

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 ENVIRONMENTAL QUALITY SOLID WASTE MANAGEMENT

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 292.) The Governor's Office authorized the notice to proceed through the rulemaking process on November 27, 2013.

[R14-11]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 13, Department of Environmental Quality – Solid Waste Management
Articles and their headings: 8, General Permits
Section numbers: R18-13-802 (*Sections may be added, deleted, or modified as necessary.*)
- 2. The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality is considering a rule that would establish a solid waste general permit under A.R.S. § 49-706 for a class of solid waste landfills at mining sites that would otherwise need a solid waste plan approval.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Mark Lewandowski
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771- 2230
Fax: (602) 771- 4246
E-mail: Lewandowski.Mark@azdeq.gov
- 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 comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in a Notice of Proposed Rulemaking or Notice of Proposed Expedited Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be included in a Notice of Proposed Rulemaking or Notice of Proposed Expedited Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES MEDICAL MARIJUANA PROGRAM

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 292.) The Governor's Office authorized the notice to proceed through the rulemaking process on September 16, 2013.

[R14-12]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 17, Department of Health Services – Medical Marijuana Program
Articles and their headings: 1, General
2, Qualifying Patients and Designated Caregivers
3, Dispensaries and Dispensary Agents
Section numbers: R9-17-101 through R9-17-107, Table 1.1, R9-17-108, R9-17-109, R9-17-201 through R9-17-205, and R9-17-301 through R9-17-323 (*Sec-*

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tions may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rules:

On July 29, 2013, the Arizona Superior Court issued an order directing the Department to establish by rule a process by which the Department may consider the reasons why a dispensary has not obtained an approval to operate within a year after being allocated a dispensary registration certificate and criteria by which to decide whether a dispensary registration certificate should be renewed despite the dispensary not receiving an approval to operate. The Department plans to amend the rules in 9 A.A.C. 17 to comply with the court order and make other changes that may reduce the regulatory burden, improve processes, or enhance clarity and consistency. These include adding categories of qualifying patients who are eligible for reduced fees; amending requirements for certifying physicians; amending allocation procedures for dispensary registration certificates; amending application requirements for dispensaries; and clarifying requirements for inventory control, dispensing and transporting medical marijuana, and accepting donated marijuana. The Department received an exception from the Governor's rulemaking moratorium, established by Executive Order 2012-03, for this rulemaking. The proposed amendments will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify other Sections, as necessary.

The agency docket number:

RE-001-14

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: Don Herrington, Assistant Director
Address: Department of Health Services
Public Health Preparedness Services
150 N. 18th Ave., Suite 520
Phoenix, AZ 85007

Telephone: (602) 542-1023

Fax: (602) 364-3266

E-mail: Don.Herrington@azdhs.gov

or

Name: Robert Lane, Acting Manager
Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams, Suite 203
Phoenix, AZ 85007

Telephone: (602) 542-1020

Fax: (602) 364-1150

E-mail: Robert.Lane@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