

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 HEALTH SERVICES COMMUNICABLE DISEASES AND INFESTATIONS

[R08-254]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 6, Department of Health Services – Communicable Diseases and Infestations
Articles and their headings: 12, Tuberculosis Control
Section numbers: R9-6-1201 through R9-6-1204 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rules:**
A.R.S. § 36-136(H)(1) states that the Arizona Department of Health Services (Department) shall “define and prescribe reasonably necessary measures for detecting, reporting, preventing, and controlling communicable and preventable diseases.” A.R.S. § 36-721 states that the Department shall adopt rules to prescribe reasonable and necessary measures related to tuberculosis control, reporting, and medical care. During a recent review of the rules in 9 A.A.C. 6, the Department determined that the rules in Article 12 concerning tuberculosis required revision. This rulemaking will add and amend definitions; amend requirements for local health agencies and correctional facilities; add requirements for health care providers, health care institutions, clinical laboratories, and shelters; and amend and update standards of medical care. This rulemaking will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

The agency docket number:
RE-018-08
- 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:	Angelito Bravo
Address:	Department of Health Services Tuberculosis Program Manager 150 N. 18th Ave., Suite 140 Phoenix, AZ 85007
Telephone:	(602) 364-3850
Fax:	(602) 364-3267
E-mail:	bravo@azdhs.gov
or	
Name:	Kathleen Phillips, Rules Administrator and Administrative Counsel
Address:	Department of Health Services Office of Administrative Counsel and Rules 1740 W. Adams St., Suite 200 Phoenix, AZ 85007
Telephone:	(602) 542-1264
Fax:	(602) 364-1150
E-mail:	phillik@azdhs.gov
- 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 at the addresses 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.

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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 HEALTH SERVICES
FOOD, RECREATIONAL, AND INSTITUTIONAL SANITATION**

[R08-250]

1. Title and its heading:

9, Health Services

Chapter and its heading:

8, Department of Health Services – Food, Recreational, and Institutional Sanitation

Article and their headings:

5, Trailer Coach Parks

Section numbers:

R9-8-501 through R9-8-509, R9-8-512, R9-8-521 through R9-8-523, R9-8-531, R9-8-533, R9-8-541 through R9-8-544, and R9-8-551
(Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rules:

The purpose of this rulemaking is to amend the rules for trailer coach parks in 9 A.A.C. 8, Article 5, in order to make them consistent with current statutory authority, Department policy, and issues raised in the five-year-review report approved by the Governor's Regulatory Review Council in 2007. The amended rules will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State.

The agency docket number:

RE-017-08

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: Ben C. Stepleton, Food Safety Manager

Address: Department of Health Services
Office of Environmental Health
150 N. 18th Ave., Suite 430
Phoenix, AZ 85007

Telephone: (602) 364-3140

Fax: (602) 364-3146

E-mail: stepleb@azdhs.gov

or

Name: Kathleen Phillips, Rules Administrator and Administrative Counsel

Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

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 at the addresses 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 ENVIRONMENTAL QUALITY
ENVIRONMENTAL REVIEWS AND CERTIFICATION**

[R08-256]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 5, Department of Environmental Quality – Environmental Reviews and Certification
Articles and their headings: 1, Classification of Treatment Plants and Certification of Operators
Section numbers: R18-5-105, R18-5-109 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
Under the Department’s current rules regulating drinking water and wastewater operators, if the Department revokes the license of an operator, the person can apply and obtain a new license, as long the person meets the certification criteria specified in R18-5-105. This changes effected by this rulemaking will eliminate the automatic renewal, and specify that a revocation is intended to be permanent.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 14 A.A.R. 3289, August 22, 2008 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Sean McCabe
Address: Department of Environmental Quality
1110 W. Washington St. (5415B-2)
Phoenix, AZ 85007
Telephone: (602) 771-4600, or toll-free in Arizona: (800) 234-5677
Fax: (602) 771-4634
E-mail: mccabe.sean@azdeq.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Comments on this rulemaking may be submitted at any time to the person referenced in item 4 above. Formal written comments for the rulemaking record should be submitted after publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register* (in this issue) and prior to the close of public record date. The public comment period closes at 5:00 p.m. on September 28, 2008.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
A Notice of Proposed Rulemaking was filed with the Office of the Secretary of State for publication in the *Arizona Administrative Register* simultaneously with this notice. It is anticipated that a Notice of Final Rulemaking will be filed with the Governor’s Regulatory Review Council by September 2008. The current status of this or any Department rulemaking can be assessed by checking the Department’s Draft and Proposed Rules web page at <http://azdeq.gov/function/laws/draft.html>. Agency personnel also can arrange for interested parties to inspect the proposed rule or any part of the rulemaking docket or record.