

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF VETERANS' SERVICES

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

Chapter and its heading: 40, Department of Veterans' Services (Rules currently read Arizona Veterans' Service Commission – agency name was changed August 1999)

Articles and their headings: 1, Definitions
2, Eligibility
3, Application and Admission Process
4, Standards of Care
5, Resident Support
6, Resident Responsibilities and Conduct
7, Resident Discharge, Grievance, Hearing and Appeal Process
8, Resident Trust Fund

Section numbers: R4-40-101, R4-40-201, R4-40-301 through R4-40-306, R4-40-401 through R4-40-404, R4-40-501, R4-40-502, R4-40-601, R4-40-701 through R4-40-703, and R4-40-801
- 2. The subject matter of the proposed rules:**

The rules were drafted in 1995 before the Arizona State Veteran Home opened and must be amended to conform to both statute and practice. The purpose in proposing rule changes is to accomplish the following: (1) eliminate duplication of rules that establish standards of care, which are clearly outlined in Department of Health Services rules, U.S. Department of Veterans Affairs regulations, and Medicare regulations; (2) clarify admission eligibility and make minor administrative corrections; (3) clarify resident responsibilities and conduct; and (4) provide an applicant grievance, hearing, and appeal process by using the Office of Administrative Hearings. The proposed rule will also change the name of the agency to the Department of Veterans' Services (the change was due to a change to A.R.S. § 41-601 et seq., effective August 1999).
- 3. A citation to all published notices relating to the proceeding:**

Notice of Rulemaking Docket Opening: 7 A.A.R. 5490, December 14, 2001

No Notice of Proposed Rulemaking was made within 12 months and it subsequently lapsed.
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Gabe Forsberg, Strategic Planner/Special Projects

Address: Arizona Department of Veterans' Services
4141 N. 3rd Street
Phoenix, AZ 85012

Telephone: (602) 263-1805

Fax: (602) 264-2186

E-mail: gforsberg@azvets.com
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Both written and oral comments will be accepted during business hours until further notice is provided. Notice of an oral proceeding will be provided in a later edition of the *Arizona Administrative Register*.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**

None

NOTICE OF RULEMAKING DOCKET OPENING

RADIATION REGULATORY AGENCY

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 1, Radiation Regulatory Agency
Articles and their headings: 3, Radioactive Material Licensing
Section numbers: 7, Use of Radionuclides in the Practice of Medicine
R12-1-311, R12-1-701, R12-1-702, R12-1-703, R12-1-704, R12-1-705, R12-1-706, R12-1-707, R12-1-708, R12-1-709, R12-1-710, R12-1-711, R12-1-712, R12-1-713, R12-1-714, R12-1-715, R12-1-716, R12-1-717, R12-1-718, R12-1-719, R12-1-720, R12-1-721, R12-1-722, R12-1-723, R12-1-724, R12-1-725, R12-1-726, R12-1-727, R12-1-728, R12-1-729, R12-1-730, R12-1-731, R12-1-732, R12-1-733, R12-1-734, R12-1-735, R12-1-736, R12-1-737, R12-1-738, R12-1-739, R12-1-740, R12-1-741, R12-1-742, R12-1-743, R12-1-744, R12-1-745, and Exhibit A
2. **The subject matter of the proposed rules:**
The proposed changes will update the rules affecting the use of radioactive material in the practice of medicine. Many of the changes are imposed on Arizona through an Agreement with the Nuclear Regulatory Commission (NRC). The changes being made are directly associated with the federal regulations located in 10 CFR 35. A thorough understanding of the new rules proposed for Article 7 can be obtained by reviewing NRC--NUREG-1556, Vol. 9, *Program-Specific Guidance About Medical Use Licenses*.
The agency docket number:
RMP-0057
3. **A citation to all published notices relating to the proceedings:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Aubrey Godwin
Address: Arizona Radiation Regulatory Agency
4814 S. 40th Street
Phoenix, AZ 85040
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday.
Oral comments will be accepted at the Arizona Radiation Regulatory Agency, 4814 S. 40th Street, Phoenix, AZ 85040 during a public hearing that will be noticed with the proposed rules in the *Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
A timetable is not available at this time.

NOTICE OF RULEMAKING DOCKET OPENING

RADIATION REGULATORY AGENCY

1. **Title and its heading:** 12, Natural Resources
Chapter and its heading: 1, Radiation Regulatory Agency
Articles and their headings: 1, General Provisions
2, Registration, Installation, and Service of Ionizing Radiation-producing Machines; and Certification of Mammography Facilities
3, Radioactive Material Licensing
4, Standards for Protection Against Ionizing Radiation
5, Industrial Radiographic Operations
6, Use of X-rays in the Healing Arts
9, Particle Accelerators
15, Transportation
17, Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies
Section numbers: R12-1-101, R12-1-206, R12-1-319, R12-1-324, R12-1-424, R12-1-425, R12-1-501, R12-1-518, R12-1-523, R12-1-603, R12-1-609, R12-1-614, R12-1-905, R12-1-1504, R12-1-1506, R12-1-1716, R12-1-1720, R12-1-1721, R12-1-1723, R12-1-1742, and R12-1-1743
2. **The subject matter of the proposed rules:**
Minor changes will be proposed for R12-1-206, R12-1-523, R12-1-603, R12-1-609, R12-1-614, and R12-1-905 in response to comments received from the regulated community in regard to rulemaking package RMP-0052 that was recently open for public comment and review. The proposed changes could not be made at that time because they were substantive in nature. The affected persons are users of machine produced ionizing radiation.

The remainder of the proposed changes will update the rules affecting radioactive material users. These changes are imposed on Arizona through an Agreement with the Nuclear Regulatory Commission. Affected users include persons terminating a program of use, users of respirators, industrial radiographers and well loggers, and persons that transport radioactive material in their course of business.
The agency docket number:
RMP-0058
3. **A citation to all published notices relating to the proceedings:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Aubrey Godwin
Address: Arizona Radiation Regulatory Agency
4814 S. 40th Street
Phoenix, AZ 85040
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday.
Oral comments will be accepted at the Arizona Radiation Regulatory Agency, 4814 S. 40th Street, Phoenix, AZ 85040 during a public hearing that will be noticed with the proposed rules in the *Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
A timetable is not available at this time.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality
Air Pollution Control
Articles and their headings: 6, Emissions From Existing and New Nonpoint Sources
15, Forest and Range Management Burns
Section numbers: R18-2-602 and R18-2-1501 through R18-2-1515
- 2. The subject matter of the proposed rules:**
ADEQ will propose rules amending Arizona's existing open burning and prescribed burning rules to make them conform to EPA regulations for states' Regional Haze SIPs (state implementation plans). In addition, these amendments make other changes to improve the rules' clarity, conciseness, and understandability.
- 3. A citation to all published notices relating to the proceedings:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Kevin Force
Address: ADEQ
1110 W. Washington, 3415A-3
Phoenix, AZ 85007
Telephone: (602) 771-4480
Fax: (602) 771-2366
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 5, Industrial Commission of Arizona
Article and its heading: 1, Workers' Compensation Practice and Procedure
Section number: R20-5-121
- 2. The subject matter of the proposed rule:**
The proposed amendment addresses the adoption of a new Life Table for the calculation of present value of awards in workers' compensation cases before the Industrial Commission of Arizona.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Terrie Rendler, Esq.
Legal Division, Industrial Commission of Arizona

Address: 800 W. Washington, Suite 303
Phoenix, AZ 85007

Telephone: (602) 542-5781
Fax: (602) 542-6783
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written and oral comments will be accepted between 8:00 a.m. and 5:00 p.m., Monday through Friday (excluding holidays) at the address listed in item #4. The timetable is open at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined