
NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

[R16-64]

- 1. Title and its heading:** 18, Environmental Quality

Chapter and its heading: 2, Department of Environmental Quality – Air Pollution Control

Article and its heading: 6, Emissions from Existing and New Nonpoint Sources

Section numbers: R18-2-611, R18-2-611.01
- 2. The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality (ADEQ) is completing an exempt rulemaking action on behalf of the Governor’s Agricultural Best Management Practices Committee (Committee) to amend the state’s regulations to provide commercial poultry farmers an additional option to reduce emissions of particulate matter (PM). ADEQ will also be correcting technical issues in the language of the rule to ensure it is consistent with the authorizing statute, A.R.S. § 49-457.

On January 14, 2016, the Committee adopted a new best management practice (BMP) option in the animal waste handling and transportation category for commercial poultry farmers in Maricopa County PM nonattainment areas. ADEQ is required to complete an exempt rulemaking following Committee action to update the agricultural regulations in the Arizona Administrative Code to reflect the newly adopted language.

The new BMP allows commercial poultry farmers to use a rotary dryer, properly equipped with either a bag house or a wet scrubber, when handling and transporting poultry waste to reduce emission of PM.
- 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: Justine E. Miller
Address: Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-6723
E-mail: Miller.Justine@azdeq.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
This rulemaking is exempt from public commenting period and becomes effective upon filing of a Notice of Exempt Rulemaking with the Secretary of State’s office pursuant to House Bill 2208 (Fiftieth Legislature, First Regular Session, 2011, Chap. 214 §4).
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Exempt Rulemaking.



NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF CHILD SAFETY
CHILD WELFARE AGENCY LICENSING

[R16-65]

1. **Title and its heading:** 21, Child Safety
Chapter and its heading: 7, Department Of Child Safety – Child Welfare Agency Licensing
Article and its heading: To be determined
Section numbers: To be determined
2. **The subject matter of the proposed rule:**
A.R.S. § 8-503 authorizes the Department to establish rules, regulations and standards for the licensing of child welfare agencies and exercise supervision over all child welfare agencies. A.R.S. § 8-505 requires a child welfare agency to be licensed by the Department and assigns the Department the authority to issue and renew licenses for child welfare agencies. A.R.S. § 8-506.01 assigns the Department the authority to deny, suspend or revoke the license of any child welfare agency that willfully violates or fails to maintain the standards of care prescribed by the Department. The Department is developing rules to include in Title 21 Child Safety to enable it to comply with A.R.S. §§ 8-505 and 8-506.01 and any other applicable requirements of A.R.S. Title 8, Chapter 4, Article 4 (A.R.S. §§ 8-501 *et seq*) dealing with child welfare agencies.
The Department is developing new rules covering the Department's licensing, regulation and enforcement of standards for child welfare agencies under Title 21 *Child Safety* that will replace existing rules covering the same subject matter under Title 6 *Economic Security*. The new rules will correct citations, replace references to the Department of Economic Security with the Department of Child Safety and update information to include Department responsibilities, procedures, and practices.
3. **A citation to all published notices relating to the proceeding:**
Notice of Public Information: 21 A.A.R. 1838, September 11, 2015
Notice of Oral Proceeding: 21 A.A.R. 1866, September 11, 2015
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Carrie Senseman, Lead Rules Analyst
Address: Department of Child Safety Policy Unit
3003 N. Central Ave., 23rd Floor
Phoenix, AZ 85012
P.O. Box 6030, Site Code: C010-23
Phoenix, AZ 85005-6030
Telephone: (602) 255-2534
E-mail: csenseman@azdes.gov
Website: <https://dcs.az.gov/about/dcs-rules-rulemaking>
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 can be submitted at any time to +DCSPolicyUpdate@azdes.gov. Formal written comments for the rulemaking record will be accepted after the publication of the Notice of Proposed Rulemaking in the Arizona Administrative Register and prior to the close of public record date, which has not 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:**
The Department plans to begin listening sessions with subject matter experts during the second quarter of 2016. The Department plans to consult with interested stakeholders and others during the third quarter of 2016 to develop a draft of the proposed rules. The Department will publish proposed draft rules in the Arizona Administrative Register, possibly in the fourth quarter of 2016, providing the public the opportunity to provide written comments by U.S. Mail and through the Department website; and oral comments during a scheduled public hearing on the proposed rules. The Department plans to consider public comments on the proposed rules prior to publishing the final rules.