NOTICES OF RULEMAKING DOCKET OPENING

1. **Title and its heading:** 4, Professions and Occupations
   **Chapter and its heading:** 23, Board of Pharmacy
   **Articles and their headings:** 1, Definitions; 4, Professional Practices; 6, Permits and Distribution of Drugs
   **Section numbers:** R4-23-110, R4-23-412, R4-23-413, R4-23-617 (Sections may be added, deleted, or modified as necessary.)

2. **Subject matter of the proposed rule:**
   During the 48th Legislative Session in 2007, the Legislature passed HB 2155 adding A.R.S. § 32-1910 Emergencies; continued provision of services to the Pharmacy Act. A.R.S. § 32-1910 requires the Board of cooperate with this state and a county, city, or town to ensure the provision of drugs, devices, and professional services to individuals affected by a declared state of emergency related to a natural disaster or terrorist attack. A.R.S. § 32-1910 allows the Board to make rules implementing the statute.

   The proposed rulemaking will include necessary new definitions added to R4-23-110 (Definitions) and three new Sections: R4-23-412 (Emergency Refill Prescription Dispensing), R4-23-413 (Temporary Recognition of Non-resident Licensure), and R4-23-617 (Temporary Pharmacy Facilities or Mobile Pharmacies). The new Sections will establish requirements for the dispensing of an emergency refill prescription, temporary recognition of a non-resident licensee working in Arizona during a declared emergency, and operation of temporary pharmacy facilities or mobile pharmacies during a declared emergency. The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and the Governor’s Regulatory Review Council.

   **The agency docket number, if applicable:** R0806

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:** Dean Wright, Compliance Officer
   **Address:** Board of Pharmacy
   1700 W. Washington St., Suite 250
   Phoenix, AZ 85007
   **Telephone:** (602) 771-2744
   **Fax:** (602) 771-2749
   **E-mail:** dwright@azpharmacy.gov

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
   The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments may be made at the Board office Monday through Friday, 8:00 a.m. to 4:30 p.m.
   **Location:** Board of Pharmacy
   1700 W. Washington St., Suite 250
   Phoenix, AZ 85007

   Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

6. **A timetable for agency decisions or other action in the proceeding:** None
NOTICE OF RULEMAKING DOCKET OPENING
RADIATION REGULATORY AGENCY

1. Title and its heading: 12, Natural Resources
   Chapter and its heading: 1, Radiation Regulatory Agency
   Article and its heading: 1, General Provisions; 2, Registration, Installation, and Service of Ionizing Radiation Producing Machines; and Certification of Mammography Facilities; 3, Radioactive Material Licensing; 4, Standards For Protection Against Ionizing Radiation; 6, Use of X-Rays in the Healing Arts; 9, Particle Accelerators; 11, Industrial Uses of X-Rays, Not Including Analytical X-Ray Systems; 12, Administrative Provisions; 14, Registration of Nonionizing Radiation Sources and Standards for Protection Against Nonionizing Radiation; 15, Transportation; 17, Wireline Service Operations and Subsurface Tracer Studies

   Section numbers:

2. Subject matter of the proposed rules:

   There are four main areas of change included in this rulemaking. The first area contains changes resulting from five-year reviews conducted on Articles 1, 3, 4, 9, 12, and 15. The purpose of the changes resulting from these reviews is to ensure that the affected rules stay compatible with current national radiation safety standards.

   The second area contains changes made at the request of Agency staff. These changes arise from discrepancies resulting from a rulemaking oversight that were discovered while performing day-to-day licensing operations, or due to earlier rulemaking that resulted in incorrect language or an incorrect reference.

   The third area contains changes recommended by the staff to bring the x-ray rules in Article 6 up to current standards. These are minor changes to make the rules in Article 6 compatible with regulations suggested by Conference of Radiation Control Program Directors (CRCPD).

   The fourth area contains changes requested by the Nuclear Regulatory Commission (NRC). The Agency is required to make these changes as a result of the Agreement signed with the NRC in January 1967. This agreement requires the Agency to incorporate in Arizona rule certain NRC prescribed requirements. Included in this rule package are:

   A. NRC requirements for specific licensees, having quantities of specified radioactive material exceeding the quantities requiring increased controls, to communicate their activities involving the affected radioactive material to the NRC as part of the new National Source Tracking System.

   B. NRC requirements for licensees that transport radioactive material regulated under Article 15. The NRC in conjunction with Department of Transportation has revised the standards for safe transport of radioactive material. As stated earlier all Agreement states are required to incorporate these NRC changes.

   Agency docket number:
   #RMP0069

3. A citation to all published notices relating to the proceedings:
   None

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

   Name: Aubrey Godwin
   Address: Radiation Regulatory Agency
   4814 S. 40th St.
   Phoenix, AZ 85040
   Telephone: (602) 255-4845
   Fax: (602) 437-0705
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
   Written comment and oral comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday at the Arizona Radiation Regulatory Agency, 4814 S. 40th St., Phoenix, AZ 85040.

6. **A timetable for agency decision or other action in the proceeding:**
   A timetable is not available at this time.

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**NOTICE OF RULEMAKING DOCKET OPENING**

DEPARTMENT OF WATER RESOURCES

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1. **Title and its heading:** 12, Natural Resources
   **Chapter and its heading:** 15, Department of Water Resources
   **Article and its heading:** 14, Transportation of Groundwater to an Active Management Area
   **Section numbers:** (Sections may be added, deleted, or modified as necessary.)

2. **The subject matter of the proposed rule:**
   The Department proposes to adopt new rules to implement A.R.S. Title 45, Chapter 2, Article 8.1, “Withdrawals of Groundwater for Transportation to Active Management Area.” These statutory provisions authorize the transportation of groundwater from certain lands in the McMullen Valley groundwater basin, the Butler Valley groundwater basin, the Harquahala Irrigation Non-expansion Area (INA) and the Big Chino sub-basin of the Verde River groundwater basin into an active management area. At this time, it is expected that the rules will address only transportation from the McMullen Valley groundwater basin pursuant to A.R.S. § 45-552, the Harquahala INA pursuant to A.R.S. § 45-554 and the Big Chino sub-basin pursuant to A.R.S. § 45-555(A) through (D).

3. **A citation to all published notices relating to the proceeding:**
   Notice of Rulemaking Docket Opening: 14 A.A.R. 1102, April 4, 2008

4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
   **Name:** Ken Slowinski
   **Address:** 3550 N. Central Ave.
   **Telephone:** (602) 771-8472
   **Fax:** (602) 771-8683
   **E-mail:** kcslowinski@azwater.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 announced in the Notice of Proposed Rulemaking

6. **A timetable for agency decisions or other action on the proceeding, if known:**
   To be announced in the Notice of Proposed Rulemaking