

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever 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

#### ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System (AHCCCS) - Administration  
**Articles and their headings:** 3, Eligibility and Enrollment  
8, Grievance and Appeal Process  
**Section numbers:** R9-22-339 and R9-22-801 through R9-22-804
2. **Subject matter of the proposed rule:**  
The Administration is amending the newborn eligibility rule, R9-22-339, to reflect the approval of a waiver by the Health Care Financing Administration of the U.S. Department of Health and Human Services. The waiver allows newborns of categorically eligible mothers to remain AHCCCS-eligible for one year, regardless of the mother's continued eligibility.  
The Administration is also revising Article 8 of the AHCCCS (Acute Care) rules, implementing recommendations made in a recent five-year rule review. The changes are nonsubstantive and are intended to clarify AHCCCS grievance and appeal procedures, as well as to bring the rules into conformity with current format and style requirements. Other changes will make the rules more concise, understandable, and consistent with current federal and state law.  
**The agency docket number, if applicable:**  
Not applicable.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Fred Meister  
Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 East Jefferson, Mail Drop 4200  
Phoenix, Arizona 85034  
Telephone: (602) 417-4462  
Fax: (602) 256-6756
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated above. Public hearings will be scheduled later, during which oral comments may be presented.
6. **A timetable for agency decisions or other action in the proceeding:**  
The agency intends to hold public hearings later this year.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control  
**Articles and their headings:** 1, General Provisions  
2, Ambient Air Quality Standards; Area Designations; Classifications  
3, Permits and Permit Revisions  
9, New Source Performance Standards  
11, Federal Hazardous Air Pollutants  
**Section numbers:** R18-2-102, R18-2-210, R18-2-327, R18-2-333, R18-2-901, R18-2-1101, and Appendix 2.
2. **Subject matter of the proposed rule:**  
This annual rulemaking will incorporate by reference the federal air quality rules of New Source Performance Standards (NSPS) and the National Emission Standards for Hazardous Air Pollutants (NESHAPs) that have been promulgated through July 1, 1995. The standards include the General Provisions for HAPs; Hazardous Organic NESHAPs (HON); Cooling Towers; Magnetic Tape; Chromium Electroplating; Ethylene Oxide Sterilizers; Gasoline Distribution Stage I; Polymer and Epoxy II Resins; Halogenated

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Solvent Degreasers; and Secondary Lead Smelting. The rulemaking will also update other documents incorporated by reference, such as testing methods, emissions factors, technical corrections to the federal Acid Rain regulations, and the current boundaries of Arizona's non-attainment areas.

**The agency docket number, if applicable:**

ADEQ Rule Docket Air-13. The rulemaking will be known as "NSPS/NESHAPS 1995".

3. **A citation to all published notices relating to the proceeding:**

The Notice of Proposed Rulemaking on this subject appears elsewhere in this *Register* issue.

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

Name: Amy Wainright, Rule Development Specialist

Address: Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona 85012-2809

Telephone: (602) 207-2225

Fax: (602) 207-2251

Name: Martha L. Seaman, Rule Development Section Manager

Address: Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona 85012-2809

Telephone: (602) 207-2222

Fax: (602) 207-2251

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 oral comments as follows:

Date: October 23, 1995

Time: 10 a.m.

Location: Department of Environmental Quality, Public Meeting Room  
3033 North Central Avenue  
Phoenix, Arizona

The close of record for written comments is October 25, 1995, at 5 p.m.

6. **A timetable for agency decisions or other action in the proceeding:**

This rulemaking is being proposed elsewhere in this issue of the *Register*.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA RACING COMMISSION**

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming

**Chapter and its heading:** 2, Arizona Racing Commission

**Article and its heading:** 1, Horse Racing

**Section numbers:** R19-2-112 and R19-2-121

2. **Subject matter of the proposed rule:**

Allows the stewards discretion when deciding whether or not to disqualify a horse when it tests positive for drugs and corrects language errors.

**The agency docket number, if applicable:**

Not applicable.

3. **A citation to all published notices relating to the proceeding:**

None published.

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

Name: Aikaterine Vervilos

Address: Department of Racing  
15 South 15th Avenue, Suite 100  
Phoenix, Arizona 85007

Telephone: (602) 542-5151

Fax: (602) 542-5177

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

The Commission will accept written comments for 30 days following publication of the proposed rulemaking.

The Commission has not scheduled any oral proceedings at this time.

6. **A timetable for agency decisions or other action in the proceeding:**

None at this time.