

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 WATER QUALITY STANDARDS

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 11, Department of Environmental Quality – Water Quality Standards
Article and its heading: 1, Surface Water Quality Standards
Section numbers: R18-11-101 through R18-11-123; Appendices A and B
- 2. Subject matter of the proposed rules:**
The Department proposes to update the Surface Water Quality Standards rules by amending definitions; clarifying the applicability of the water quality standards rules; modifying designated uses; proposing new antidegradation implementation procedures; adopting new narrative water quality standards including a new narrative biocriterion; propose new numeric water quality criteria to protect human health; adopting new or revised water quality criteria for suspended sediment in surface waters; classifying new effluent dependent waters (EDWs); adopting numeric water quality criteria for total ammonia to maintain and protect water quality for aquatic life in EDWs; clarifying which canals are subject to regulation under the surface water quality standards rules; amending Appendix A by updating the water quality criteria to protect human health and aquatic life; and amending Appendix B by modifying the designated uses listed for surface waters.
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Steve Pawlowski
Address: Department of Environmental Quality
1110 W. Washington, 5560-B
Phoenix, AZ 85007
Telephone: (602) 771-4219 (Metro-Phoenix area) or toll free in Arizona (800) 234-5677, Ext. 4219
Fax: (602) 771-4528
E-mail: sep@azdeq.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 location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday. Comments will be accepted until the close of record which has not yet been determined.
- 6. A timetable for agency decisions or other action in the proceeding:**
The Department anticipates that the Notice of Proposed Rulemaking will be filed in October 2005 with the Office of the Secretary of State for publication in the *Arizona Administrative Register*, and that a Notice of Final Rulemaking will be filed by February 2006.