

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 BOARD OF NURSING

Editor's Note: The following Notice of Rulemaking Docket Opening was exempt from Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 144.)

[R14-06]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 19, Board of Nursing
Article and its heading: 1, Definitions and Time-frames
Section numbers: 8, Certified Nursing Assistants
R4-19-101; R4-19-801 through R4-19-810; R4-19-812 through
R4-19-815 (*Sections may be added, deleted or modified as necessary*)
- 2. The subject matter of the proposed rule:**
The Board of Nursing is opening a docket on these Sections for the following reasons:
1. To adopt rules for the certification of medication assistants under A.R.S. § 32-1650.
2. To update current rules for nursing assistant programs.
3. To update certification requirements consistent with other Board processes.
4. To add further clarity to regulations governing nursing assistants and medication assistants.
5. To incorporate changes identified in the Five-Year Rule Report on Article 8 approved by the Governor's Regulatory Review Council on April 6, 2010.
- 3. A citation to all published notices relating to the procedure:**
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Pamela Randolph
Associate Director Education and Evidence based Regulation

Address: State Board of Nursing
4747 N. 7th St., Suite 200
Phoenix, AZ 85020

Telephone: (602) 771-7803
Fax: (602) 906-9365
E-mail: prandolph@azbn.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Submissions and comments may be made to the Associate Director identified in item #4 above, at the designated address. Information regarding the time and place of an oral proceeding will be published with the Notice of Proposed Rulemaking.
- 6. A time table for agency decisions or other action on the proceeding, if known:**
Has not yet been determined

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL**

Editor's Note: The following three Notices of Rulemaking Docket Opening were reviewed per Executive Order 2012-03 as issued by Governor Brewer. (See the text of the executive order on page 144.) The Governor's Office authorized the notices to proceed through the rulemaking process on November 27, 2013.

[R13-228]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 9, Department of Environmental Quality - Water Pollution Control
Articles and their headings: 10, Arizona Pollutant Discharge Elimination System - Disposal, Use, and Transportation of Biosolids
Section numbers: R18-9-1002 (*Sections may be added, deleted or modified as necessary.*)
- 2. The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) Biosolids/Sewage Sludge Management Program implements Section 405 of the Clean Water Act (33 U.S.C. 1345), A.R.S. § 49-255.03 and 18 A.A.C. 9, Article 10. ADEQ's biosolids rules require that any person applying, generating or transporting biosolids/sewage sludge in Arizona must register that activity. The rules are self-implementing by the person who uses, transports, applies biosolids to land, or places biosolids on a surface disposal site. Incineration of biosolids has been prohibited under R18-9-1002(G), since 2001. ADEQ is proposing to repeal the prohibition on incineration of biosolids, thereby allowing incineration as a means of disposal.

As a federally-delegated program, ADEQ's laws, rules, and program must comply with the U.S. Environmental Protection Agency's (EPA) requirements. EPA's rules on biosolids are in 40 CFR, Part 503 and include Subpart E on Incineration. With the repeal on the prohibition of incineration, ADEQ proposes to incorporate by reference Subpart E of the federal rules in order to properly regulate biosolids incinerators. An owner of an incinerator would have to comply with both Clean Water Act and Clean Air Act requirements, but the Clean Air Act rules are much more extensive and contain more restrictions.
- 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: Wendy LeStarge
Address: Department of Environmental Quality
1110 W. Washington St. (5415B-2)
Phoenix, AZ 85007
Telephone: (602) 771-4836, or (800) 234-5677, ext. 771-4836
Fax: (602) 771-4834
E-mail: lestarge.wendy@azdeq.gov
Web Site: www.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 on this rulemaking may be submitted at any time to the person referenced in item # 4 above. Formal written comments for the rulemaking record should be submitted after publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register* and prior to the close of public record date, which has not yet been determined.
- 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
WATER QUALITY STANDARDS**

[R13-229]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 11, Department of Environmental Quality – Water Quality Standards
Articles and their headings: 1, Water Quality Standards for Surface Waters
Section numbers: R18-11-106, R18-11-109, R18-11-110, R18-11-115, R18-11-121, Appendix A, Appendix B, Appendix C (*Sections may be added, deleted or modified as necessary*)

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2. The subject matter of the proposed rule:

The Clean Water Act requires that states review, modify as appropriate, and adopt surface water quality standards for “waters of the U.S.” at least once every three years, subject to approval by the U.S. Environmental Protection Agency (EPA). The Arizona Department of Environmental Quality’s (ADEQ) last rulemaking for the surface water quality standards was in 2009. ADEQ is seeking to amend errors or clarify language from the 2009 rules changes.

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:

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Phoenix, AZ 85007
Telephone: (602) 771-4836, or (800) 234-5677, ext. 771-4836
Fax: (602) 771-4834
E-mail: lestarge.wendy@azdeq.gov
Web Site: www.azdeq.gov

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

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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
PERMIT AND COMPLIANCE FEES

[R13-230]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

14, Department of Environmental Quality – Permit and Compliance Fees

Articles and their headings:

3, Certified Operator Fees

Section numbers:

R18-14-301 (*Sections may be added, deleted or modified as necessary*)

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality (ADEQ) seeks to establish new and reasonable fees for the certification of drinking water and wastewater operators. A.R.S. §§ 49-352(A) and 49-361(2) require ADEQ to adopt, establish, and enforce rules for the certification of operating personnel according to the skill, knowledge, and experience required for the applicable certification, and include authority for ADEQ to charge fees for water and wastewater operator certifications. ADEQ’s Operator Certification Program has been funded by state general fund, federal grants and federal set-asides but these funds have significantly decreased.

Operators of water treatment plants and water distribution systems, and wastewater collection systems and wastewater treatment plants are responsible for all decisions about process control or system integrity that affects public health. The operator certification rules establish the requirements for certification and classification, examinations, renewal of certificates, expired certificates, revocation, reciprocity for out-of-state applicants, and experience and education.

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:

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1110 W. Washington St. (5415B-2)
Phoenix, AZ 85007
Telephone: (602) 771-4836, or (800) 234-5677, ext. 771-4836
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Notices of Rulemaking Docket Opening

E-mail: lestarge.wendy@azdeq.gov

Web Site: www.azdeq.gov

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

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

To be determined.