

## 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

#### STATE RETIREMENT SYSTEM BOARD

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 8, State Retirement System Board  
**Articles and their headings:** 1, Social Security Division; Retirement System; Defined Benefit Plan  
4, Practice and Procedure  
**Section numbers:** R2-8-121 and R2-8-401 through R2-8-420 (The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**  
The rulemaking will repeal R2-8-121, Hearings, because it does not conform with current law or current rulemaking standards. The new Article will provide definitions for the Article and provide procedures for making an appeal to the Director of the State Retirement System and further appeal to the ASRS Board.  
**The agency docket number:**  
2003-03
- 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 rules:**  
Name: Susanne Dobel, Manager, External Operations  
Address: Arizona State Retirement System  
3300 N. Central, 14th Floor  
Phoenix, AZ 85012  
Telephone: (602) 240-2039  
Fax: (602) 246-6113  
E-mail: susanned@asrs.state.az.us  
or  
Name: Nancy O. Johnson, Rules Coordinator  
Address: Arizona State Retirement System  
3300 N. Central, 14th Floor  
Phoenix, AZ 85012  
Telephone: (602) 308-5172  
Fax: (602) 264-6113  
E-mail: nancyj@asrs.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments at the location listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 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

STATE RETIREMENT SYSTEM BOARD

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 8, State Retirement System Board  
**Articles and their headings:** 1, Social Security Division; Retirement System; Defined Benefit Plan  
5, Service Purchase  
**Section numbers:** R2-8-117 and R2-8-501 through R2-8-517 (The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**  
A.R.S. §§ 38-743, 38-744, 38-745, and 38-747 allow a current, contributing member of ASRS to purchase credited service upon which ASRS benefits are based. There are different categories of eligible service that a member may purchase, and several methods by which the member may pay for that credited service.  
The rulemaking will address:
  1. The categories of eligible service and required documentation,
  2. The procedure for requesting purchase of service,
  3. Restrictions on purchases,
  4. Methods of purchasing credited service, and
  5. The effect of retirement, termination, death, or returning to work on service purchases.R2-8-117, Prior Service Pensions, addresses teachers who worked prior to the creation of ASRS in 1953. ASRS will repeal R2-8-117, rewrite the subject matter to meet current rulewriting standards, and place it in new Article 5.  
**The agency docket number:**  
2003-04
- 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 rules:**  
Name: Susanne Dobel, Manager, External Operations  
Address: Arizona State Retirement System  
3300 N. Central, 14th Floor  
Phoenix, AZ 85012  
Telephone: (602) 240-2039  
Fax: (602) 246-6113  
E-mail: susanned@asrs.state.az.us  
or  
Name: Nancy O. Johnson, Rules Coordinator  
Address: Arizona State Retirement System  
3300 N. Central, 14th Floor  
Phoenix, AZ 85012  
Telephone: (602) 308-5172  
Fax: (602) 264-6113  
E-mail: nancyj@asrs.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments at the location listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 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

STATE RETIREMENT SYSTEM BOARD

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 8, State Retirement System Board  
**Article and its heading:** 3, Modified Deferred Retirement Option Plan  
**Section numbers:** R2-8-301 through R2-8-310 (The Department may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rules:**  
The new rules will provide procedures for implementing the modified deferred retirement option plan (DROP) program authorized under A.R.S. § 38-748 including: the application process, early termination of the agreement, and completion of the agreement.  
**The agency docket number:**  
2003-05
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 rules:**  
Name: Susanne Dobel, Manager, External Operations  
Address: Arizona State Retirement System  
3300 N. Central, 14th Floor  
Phoenix, AZ 85012  
Telephone: (602) 240-2039  
Fax: (602) 246-6113  
E-mail: susanned@asrs.state.az.us  
or  
Name: Nancy O. Johnson, Rules Coordinator  
Address: Arizona State Retirement System  
3300 N. Central, 14th Floor  
Phoenix, AZ 85012  
Telephone: (602) 308-5172  
Fax: (602) 264-6113  
E-mail: nancyj@asrs.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments at the location listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF AGRICULTURE  
STATE AGRICULTURAL LABORATORY

1. **Title and its heading:** 3, Agriculture  
**Chapter and its heading:** 5, Department of Agriculture  
State Agricultural Laboratory  
**Article and its heading:** 1, Sampling and Laboratory Certification  
**Section numbers:** R3-5-101 through R3-5-107, R3-5-110 through R3-5-112, and Table 1  
(As a part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rules:**  
This rulemaking will modify outdated language, change incorrect references to subsections, and increase fees for certification. Material related to time-frames will be placed in a new Section and the time-frames for certification of services not previously certified by the State Agricultural Laboratory will be increased. Definitions will be added to help clarify the meaning of the rules. The elements of the quality assurance manual maintained by a certified laboratory will be revised. Additional areas of certification will be added. Material incorporated by reference will be updated to the most current edition. A new Section will be added to cover the requirement for a certified laboratory that is physically relocated to seek new certification.  
The current publication standards of the Office of the Secretary of State will be applied to the rules.
3. **A citation to all published notices relating to the proceeding:**  
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Sherry D. Blatner, Rules Analyst  
Address: Arizona Department of Agriculture  
1688 W. Adams, Room 235  
Phoenix, AZ 85007  
Telephone: (602) 542-0962  
Fax: (602) 542-5420  
E-mail: sherry.blatner@agric.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments: 8:00 a.m. to 5:00 p.m., Monday through Friday  
Oral comments: 8:00 a.m. to 4:00 p.m., Monday through Friday  
Arizona Department of Agriculture  
1688 W. Adams, Room 235  
Phoenix, AZ 85007
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Unknown

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF REVENUE  
TRANSACTION PRIVILEGE AND USE TAX SECTION**

- 1. Title and its heading:** 15, Revenue  
**Chapter and its heading:** 5, Department of Revenue  
Transaction Privilege and Use Tax Section  
**Article and its heading:** 22, Sales Tax – Administration  
**Section numbers:** R15-5-2240, R15-5-2241, and R15-5-2242
- 2. The subject matter of the proposed rules:**  
The rules provide guidance on the requirements and procedures that a motion picture production company is subject to when applying for a motion picture production refund of transaction privilege and use taxes.  
**The agency docket number:**  
03-5-08
- 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 rules:**  
Name: Hsin Pai, Analyst  
Address: Tax Policy and Research Division  
Arizona Department of Revenue  
1600 W. Monroe  
Phoenix, AZ 85007  
Telephone: (602) 716-6851  
Fax: (602) 716-7995
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
To be published in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

SAFE DRINKING WATER

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 4, Department of Environmental Quality  
Safe Drinking Water  
**Articles and their headings:** 1, General Requirements  
2, Maximum Contaminant Levels and Monitoring Requirements;  
Monitoring Assistance Program  
3, Treatment Techniques  
4, Special Monitoring Requirements  
5, Minimum Design Criteria  
6, Capacity Development Requirements for a New Public Drinking  
Water System  
7, Consumer Confidence Reports  
8, Technical Assistance  
**Section numbers:** Most if not all of the Sections in 18 A.A.C. 4 will be affected by this  
rulemaking. (As a part of this rulemaking, the Department may add,  
delete, or modify additional Sections as necessary.)

- 2. The subject matter of the proposed rules:**  
There are several reasons ADEQ is undertaking this rulemaking. First, the Department plans to undertake a major revision of the existing Public Water Supervision System (PWSS) rules in 18 A.A.C. 4; i.e., it plans to revise the rules that implement the federal safe drinking water act in Arizona pursuant to the delegation of the PWSS to ADEQ by the U.S. Environmental Protection Agency, in part by utilizing incorporation by reference to simplify the rule amendment and approval process. Second, the rulemaking will incorporate a number of federal drinking water rules into 18 A.A.C. 4 of the *Arizona Administrative Code*, including the following: Radionuclides, Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring, Filter Backwash Recovery, Long Term 1 Enhanced Surface Water Treatment, and possibly the Long Term 2 Enhanced Surface Water Treatment and Disinfection/Disinfection By-Products rules.

- 3. A citation to all published notices relating to the proceeding:**  
None at this time

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

Name: Sean McCabe

Address: Arizona Department of Environmental Quality  
1110 W. Washington (5415 B-2)  
Phoenix, AZ 85007

Telephone: (602) 771-4600 (metro Phoenix area) or 1-800-234-5677, ext. 4600 (other parts of Arizona)

Fax: (602) 771-4634

E-mail: mccabe.sean@ev.state.az.us

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

The Department will publish a Notice of Proposed Rulemaking in the *Arizona Administrative Register*, after which it will accept written comments until the close of public record date specified in the Notice of Proposed Rulemaking. Written comments should be submitted to the attention of the agency personnel referenced in item #4 or in the Notice of Proposed Rulemaking after it is published. If the Department holds a public proceeding at which oral comments may be made, the date(s) and time(s) of the proceedings will be published in the *Arizona Administrative Register*.

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

It is anticipated that a Notice of Proposed Rulemaking will be filed with the Office of the Secretary of State for publication in the *Arizona Administrative Register* by April 2004, and that a Notice of Final Rulemaking will be filed with the Governor's Regulatory Review Council for review and approval by July 2004. Contact the agency personnel listed in item #4 for the current status of the rulemaking (or check the Department's web site at <http://www.adeq.state.az.us/lead/osc/drafrules.html>); agency personnel can also arrange for interested parties to inspect the proposed rule or any part of the rulemaking docket or record.