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From the Publisher

ABOUT THIS PUBLICATION

The paper copy of the Administrative Register (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the Arizona Administrative Register or Code. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The Register is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the Register contains the full text of the Governor’s Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor’s appointments of state officials and members of state boards and commissions.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the Register includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the Register. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A “CLEAN” COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The Arizona Administrative Code (A.A.C) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor’s Regulatory Review Council. The Code also contains rules exempt from the rulemaking process.

The printed Code is the official publication of a rule in the A.A.C. is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The Code is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the Arizona Administrative Code under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the Arizona Administrative Code; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the Arizona Administrative Code. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking.

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the Register. The original filed document is available for 10 cents a copy.

This publication is available online for free at www.azsos.gov.

The Arizona Administrative Code is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact customer service at (602) 364-3224.

This publication is available online for free at www.azsos.gov.

Publication dates are published in the back of the Register. These dates include file submittal dates with a three-week turnaround from filing to published document.

The Office of the Secretary of State is an equal opportunity employer.
Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the Arizona Administrative Register. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency’s website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the Register. Be prepared to speak, attend the meeting, and make an oral comment.

An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the Register publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor’s Regulatory Review Council written comments that are relevant to the Council’s power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process

START HERE
APA, statute or ballot proposition is passed. It gives an agency authority to make rules.

It may give an agency an exemption to the process or portions thereof.

Agency opens a docket. Agency files a Notice of Rulemaking Docket Opening; it is published in the Register. Often an agency will file the docket with the proposed rulemaking.

Agency drafts proposed rule and Economic Impact Statement (EIS); informal public review/comment.


Notice of meetings may be published in Register or included in Preamble of Proposed Rulemaking.

Agency opens comment period.

Oral proceeding and close of record. Comment period must last at least 30 days after publication of notice. Oral proceeding (hearing) is held no sooner than 30 days after publication of notice of hearing.

Substantial change?

If no change then

Rule must be submitted for review or terminated within 120 days after the close of the record.

A final rulemaking package is submitted to G.R.R.C. or A.G. for review. Contains final preamble, rules, and Economic Impact Statement.

G.R.R.C. has 90 days to review and approve or return the rule package, in whole or in part; A.G. has 60 days.

After approval by G.R.R.C. or A.G., the rule becomes effective 60 days after filing with the Secretary of State (unless otherwise indicated).

Agency decides not to proceed; files Notice of Termination of Rulemaking. May open a new Docket.

Agency decides not to proceed and does not file final rule with G.R.R.C. within one year after proposed rule is published. A.R.S. § 41-1021(A)(4).

Agency decides not to proceed and files Notice of Termination of Rulemaking for publication in Register. A.R.S. § 41-1021(A)(2).

Final rule is published in the Register and the quarterly Code Supplement.
Definitions


*Arizona Administrative Register (A.A.R.)*: The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

*Administrative Procedure Act (APA)*: A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azsos.gov.

*Arizona Revised Statutes (A.R.S.)*: The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The “§” symbol simply means “section.” Available online at www.azleg.gov.

*Chapter*: A division in the codification of the Code designating a state agency or, for a large agency, a major program.

*Close of Record*: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.


*Docket*: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the Register.

*Economic, Small Business, and Consumer Impact Statement (EIS)*: The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the Register but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

*Governor’s Regulatory Review (G.R.R.C.)*: Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

*Incorporated by Reference*: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

*Federal Register (FR)*: The Federal Register is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

*Session Laws or “Laws”*: When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word “Laws” is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation “Ch.”, and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

*United States Code (U.S.C.)*: The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – Arizona Administrative Code
A.A.R. – Arizona Administrative Register
APA – Administrative Procedure Act
A.R.S. – Arizona Revised Statutes
CFR – Code of Federal Regulations
EIS – Economic, Small Business, and Consumer Impact Statement
FR – Federal Register
G.R.R.C. – Governor’s Regulatory Review Council

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent. It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.
NOTICES OF PUBLIC INFORMATION

Arizona Health Care Cost Containment System (AHCCCS)

1. Name of the Agency: Arizona Health Care Cost Containment System (AHCCCS)

2. The topic of the public information notice: AHCCCS is proposing to amend its State Plan with the Centers for Medicare and Medicaid Services (CMS) regarding nursing facility supplemental payments effective on and after October 1, 2015.

3. The public information relating to the topic:
   a. Laws 2015, First Regular Session, Chapter 39 (Senate Bill 1136) made changes to the nursing facility supplemental payments described in A.R.S. §36-2999.55. These changes prohibit AHCCCS from making quarterly supplemental payments to nursing facilities that are located outside the State of Arizona. Nursing facility supplemental payments are funded by assessments on Arizona nursing facilities, matched with Federal dollars. Nursing facilities outside the State of Arizona are not licensed by the State and therefore do not pay assessments to the State of Arizona to contribute to the funding. Out-of-State nursing facilities will cease to receive supplemental payments beginning in Federal Fiscal Year 2016, which began on October 1, 2015.

   The Agency anticipates no fiscal impact on an annualized basis due to the proposed change as the total payments to nursing facilities will be unchanged, however, there will be an immaterial increase in payments to nursing facilities located in Arizona.

   b. These changes are being made in order to comply with State Law.

   c. Written comments may be sent to the following address and must be received no later than 5:00 p.m. on January 14, 2016:

   Meggan Harley
   Arizona Health Care Cost Containment System
   701 E. Jefferson St.
   Phoenix, AZ 85034

   The complete language of the law may be viewed through the Arizona Legislature’s website at the following link: http://www.azleg.gov/legtext/52leg/1r/laws/0039.pdf. Many public libraries offer access to the internet.

NOTICE OF PUBLIC INFORMATION

Department of Environmental Quality

2015 Water Quality Assurance Revolving Fund Registry

Pursuant to Arizona Revised Statute (A.R.S.) § 49-287.01(D) and (E), the Arizona Department of Environmental Quality (ADEQ) is providing this annual report of the location, remedial status and score of the sites on the Water Quality Assurance Revolving Fund Registry (Registry) as of September 1, 2015. The Registry includes those sites within the state that may pose risk to public health, welfare or the environment from the release of hazardous substances and for which there is current or planned investigation and cleanup. There are 33 sites on the Registry:

21 in Maricopa County,
7 in Pima County,
2 in Gila County,
1 in Graham County,
Sites on the Registry are scored based in part upon the type of contamination present, the location of the contamination and the number of people that may be affected. The maximum score a site may receive is 120. Scores are used to help determine relative risk from the site and do not necessarily mean that there is direct exposure of contaminants to humans or the environment. Whether the site is currently being remediated or investigated, ADEQ takes steps to identify the contamination and prevent exposure.

The Registry and additional information regarding these sites is available on the ADEQ web site at [http://www.azdeq.gov/environ/waste/sps/download/wqarf_registry2014.pdf](http://www.azdeq.gov/environ/waste/sps/download/wqarf_registry2014.pdf). With 48-hour notice, an appointment to review related documentation is available Monday through Friday from 8:30 a.m. to 4:30 p.m. at ADEQ Records Management Center, 1110 West Washington Street in Phoenix. Please contact (602) 771-4380 to schedule an appointment to review these documents.

**Note:** As an aside, there are ten (10) active National Priority List (NPL) sites, three (3) delisted NPL sites, and one (1) Superfund alternative site in Arizona, which all are federal Superfund cleanup sites. There are also eight (8) Department of Defense (DoD) cleanup sites in Arizona with an additional 204 formerly used defense sites that have been or will be investigated. Information about these sites is available at: [http://www.azdeq.gov/environ/waste/sps/federal.html](http://www.azdeq.gov/environ/waste/sps/federal.html).

**ADEQ Publication number EQR 15-05**

**7th Avenue and Bethany Home Road** - This site was placed on the WQARF Registry on August 25, 2004 and has a score of 29. The site is located in Phoenix and is bounded to the north by Rose Lane, to the south by Bethany Home Road, to the east by 5th Avenue, to the west by 8th Avenue, and includes the 2.6-acre former shopping center east of 7th Avenue that housed a dry cleaning facility, as well as a former dry cleaner west of 7th Avenue. Contaminants of concern at the site include tetrachloroethene (PCE), trichloroethene (TCE) and vinyl chloride.

ADEQ initiated an Early Response Action (ERA) evaluation of the 2.6-acre site in October 2004 to characterize the source area of PCE-contaminated soil below the site. A soil vapor extraction (SVE) system operated from June 2005 through January 2006. Confirmation soil samples confirmed successful remediation to levels below ADEQ Soil Remediation Levels (SRLs) and Groundwater Protection Levels (GPLs).

In 2008, an additional source was investigated. Concentrations in soil at the property did not warrant further remediation however, groundwater beneath the site contained PCE concentrations above the Aquifer Water Quality Standard (AWQS) of 5 parts per billion (ppb). TCE and vinyl chloride also were present above their respective AWQS.

In January 2012, a sample from a Salt River Project (SRP) irrigation well detected PCE at the AWQS for the first time. ADEQ completed the final Remedial Investigation (RI) report in April 2011, the Feasibility Study (FS) work plan in May 2011 and the FS was completed in November 2012. The FS recommended enhanced reductive dechlorination as the remedy for the site. An additional ERA was initiated and a pilot test for enhanced reductive dechlorination began in March 2013. The pilot test was completed in March 2014 and the Proposed Remedial Action Plan (PRAP) was finalized in April 2015. A Community Advisory Board (CAB) has been established for the site and was merged with the Central and Camelback CAB in 2013 and meets on a regular basis.

**7th Street and Arizona Avenue** - This site was placed on the WQARF Registry in April 27, 2000 and has a score of 40. The site is located in downtown Tucson, and is bounded approximately by Speedway Boulevard to the north, 8th Street and the railroad to the south, 4th Avenue to the east and Ash Avenue to the west. Contaminants of concern at the site include PCE, TCE, and cis-1,2-dichloroethene (cis-1,2-DCE).

ADEQ operated a SVE system from June 2006 to July 2009 as an ERA for the site and decommissioned the SVE in July 2009. Groundwater monitor wells verify that the regional aquifer has not been impacted. ADEQ completed the final RI/FS in 2014 and the draft PRAP in 2014. Additional source investigation is ongoing and will require the PRAP to be revised. A CAB has been established for the site, merged with the Park-Euclid CAB in 2014 and meets on a regular basis.

**16th Street and Camelback** - This site was placed on the WQARF Registry in April 21, 1999 and has a score of 23. The site is located in Phoenix and is bounded approximately by Camelback Road to the north, Highland Avenue to the south, 17th Street to the east, and 15th Street to the west. The contaminant of concern at the site is PCE.

Based on the results of an ERA evaluation conducted in 2003, ADEQ determined that SVE was not a feasible remedy for the site. Due to a lack of funding, site activities were suspended from 2008-2012. In the spring of 2013,
groundwater monitoring activities were resumed. The RI and FS reports were finalized in 2015. A final PRAP is expected in 2016. The site continues to naturally attenuate.

20th Street and Factor Avenue - This site was placed on the WQARF Registry in March 30, 2000 and has a score of 31. The site is located in Yuma, approximately 0.50 miles south of 16th Street and approximately 0.75 miles east of 4th Avenue. Contaminants of concern at the site include PCE, TCE, 1,1-dichloroethene (1,1-DCE), cyanide and di(2-ethylhexyl) phthalate.

In 2002, ADEQ conducted a soil removal action and cleaned out sumps and septic tanks at an active facility as part of an ERA. A soil vapor investigation was initiated in 2008. Vapor and groundwater monitoring is ongoing. No drinking water wells have been impacted. In February 2014, ADEQ completed the installation of a permanent asphalt-based engineered cap. The cap was placed over the cyanide impacted soils still remaining at a depth below one (1) foot at the site. The RI report was finalized in October 2014 and the FS work plan is available. The FS is expected to be completed in 2016. A CAB has been established for this site and meets on a regular basis.

56th Street & Earll Drive - This site was placed on the WQARF Registry on June 2, 2004 and has a score of 40. The site is located in Phoenix near 56th Street and Earll Drive. The plume is bounded by Earll Drive to the north, Roosevelt Street to the south, 56th Street to the east, and 26th Street to the west. Contaminants of concern at the site include PCE and TCE.

The site originally was investigated as part of the Motorola 52nd Street NPL site. However, groundwater data indicate that the two TCE groundwater contaminant plumes are separate and distinct plumes and it was disassociated from the larger Motorola 52nd Street NPL site. ADEQ and a potentially responsible party signed an agreement in 2015 to remediate the site. A pump and treat groundwater system was constructed and started operation in November 2013 as part of an ERA. ADEQ and the working party signed a Consent Order for operation and maintenance of the remedial system and to complete the RI/FS reports. A CAB has been established for this site and meets on a regular basis.

Broadway-Pantano - This site was placed on the WQARF Registry in December 15, 1998 and has a score of 57. The site is located in the east-central part of Tucson and is bounded approximately by Speedway Boulevard to the north, Calle Madero to the south, Pantano Wash to the east, and Craycroft Road to the west. Contaminants of concern in groundwater include PCE, TCE and vinyl chloride.

A groundwater containment system was installed in 2003 to prevent further westward migration of contaminated groundwater. This system was shut down in October 2012 due to low incoming groundwater contaminant concentrations. The sources of the groundwater contamination are the former Broadway North and South Landfills. A SVE system was installed at the Broadway North Landfill in 2000 to remove and treat contaminated volatile organic compounds (VOC) landfill gases contributing to the groundwater contamination. This system operated until 2002. The groundwater RI report was finalized in June 2012. The landfill RI was finalized February 2015 and work on the FS has begun and the FS report is expected in 2016. A CAB has been established for this site and meets on a regular basis.

Central Avenue and Camelback Road - This site was placed on the WQARF Registry in June 21, 2000 and has a score of 32. The boundaries of the site are approximately Georgia Avenue to the north, Mariposa Street to the south, 2nd Street to the east and 1st Avenue to the west. Contaminants of concern at the site include PCE, TCE and cis-1,2-DCE. Other contaminants present due to past releases from gasoline underground storage tanks in the area include benzene, toluene, ethylbenzene, total xylenes, methyl tertiary butyl ether (MTBE), and 1,2- dichloroethane (DCA).

In January 2003, as part of an ERA, ADEQ completed construction of a groundwater treatment system to remediate and control the migration of contaminated groundwater. In June 2004, ADEQ initiated an ERA evaluation of the Maroney’s Drycleaner facility. A SVE system was installed in November 2007 and is currently in operation. Passive and active soil gas surveys were conducted in the vicinity of the former drycleaner’s building and additional SVE wells were installed and added to the system. The RI and FS reports were finalized in 2015. The PRAP is expected in 2016. A CAB has been established for this site, merged with the 7th Avenue and Bethany Home Road CAB and meets on a regular basis.

Cooper Road and Commerce Avenue - The site was listed on the WQARF Registry on June 14, 2004 and has a score of 33. The site is located in Gilbert near Guadalupe Road and Cooper Road, and the plume is bounded by
Encinas Street to the north, Neely Ranch Preserve to the south, Golden Key Street to the east, and Horne Street/Dish Drive to the west. Contaminants of concern at the site in groundwater include PCE and TCE.

In 2001, groundwater samples collected from a Town of Gilbert monitoring well detected PCE concentrations above the AWQS. A Town of Gilbert public supply well is located nearby. Installation of off-site monitor wells began in 2003 and quarterly groundwater monitoring has been conducted at the site since March 2005. Construction and start up of a SVE/air sparging (AS) and groundwater pump and treat remediation system was completed 2008; start-up of the AS component occurred in May 2009. The groundwater pump and treat system began continuous operations in August 2010. In 2015 the RI report was finalized and FS work plan approved. The FS report is expected in 2016. A CAB has been established for the site and meets on a regular basis.

**East Central Phoenix (ECP) 24th Street and Grand Canal** - This site was placed on the WQARF Registry in May 18, 2000 and has a score of 29. The site is located in Phoenix. The plume is bounded by Pinchot Avenue to the north, Windsor Avenue to the south, 25th Street to the east and 22nd Street to the west. The contaminant of concern at the site is PCE.

The RI began in 2007. As part of a prospective purchaser agreement CVS Pharmacy conducted a site investigation and installed monitoring wells. Additional monitoring and soil vapor wells have been installed since 2007. Following completion of contaminant plume characterization, the RI report will be prepared. Design of an SVE system, as part of an ERA, is near completion. Construction and start-up of the SVE system will occur in 2016.

**ECP 32nd Street and Indian School** This site was placed on the WQARF Registry in May 18, 2000 and has a score of 29. The site has two (2) separate plumes of groundwater contamination. The plumes are bounded by Montana Street to the north, Clarendon Avenue to the south, 32nd Place to the east and 30th Street to the west. Contaminants of concern at the site include PCE and TCE.

ADEQ conducted a soil vapor investigation along 31st Street and Fairmont Avenue to help characterize contaminants in the shallow subsurface soil. In 2013, a SVE treatment system at the Maroney’s dry cleaner began operating and in 2014 a SVE treatment system at Former Viking dry cleaner began operations.

A vapor intrusion indoor air assessment study took place during the summer of 2013. The indoor air of residences in the study area was sampled. A second sampling event occurred in February 2014 to compare data on a seasonal level. This assessment focused on residences (specifically single-family homes and ground-floor residences of multi-unit buildings) and schools. Results indicated that the threat to residences was minimal and that no indoor mitigation systems were necessary. A CAB has been established for this site and meets on a regular basis.

**ECP 38th Street and Indian School Road** - This site was placed on the WQARF Registry in September 21, 1998 and has a score of 25. The site is located in Phoenix, and the plume is bounded by Indian School Road to the north, Piccadilly Road to the south, 38th Street to the east and 36th Street to the west. The contaminant of concern at the site is PCE.

ADEQ conducted an ERA installing a SVE system to remediate the source of PCE in the soil and groundwater. The system was started in 1994, operated intermittently and was decommissioned in March 2003. In 2014, additional groundwater monitor wells were installed. The RI report and FS work plan were finalized in 2015. A CAB has been established for this site and meets on a regular basis.

**ECP 40th Street and Indian School Road** - This site was placed on the WQARF Registry in September 21, 1998 and has a score of 25. The site is located in Phoenix, and the plume is bounded by Devonshire Avenue to the north, Piccadilly Road to the south, 40th Street to the east and 38th Street to the west. Contaminants of concern at the site include PCE and TCE.

ADEQ conducted an ERA, by installing a SVE/AS system to remediate the source of PCE in the soil and groundwater. The system was started in December 2004 and was shut down in June 2005. In 2014, additional groundwater monitor wells were installed. The RI report and FS work plan were finalized in 2015. A CAB has been established for this site and meets on a regular basis.

**ECP 40th Street and Osborn** - This site was placed on the WQARF Registry in May 18, 2000 and has a score of 30. The site is located in Phoenix, and the plume is bounded by Weldon Avenue to the north, Osborn Road to the south, 41st Street to the east and 39th Street to the west. The contaminant of concern at the site is PCE.

In 2014, additional groundwater monitor wells were installed. Following contaminant plume characterization, the RI report will be prepared. A CAB has been established for this site and meets on a regular basis.
ECP 48th Street and Indian School Rd. - This site was placed on the WQARF Registry in March 26, 1999 and has a score of 32. The site is located in Phoenix, and the plume is bounded by Monterosa to the north, Fairmont Avenue to the south, 47th Place to the east and 45th Street to the west. The contaminant of concern at the site is PCE.

ADEQ and SRP entered into an agreement to conduct a source control interim remedial action (IRA) in 2004. SRP constructed a SVE system to remediate the source of PCE in soil. The system was removed by SRP in 2012 and due to low concentrations.

A vapor intrusion indoor air assessment study took place during the summer of 2013. The indoor air of residences in the study area was sampled. A second sampling event occurred in February 2014 to compare data on a seasonal level. This assessment focused on residences (specifically single-family homes and ground-floor residences of multi-unit buildings) and schools. Results indicated that no indoor air mitigation systems were necessary. A CAB has been established for this site and meets on a regular basis.

Estes Landfill - This site was placed on the WQARF Registry in April 28, 1998 and has a score of 50. The site is located in Phoenix, south of Sky Harbor Airport and is bounded approximately by the Salt River to the north, Magnolia Street to the south, State Route 153 to the east, and 37th Street to the west. Contaminants of concern at the site include vinyl chloride, cis-1,2-DCE and TCE in groundwater.

In January 2008, methane and VOC vapor samples were collected from the landfill. Review of the analytical results has confirmed that detected VOCs at the surface or boundary of the landfill are below Arizona Ambient Air Quality Guidelines (AAQGs). The RI/FS has been completed and since the PRAP was initially completed in 2002, the final proposed remedy for the Site has been changed. It was concluded that the source of the groundwater contamination is the former liquid waste disposal pit and not the current soil covered landfill. The current soil covered landfill only contains the debris and refuse that was disposed. There is no indication that the current landfill is impacting groundwater quality. ADEQ finalized a revised PRAP in 2015. Contaminant concentrations in groundwater have been declining over time and the plume has decreased in size.

ADEQ is in the process of completing the ROD for 2016 which calls for Monitored Natural Attenuation, and is continuing to monitor the site bi-annually.

Klondyke Tailings Project - This site was placed on the WQARF Registry in September 28, 1998 and has a score of 69. The site is located approximately two (2) miles north of the town of Klondyke in Section 6, Township 7 South, Range 20 East. The site boundaries are irregular and defined by the extent of the soil contamination above the residential SRL for lead of 400 milligrams per kilogram (mg/kg). The current contaminants of concern in the soil include antimony, arsenic, cadmium, copper, lead, manganese, mercury, vanadium and zinc.

Sampling to determine the extent of off-site soil contamination began in 2006. To date, approximately 2,500 soil samples have been collected from the site and adjacent properties. The limits of the 400 mg/kg residential soil remediation level for lead have been defined to extend approximately 0.50 miles from the site and impact nine (9) properties within the site.

ERA activities continue at the site. These activities have included geophysical surveys and minor repairs to the berms on the tailings piles. Aerial photography, topographic mapping, historic aerial photography analysis, floodplain delineation, and analysis of the 10-, 25-, 50- and 100-year floodplains, and a geomorphology study of Aravaipa and Laurel Creeks were done to evaluate possible remedies due to the site’s location near these creeks. ADEQ selected gabion mattresses for erosion protection in October 2007. In June 2008, erosion protection installation was completed on the upper tailings pile and the clean soil cap was seeded.

ADEQ, with the EPA’s assistance, evaluated soil removal options on the residential properties. In 2012, EPA initiated the planned removal of contaminated soils from three (3) properties. During June 2012, approximately 2,000 cubic yards of contaminated soil were removed from two of the properties. An additional 1,040 cubic yards of contaminated soil was removed in October 2013. In 2014, the Final RI was completed and in February 2015 the FS work plan was approved. The downstream tailings pile will be capped in 2016 and additional removal activities from residential properties will be conducted. A CAB has been established for the site and meets on a regular basis.

Los Reales Landfill - This site was placed on the WQARF Registry in April 23, 1999 and has a score of 32. The site is an active municipal sanitary landfill (approximately 380 acre waste footprint) located in southeast Tucson and has been in operation since 1967. Contaminants of concern at the site include PCE and TCE.

The City of Tucson has implemented a groundwater pump and treat system as required by a 1995 remedial action plan. A portion of the treated water is re-injected into the aquifer and a portion is used for dust control at the land-
fill. In 2013, the City submitted to ADEQ a PRAP modification of transitioning to “groundwater sampling only” based on continued plume stability (apparent natural attenuation). Wells were installed in 2015 as part of the data collection to finalize the remedial action plan.

**Miracle Mile Area** - This site was placed on the WQARF Registry in September 18, 1998 and has a score of 62. The site is located in Tucson and is bounded approximately by Ruthrauff Road to the north, Prince Road to the south, Pomona Road to the east, and La Cholla Boulevard to the west. Contaminants of concern at the site include TCE and chromium.

The local water provider is operating an ADEQ-funded wellhead treatment system as an ERA to remove TCE. In fiscal year 2013, the final RI report was issued and the FS was initiated and data gaps investigated for the purpose of providing a summary of remedial alternatives in 2016. A CAB has been established for this site and meets on a regular basis.

**Park-Euclid** - This site was placed on the WQARF Registry in April 23, 1999 and has a score of 51. The site is in Tucson and is approximately bounded by 8th Street to the north, 14th Street to the south, Mountain Avenue to the east, and Park Avenue to the west. Contaminants of concern at the site include PCE, TCE, vinyl chloride, trans-1,2-DCE and cis-1,2-DCE.

ADEQ negotiated an Agreement to Conduct Work with potentially responsible parties Mission Linen and Haskell Linen (Park-Euclid Working Group) in 2010. In November 2011, ADEQ completed the final RI and Remedial Objective (RO) reports. The Park-Euclid Working Group submitted a FS work plan in June 2013, has implemented the FS and expects completion of the report in fiscal year 2016. A CAB has been established for this site, merged with the 7th Street and Arizona Avenue CAB, and meets on a regular basis.

**Payson PCE** - This site was placed on the WQARF Registry in April 29, 1998 and has a score of 63. The site is located in Payson and the plume is bounded approximately by Frontier Street to the north, Cedar Lane to the south, Beeline Highway (State Route 87) to the east, and McLane Road to the west. The contaminant of concern in the groundwater at the site is PCE.

Two (2) groundwater treatment systems have been constructed. An Interim Groundwater Treatment System (IGTS) was constructed to remediate the contamination in the source area. The IGTS operated from October 1998 to January 2003 and was shut down due to low levels of contamination in the source area. The IGTS was decommissioned in July 2013.

An Expanded Groundwater Treatment System (EGTS) began operation in October 1998 and continues to operate treating contaminated water and preventing the contamination plume from migrating further. Treated water from the EGTS is delivered to the Town of Payson drinking water system.

ADEQ completed the ROD in June 2007. Groundwater monitoring takes place twice per year. The Periodic Site Review was completed in November 2013. In December 2015, Enhanced Reductive Dechlorination (ERD) method will begin and is expected to reduce the time for completion of the overall remedy.

**Pinal Creek** - This site was placed on the WQARF Registry in October 23, 1998 and has a score of 97. The site is located in Gila County in and around the cities of Globe, Town of Miami, and the communities of Claypool and Wheatfield. The site includes the BHP Copper and Freeport McMoRan (formerly Phelps Dodge) Miami mining properties, and the drainages and underlying aquifers of Miami Wash, Bloody Tanks Wash, Russell Gulch, and Pinal Creek. The site also includes the entire floodplain of Pinal Creek from the Old Dominion Mine to the Salt River, plus those portions of the communities underlain by contaminated groundwater. Contaminants of concern in groundwater at the site include heavy metals such as aluminum, iron, manganese, copper, cobalt, nickel, zinc, cadmium, and other contaminants such as sulfate, acidity, and dissolved solids. Localized soil and stream sediment contamination are being investigated; contaminants of concern include arsenic, lead, copper, cadmium, manganese, nickel, and zinc.

The Pinal Creek Group (PCG), which previously consisted of BHP, Freeport McMoRan and Inspiration Copper, have been conducting remedial actions including source control since 1988 and have completed a RI, risk assessments, a FS, and a recommended remedial action plan. They also have conducted a well replacement program for contaminated private and public supply wells. The PCG has been conducting groundwater extraction and treatment from the alluvial and the regional aquifers since 1988. To speed up aquifer restoration, groundwater remedy optimization pilot tests have been conducted near the source area in Bloody Tanks Wash. In Kiser Basin, water is now being injected to improve recovery. At Live Oak, a large scale pilot test has begun to speed up restoration of the groundwater.

**Shannon Road/El Camino del Cerro** - The El Camino del Cerro WQARF site and Shannon Road-Rillito Creek WQARF site were administratively combined into one site, the Shannon Road/El Camino del Cerro WQARF site,
in January 2005 based on sampling results showing there is a single plume. The El Camino del Cerro site was placed on the WQARF Registry in August 18, 1998 and has a score of 71. The Shannon Road-Rillito Creek site was placed on the WQARF Registry in April 23, 1999 and has a score of 53.

This combined site is located in northwest Tucson and is bounded approximately by Orange Grove Road to the north, El Camino del Cerro Road on the south, Meadowbrook Park on the east, the Santa Cruz River on the west. The site consists of industrial and residential properties, and a former landfill which occupies approximately twenty (20) acres in the southwest portion of the site. Contaminants of concern in groundwater at the site include PCE, TCE, 1,1-DCE, vinyl chloride, and benzene.

The contaminant plume has impacted three (3) community wells, two of which were removed from service. One (1) of these wells now has a wellhead treatment system capturing the plume and removing VOCs to meet drinking water standards. The RI was finalized in 2015 and the FS work plan has been approved. The FS began in 2015 and alternatives evaluation is expected to be completed in 2016. A CAB has been established for the site and meets on a regular basis.

**Silverbell Jail Annex Landfill** - This site was placed on the WQARF Registry in April 23, 1999 and has a score of 51. The site is located at 3200 North Silverbell Road in northwest Tucson. The site is bounded approximately by Sweetwater Drive on the north, Grant Road/Ironwood Hills Drive on the south, Interstate 10 on the east, and Silverbell Road on the west. Contaminants of concern at the site include PCE, TCE, cis-1,2-DCE and vinyl chloride.

In 2001, the City of Tucson began operation of a full-scale SVE system to remove and treat contaminated VOC landfill gases contributing to the groundwater contamination. In April 2008, the system was shut down and the equipment was removed. The City of Tucson periodically conducts soil-gas rebound testing.

In 2010, the City of Tucson proposed to install a pump-treat-inject system to address the highest VOC concentrations. A concern at this site is the overlapping of the northern part of the Kinder Morgan Silvercroft Wash Release (SWR) site MTBE groundwater plume with the southern part of the Silverbell Landfill PCE groundwater plume. The SWR site is currently being addressed through the Voluntary Remediation Program. ADEQ, the City of Tucson and Kinder Morgan meet periodically to coordinate sampling and cleanup of the two sites. Final system design is planned for fiscal year 2016. The City of Tucson continues to conduct groundwater and soil vapor (methane) monitoring according to the remedial action plan.

**South Mesa** - This site was placed on the WQARF Registry in August 18, 1998 and has a score of 31. The site is located in Mesa and is bounded approximately by Broadway Road to the north, Southern Pacific Company railroad to the south, Stapley Road/Cooper to the east, and Union Pacific Railroad the west. The contaminant of concern at the site is PCE.

Two (2) remedial action projects at the site have significantly reduced the contamination by treating pumped groundwater and extracting vapors from the soil. ADEQ began an ERA in June 2004 to address the remaining subsurface contamination. A SVE well was installed and connected to the system; operations began in September 2004. ADEQ shutdown the SVE system in November 2007 and removed it from the site in June 2008.

The RI, RO and FS reports have been completed. A PRAP is under review for groundwater monitoring with contingencies. A ROD is scheduled for 2016.

**Tyson Wash** - This site was placed on the WQARF Registry in June 23, 1998 and has a score of 46. The site is located in the Town of Quartzsite and the contaminated groundwater plume is bounded by Sunset Street to the north, Oregon Avenue to the west, Main Street (Business I-10) to the south, and Central Boulevard (SR-95) to the east. The known groundwater contamination exists northwest of the intersection of State Highway 95 and Business Route I-10 in Quartzsite. Contaminants of concern at the site include PCE and TCE.

As part of an ERA, a groundwater treatment system was constructed in 2003 to reduce contaminant concentrations in the aquifer and prevent migration of the plume to private drinking water wells. The RI and FS have been completed, the PRAP was completed in June 2008, and the ROD was completed in June 2009. The site is in the O&M phase.

An In-Situ Chemical Oxidation (ISCO) pilot test was conducted in April 2013 for a period of six (6) weeks. The purpose of the pilot test was to inject reagent to decrease concentrations of PCE in the groundwater. The ISCO pilot test operated until May 28, 2013 and results indicate a decrease of PCE concentrations. A full scale ISCO system was then placed in operation on June 5, 2014 and is expected to reduce the overall time for cleanup.
Vulture Mill - This site was placed on the WQARF Registry in April 28, 1998, and has a score of 65. The site is located just east of U.S. Route 89/93 about one (1) mile northwest of the center of the Town of Wickenburg. The eastern boundary of the site is approximately 0.25 miles west of the Hassayampa River. Contaminants of concern at the site include lead and arsenic.

The ROD was signed in September 1999. ADEQ has implemented the remedy, which consists of excavation of contaminated soil, placement in a consolidation pile, installation of a clean soil cover, and planting of vegetation to control erosion. Presently, the site is used as pasture and inspected annually. The last inspection occurred in 2015. Negotiations with the owner to place a Declaration of Environmental Restriction on the property continues.

West Central Phoenix (WCP) - East Grand Avenue - This site was placed on the WQARF Registry in April 15, 1998 and has a score of 31. The site is located in Phoenix and is bounded approximately by Whitton Avenue to the north, Earll Drive to the south, 27th Avenue to the east, and 33rd Avenue to the west.

Field investigative activities were completed in December 2001 and the RI report has been completed. In 2004, a working party constructed and operated a SVE system at the former Van Waters & Rogers facility. In September 201, the SVE system was shut down. The working party is in the process of completing the FS and has implemented groundwater monitoring. A CAB has been established for this site.

WCP North Canal Plume - This site was placed on the WQARF Registry in April 15, 1998 and has a score of 27. The site is located in Phoenix and the approximate boundaries of this site are Indian School Road on the north, West Flower Street on the south, 33rd Avenue on the east and 43rd Avenue on the west. Contaminants of concern at the site include PCE, TCE and chromium.

The RI was initiated in February 2001 and ADEQ conducted an ERA evaluation in 2005. In 2013 and 2014, as part of the remedial investigation, groundwater monitoring and sampling was conducted. In 2014 a passive soil gas survey on 33rd Avenue was completed. Based on these data, additional groundwater, soil gas, and soil investigations are proposed to complete the RI investigation and prepare the draft RI report in 2016. A CAB has been established for this site.

WCP North Plume - This site was placed on the WQARF Registry in April 15, 1998 and has a score of 55. The site is located in Phoenix and is bounded approximately by Highland Avenue to the north, Indian School Road to the south, 37th Avenue to the east, and 43rd Avenue to the west. Contaminants of concern at the site include PCE and TCE.

A SVE system was installed at the F&B facility as part of an ERA. The SVE system has been updated to improve operation. Further evaluations are being conducted to address groundwater contamination.

Through a working party agreement, a SVE system was operated at the Hill Brothers Chemical Company. A No Further Action (NFA) determination was issued for this facility following confirmation sampling and a public notice for review.

The RI and RO reports for this site are complete and the FS is underway. A CAB has been established for this site.

WCP West Grand Avenue - This site was placed on the WQARF Registry in April 21, 1998 and has a score of 22. The site is located in Phoenix and is bounded approximately by Osborn Road to the north, Earll Drive to the south, 33rd Avenue to the east, and 34th Drive to the west. The contaminant of concern at the site is TCE.

A draft PRAP is being reviewed by ADEQ and the ROD will be completed in 2016. All COCs are below AWQS and the site is expected to be delisted soon. A CAB has been established for this site.

WCP West Osborn Complex - This site was placed on the WQARF Registry in August 11, 1998 and has a score of 52. The site is located in Phoenix and is bounded approximately by the Grand Canal to the north, Van Buren Street to the south, 33rd Avenue to the east, and 55th Avenue to the west. Contaminants of concern at the site include TCE and PCE.

RI and RO reports have been completed. FS reports for the deep and shallow plumes for the project site have been approved. PRAPs were completed for the deep and shallow plumes and are being reviewed by ADEQ. A CAB has been established for this site.

West Van Buren - This site was placed on the WQARF Registry in April 10, 1998 and has a score of 50. The site is located in Phoenix and is bounded approximately by McDowell Road to the north, Lower Buckeye Road to the south, Seventh Avenue to the east, and 75th Avenue to the west. In addition, a finger shaped plume exists from approximately West Buckeye Road and South 41st Avenue to West Watkins Street and South 11th Avenue. Contaminants of concern at the site include PCE, TCE, 1,1,1-trichloroethane (1,1-TCA), 1,1-DCA, 1,1-DCE, cis-1,2-DCE, and chromium.
Air Liquide USA, LLC and Air Liquide America Specialty Gases, LLC (Air Liquide) signed a Consent Order in 2007 to conduct investigative work on their property. Air Liquide performed a SVE pilot test in 2012 and determined that VOC levels were below remediation action levels. Air Liquide currently performs groundwater monitoring in accordance with their Consent Order.

ADEQ conducted an ERA from 1999 to 2003 at the former American Linen Supply Company (ALSCo) that consisted of SVE/AS and groundwater pump and treat remediation systems. ADEQ issued ALSCo a NFA determination for soil in 2008.

ChemResearch Company Incorporated (ChemResearch) excavated and disposed of contaminated soil in 1995. ChemResearch is currently under a Consent Order with the ADEQ Resource Conservation and Recovery Act (RCRA) program to perform groundwater monitoring and remediate soil beneath the western portion of their facility.


Maricopa County Materials Management (MCMM) operated a SVE system at their facility in 1997. MCMM settled with ADEQ in 2001.


Penn Racquet Sports Incorporated settled with ADEQ under a Consent Decree in 2013.

Prudential Overall Supply (Prudential) entered into a Consent Order to investigate soil and groundwater contamination at their facility in 2008. Prudential currently operates a SVE system and performs groundwater monitoring.


Roosevelt Irrigation District (RID) submitted an ERA plan which was conditionally approved on June 24, 2010. RID submitted a modified ERA plan which was approved on February 1, 2013. RID installed liquid-phase granular activated carbon wellhead treatment systems on four (4) of RID’s wells within the West Van Buren Area plume.

ADEQ finalized the RI and RO report for WVBA in August 2012. RID and the West Van Buren Working Group (WVBWG), under working agreements with ADEQ, submitted separate FS work plans in July 2013 and draft FS reports in July 2014. In 2014, three (3) additional monitoring wells were installed by ADEQ to delineate the extent of the contamination and to investigate potential source areas. Air Liquide continued to monitor groundwater conditions underneath their facility. Prudential continued to operate their SVE system and monitor groundwater conditions below their facility. The operations and maintenance manual (O&M) for RID’s modified ERA was put out for public comment in June 2014. The WVBWG and RID submitted individual regional FS reports for WVB. RID submitted a PRAP to ADEQ in 2015 and the WVBWG entered into a working agreement to complete a PRAP in November 2015. A CAB has been formed for this site and meets on a regular basis.

**Western Avenue Plume** - This site was placed on the WQARF Registry in December 15, 1998 and has a score of 51. The site is located in Avondale and Goodyear and is bounded approximately by San Xavier Boulevard to the north, State Route 85 to the south, 3rd Street to the east and Phoenix Goodyear Airport to the west. The contaminant of concern at the site is PCE.

The final RI report and FS were completed in May 2009 and November 2013, respectively. The PRAP was completed in late 2014 and ADEQ is preparing the ROD for monitored natural attenuation with contingencies. The City of Goodyear Municipal Well No. 1 (COG-1) is located in the Western Avenue site. Historically, PCE has not been detected at this well above the AWQS of 5 ppb. Groundwater monitoring wells at the site are currently being sampled along with COG-1. The Community Advisory Group (CAG) was disbanded with the approval of the PRAP.
NOTICES OF SUBSTANTIVE POLICY STATEMENT

The Administrative Procedure Act (APA) requires the publication of Notices of Substantive Policy Statement issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency’s current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the APA. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

[15-340]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**

   Government Entity & Fleet Shop, Fleet Station Handbook, Area A (Metro Phoenix), Information for Fleet Station Personnel REV 4-2015

2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**

   Issued: April 2015
   Effective: April 2015

3. **Summary of the contents of the substantive policy statement:**

   This handbook describes the fleet station permitting process, the types of permits and inspector licenses that are issued, required inspection equipment and equipment maintenance, inspection procedures for specific classes of vehicles, and record keeping procedures.

4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**

   A.R.S. § 49-546
   A.A.C. R18-2-1019

5. **A statement as to whether the substantive policy statement is a new statement or a revision:**

   This publication replaces “Government Entity and Fleet Shop Handbook Area A (Metro Phoenix) Information for Fleet Station Personnel,” effective date July 24, 2014 to update the Vehicle Emissions Inspection Program address.

6. **The agency contact person who can answer questions about the substantive policy statement:**

   Name: Adrion Osborne, Environmental Technician III
   Address: Department of Environmental Quality
             1110 W. Washington St.
             Phoenix, AZ 85007
   Telephone: (602) 771-3959
   Fax: (602) 207-7020
   E-mail: osborne.adrion@azdeq.gov
   Web site: www.azdeq.gov

7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**

   Copies of this document are available at no cost on the Department’s web site: www.azdeq.gov. Hard copies may be obtained by contacting the ADEQ Records Center, Monday through Friday, between 8:30 a.m. and 4:30 p.m., 1110 W. Washington St., Phoenix, AZ 85007, (602) 771-4712. Cost is $0.25 per page. The document is 13 pages.
NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:
   Government Entity & Fleet Shop, Fleet Station Handbook, Area B (Metro Tucson), Information for Fleet Station Personnel REV 3-2015

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:
   Issued: March 2015
   Effective: March 2015

3. Summary of the contents of the substantive policy statement:
   This handbook describes the fleet station permitting process, the types of permits and inspector licenses that are issued, required inspection equipment and equipment maintenance, inspection procedures for specific classes of vehicles, and record keeping procedures.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:
   A.R.S. § 49-546
   A.A.C. R18-2-1019

5. A statement as to whether the substantive policy statement is a new statement or a revision:
   This publication replaces “Government Entity and Fleet Shop Handbook Area B (Metro Tucson) Information for Fleet Station Personnel,” effective date July 24, 2014 to update the Vehicle Emissions Inspection program address.

6. The agency contact person who can answer questions about the substantive policy statement:
   Name: Adrion Osborne, Environmental Technician III
   Address: Department of Environmental Quality
   1110 W. Washington St.
   Phoenix, AZ 85007
   Telephone: (602) 771-3959
   Fax: (602) 207-7020
   E-mail: osborne.adrion@azdeq.gov
   Web site: www.azdeq.gov

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:
   Copies of this document are available at no cost on the Department’s web site: www.azdeq.gov. Hard copies may be obtained by contacting the ADEQ Records Center, Monday through Friday, between 8:30 a.m. and 4:30 p.m., 1110 W. Washington St., Phoenix, AZ 85007, (602) 771-4712. Cost is $0.25 per page. The document is 31 pages.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:
   Dealer Fleet Station handbook for Area A (Metro Phoenix) & Area B (Metro Tucson), Information for Fleet Station Personnel REV 4-2015

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:
   Issued: April 2015
   Effective: April 2015

3. Summary of the contents of the substantive policy statement:
   This handbook describes the fleet station permitting process, the types of permits and inspector licenses that are issued, required inspection equipment and equipment maintenance, inspection procedures for specific classes of vehicles, and record keeping procedures.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
   A.R.S. § 49-546
   A.A.C. R18-2-1019

5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
   This publication replaces “Dealer Fleet Station Handbook, Area A (Metro Phoenix) and Area B (Metro Tucson), Information for Fleet Station Personnel,” effective date July 24, 2014 to update the Vehicle Emissions Inspection Program address.

6. **The agency contact person who can answer questions about the substantive policy statement:**
   Name: Adrion Osborne, Environmental Technician III
   Address: Department of Environmental Quality
   1110 W. Washington St.
   Phoenix, AZ 85007
   Telephone: (602) 771-3959
   Fax: (602) 207-7020
   E-mail: osborne.adrion@azdeq.gov
   Web site: www.azdeq.gov

7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
   Copies of this document are available at no cost on the Department’s web site: www.azdeq.gov. Hard copies may be obtained by contacting the ADEQ Records Center, Monday through Friday, between 8:30 a.m. and 4:30 p.m., 1110 W. Washington St., Phoenix, AZ 85007, (602) 771-4712. Cost is $0.25 per page. The document is 30 pages.

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**NOTICE OF SUBSTANTIVE POLICY STATEMENT**

**REGISTRAR OF CONTRACTORS**

[ M15-351 ]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
   Arizona Registrar of Contractors Substantive Policy Statement 2015.01: Filing Timely Answers under A.R.S. § 32-1155

2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
   Date Issued and Effective: December 23, 2015

3. **Summary of the contents of the substantive policy statement:**
   • Most of the citations issued by the Registrar are served by mail.
   • Service of a citation and complaint by mail is complete “five days after deposit in the mail.”
   • If the Registrar issues a citation, then the licensed contractor must file a written answer.
   • Failing to file a written answer on time has serious consequences: “Failure of the licensee to answer within ten days after service shall be deemed an admission by the licensee’s commission of the act or acts charged in the complaint.”
   • A phone call cannot count as a contractor’s answer; the answer must be in writing.
   • From the date of service of the citation, the licensed contractor has only 10 calendar days to file a written answer.
   • The written answer must be filed with — and not just mailed to — the Registrar within the 10-day statutory deadline.
   • The Registrar lacks authority to extend the statutory 10-day deadline for filing a written answer.
   • Depositing the written answer in the mail within the 10-day deadline does not, by itself, fulfill the 10-day deadline.
   • If a mailed answer is not received by the Registrar within the 10-day deadline, the answer must be considered late.

4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
   A.R.S. § 32-1155
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
   This is a new statement.

6. **The agency contact person who can answer questions about the substantive policy statement:**
   Name: James N. Hanson, Chief Counsel
   Address: Registrar of Contractors
            1700 W. Washington St., Suite 105
            Phoenix, AZ 85007
   Telephone: (602) 771-6790
   Fax: (602) 542-1599
   E-mail: james.hanson@azroc.gov
   Web site: www.azroc.gov

7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
   A paper copy of this substantive policy statement can be obtained from the office of the Arizona Registrar of Contractors at 1700 W. Washington Street, Phoenix, Arizona, for a price of 10¢ a page.
NOTICES OF AGENCY OMBUDSMAN

The Administrative Procedure Act requires the publication of Notices of Agency Ombudsman. Agencies shall publish annually in the Register the name or names of those employees who are designated by the agency to assist members of the public or regulated community in seeking information or assistance from the agency. (A.R.S. § 41-1006)

NOTICE OF AGENCY OMBUDSMAN
DEPARTMENT OF TRANSPORTATION

1. The agency name: Department of Transportation

2. The ombudsman’s:
   a. Name: Jeffrey W. Dolfini
   b. Title: Ombudsman
   c. Specific agency division, if applicable: Motor Vehicle Division

3. The ombudsman’s office address to include the city, state and zip code:
   1801 W. Jefferson St.
   Phoenix, AZ 85007

4. The ombudsman’s area code and telephone number, fax number and e-mail address, if available:
   Telephone: (602) 712-8154
   Fax: (602) 712-6539
   E-mail: jDolfini@azdot.gov

NOTICE OF AGENCY OMBUDSMAN
DEPARTMENT OF TRANSPORTATION

1. The agency name: Department of Transportation

2. The ombudsman’s:
   a. Name: Donald Cassano
   b. Title: Ombudsman

3. The ombudsman’s office address to include the city, state and zip code:
   206 S. 17th Ave.
   Phoenix, AZ 85007

4. The ombudsman’s area code and telephone number, fax number and e-mail address, if available:
   Telephone: (602) 712-4371
   Fax: (602) 712-3232
   E-mail: DCassano@azdot.gov

NOTICE OF AGENCY OMBUDSMAN
GAME AND FISH COMMISSION

1. The agency name: Game and Fish Commission

2. The ombudsman’s:
   a. Name: Jim Paxon
   b. Title: Special Assistant to the Director
3. **The ombudsman’s office address to include the city, state and zip code:**
   
   5000 W. Carefree Highway, DOHQ
   Phoenix, AZ 85086

4. **The ombudsman’s area code and telephone number, fax number and e-mail address, if available:**
   
   Telephone: (623) 236-7226
   Fax: (623) 236-7299
   E-mail: jPaxon@azgfd.gov
GOVERNOR PROCLAMATIONS

The Administrative Procedure Act (APA) requires the publication of Governor proclamations of general applicability, and ceremonial dedications issued by the Governor.

ARIZONA AVIATION DAY

WHEREAS, an efficient and reliable aviation system is a critical element of Arizona's overall transportation system and the vitality of our state's economy; and

WHEREAS, Arizona is home to 83 public use airports, 11 Native American airports, five military airports, five of the nation's largest flight schools and 11 privately-owned airports, which serve 18,024 licensed pilots and 7,329 general aviation aircraft based in Arizona; and

WHEREAS, the aviation industry has an estimated $58 billion annual impact on Arizona's economy and plays a vital role in the State's response to emergencies and natural disasters; and

WHEREAS, over the next 20 years, the total number of passengers at all 12 commercial service airports in the state is expected to nearly double and the total number of aviation aircraft based in Arizona is expected to increase by more than 30 percent over the next 20 years; and

WHEREAS, the State of Arizona has a significant interest in the continued vitality of general aviation, aerospace, aircraft manufacturing, education institutions, aviation organizations, community airports and operators.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim January 28, 2016 as ARIZONA AVIATION DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-first day of December in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Fortieth.

ATTEST:
Michele Reagan
SECRETARY OF STATE

ARIZONA ADULT LITERACY WEEK

WHEREAS, approximately 14 percent of the population ages 18 and over lack a high school diploma or the equivalent, experience literacy issues that impair their lives and families, their ability to work productively, and their full participation as citizens and residents; and

WHEREAS, Arizona adult education provides a bridge to successful post-secondary and career goals for adult learners; and

WHEREAS, Arizona’s economic future depends on a skilled workforce and Adult Education is a core partner in our workforce development system; and

WHEREAS, parents are their children’s first teachers, preparing their children to learn and succeed in school and their community; and

WHEREAS, Arizona’s adult education providers supplied over 1.3 million hours of instruction to improve the literacy of Arizona’s adults; and

WHEREAS, Arizona Adult Literacy Week will encourage and promote literacy and lifelong learning across our great State.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 14 - 20, 2016 as ARIZONA ADULT LITERACY WEEK

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona
Governor Proclamations

Douglas A. Ducey
GOVERNOR
DONE at the Capitol in Phoenix on this twenty-first day of December in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Fortieth.

ATTEST:
Michele Reagan
SECRETARY OF STATE

BIRTH DEFECTS PREVENTION MONTH

WHEREAS, the nation’s most precious resource is our children, and every baby deserves the best possible start for a healthy, productive, and happy life. Birth defects (congenital anomalies) impact individuals, families, and communities; and

WHEREAS, birth defects are common, costly, and critical; every four and a half minutes a baby is born in the United States with a birth defect. Birth defects cause one in every five infant deaths, and lead to $2.6 billion per year in hospital costs alone in the United States. In Arizona, birth defects account for more than 100 infant deaths every year; and

WHEREAS, early identification of a child with a birth defect coupled with early intervention services typically improves the child’s quality of life and may even save his or her life; and

WHEREAS, while not all birth defects can be prevented, and many unknown factors play a role in birth defects occurrence, steps can be taken to help prevent or limit certain risks for birth defects and to increase a woman’s chance of having a healthy baby. Therefore, the National Birth Defects Prevention Network and CDC are encouraging potential parents-to-be to Make a PACT for Prevention and follow these steps: plan ahead for pregnancy, avoid harmful substances, choose a healthy lifestyle, talk to a healthcare provider before and throughout pregnancy; and

WHEREAS, the good health and well-being of the people of Arizona are enhanced by the support of a national endeavor to educate about preconception health strategies to prevent birth defects, therefore, as part of a collaborative effort, the Arizona Department of Health Services, along with the March of Dimes Arizona Chapter, Arizona Chapter of the American Academy of Pediatrics, the Association of the National Birth Defects Prevention Network, as well as many dedicated volunteers, healthcare professionals, and parent groups promote and encourage all citizens to increase awareness, education, and services related to birth defects.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim January 2016 as

BIRTH DEFECTS PREVENTION MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
GOVERNOR
DONE at the Capitol in Phoenix on this twenty-second day of December in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Fortieth.

ATTEST:
Michele Reagan
SECRETARY OF STATE

CANADA WEEK

WHEREAS, Canada and the United States have enjoyed a long and enduring relationship on a broad range of issues, which has led to strong military and economic partnerships, cultural ties and a strengthened relationship throughout the years; and

WHEREAS, the combined Canada and Arizona bilateral trade exceeds $3.7 billion each year; and

WHEREAS, over 146,000 Arizona jobs depend on trade and investment with Canada; and

WHEREAS, over 895,000 Canadian visitors to Arizona annually contribute $920 million to the Arizona economy; and

WHEREAS, the respect and recognition of the great and long standing relationship between Canada and the United states, both economically and culturally, this great State and Nation are encouraged to observe Canada Week with appropriate activities and ceremonies.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 7 - 13, 2016 as

January 8, 2016 | Published by the Arizona Secretary of State | Vol. 22, Issue 2 | 65
CANADA WEEK
IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona
Douglas A. Ducey
GOVERNOR
DONE at the Capitol in Phoenix on this twenty-first day of December in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Fortieth.
ATTEST:
Michele Reagan
SECRETARY OF STATE

2-1-1 ARIZONA DAY

[WHEREAS, Community Information and Referral Services has been providing health and human services information and referrals since 1964 with a mission of transforming lives by linking individuals and families to vital community services throughout Arizona; and
WHEREAS, Community Information and Referral Services’ vision is for all Arizonans to be easily connected to available health and human services in their communities; and
WHEREAS, 2-1-1 is the federal number assigned for health and human services information and referrals since 2000; and
WHEREAS, 2-1-1 Arizona is a service of Community Information and Referral Services as designated by the Arizona Corporation Commission in July 2010 to provide statewide easy access to all Arizonans regarding health and human services available in their communities; and
WHEREAS, 2-1-1 Arizona provided over 1.3 million service requests in 2015; and
WHEREAS, the available services through 2-1-1 Arizona are invaluable to the continued health and well-being of many Arizonans.
NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim February 11, 2016 as 2-1-1 ARIZONA DAY

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona
Douglas A. Ducey
GOVERNOR
DONE at the Capitol in Phoenix on this twenty-first day of December in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Fortieth.
ATTEST:
Michele Reagan
SECRETARY OF STATE]
# REGISTER INDEXES

The Register is published by volume in a calendar year (See “Information” in the front of each issue for a more detailed explanation).

Abbreviations for rulemaking activity in this Index include:

<table>
<thead>
<tr>
<th>Abbreviation</th>
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<tbody>
<tr>
<td>PN</td>
<td>Proposed new Section</td>
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<tr>
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## EXEMPT RULEMAKING

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## EMERGENCY RULEMAKING

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## RECODIFICATION OF RULES

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## REJECTION OF RULES

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## TERMINATION OF RULES

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## RULE EXPIRATIONS

<table>
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<td>Rules have expired</td>
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See also “emergency expired” under emergency rulemaking.

## CORRECTIONS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>C</td>
<td>Corrections to Published Rules</td>
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</table>
RULEMAKING ACTIVITY INDEX

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and by volume page number. Use the page guide above to determine the Register issue number to review the rule. Headings for the Subchapters, Articles, Parts, and Sections are not indexed.

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 1 OF VOLUME 22.

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<tr>
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<th>Economic Security, Department of - Developmental Disabilities</th>
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<tbody>
<tr>
<td>R4-8-411. EXP-14</td>
<td>R6-6-1401. EXP-14</td>
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<td>R4-8-412. EXP-14</td>
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<tr>
<th>Corporation Commission - Transportation</th>
<th>Environmental Quality, Department of - Air Pollution Control</th>
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<tbody>
<tr>
<td>R14-5-202. EM-5</td>
<td>R18-2-709. EXP-15</td>
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<td>R14-5-203. EM-5</td>
<td>R18-2-711. EXP-15</td>
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OTHER NOTICES AND PUBLIC RECORDS INDEX

Other notices related to rulemakings are listed in the Index by notice type, agency/county and by volume page number. Agency policy statements and proposed delegation agreements are included in this section of the Index by volume page number.

Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index as published by volume page number.

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 1 OF VOLUME 22.

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<th>Rulemaking Docket Opening, Notices of</th>
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<tr>
<td>Executive Order:</td>
<td>Environmental Quality, Department of - Water Pollution Control; pp. 16-17</td>
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<td>pp. 19-20 (E.O. #2015-11); 20-21 (E.O. #2015-13); 21-22 (E.O. #2015-01)</td>
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<td>Proclamations:</td>
<td>Environmental Quality, Department of - Water Quality Standards; pp. 17-18</td>
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<tr>
<td>pp. 23 (M15-350, M15-349); 24 (M15-348); 25 (M15-347)</td>
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</table>
### 2016 RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State’s Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

<table>
<thead>
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The Secretary of State’s Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

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<th>Deadline Date (paper only)</th>
<th>Register Publication Date</th>
<th>Oral Proceeding may be scheduled on or after</th>
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## GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor’s Regulatory Review Council. Council meetings and Register deadlines do not correlate. We publish these deadlines as a courtesy. All rules and Five-Year Review Reports are due in the Council office by noon of the deadline date. The Council’s office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit www.grrc.state.az.us.

### GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2016

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<th>DATE OF COUNCIL MEETING</th>
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</thead>
<tbody>
<tr>
<td>January 19, 2016 (Tuesday)</td>
<td>February 12, 2016</td>
<td>February 23, 2016</td>
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<td>February 16, 2016 (Tuesday)</td>
<td>March 18, 2016</td>
<td>March 29, 2016</td>
<td>April 5, 2016</td>
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<td>April 18, 2016</td>
<td>May 20, 2016</td>
<td>June 1, 2016 (Wednesday)</td>
<td>June 7, 2016</td>
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<td>June 20, 2016</td>
<td>July 15, 2016</td>
<td>July 26, 2016</td>
<td>August 2, 2016</td>
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<tr>
<td>July 18, 2016</td>
<td>August 19, 2016</td>
<td>August 30, 2016</td>
<td>September 7, 2016 (Wednesday)</td>
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<tr>
<td>August 22, 2016</td>
<td>September 16, 2016</td>
<td>September 27, 2016</td>
<td>October 4, 2016</td>
</tr>
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<td>September 19, 2016</td>
<td>October 14, 2016</td>
<td>October 25, 2016</td>
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<tr>
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<td>November 29, 2016</td>
<td>December 6, 2016</td>
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<tr>
<td>November 21, 2016</td>
<td>December 16, 2016</td>
<td>December 28, 2016 (Wednesday)</td>
<td>January 4, 2017 (Wednesday)</td>
</tr>
</tbody>
</table>

*Materials must be submitted by **noon** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.*