorinated Herbicides</u>	F	8151 <u>8151A</u>
20 20. <u>Semivolatile Organics</u> GC/MS	F	8270B <u>8270C</u> , 8275A

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20 <u>21</u> . Semi-Volatiles <u>Semivolatile Organics</u> by GC/FT-IR	F	8410
21 <u>22</u> . Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans	F	8280 <u>8280A</u> , 8290
22 <u>23</u> . Carbonyl Compounds	F	8315 <u>8315A</u>
23 <u>24</u> . N-Methylcarbamates	F	8318
24 <u>25</u> . Non-Volatile <u>Nonvolatile Organics</u> (HPLC/TSP/MS)(HPLC/PB/MS)	F	8321 <u>8321A</u> , 8325
25 <u>26</u> . Tetrazine	F	8331
26 <u>27</u> . Total Petroleum Hydrocarbons in Soil	F K	8440 418.1AZ, 8440
27 <u>28</u> . Fuel Class C₁₀-C₃₂ Hydrocarbons	K	BLS-191 <u>8015AZ</u>
28 <u>29</u> . Trinitrotoluene	F	4050
29 <u>30</u> . RDX by Immunoassay	F	4051
30 <u>31</u> . Aniline and Derivatives	F	8131
31 <u>32</u> . Nitroglycerine	F	8332
32 <u>33</u> . Bis(2-chloroethyl)Ether Hydrolysis Products	F	8430
I. Organic chemical screening:	Key	Approved Method
1. Headspace	F	3810, 5021
2. Purgeables after Hexadecane Extraction	F	3820
3. Semivolatile Organics TC/MS	F	8275 <u>8275A</u>
4. Immunoassay	F	4010 <u>4010A</u> , 4015, 4020, 4030, 4035, 4040, 4041, 4042
5. Polychlorinated Biphenyls	F	9078, 9079
6. Trinitrotoluene	F	8515
J. Miscellaneous:	Key	Approved Method
1. Cyanide	F	9010A, 9012 <u>9010B, 9012A</u> , 9213
2. Total Organic Halides (TOX)	F	9020B, 9022
3. Purgeable Organic Halides (POX)	F	9021
4. Extractable Organic Halides (EOX)	F	9023
5. Sulfides	F	9030A <u>9030B</u> , 9031, 9215
6. Sulfate	F	9035, 9036, 9038, 9056
7. pH (Hydrogen ion)	F	9040A <u>9040B</u> , 9041A, 9045B <u>9045C</u>
8. Specific Conductance	F	9050 <u>9050A</u>
9. Total Organic Carbon (TOC)	F	9060
10. Phenolics	F	9065, 9066, 9067
11. Total Recoverable Oil an <u>and</u> Grease	F	9070, 9071A
12. Nitrate	F	9056, 9210, 9056
13. Nitrite	F	9056
14. Chloride	F	9056, 9057, 9212, 9250, 9251, 9252A, 9253 <u>9057, 9212</u>
15. Bromide	F	9056, 9211
16. Fluoride	F	9056, 9214
17. Total Chlorine in New and Used Petroleum Products	F	9075, 9076, 9077
18. Cation-Exchange Capacity of Soils	F	9080, 9081
19. Compatibility Test For <u>for</u> Wastes and Membrane Liners	F	9090A
20. Paint Filter Liquids Test	F	9095 <u>9095A</u>
21. Liquid Release Test Procedure	F	9096
22. Saturates <u>Saturated</u> Hydraulic and Leachate Conductivity, and Intrinsic Permeability	F	9100
23 . Chloride	F	9056
24 <u>23</u> . O-Phosphate-P	F	9056

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K. Asbestos:	Key	Approved Method
1. Fiber Counting	G	7400, 7402
2. Bulk Asbestos	G	9002
	H	Bulk Asbestos
L. Radiochemical:	Key	Approved Method
1. Gross Alpha and Beta	F	9310
2. Alpha-Emitting Radium Isotopes	F	9315
3. Radium-228	F	9320

R9-14-612 R9-14-614. Air Sample Matrix Methods

Every laboratory which conducts compliance testing under this rule shall use the following approved methods, unless a method falls under an alternate method pursuant to R9-14-608(A) or (B). To locate the source of the approved method, cross reference the capital letter listed under "Key" to the reference designation listed in R9-14-608(C). When conducting compliance testing of an air sample for a listed contaminant or group of contaminants, a laboratory shall use at least 1 of the corresponding methods listed below, unless the laboratory uses an alternate method approved by the Department for such testing under A.A.C. R9-14-610(B). Where 2 methods listed are joined by the word "and," a laboratory shall use both methods listed. To locate the source of each method listed, cross reference the capital letter listed under the term "Key" below to the corresponding key-reference list in A.A.C. R9-14-610(A).

A. Ambient air:	Key	Approved Method
1. Carbon Monoxide	O	Appendix C
2. Hydrocarbons	O	Appendix E
3. Lead	O	Appendix G
4. Nitrogen Dioxide	O	Appendix F
5. Ozone	O	Appendix D, H
6. Particulate Matter	O	Appendix B, J, K
7. Sulfur Oxides	O	Appendix A
8. Formaldehyde	F	8520
B. Stationary and stack sources:	Key	Approved Method
1. Carbon Dioxide, Oxygen, and Excess Air	Q	Method 3
2. Carbon Monoxide	Q	Method 10, 10A, 10B
3. Carbonyl Sulfide, Hydrogen Sulfide, and Carbon Disulfide	Q	Method 15
4. Fluoride	Q	Method 13A, 13B, 14
5. Fugitive Emissions	Q	Method 22
6. Gaseous Organic Compounds	Q	Method 18, 25, 25A, 25B
7. Hydrogen Sulfide	Q	Method 11
8. Inorganic Lead	Q	Method 12
9. Moisture Content	Q	Method 4
10. Nitrogen Oxide	Q	Method 7, 7A, 7B, 7C, 7D, 7E, 19, 20
11. Particulate Emissions:		
a. Asphalt Processing	Q	Method 5A
b. Fiberglass Insulation	Q	Method 5E
c. Nonsulfate	Q	Method 5F
d. Nonsulfuric Acid	Q	Method 5B
e. Pressure Filters	Q	Method 5D
f. Stationary Sources	Q	Method 5, 17
g. Sulfur Dioxide	Q	Method 19
h. Wood Heaters	Q	Method 5G, 5H
12. Petroleum Product Analysis:		
a. Hydrometer Method	I	D287-92
b. Sulfur	I	D4294-90
c. Heat of Combustion	I	D240-92
13. Sulfur and Total Reduced Sulfur	Q	Method 15A, 16, 16A, 16B
14. Sulfur Dioxide	Q	Method 6, 6A, 6B, 6C, 8, 19, 20
15. Sulfuric Acid Mist	Q	Method 8
16. Vapor Tightness Gasoline Delivery Tank	Q	Method 27
17. Volatile Matter, Density Solids and water Water	Q	Method 24, 24A

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4718. Volatile Organic Compounds	Q <u>S1</u>	Method 21 <u>TO-15</u>
4819. Wood Heaters Certification and Burn Rates	Q	Method 28, 28A
C. ADEQ emission tests:	Key	Approved Method
1. Particulate Emissions:		
a. Sulfuric Acid Mist/Sulfur Oxides	R	Method A1
b. Dry Matter	R	Method A2
D. National emission standards for hazardous air pollutants:	Key	Approved Method
1. Arsenic	S	Method 108, 108A, 108B, 108C
2. Beryllium	S	Method 103, 104
3. Mercury	S	Method 101, 101A, 102, 105
4. Polonium-210	S	Method 111
5. Vinyl Chloride	S	Method 106, 107, 107A

~~R9-14-613~~ R9-14-615. Quality Assurance

A. ~~The laboratory~~ A licensee or an applicant shall have a written quality assurance plan that describes actions to be taken by the lab to ensure that routinely generated the laboratory's analytical data are scientifically valid and defensible and are of known and acceptable precision and accuracy, as prescribed by the approved method for each analysis or as prescribed by the limits established under subsection (C)(8), and are scientifically valid and defensible.

B. The A licensee or an applicant shall have a written quality assurance plan that shall contain contains:

1. A title page identifying the laboratory; and date of review; and including the laboratory director's signature of approval;
2. A table of contents;
3. A detailed statement of the laboratory organization, including line of authority; and identification of principal quality assurance personnel;
4. A statement of quality assurance objectives, including data quality objectives with precision and accuracy goals; and the criteria for that the laboratory shall use to judge the acceptability of each testing;
5. Specifications for:
 - a. ~~The use of proper sample~~ Sample containers;
 - b. ~~The proper preparation~~ Preparation of sample containers;
 - c. ~~The proper preservation~~ Preservation of samples; and
 - d. ~~Compliance sample maximum~~ Maximum allowable holding times;
6. A procedure for documenting laboratory receipt of samples and tracking of samples throughout laboratory testing;
7. A procedure for analytical instrument calibration and, including frequency of calibration;
8. A copy of the laboratory's current license and a list of licensed parameters;
9. ~~A listing of the procedures~~ Procedures for compliance testing data reduction; and validation; and reporting. ~~These procedures shall include~~ of final results, including the identification and treatment of data outliers, the determination of the completeness and accuracy of data transcription, and all calculations;
10. A statement of the frequency of ~~use and acceptance tolerance~~ of all ~~compliance testing~~ quality control checks;
11. A statement of the acceptance criteria for all quality control checks;
- ~~12.~~ Preventive maintenance procedures and schedules;
- ~~13.~~ Assessment procedures for data acceptability;
- ~~14.~~ Corrective action procedures taken when results from analytical quality control checks are unacceptable. ~~These procedures shall include, including~~ the steps taken to demonstrate the presence of any interference if the precision, accuracy, or the practical quantitation limit of the reported compliance testing result is affected by the interference; and
- ~~15.~~ Procedures for chain-of-custody documentation, including procedures for the documentation and reporting of any deviation from the sample handling or preservation requirements listed in this Section.

~~BC.~~ The laboratory A licensee or an applicant shall:

1. Have available ~~on the premises at the laboratory~~ all methods, equipment, reagents, and glassware necessary for the compliance testing for which the laboratory is licensed or is requesting ~~licensure. a license~~ if the laboratory documents its ability to perform the approved method and ensures that the analytical data generated are scientifically valid and defensible and are of known and acceptable precision and accuracy it may petition for an exemption only from this subsection;
2. Use only reagents of a grade equal to or greater than that ~~called for~~ required by the approved methods ~~referenced in R9-14-609 A.A.C. R9-14-611 through R9-14-612 A.A.C. R9-14-614;~~
3. Maintain complete and current ~~Standard Operating Procedures~~ standard operating procedures (SOPs) for all licensed methods;
4. Calibrate equipment according to the manufacturer's specifications and as required by the approved method;

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5. Maintain calibration logs documentation available for on-site review. ~~Calibration and documentation thereof by a laboratory instrument service organization is acceptable;~~
6. Develop, document, and maintain current method detection limits and practical quantitation method reporting limits for each compliance parameter, ~~approved method and sample matrix~~ for each instrument of use;
7. Maintain all compliance testing equipment in good working order proper operating condition;
8. ~~Maintain quality control charts which demonstrate the accuracy and precision of its compliance testing;~~
98. If a laboratory tests for a parameter for which quality control acceptance criteria is not specified, the laboratory must statistically ~~Statistically~~ develop limits from historical data. ~~The, if the laboratory tests for a parameter for which quality control acceptance criteria are not specified in the method or by EPA or ADEQ, by:~~
 - a. Determining the mean and standard deviation for a minimum of 20 data points, excluding statistical outliers, must be determined. ~~The and~~
 - b. Setting the limits shall be no more than 3 standard deviations from the mean and shall be in the detectable range; and
409. Discard or segregate all expired standards or reagents from all compliance testing.

D. A licensee or an applicant may submit a written request to the Department for an exemption from subsection (C)(1) if the licensee or applicant:

1. Documents that the laboratory has performed the approved method and that the analytical data generated were scientifically valid and defensible and of known and acceptable precision and accuracy, and
2. Documents the laboratory's ability to obtain the equipment, reagent, or glassware necessary to perform the method.

E. The written request for an exemption under subsection (D) shall include:

1. The name, address, and telephone number of the laboratory;
2. The name, address, and telephone number of the licensee or applicant submitting the request;
3. Identification of the method and the equipment, reagent, or glassware for which the licensee or applicant is requesting an exemption; and
4. The documentation described in subsection (D)(1) and (2).

F. The Department may approve a request for an exemption under subsection (D) if it determines:

1. That the laboratory has performed the approved method;
2. That the analytical data generated were scientifically valid and defensible and of known and acceptable precision and accuracy; and
3. That the laboratory is able to obtain the equipment, reagent, or glassware necessary to perform the method.

R9-14-616. Laboratory Safety

Licensed environmental laboratories shall comply with all applicable federal, state, and local regulations regarding occupational safety and health.

R9-14-614 R9-14-616. Operation

- A. All samples accepted by a laboratory for compliance testing shall be analyzed by that laboratory, except that samples, other than those submitted for performance evaluation audit purposes, may be forwarded to another laboratory licensed under this Article or certified by EPA for examination. A compliance sample accepted by a laboratory may be analyzed by the accepting laboratory or another laboratory licensed under this Article or exempted under A.R.S. 36-495.02(A) or A.A.C. R9-14-602. A proficiency evaluation audit sample shall be analyzed by the accepting laboratory only.
- B. If the laboratory performing an examination analysis is not the accepting laboratory which accepted the sample, all reports required by A.A.C. R9-14-617 shall include the name and address of the accepting laboratory accepting the sample and the name and address of the laboratory actually examining analyzing the compliance sample.
- C. The Each licensed laboratory shall:
 1. Maintain the facility and utilities required for proper to operate equipment operation and use of perform compliance testing approved methods;
 2. Provide environmental controls such within the laboratory to ensure that laboratory conditions do not affect analytical results beyond established quality control limits established for the approved methods listed in R9-14-609 A.A.C. R9-14-611 through R9-14-612 A.A.C. R9-14-614;
 3. Provide for storage, handling, and disposal of hazardous materials in accordance with all state and federal regulations; and
 4. Maintain documentation on all the following information relating to supervisory, quality assurance, and analytical personnel involved in compliance testing. The documentation shall provide that all these personnel have been trained in the test procedures prior to their performance of unmonitored testing and the documentation shall include:
 - a). Summary A summary of each analyst's individual's education and professional experience;

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- b). ~~Verification Documentation of the each analyst's individual's review of the laboratory Quality Assurance Plan, quality assurance plan and the approved methods and laboratory Standard Operating Procedures standard operating procedures used by the analyst for compliance testing, within the area or areas of testing for which the individual has supervisory or quality assurance responsibility or performs testing;~~
- c). ~~Verification Documentation of the each analyst's completion of monitored training which includes on the actual use of the equipment and the use of proper laboratory technique. Verification shall include, including the name of the instructor, the duration of the training, and the date of completion of the training;~~
- d). ~~Verification Documentation of the each analyst's completion of all training classes, continuing education courses, seminars, and/or and conferences, which that relate to the testing procedures used by the analyst for compliance testing;~~
- e). ~~Verification Documentation of the each analyst's successful completion of Initial Demonstration of Capability as required by the approved methods;~~
- f). ~~Records of analysis Documentation of proficiency evaluation testing; and~~
- g). ~~Documentation of each individual's applicable certifications and specialized training.~~

D. A licensee shall comply with all applicable federal, state, and local occupational safety and health regulations.

~~R9-14-615~~ R9-14-617. Laboratory Records and Reports

- A.** Records and reports required to be maintained by this Article shall be available for inspection and copying during normal business hours by representatives of the Department. Copied records can be removed from the laboratory by the Department. Representatives of the Department may remove copied records from a laboratory.
- B.** Records A licensee shall maintain records and reports of compliance testing shall be kept by the laboratory and the ability to reproduce all electronic data for at least 5 years from the date of compliance testing. Records A licensee shall maintain records and reports for the most current 2 years shall be kept on-site at the laboratory and may store the remaining records and reports may be stored in a secure and easily accessible storage facility.
- C.** A licensee shall produce all records and reports requested by the Department within 24 hours of the request. The Department may extend the 24-hour time period if the licensee requires a period longer than 24 hours.
- ~~CD.~~** If data from Arizona compliance data is samples are not available for inspection and copying, the laboratory licensee shall make available for inspection and copying any current data from non-Arizona out-of-state compliance data samples when such data are requested by Department representatives to evaluate methods and procedures applied for by the laboratory.
- ~~DE.~~** Compliance A compliance testing records record shall contain:
 - 1. Sample information, including the following:
 - a. A unique sample identification assigned by the laboratory,
 - b. The location or location code of sample collection,
 - c. The sample collection date and time,
 - d. The type of testing to be performed, and
 - e. ~~the~~ The name of person the individual who collected the sample;
 - 2. The name and address of the facility or person client submitting the sample to the laboratory;
 - 3. The name of the individual who submitted the sample to the laboratory;
 - 34. The date, and time and name of the person who receives of the laboratory's receipt of the sample into the laboratory;
 - 5. The name of the individual who received the sample into the laboratory;
 - 46. The date dates and time times of testing, including the date and time of each critical step;
 - 57. The actual results of compliance testing, including all raw data, work sheets, and calculations performed;
 - 68. The actual results of quality control data validating the test results, including calibration and calculations performed;
 - 79. The name of the person analyst or persons analysts performing who performed the test testing; and
 - 810. A copy of the final report.
- E.** Complete laboratory personnel records shall be maintained as to:
 - 1. Academic training;
 - 2. Experience;
 - 3. Qualifications; and
 - 4. Applicable certifications and/or specialized training.
- ~~F.~~** Analytical instrumentation performance records shall be maintained to demonstrate consistent standardization performance with standardized reference materials.
- ~~GF.~~** Reports A final report of compliance testing shall contain:
 - 1. Laboratory The name, address, and telephone number of the laboratory;
 - 2. Laboratory The license number issued assigned to the laboratory by the Department;
 - 3. Result of compliance testing in appropriate units of measure:
 - a) Actual scientifically valid and defensible results of compliance testing in appropriate units of measure, obtained in accordance with the approved method and the laboratory Quality Assurance Plan quality assurance plan, as described in R9-14-613 A.A.C. R9-14-615, by use of proper laboratory technique;

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4. ~~b) Any result~~ Results of compliance testing not obtained in accordance with the approved method and the laboratory ~~Quality Assurance Plan~~ quality assurance plan by use of proper laboratory technique, shall be documented as such on the report;
45. A ~~listing~~ list of each ~~the~~ approved method ~~methods~~ used ~~associated with~~ to obtain the reported result ~~results~~;
56. Sample information, including the following:
 - a. ~~the~~ The unique sample identification assigned by the laboratory,
 - b. The location or location code of sample collection,
 - c. The sample collection date and time,
 - d. ~~the~~ The name of the ~~person~~ individual who collected the sample, and
 - e. ~~the~~ The name of the ~~facility or person who~~ client that submitted the sample to the laboratory; and
 - f. The name of the individual who submitted the sample to the laboratory;
7. The date of analysis for each parameter reported;
68. The date of the final report; and
79. ~~The Laboratory~~ laboratory director's or ~~designee~~ designee's signature.

R9-14-617 R9-14-618. Mobile Laboratories

- A. A ~~laboratory~~ An applicant shall obtain a license ~~is required~~ for each mobile laboratory, unless the ~~laboratory owner~~ applicant chooses the single ~~license~~ license option described in R9-14-606(B) for multiple laboratories as described in ~~A.A.C. R9-14-603(E)~~. ~~All~~ A mobile laboratory shall meet all of the requirements of this Article ~~shall be met by the mobile laboratory~~.
- B. Upon ~~Department~~ request, the ~~owner~~ licensee of ~~the~~ a mobile laboratory shall provide to the Department ~~information of its the mobile laboratory's location and scope of its compliance testing to the Department~~ a list of the parameters it is testing.

R9-14-618 R9-14-619. Out-of-State Environmental Laboratory ~~License~~ Licensing

- A. ~~Out-of-state laboratories~~ An out-of-state laboratory applying for or possessing an initial license or a renewal license shall comply with the requirements of A.R.S. §§ 36-495 through 36-495.15 Title 36, Chapter 4.3 and this Article.
- B. ~~In addition to licensure fees,~~ The licensee or applicant for an out-of-state laboratory shall pay all actual expenses incurred by the Department as a result of ~~its~~ the laboratory's location in another state; including:
- ~~C.~~ An out-of-state laboratory shall pay an amount sufficient to cover:
 1. The estimated ~~cost~~ costs of ~~all routine inspections~~ each laboratory inspection or investigation at the ~~during the licensure period of that laboratory;~~
 2. The amount by which the actual costs of ~~routine lab inspections~~ each laboratory inspection or investigation at a laboratory exceed the estimated costs; and
 3. Additional expenses incurred by the Department for each ~~on-site~~ investigation at the laboratory; and
 4. A zone fee for each Department representative required to appear at the laboratory to perform the laboratory inspection or investigation, as follows:
 - a. For zone 1, including California, Nevada, Utah, Colorado, and New Mexico \$ 88.00
 - b. For zone 2, including all states west of the Mississippi River not listed in subsection (4)(a) \$139.00
 - c. For zone 3, including all states east of the Mississippi River and Alaska and Hawaii \$225.00.
- C. The Department determines the estimated costs and zone fees for a laboratory inspection or investigation after making travel arrangements to visit the out-of-state laboratory. The Department then sends a bill for the estimated costs and zone fees to the licensee or applicant for the out-of-state laboratory. The licensee or applicant for the out-of-state laboratory shall submit to the Department the amount of the estimated costs and zone fees within 20 days from the date that the Department sent the bill.
- D. After a laboratory inspection or investigation is completed, the Department determines the actual costs for the laboratory inspection or investigation and any additional expenses incurred for an investigation at a laboratory.
 1. If the actual costs and additional expenses exceed the estimated costs and zone fees paid as described in subsection (C), the Department sends a bill to the licensee or applicant for the out-of-state laboratory for the amount by which the actual costs and expenses exceed the estimated costs and zone fees paid. The licensee or applicant for the out-of-state laboratory shall submit to the Department the amount by which the actual costs and expenses exceed the estimated costs and zone fees paid within 20 days from the date that the Department sent the bill.
 2. If the actual costs and expenses are less than the estimated costs and zone fees paid as described in subsection (C), the Department shall send a refund or issue a credit to the licensee or applicant for the out-of-state laboratory for the amount by which the estimated costs and zone fees paid exceed the actual costs and expenses. Upon determining that the estimated costs and zone fees paid exceed the actual costs and expenses, the Department shall notify the licensee or applicant and ask whether the licensee or applicant desires a refund or a credit. The Department shall send the refund or issue the credit for the amount by which the estimated costs and zone fees paid exceed the actual costs and expenses within 45 days from the date that the licensee or applicant specified the desired form of payment.

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R9-14-620. Time-frames

- A.** The overall time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is set forth in Table 1. The licensee or applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame. An extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.
- B.** The administrative completeness review time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is set forth in Table 1 and begins on the date that the Department receives an application or request for approval.
1. The Department shall mail a notice of administrative completeness or deficiencies to the licensee or applicant within the administrative completeness review time-frame.
 - a. A notice of deficiencies shall list each deficiency and the items needed to complete the application or request for approval.
 - b. The administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice of deficiencies is issued until the date that the Department receives the missing items from the licensee or applicant.
 - c. If the licensee or applicant fails to submit to the Department all of the items listed in the notice of deficiencies within 180 days from the date that the Department mailed the notice of deficiencies, the Department shall consider the application or request for approval withdrawn.
 2. If the Department issues a license or other approval to the licensee or applicant during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C.** The substantive review time-frame described in A.R.S. § 41-1072 is set forth in Table 1 and begins on the date of the notice of administrative completeness.
1. As part of the substantive review for an initial license application, the Department shall conduct a laboratory inspection and may conduct an investigation or a proficiency evaluation audit, or both.
 - a. The Department shall commence the laboratory inspection, investigation, or proficiency evaluation audit, or combination of the 3, no more than 30 days after notice of administrative completeness has been mailed for an in-state laboratory or no more than 60 days after notice of administrative completeness has been mailed for an out-of-state laboratory.
 - b. The Department and applicant may mutually agree in writing to extend the laboratory inspection, proficiency evaluation audit, or investigation dates.
 2. The Department shall mail written notification of approval or denial of the application or other request for approval to the licensee or applicant within the substantive review time-frame.
 3. During the substantive review time-frame, the Department may make 1 comprehensive written request for additional information, unless the Department and the licensee or applicant have agreed in writing to allow the Department to submit supplemental requests for information.
 4. If the Department issues a comprehensive written request or a supplemental request for information, the substantive review time-frame and the overall time-frame shall be suspended from the date that the Department issues the request until the date that the Department receives all of the information requested.
 5. The Department shall issue an approval unless:
 - a. For an initial license application or a regular license renewal application where the regular license is not suspended, the Department determines that grounds to deny the license exist under A.R.S. § 36-495.09;
 - b. For a regular license renewal application where the regular license is suspended, the Department determines that the licensee is not in full compliance with the corrective action plan; A.R.S. Title 36, Chapter 4.3; and this Article;
 - c. For a request for approval of a new alternate method or method alteration, the Department determines that use of the method is not required or authorized by an EPA or ADEQ statute or rule or is not justified as described in A.A.C. R9-14-610(B)(2)(d); or
 - d. For an exemption under A.A.C. R9-18-615(D), the Department determines that the laboratory has not performed the approved method; that the analytical data generated were not scientifically valid and defensible and of known and acceptable precision and accuracy; or that the laboratory is not able to obtain the equipment, reagent, or glassware necessary to perform the method.
 6. If the Department disapproves an application or request for approval, the Department shall send to the applicant a written notice of disapproval setting forth the reasons for disapproval and all other information required by A.R.S. § 41-1076.

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Table 1. Time-frames (in days)

<u>Type of Approval</u>	<u>Statutory Authority</u>	<u>Overall Time-Frame</u>	<u>Administrative Completeness Review Time-frame</u>	<u>Substantive Review Time-frame</u>
<u>Initial License–In-State Laboratory</u>	<u>A.R.S. §§ 36-495.01, 36-495.03</u>	<u>201</u>	<u>21</u>	<u>180</u>
<u>Initial License–Out-of-State Laboratory</u>	<u>A.R.S. §§ 36-495.01, 36-495.03</u>	<u>231</u>	<u>21</u>	<u>210</u>
<u>Regular License Renewal–In-State Laboratory</u>	<u>A.R.S. §§ 36-495.01, 36-495.03</u>	<u>37</u>	<u>14</u>	<u>23</u>
<u>Regular License Renewal–Out-of-State Laboratory</u>	<u>A.R.S. §§ 36-495.01, 36-495.03, 36-495.14</u>	<u>67</u>	<u>14</u>	<u>53</u>
<u>Regular License Renewal–In-State Laboratory with Provisional License</u>	<u>A.R.S. §§ 36-495.01, 36-495.03, 36-495.05</u>	<u>70</u>	<u>21</u>	<u>49</u>
<u>Regular License Renewal–Out-of-State Laboratory with Provisional License</u>	<u>A.R.S. §§ 36-495.01, 36-495.03, 36-495.05, 36-495.14</u>	<u>100</u>	<u>21</u>	<u>79</u>
<u>Alternate Method or Method Alteration–Required or Authorized by EPA/ADEQ</u>	<u>A.R.S. § 36-495.01</u>	<u>105</u>	<u>15</u>	<u>90</u>
<u>Alternate Method or Method Alteration–Not Required or Authorized by EPA/ADEQ</u>	<u>A.R.S. § 36-495.01</u>	<u>210</u>	<u>30</u>	<u>180</u>
<u>Exemption under A.A.C. R9-18-615(D)</u>	<u>A.R.S. § 36-495.01</u>	<u>60</u>	<u>15</u>	<u>45</u>

NOTICE OF PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE DIVISION

PREAMBLE

1. Sections Affected

R17-4-224
R17-4-224

Rulemaking Action

Repeal
New Section

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 28-366

Implementing statute: A.R.S. § 28-4151

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 5 A.A.R. 3280, September 24, 1999

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

Name: Ellen Damron, Rules Analyst
Address: Arizona Department of Transportation
Administrative Rules Unit, Mail Drop 507M
3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014-5017
Telephone: (602) 712-6722
Fax: (602) 241-1624
E-Mail: edamron@dot.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

R17-4-224, Motor vehicle registration and number plate reinstatement fee, establishes a \$50 reinstatement fee for a motor vehicle registration and license plate suspension resulting from the cancellation or nonrenewal of a motor vehicle liability insurance policy. The Division believes, as reflected in GRCC Docket #F-98-0401(5-year review of May, 1998), that an amendment of A.R.S. § 28-4151 requires explanation of an exception to the \$50 fee. Statute provides that those subject to the motor carrier financial responsibility provision of A.R.S., Title 28, Chapter 9, Article 2, are exempt from this fee. The amendment will update both terms to conform to those of A.R.S. § 28-4151, and including requirements of the Secretary of State and the Governor's Regulatory Review Council.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

R17-4-224 impacts that segment of the driving public that either cancels or fails to renew the mandatory motor vehicle insurance policy. There is no change in how the motor vehicle registration and license plate suspension process is accomplished. The amendment impacts the motor carrier population only by clarifying its exemption to this rule under the motor carrier financial responsibility provision of A.R.S., Title 28, Chapter 9, Article 2.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Ellen Damron, Rules Analyst
Address: Arizona Department of Transportation
Administrative Rules Unit, Mail Drop 507M
3737 North Seventh Street, Suite 160
Phoenix, Arizona 85014-5017
Telephone: (602) 712-6722
Fax: (602) 241-1624
E-Mail: edamron@dot.state.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No oral proceeding is scheduled for this rulemaking. Written, faxed, e-mail comments, or requests for an oral proceeding may be made by contacting the rules analyst listed in #4, between 8:00 a.m. and 5:00 p.m., Monday through Friday. If no oral proceeding is requested, the public comment period shall continue for 30 days from this notice's publication date. This rulemaking's public record will close at 4:30 p.m. on November 6, 2000.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION, MOTOR VEHICLE DIVISION

ARTICLE 2. TITLES AND REGISTRATION

Sections

~~R17-4-224. Motor vehicle registration and number plate reinstatement fee~~ **Repealed**

R17-4-224. Motor vehicle registration and license plate reinstatement fee

ARTICLE 2. TITLES AND REGISTRATION

~~**R17-4-224. Motor vehicle registration and number plate reinstatement fee**~~ **Repealed**

~~A fee of \$50 shall be assessed for the reinstatement of a motor vehicle registration and number plate suspended pursuant to A.R.S. § 28-1262 due to cancellation or nonrenewal of a motor vehicle liability insurance policy.~~

R17-4-224. Motor vehicle registration and license plate reinstatement fee

A. The Division shall assess a reinstatement fee of \$50 as prescribed under A.R.S. § 28-4151(A) for a suspended motor vehicle registration and license plate as found in A.R.S. § 28-4148 and § 28-4149.

B. Provisions of subsection (A) do not apply to motor carriers subject to financial responsibility requirements as prescribed under A.R.S. Title 28, Chapter 9, Article 2.