

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 BUILDING AND FIRE SAFETY

[R06-147]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 36, Department of Building and Fire Safety
Article and its heading: 2, State Fire Safety Committee
Section numbers: R4-36-201
- 2. The subject matter of the proposed rule:**
To update the State Fire Code
- 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: John Rowlinson
Address: Department of Building and Fire Safety
1110 W. Washington, Suite #100
Phoenix, AZ 85007
Telephone: (602) 364-1079
Fax: (602) 364-1084
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES NONCOMMUNICABLE DISEASES

[R06-146]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 4, Department of Health Services – Noncommunicable Diseases
Article and its heading: 4, Cancer Registry
Section numbers: R9-4-401 and R9-4-403 through R9-4-405
(The Department may add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**
A.R.S. § 36-133 requires the Arizona Department of Health Services to develop a cancer registry for the collection, management, and analysis of information on the incidence of cancer in Arizona. *Arizona Administrative Code* Title 9, Chapter 4, Article 4, implements that statute by providing definitions and reporting requirements for health care providers to follow when reporting cancer cases. This rulemaking will correct unclear references and clarify reporting requirements. All changes 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 Sections as necessary.
The agency docket number, if applicable:
RE-014-06
- 3. A citation to all published notices relating to the proceeding:**
None

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

Name: Georgia Yee, Office Chief
Address: Arizona Department of Health Services
Bureau of Public Health Statistics
150 N. 18th Ave., Suite 550
Phoenix, AZ 85007
Telephone: (602) 542-7321
Fax: (602) 364-0296
E-mail: yeega@azdhs.gov
or
Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 202
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 HEALTH SERVICES
NONCOMMUNICABLE DISEASES**

[R06-145]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 4, Department of Health Services – Noncommunicable Diseases
Article and its heading: 5, Birth Defects Monitoring Program
Section numbers: R9-4-501 and R9-4-502 (The Department may add, delete, or modify Sections as necessary.)

2. The subject matter of the proposed rule:

A.R.S. § 36-133 requires the Arizona Department of Health Services to develop a birth defects monitoring program for the collection, management, and analysis of information on the incidence of birth defects in Arizona. *Arizona Administrative Code* Title 9, Chapter 4, Article 5, implements that statute by providing definitions, specifying reporting requirements for hospitals to follow when reporting birth defects, and establishing procedures that the Department may use to review and record information about an individual having a birth defect. This rulemaking will correct awkward syntax, unclear reporting requirements, ineffective organization, and undefined words and phrases. All changes 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 Sections as necessary.

The agency docket number, if applicable:

RE-015-06

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: Allison Varga
Address: Arizona Department of Health Services
Bureau of Public Health Statistics
150 N. 18th Ave., Suite 550
Phoenix, AZ 85007

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Telephone: (602) 542-7335
Fax: (602) 364-0296
E-mail: vargaa@azdhs.gov
or
Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 202
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 TRANSPORTATION

COMMERCIAL PROGRAMS

[R06-148]

1. Title and its heading:
Chapter and its heading:
Article and its heading:

17, Transportation
5, Department of Transportation – Commercial Programs
5, Financial Responsibility, and 8, Mandatory Insurance and Financial Responsibility (New)
R17-5-502, R17-5-503, R17-5-801, R17-5-802, R17-5-803, R17-5-804, R17-5-805, R17-5-806, R17-5-807, R17-5-808, R17-5-809, R17-5-810
(As part of this rulemaking, other Sections may be added, deleted, or amended as necessary.)

Section numbers:

2. The subject matter of the proposed rule:

The Arizona Department of Transportation, Motor Vehicle Division, proposes to repeal Sections R17-5-502 and R17-5-503, which currently contain antiquated electronic reporting guidelines and processes for insurance companies authorized to conduct business in Arizona. The Division proposes to create a new Article within Chapter 5: Article 8, Mandatory Insurance and Financial Responsibility. This new Article will incorporate updated electronic reporting guidelines, and other mandatory insurance and financial responsibility rules not limited to any specific process or vehicle type, that reflect current business practices and are more clear, concise, and understandable.

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

None published

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

Name: John Lindley, Administrative Rules Analyst
Address: Administrative Rules Unit
Department of Transportation, Motor Vehicle Division
1801 W. Jefferson St., Mail Drop 530M
Phoenix, AZ 85007
Telephone: (602) 712-8804
Fax: (602) 712-3081
E-mail: jlindley@azdot.gov

Please visit the ADOT web site to track the progress of this rule and any other agency rulemaking matters at <http://www.azdot.gov/MVD/MVDrules/rules.asp>.

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

The Motor Vehicle Division will accept written and oral comments on this rulemaking Monday through Friday, 8:00 a.m. to 5:00 p.m., with the exception of state holidays. Interested parties may provide comments to the analyst in item #4. Public hearings may be scheduled to provide a forum for interactive discussion with interested parties.

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

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
REMEDIAL ACTION**

[R06-144]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

7, Department of Environmental Quality – Remedial Action

Article and its heading:

6, Declaration of Environmental Use Restriction Fee

Section numbers:

R18-7-601 to R18-7-606 (As part of this rulemaking, the Department may add, delete, or modify Sections as necessary.)

2. The subject matter of the proposed rule:

This is a permanent rulemaking to replace an interim fee rule, pursuant to 2000 Arizona Session Laws Ch. 225, § 13. It would establish a fee, which a property owner is required, pursuant to A.R.S. §§ 49-152(K) and 49-158(G), to pay to the Arizona Department of Environmental Quality when a declaration of environmental use restriction (DEUR) is submitted to the Department for approval, prior to being recorded. A DEUR is a restrictive covenant that must be recorded when an owner elects to use either an institutional control (i.e., a legal or administrative limitation on activities or uses) or an engineering control (e.g., a slab, cap, fence, liner, berm, leachate collection system, or pump and treat technologies), to prevent or minimize exposure to contaminants on the property, or when an owner elects to leave contamination on the property that exceeds the applicable residential soil remediation standard for the property. The Department will continue to evaluate its experience with fees paid under the interim DEUR fee rule, to ascertain any way in which the fee should be revised for the permanent rule.

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

Notice of Rulemaking Docket Opening: 10 A.A.R. 2085, May 21, 2004

Notice of Rulemaking Docket Opening: 11 A.A.R.1726, May 13, 2005

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

Name: Peggy J. Guichard-Watters

Address: 1110 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 771- 4117

Fax: (602) 771- 4138

E-mail: guichard-watters.peggy@azdeq.gov

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:

To be published in the Notice of Proposed Rulemaking