

Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Vol. 22, Issue 35

~ Administrative Register Contents ~

August 26, 2016

Information 2236

Rulemaking Guide 2237

RULES AND RULEMAKING

Final Exempt Rulemaking, Notices of

 7 A.A.C. 2 State Board of Education 2239

 7 A.A.C. 2 State Board of Education 2241

 7 A.A.C. 2 State Board of Education 2246

 7 A.A.C. 2 State Board of Education 2248

GOVERNOR'S OFFICE

Governor's Executive Orders

 E.O. 2016-03: Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies 2251

ARIZONA COUNTY NOTICES

 Pinal County 2253

 Pinal County 2254

 Pinal County 2273

 Pinal County 2274

INDEXES

 Register Index Ledger 2289

 Rulemaking Activity, Cumulative Index for 2016 2290

 Other Notices and Public Records, Cumulative Index for 2016 2294

CALENDAR/DEADLINES

 Rules Effective Dates Calendar 2297

 Register Publishing Deadlines 2299

GOVERNOR'S REGULATORY REVIEW COUNCIL

 Governor's Regulatory Review Council Deadlines 2300

DIRECTOR
Public Services Division
Scott Cancelosi

PUBLISHER
Secretary of State
MICHELE REAGAN

RULES MANAGING EDITOR
Arizona Administrative Register
Rhonda Paschal

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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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.

Arizona Administrative REGISTER

Vol. 22

Issue 35

PUBLISHER
SECRETARY OF STATE
Michele Reagan

PUBLIC SERVICES STAFF
DIRECTOR
Scott Cancelosi

RULES MANAGING EDITOR
Rhonda Paschal

SUBSCRIPTIONS
ADMINISTRATIVE REGISTER
The printed version of the *Administrative Register* is the official publication of Arizona state agency rules.
Rates: \$276 yearly
New subscriptions, renewals and address changes contact us at (602) 364-3223.

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

ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

PUBLICATION DEADLINES
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.

CONTACT US
The Honorable Michele Reagan
Office of the Secretary of State
1700 W. Washington Street, Fl. 7
Phoenix, AZ 85007
(602) 364-3223

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



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

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.azleg.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.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

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*

U.S.C. – *United States Code*

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 FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the

interpretation of the final exempt rule should be addressed to the agency promulgating the rules. Refer to item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

[R16-152]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:
3. The effective date of the rules and the agency's reason it selected the effective date:
4. A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:
7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:
8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
9. The summary of the economic, small business and consumer impact, if applicable:



- 10. **A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**
N/A
- 11. **A summary of the comments made regarding the rule and the agency response to them:**
A public hearing was held regarding these proposed rules on July 18, 2016. No comment was received.
- 12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
N/A
- 13. **Incorporations by reference and their location in the rules:**
N/A
- 14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
N/A
- 15. **The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

Section
R7-2-201. Advisory Committees

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

R7-2-201. Advisory Committees

- A. The State Board of Education (“Board”) may create an advisory committee for the purpose of providing advice and recommendations as assigned by the Board. In this rule, unless the context otherwise requires, the following definitions shall apply:
 - 1. “Ad Hoc Advisory Committee” means a committee, established by the Board, for a limited time and scope, for the purpose of providing advice and recommendations to the Board.
 - 2. “Executive Committee” means a committee, whose members consist of the President and Vice-President of the Board, established for the purpose of appointing ad hoc advisory committee members.
 - 3. “Standing Advisory Committee” means the Certification Advisory Committee, the Certification Appeals Advisory Committee, and the Professional Practices Advisory Committee, or any other designated permanent committee, established by the Board, for the specific purpose of providing ongoing advice and recommendations as assigned by the Board.
- ~~B.~~ Any advisory committee or similar body that has been created by either the Board or ~~legislation~~ statute shall be appointed and conduct its business in accordance with this rule except as otherwise required by law.
- ~~B.C.~~ The Board shall determine the structure, membership, and tasks of any standing advisory committee the Board has created. ~~An advisory committee created by the Board shall exist for the time necessary to accomplish its assigned task or for one year from the date it is created, whichever is less. An advisory committee created by the Board may continue to function beyond a one-year period only with the express approval of the Board.~~
- ~~C.D.~~ The Board’s Appointments Subcommittee, whose members are appointed by the President of the Board, shall review nominations submitted by the Board members for appointment to ~~an~~ a standing advisory committee and shall provide a recommendation to the Board for consideration. A vacancy on ~~an~~ a standing advisory committee shall be filled in the manner described in this Section.
- ~~E.~~ The Board shall determine the structure and task of an ad hoc advisory committee it has created and may make suggestions as to members. The Executive Committee shall appoint the members of an ad hoc advisory committee. An ad hoc advisory committee shall exist for the time necessary to accomplish its assigned task or for one year from the date it is created, whichever is less. An ad hoc advisory committee may continue to function beyond a one-year period only with the express approval of the Executive Committee. A vacancy on an ad hoc advisory committee shall be filled in the manner prescribed by the Executive Committee.
- ~~D.F.~~ The Board may in its discretion remove any member from and dissolve any standing advisory committee that the Board has created. The Executive Committee may in its discretion remove any member from and dissolve any ad hoc advisory committee that the Executive Committee has created.
- ~~E.G.~~ An advisory committee shall not conduct a meeting of its members without prior acknowledgment from the ~~Administrator~~ Executive Director of the Board that the notice and agenda for the meeting have been approved by the President of the Board and posted and that there are sufficient funds to meet all expenses that would be incurred in connection with such meeting. An advisory committee member shall not obligate the payment of Board funds.
- ~~F.H.~~ The meetings of ~~an advisory~~ a committee shall be held at the offices of the ~~Department of Education~~ Board or any other facility for which no charges would be incurred for use of the facility. ~~Meetings of an advisory committee shall be held~~



- 9. **The summary of the economic, small business and consumer impact, if applicable:**
The rules are not expected to have significant, if any, economic impact on small businesses.
- 10. **A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**
N/A
- 11. **A summary of the comments made regarding the rule and the agency response to them:**
A public hearing was held regarding these proposed rules on July 18, 2016. No comment was received.
- 12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
N/A
- 13. **Incorporations by reference and their location in the rules:**
N/A
- 14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
N/A
- 15. **The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION

Section
R7-2-615. Endorsements

ARTICLE 6. CERTIFICATION

R7-2-615. Endorsements

- A. No change
- B. No change
- C. No change
- D. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
- E. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
- F. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - d. No change
 - i. No change
 - ii. No change



- e. No change
- f. No change
- G.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
- H.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - i. No change
 - (1) No change
 - (2) No change
 - (3) No change
 - (4) No change
 - (5) No change
 - (6) No change
 - ii. No change
 - e. No change
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - i. No change
 - (1) No change
 - (2) No change
 - (3) No change
 - (4) No change
 - (5) No change
 - (6) No change
 - ii. No change
 - e. No change
 - 4. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - i. No change
 - (1) No change
 - (2) No change
 - (3) No change
 - (4) No change
 - (5) No change
 - (6) No change
 - (7) No change
 - ii. No change
 - f. No change
- I.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
- J.** No change
 - 1. No change



2. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - c. No change
 3. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change
 - vii. No change
 - c. No change
 - d. No change
 - e. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - f. No change
- K.** No change
1. No change
 2. No change
 - a. No change
 - b. No change
 3. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change
 - c. No change
 - d. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - vi. No change
 - vii. No change
 - e. No change
- L.** Structured English Immersion (SEI) Endorsements - Pre-K through 12
4. ~~From and after August 31, 2006, an SEI, ESL or bilingual endorsement is required of all classroom teachers, supervisors, principals and superintendents. For purposes of this rule, "supervisor," "principal" and "superintendent" means an individual who holds a supervisor, principal or superintendent certificate. An ESL or Bilingual endorsement obtained by a supervisor, principal, or superintendent on an Arizona teaching certificate may be added to a supervisor, principal, or superintendent certificate in order to satisfy the requirement in subsection (L)(1).~~



A Provisional or full Structured English Immersion (SEI) endorsement, or an English as a Second Language or Bilingual endorsement, shall be required of a teacher who is instructing students in a sheltered English immersion or structured English immersion model.

~~2-1.~~ No change

- a. An Arizona elementary, secondary, special education, CTE, early childhood, ~~arts education~~, PreK-12 teaching, supervisor, principal or superintendent certificate; and
- b. One semester hour or 15 clock hours of professional development in Structured English Immersion methods of teaching English Language Learner (ELL) students, including but not limited to instruction in SEI strategies, teaching with the ELL Proficiency Standards adopted by the Board and monitoring ELL student academic progress using a variety of assessment tools through a training program that meets the requirements of A.R.S. § 15-756.09(B).

~~3-2.~~ No change

- a. An Arizona elementary, secondary, special education, CTE, early childhood, ~~arts education~~, PreK-12 teaching, supervisor, principal, or superintendent certificate; and one of the following:
 - i. No change
 - ii. No change
 - iii. No change

~~4-3.~~ Nothing in this Section prevents a school ~~districts~~ district or charter school from requiring certified staff to obtain an SEI, ESL or bilingual endorsement as a condition of employment.

~~5.~~ The requirements for a SEI endorsement may be waived for a period not to exceed three years in accordance with certification reciprocity as prescribed in R7-2-621.

~~6.~~ The requirements for a SEI endorsement may be waived for a period not to exceed three years for individuals who graduate from administrator or teacher preparation programs that are not approved by the Board and meet all other applicable certification requirements.

~~7.~~ The requirement for a SEI endorsement may be waived for a period not to exceed one year for individuals who apply and otherwise qualify for a Provisional or Standard CTE Certificate pursuant to R7-2-612 under any option that does not require a valid Arizona teaching certificate.

M. No change

- 1. No change
- 2. No change
 - a. No change
 - b. No change
 - c. No change
- 3. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change

N. No change

- 1. No change
- 2. No change
 - a. No change
 - b. No change
- 3. No change
 - a. No change
 - b. No change
 - i. No change
 - (1) No change
 - (2) No change
 - (3) No change
 - (4) No change
 - (5) No change
 - (6) No change
 - (7) No change
 - (8) No change
 - ii. No change
 - (1) No change



- (2) No change
 - c. No change
 - d. No change
 - e. No change
- 4. No change
 - a. No change
 - b. No change
- O.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
- P.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
- Q.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - d. No change
 - 3. No change
- R.** No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

[R16-154]

PREAMBLE

- | | |
|---|---------------------------------|
| 1. <u>Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R7-2-619 | Amend |
| 2. <u>Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:</u> | |
| Authorizing statute: A.R.S. §§ 15-203(A)(1) and 15-203(A)(14) | |
| Implementing statute: SB1208, Session Law 325 (Fifty-Second Legislature Second Regular Session) | |
| 3. <u>The effective date of the rules and the agency’s reason it selected the effective date:</u> | |
| August 6, 2016 | |
| 4. <u>A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:</u> | |
| N/A | |



5. The agency’s contact person who can answer questions about the rulemaking:

Name: Dr. Karol Schmidt, Executive Director
Address: State Board of Education
1700 W. Washington, Suite 300
Phoenix, AZ 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046
E-mail: inbox@azsbe.az.gov

6. An agency’s justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:

A.R.S. § 15-203(A)(14) authorizes the State Board to supervise and control the certification of educators. SB1208, Session Law 325 (Fifty-Second Legislature Second Regular Session), made a major change to the rules governing teacher certification. The law states standard certificates shall be renewed for at least eight years and may not require more than fifteen hours of continuing education credits each year in order to renew any certificate issued. Conforming changes are made to R7-2-619.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

N/A

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

N/A

9. The summary of the economic, small business and consumer impact, if applicable:

The rules are not expected to have significant, if any, economic impact on small businesses.

10. A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):

N/A

11. A summary of the comments made regarding the rule and the agency response to them:

A public hearing was held regarding these proposed rules on July 18, 2016. No comment was received.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

N/A

13. Incorporations by reference and their location in the rules:

N/A

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

N/A

15. The full text of the rule follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION

Section
R7-2-619. Renewal Requirements

ARTICLE 6. CERTIFICATION

R7-2-619. Renewal Requirements

- A. A certificate may be renewed within six months of its expiration date except that an individual holding multiple valid certificates may renew all certificates at one time in order to align the expiration dates of each certificate. Certificates being aligned shall be renewed at the same time as the certificate that will expire first. Individuals seeking to align certificates shall meet the renewal requirements for each certificate being aligned. Certificates that are renewed or aligned pursuant to this Section ~~may~~ shall be valid for ~~less than six~~ six ~~eight~~ eight years.
- B. No change
- C. Renewal of certificates requires the completion of ~~professional development~~ continuing education credits after the most recent issuance or renewal of the certificate, except that ~~professional development~~ continuing education credits completed during the valid term of the certificate that expires first meets the requirement of certificates being aligned. One



- 7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:
N/A
- 8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:
N/A
- 9. The summary of the economic, small business and consumer impact, if applicable:
The rules are not expected to have significant, if any, economic impact on small businesses.
- 10. A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):
N/A
- 11. A summary of the comments made regarding the rule and the agency response to them:
A public hearing was held regarding these proposed rules on July 18, 2016. Becky Hill spoke on behalf of the Arizona Chamber of Commerce and Industry and also offered a letter in support of additional changes consistent with legislative intent. Senator Allen, the sponsor of SB1208, submitted a letter and offered additional revisions to more closely reflect legislative intent.
- 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
N/A
- 13. Incorporations by reference and their location in the rules:
N/A
- 14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:
N/A
- 15. The full text of the rule follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION

Section R7-2-621. Reciprocity

ARTICLE 6. CERTIFICATION

R7-2-621. Reciprocity

- A. ~~The Board shall issue a comparable, reciprocal provisional standard Arizona teaching certificate, if one is established pursuant to this Chapter Article, to an applicant who holds a valid certificate from another state, that included a requirement to pass that state's certification exams in order to be certificated in that state if required at the time of certification, and is in good standing with that other state and possesses a bachelor's or higher degree from an accredited institution.~~
 - 1. ~~Certificates shall be valid for three eight years and are nonrenewable renewable.~~
 - 2. No change
 - 3. ~~The deficiencies allowed pursuant to Arizona Revised Statutes in Arizona Constitution; and United States Constitution; and a passing score on all required portions of the Arizona Teacher Proficiency Assessment shall be satisfied prior to the issuance of the same type of certificate prescribed in this Chapter, except as noted below Article, but are subject to expiration as follows:~~
 - a. ~~An applicant's standard Arizona teaching certificate shall expire three years from the date of issuance if the applicant has not completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona.~~
 - b. ~~An applicant's standard Arizona teaching certificate shall expire one year from the date of issuance if the applicant has not completed the required class or passed a satisfactory examination on the provisions and principles of the Constitutions of the United States and Arizona if the applicant applies for a certificate authorizing the person to teach an academic course that focuses predominantly on history, government, social studies, citizenship, law or civics.~~
 - a. ~~The professional knowledge portion of the Arizona Teacher Proficiency Assessment shall be waived for applicants with three years of verified teaching experience. The three years of verified teaching experience shall have been during the last valid period of the certificate produced from the other state.~~



- b. ~~The subject knowledge portion of the Arizona Teacher Proficiency Assessment shall be waived for applicants who hold a master's degree or higher in the subject area to be taught.~~
 - e. ~~The professional knowledge and subject knowledge portions of the Arizona Teacher Proficiency Assessment shall be waived for applicants who hold a current certificate from the National Board for Professional Teaching Standards.~~
 - 4. ~~For the purpose of this rule the requirements in R7-2-615(J), related to the Structured English Language Immersion Endorsement, shall be waived for a period not to exceed three years.~~
- B.** The Board shall issue a comparable Arizona ~~reciprocal~~ supervisor, principal or superintendent certificate to an applicant who holds a valid equivalent certificate from another state, that included a requirement to pass that state's administrator exams in order to be certificated in that state if required at the time of certification, and is in good standing with that other state and meets the requirements as set forth in subsection R7-2-616(B)(3), R7-2-616(C)(3), or R7-2-616(D)(3) except that an applicant for a reciprocal administrative certificate shall be required to have completed three semester hours of school law and three semester hours of school finance within three years.
- 1. ~~Certificates shall be valid for three~~ eight years and are ~~nonrenewable~~ renewable.
 - 2. No change
 - 3. ~~The deficiencies allowed pursuant to Arizona Revised Statutes in U.S./Arizona Constitutions, a passing score on all required portions of the Arizona Administrator Proficiency Assessment, fulfillment of Structured English Immersion (SEI) clock hours as required by Board rule, and fulfillment of three semester hours of school law and three semester hours of school finance shall be satisfied prior to the issuance of any other certificate prescribed in subsection R7-2-616(B), except as noted below:~~
 - a. ~~The applicable Arizona Administrator Proficiency Assessment shall be waived for applicants with a passing score on a comparable assessment from another state or three years of verified full-time administrative experience.~~
 - b. ~~The three years of verified administrative experience shall have been during the last valid period of the certificate produced from the other state.~~



GOVERNOR EXECUTIVE ORDERS

The Administrative Procedure Act (APA) requires the full-text publication of Governor Executive Orders.

With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

In addition, the Register shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

EXECUTIVE ORDER 2016-03

Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2016, as a notice to the public regarding state agencies' rulemaking activities.

[M16-29]

WHEREAS, Arizona is poised to lead the nation in job growth;

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, small businesses and startups are especially hurt by regulations;

WHEREAS, each agency of the State of Arizona should promote customer-service-oriented principles for the people that it serves;

WHEREAS, each State agency should undertake a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay, and legal uncertainty associated with government regulation;

WHEREAS, overly burdensome, antiquated, contradictory, redundant, and nonessential regulations should be repealed;

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

- 1. A State agency subject to this Order, shall not conduct any rulemaking except as permitted by this Order.
2. A State agency subject to this Order, shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justification for the rulemaking:
a. To fulfill an objective related to job creation, economic development, or economic expansion in this State.
b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
c. To prevent a significant threat to the public health, peace, or safety.
d. To avoid violating a court order or federal law that would result in sanctions by a court or the federal government against an agency for failure to conduct the rulemaking action.
e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
f. To comply with a state statutory requirement.
g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
j. To eliminates rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. For the purposes of this Order, the term "State agencies," includes without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those State agencies, boards and commissions excluded



from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.

4. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule,” and “rulemaking” have the same meanings prescribed in Arizona Revised Statutes Section 41-1001.
5. This Executive Order expires on December 31, 2016.

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 Eighth day of February in the Year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Thirty-Fourth.

ATTEST:

Michele Reagan
Secretary of State



COUNTY NOTICES ACCORDING TO A.R.S. § 49-112

This section of the Arizona Administrative Register contains County Notices (according to A.R.S. § 49-112).

Each county writes rules and regulations in its own unique style. Although these notices are published in the Register, they do not conform to the standards specified in

the Arizona Rulemaking Manual. With the exception of minor formatting changes, County Notices (including subsection labeling, spelling, grammar, and punctuation) are reproduced as submitted.

PINAL COUNTY

NOTICE OF PROPOSED RULEMAKING DOCKET OPENING

(Ref. A.R.S. §41-1021)

[M16-198]

- 1. Title and its heading: Pinal County Air Quality Control District Code of Regulations
Regulations and headings: Chapter 1, Article 1, Section 105 – SIP List
Chapter 5, Article 13 – Surface Coating Operations

Rules and headings:

Table with 2 columns: Section Affected, Rulemaking Action. Rows include §1-1-105, §5-13-100, §5-13-200, §5-13-300, §5-13-400, §5-13-500.

2. Subject Matter of the Proposed Rule

The Phoenix-Mesa, Arizona Marginal Ozone Nonattainment area for the 2008 ozone national ambient air quality standard (NAAQS) was recently redesignated to moderate nonattainment because the area did not attain the 2008 NAAQS by the July 20, 2015 attainment date.

The Clean Air Act (CAA) Section 172(c)(1) requires nonattainment areas, such as Phoenix, to use “Reasonably Available Control Measures” (RACM) including “Reasonably Available Control Technology (RACT), to control VOC emissions.

To attain the required RACT for surface coating operations, Pinal County is proposing to adopt a new rule, Chapter 5, Article 13 – Surface Coating Operations, Sections 100, 200, 300, 400 and 500.

PCAQCD will follow up this proposed rulemaking docket opening with a formal rulemaking proposal in which the new Chapter 5, Article 13 – Surface Coating Operations, Sections 100, 200, 300, 400 and 500 will be proposed to be added to the PCAQCD Code of Regulations.

The ultimate goal of the proposed rulemaking will be adoption of the rules by the Pinal County Board of Supervisors and submittal to EPA (through ADEQ) for inclusion into the Arizona SIP.

Also as part of this rulemaking, Pinal County may add, delete or modify additional rules as necessary.



3. Prior Related Notices

None

4. Contact Information

Those wishing further information regarding any aspect of this proposal may contact

Name: Scott DiBiase,
 Title: Air Quality Manager
 Address: Pinal County Air Quality
 31 North Pinal St., Building F, Florence, Arizona, 85132
 Telephone: 520-866-6929
 Fax: 520-866-6967
 E-mail: scott.dibiase@pinalcountyaz.gov

To the extent possible, the District will also post information on the County's website, www.pinalcountyaz.gov, under the "air quality" link.

5. Opportunity for Written or Oral Comments

The District will publish a Notice of Proposed Rulemaking that will define a formal timetable for submittal of written comments. At any time prior to the close of that to-be-defined comment period, anyone may seek information or submit comments by contacting the Air Quality Manager at the address shown above. Ultimately, the public will also have an opportunity to offer comment in the public hearing before the Board of Supervisors.

6. Anticipated Timetable

To be announced in the Notice of Proposed Rulemaking.

PINAL COUNTY AIR QUALITY CONTROL DISTRICT

[M16-199]

**COMBINED
 NOTICE OF PROPOSED RULEMAKING
 PURSUANT TO A.R.S. §49-112 AND §49-471.01 et seq.
 AND
 NOTICE OF ORAL PROCEEDING
 PURSUANT TO A.R.S. 49-471.06**

1. Preamble

- A. The Pinal County Air Quality Control District (PCAQCD), an operating division of Pinal County, proposes that the Board of Supervisors (BOS) adopt or amend certain rules under authority of A.R.S. §§49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution.

The Clean Air Act Amendments (CAAA) of 1990 required ozone nonattainment areas to implement Reasonably Available Control Technology (RACT) to control Volatile Organic Compounds (VOC) emissions. Pinal County has a small portion in/around the Apache Junction area that’s incorporated into the Phoenix metro ozone nonattainment area for the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Phoenix metro was originally designated a ‘Marginal’ nonattainment area for the 2008 8-hour ozone NAAQS on July 20, 2012 and required to attain the standard by July 20, 2015. A marginal ozone nonattainment area isn’t required to submit an all-encompassing State Implementation Plan (SIP) that higher nonattainment designations carry (i.e. moderate, serious, severe) which include RACT requirements.

Unfortunately the nonattainment area didn’t attain the ozone NAAQS by the July 20, 2015 deadline and was recently redesignated to a moderate 8-hour ozone nonattainment area (81 FR 26697, May 4, 2016). Thus requiring the nonattainment area to complete a SIP by January 1, 2017 that includes RACT rules.

Pinal County Air Quality evaluated permitted sources within the Pinal County portion of the 8-hour ozone nonattainment area to determine what, if any source categories would require RACT. The two source categories in the ozone



nonattainment area that were found to require RACT rules are gasoline service stations and surface coatings. This particular rulemaking address surface coatings.

The proposed amended and new rules are identified below and include an amendment to §1-1-105 with the ultimate purpose of this rulemaking being the submittal of the adopted rules in Chapter 5, Article 13, Sections 100, 200, 300, 400 and 500 through ADEQ to EPA, for inclusion as elements of the Arizona State Implementation Plan (SIP) as required under the Clean Air Act (CAA).

B. All of the proposed corresponding changes are discussed in subsection E. of this preamble, and include the following sections:

| Section Affected | Rulemaking Action |
|---|--------------------------|
| §1-1-105. SIP List..... | Amend |
| §5-13-100. General..... | New |
| §5-13-200. Definitions..... | New |
| §5-13-300. Standards..... | New |
| §5-13-400. Administrative Requirements..... | New |
| §5-13-500. Monitoring and Records..... | New |

C. Those wishing further information regarding any aspect of this proposal may contact Scott DiBiase, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 85132, 520-866-6929, scott.dibiase@pinalcountyz.gov. To the extent possible, the District will also post information on the County's website, *pinalcountyz.gov*, under the "air quality" link.

D. The rule making process will consist of an initial administrative rule development process, including this notice, a 30 day public comment period, a stakeholder meeting and an oral proceeding before the Control Officer or his designee. The date and location for the oral proceeding is set forth below. Written comments are due prior to the close of the comment period, which shall be the close-of-business on the day of the oral proceeding. The final step in the rule adoption process will be a hearing before the Board of Supervisors. The Board of Supervisors hearing will be separately scheduled and noticed in accord with A.R.S. §49-479, and, where applicable, the requirements of 40 C.F.R. §51.102.

E. The proposed additions include the following:

1. §1-1-105 – Addition of Chapter 5, Article 13, sections 100, 200, 300, 400 and 500 and their adoption dates in Section 1-1-105 which is a list designating which Board approved rules (and their corresponding adoption dates) that are to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP
2. Addition of Chapter 5, Article 13, §100. General
 - 1) Purpose of the rule – To limit VOC emissions from surface coating operations in the Pinal County portion of the Phoenix metro-8hr ozone nonattainment area.
 - 2) Applicability – Applies to surface coating operations in the Pinal County portion of the Phoenix metro-8hr ozone nonattainment area where the total actual VOC emissions from all operations (including cleaning activities) are equal to or greater than 15 lbs/day or an equivalent 2.7 tons per year, before consideration of controls. Additional applicability,
 - i. Surface coating activities including application of coating, coating preparation/mixing at the facility applying the coatings and the cleanup of coating application equipment.
 - ii. In addition to this rule, facilities may be subject to New Source Performance Standards (NSPS) in chapter 6 and National Emission Standards for Hazardous Air Pollutants (NESHAP) in chapter 7.
 - 3) Partial exemptions
 - i. Qualified materials exemption include
 - a) leak prevention materials (i.e. sealants, caulking, etc.) used on non-metallic substrates and post manufacture such as old joints and seals on pipe and valve assemblies.
 - b) Certain joint fillers (i.e. caulking and beaded sealants) used to fill gaps or joints between surfaces except for those used in manufacturing other metal parts and products or in the manufacturing of cans which are still subject to this rule.



- ii. Extreme performance coatings are exempt from the VOC limits in this rule but not from other requirement of this rule when,
 - a) Used on internal combustion engine components that are normally above 250 degrees F during use or
 - b) Used at temperatures above 250 degrees F on items that are both included under several North American Industry Classifications System (NAICS) codes and are electronic products in space vehicles and/or communications equipment.
 - iii. Application methods exemption for metal part texture coating and metal part touch-up and repair coatings. However these coatings are subject to the remaining provisions of this rule.
 - iv. Listing of six surface coating operations and their subsets that are exempt from the surface coating standards, application methods and emission control system requirements but are to comply with the cleanup of application equipment, work practices-handling, disposal and storage of VOC-containing material and monitoring and records.
 - v. A listing of limited conditions in which low usage is allowed for restricted spray guns
- 4) Total categorical exemptions
- i. Solvent cleaning
3. Addition of Chapter 5, Article 13, §200. Definitions. Fifty seven definitions of terms used in the rule.
4. Addition of Chapter 5, Article 13, §300. Standards.
- 1) Surface coatings standards – An owner or operator shall comply with one of the following for all applications of surface coatings,
 - i. Coating limits by coating category in tabular format
 - ii. Operate an emission control system (ECS) when applying a coating that exceeds the VOC limits in coating limits table.
 - iii. Qualify for an exemption.
 - 2) Application methods for surface coatings: a listing of nine (including an alternative application method) methods that an owner or operator can use for all applications of surface coatings containing more than 2 pounds of VOC per gallon (minus exempt compounds). An owner or operator is allowed to use a device or system other than the nine listed for surface coatings that contain less than 2 lbs VOC/gallon.
 - 3) Cleanup of application equipment – requirements for cleaning of spray-guns with both a machine and manually.
 - 4) Work practices-handling, disposal, and storage of VOC-containing material. Standards for use, storage, movement and disposal of VOC-containing materials along with the requirement to minimize spills of VOC-containing material (i.e. coatings, thinners, waste, etc.).

F. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study (See contact information in subsection C above), all data underlying each study, and any analysis of each study and other supporting material:

Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings, EPA-453/R-08-003, September 2008.

G. Economic, small business and consumer impact statement

The following discussion addresses each of the elements required for an economic, small business and consumer impact state under A.R.S. §41-1055.

This rulemaking is proposing to adopt Chapter 5, Article 13. Surface coating operations in the Pinal County portion of the Phoenix-Mesa 8-hour ozone nonattainment area.

One surface coating operation (Arizona Steel) will be affected by this rulemaking. The department has issued permits to Arizona Steel since 2003 and the facility will be subject to the new proposed Chapter 5, Article 13. Since Arizona Steel has been located in the ozone nonattainment area for over a decade, the permit requirements have been rather restrictive and the equipment and business practices are similar in nature to the proposed RACT rules. Therefore minimal impacts are expected.



The probable costs to the implementing agency (Pinal County Air Quality) will be minimal since the department already conducts regular inspections of Arizona Steel in order to verify compliance with their permit requirements.

- H. The proposed changes will take effect on January 1, 2017.
- I. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following:

Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these proposed changes do not impose any additional fees on those sources at this time.

- J. Persons may obtain a full copy of the proposed rule or existing rules at:
Pinal County Air Quality Control District
31 North Pinal St., Building F.
P.O. Box 987
Florence, AZ. 85132

<http://www.pinalcountyaz.gov/AirQuality/Pages/home.aspx>

- K. A list of all previous notices appearing in the Register addressing the proposed rules:
Notice of Rulemaking Docket Opening: ## A.A.R. ##, ###, August 26, 2016.

- L. Date, time and location of scheduled oral proceeding:

- 1) Stakeholder meeting
 - Date: September 13, 2016
 - Time: 11 a.m.
 - Location: 31 N. Pinal St., Florence, AZ.
Building F, Ocotillo room
- 2) Oral Proceeding
 - Date: September 27, 2016
 - Time: 11 a.m.
 - Location: 31 N. Pinal St., Florence, AZ.
Building F, Ocotillo room

Nature of meeting: Oral proceeding before the Control Officer or his designee in accord with A.R.S. §49-471.06(C) to consider public comments upon any or all of this proposal.

2. The full text of the proposed changes follows:

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

- 1. Chapter 1
 - a. Article 1.(As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
 - b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
 - c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")
- 2. Chapter 2
 - a. Article 1. (As amended 10/12/95).
 - b. Article 2. (As amended 5/14/97), excluding:
 - i. §2-2-090 (as amended 5/14/97)



- c. Article 3. (As amended 10/12/95).
 - d. Article 4. (As amended 10/12/95).
 - e. Article 5. (As amended 10/12/95).
 - f. Article 6. (As amended 10/12/95).
 - g. Article 7. (As amended 10/12/95).
 - h. Article 8. (As amended 5/18/05, as amended 1/7/09).
3. Chapter 3
- a. Article 1. (As amended 5/14/97, and 5/27/98 and 7/12/00), excluding:
 - i. §3-1-020
 - ii. §3-1-045
 - iii. §3-1-080
 - iv. §3-1-100
 - v. §3-1-150 (as amended 5/14/97)
 - vi. §3-1-160 (as amended 5/14/97)
 - vii. §3-1-170 (as amended 5/14/97)
 - viii. §3-1-173 (as amended 5/14/97)
 - b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
 - c. Article 3. (As amended 10/12/95, 5/27/15).
 - d. Article 8. (As amended 10/12/95 and 10/27/04).
4. Chapter 4
- a. Article 1. (As amended 2/22/95).
 - b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
 - c. Article 3, limited to:
 - i. §4-3-160 (As amended 10/28/15)
 - ii. §4-3-170 (As amended 10/28/15)
 - iii. §4-3-180 (As amended 10/28/15)
 - iv. §4-3-190 (As amended 10/28/15)
 - d. Article 4 (As amended 6/3/09).
 - e. Article 5 (As amended 6/3/09).
 - f. Reserved.
 - g. Article 7 (As amended 6/3/09)
 - h. Reserved.
 - i. Article 9, limited to:
 - i. §4-9-320 (As amended 6/3/09)
 - ii. §4-9-340 (As amended 6/3/09)
5. Chapter 5
- a. Article 13. (as amended ##/##/16), excluding
 - i. §5-13-390 (as amended 10/12/95)
- B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:
1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
 2. "modification," as defined in Nov. '93 Code §1-3-140.85; and
- C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:
1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. §111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
 4. Operate as an element of the SIP, at least insofar as they require a "certification";



- 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
 - 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
 - 7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."
- D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:
- 1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
 - 2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
 - 3. Chapter 3, Article 8 (2/22/95) *Open Burning*
 - 4. [Reserved]
 - 5. [Reserved]
 - 6. [Reserved]
 - 7. [Reserved]
 - 8. [Reserved]
 - 9. [Reserved]
 - 10. [Reserved]
 - 11. [Reserved]
 - 12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
 - 13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
 - 16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
 - 17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
 - 18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
 - 19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
 - 20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
 - 21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
 - 22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
 - 23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*
 - 24. §5-24-1055 (2/22/95) *Pumps and Compressors - Organic Compound Emissions*

CHAPTER 5, ARTICLE 13

ARTICLE 13 - SURFACE COATING OPERATIONS

5--13-100 – GENERAL

- 1.** **PURPOSE:** To limit the emission of volatile organic compounds (VOCs) from surface coating operations in the Pinal County portion of the Phoenix metro 8-hour ozone nonattainment area (2008 ozone National Ambient Air Quality Standard (NAAQS)), defined in 40 CFR 81.303.
- 2.** **APPLICABILITY:** This rule applies to surface coating operations in the Pinal County portion of the Phoenix metro 8-hour ozone nonattainment area for the 2008 ozone NAAQS, namely T1N, R8E; T1S, R8E (Sections 1 through 12) where the total actual VOC emissions from all operations, including related cleaning activities, as the facility are equal to or exceed 15 lbs/day or an equivalent 2.7 tons per year, before consideration of controls.
Additionally:
 - i.** Surface-coating activities regulated under this rule include, but are not limited to, the application of coating, coating preparation/mixing at the facility applying the coating, and the cleanup of coating application equipment.
 - ii.** §5-13-100.3 sets forth partial exemptions for certain materials or uses employed by a surface coating operation subject to this rule.
 - iii.** In addition to this rule, facilities may be subject to New Source Performance Standards (NSPS) in Chapter 6 and/or to National Emission Standards for Hazardous Air Pollutants (NESHAP) in Chapter 7 of these regulations.
- 3.** **PARTIAL EXEMPTIONS:**
 - i.** **Qualified Materials Exemption:**



- a. Leak-Preventing Materials:** Sealants, caulking, and similar materials used on the following substrates for the primary purpose of leak prevention are exempt from this rule:
- (1) Non-metallic substrates; and
 - (2) Post manufacture, such as, but not limited to, old joints and seals on pipe and valve assemblies.
- b. Certain Joint Fillers:** Caulking and beaded sealants used to fill gaps or to fill joints between surfaces are exempt from this rule, except those used in manufacturing other metal parts and products or in the manufacturing of cans.
- ii. Extreme Performance Coatings:** Extreme performance coatings are exempt from the VOC limits in Table 1 of this rule but not from any other sections of this rule when used under the following conditions:
- a. Used on internal combustion engine components that are normally above 250°F (121°C) during use; or
 - b. Used at temperatures above 250°F (121°C) on items that are both included under the North American Industry Classifications System (NAICS) codes 334210, 334220, 334290, 334416, 334417, 334418, 334419, 334310 or 336419 and are electronic products in space vehicles and/or are communications equipment.
- iii. Application Methods Exemptions:** The following coatings are exempt from application methods in §5-13-300.2 of this rule but are subject to the remaining provisions of this rule:
- a. Metal part texture coatings;
 - b. Metal part touch-up and repair coatings;
- iv. Application Methods and VOC-Limit Exemptions:** The following surface coating operations are exempt from §§5-13-300.1 (surface coating standards), 5-13-300.2 (Application methods), and 5-13-300.5 (Emission control system requirements) of this rule but shall comply with §§5-13-300.3 (Cleanup of application equipment), 5-13-300.4 (Work practices-handling, disposal and storage of VOC-Containing material), and 5-13-500 (Monitoring & Records) of this rule.
- a. Aerosol can spray coating from a non-refillable container that is less than 22 fluid ounces (0.66 liter) capacity without exceeding 2 ton/yr VOC usage or purchase, facility wide threshold.
 - b. Low usage of VOC coatings which exceed thresholds for coating categories listed in Table 1 of this Rule, which in aggregate of all formulations do not exceed 55 gal/yr (208 liters) facility-wide. The operator shall update usage records of these coatings at the end of each month of their use, pursuant to §5-13-500(1)(ii) of this rule.
 - c. A Small Surface-Coating Source
 - d. This rule is not applicable to coatings or solvents having a VOC content, minus exempt compounds, of less than 0.15 lb VOC/gal (18g/L).
 - f. A tactical military-equipment coating that is approved in a Pinal County Air Pollution Permit subsequent to a sufficient demonstration by the user that no compliant substitute exists.
 - g. Metal Parts Coating:**
 - (1) Stencil coatings.
 - (2) Safety-indicating coatings.
 - (3) Solid-film lubricants.
 - (4) Electric-insulating and thermal-conducting coatings.
 - (5) Magnetic data storage disk coatings.
 - (6) Plastic extruded onto metal parts to form a coating.
- v. Low Usage Allowance for Restricted Spray Guns:** Spray guns otherwise prohibited by §5-13-300.2 of this rule for use with coatings over 2 lbs VOC/gal minus exempt compounds, are exempt from this rule under the following limited conditions:



- a. If VOC emissions from the finishing application are captured and directed to an ECS complying with the provisions of §5-13-300.5 of this rule; or
- b. To coat the inside of pipes and tubes with a wand-style applicator; or
- c. Using an airbrush or other small gun that has a reservoir capacity not exceeding 250 cc (8.8 fl. oz) and is used solely for detailing, lettering, touchup, and/or repair.

4. TOTAL CATEGORICAL EXEMPTIONS: This rule does not apply to the following operations:

- i. Solvent cleaning (Chapter 5, Article 15).

5-13-200 – DEFINITIONS: For the purpose of this rule, the following definitions shall apply, in addition to those definitions found in §1-3-140 (Definitions) of these rules. In the event of any inconsistency between any of the Pinal County Air Quality Control District Code of Regulations, the definitions in this rule take precedence.

- 1. **ADHESIVE:** A material used for the primary purpose of bonding two or more surfaces together.
- 2. **ADHESIVE PRIMER:** A coating applied to a substrate, prior to the application of an adhesive, to provide a bonding surface.
- 3. **AEROSOL CAN-SPRAY COATING:** A coating sold in a hand-held, pressurized, non-refillable container, of less than 22 fluid ounces (0.66 liter) capacity, and that is expelled from the container in a finely divided form when a valve on the container is depressed.

AIR-DRIED COATING: A coating which is dried by the use of air or forced warm air at temperatures up to and including 200°F (93.3°C).
- 4. **BAKED COATING:** A coating that is dried or cured in an oven in which the oven temperature exceeds 200°F (93.3°C).
- 5. **CAMOUFLAGE:** A coating used, principally by the military, to conceal equipment from detection.
- 6. **CAULKING:** A semisolid material that is used to aerodynamically smooth surfaces or fill cavities.
- 7. **CLEAR COAT:** A coating that lacks color or opacity or is transparent.
- 8. **COATING APPLICATION EQUIPMENT:** Any spray gun, wand, rollers, brushes or any other means used to apply or cover a surface with a coating for either beauty, protection or other purpose.
- 9. **DAY:** A period of 24 consecutive hours beginning at midnight.
- 10. **DRUM COATING:** Coating of a cylindrical metal shipping container larger than 12 gallons capacity but no larger than 110 gallons capacity.
- 11. **ELECTRIC INSULATING VARNISH:** A non-convertible-type coating applied to electric motors, components of electric motors, or power transformers, to provide electrical, mechanical, and environmental protection or resistance.
- 12. **ELECTROSTATIC SYSTEM:** A method of applying atomized paint by electrically charging the coating and the object being coated with opposing charges. A higher proportion of the coating reaches and coats the object than would occur in the absence of a charge.
- 13. **EMISSION CONTROL SYSTEM (ECS):** A system, approved in writing by the Control Officer, designed and operated in accordance with the equipment manufacturer's specifications, to reduce emissions of volatile organic compounds. Such system consists of an emissions collection subsystem and an emissions processing subsystem.
- 14. **ETCHING FILLER:** A coating that contains less than 23 percent solids by weight and at least ½ percent acid by weight, and is used instead of applying a pretreatment coating followed by a primer..



- 15. EXTREME HIGH-GLOSS COATING:** A coating when tested by the ASTM D-523 adopted in 1980 shows reflectance of 75 or more on a 60° meter.
- 16. EXEMPT ORGANIC COMPOUNDS:** The federally listed non-precursor organic compounds, organic compounds which have been determined to have negligible photochemical reactivity as listed in 40 CFR 51.100(s).
- 17. EXTREME-PERFORMANCE COATING:** A coating used on a surface where the coated surface in its intended use is at temperatures consistently in excess of 250°F (121°C). Extreme-performance coatings include but are not limited to, coatings applied to locomotives, railroad cars, farm machinery, plastic, rubber, leather, or glass.
- 18. FABRIC:** A textile material. Non-manufactured items from nature are not fabric except for natural threads, fibers, filaments, and similar that have been manufactured into textile fabric.
- 19. FILLER:** A relatively non-adhesive substance added to an adhesive to improve its working properties, permanence, strength, or other qualities.
- 20. FLEXIBLE PLASTIC PART OR PRODUCT:** A plastic part or product designed to withstand significant deformation without damaging it for its intended use. Not included are flexible plastic parts that are found on a can, coil, metal furniture, or large appliance, or that are already a part of an aerospace component, highway vehicle, mobile equipment, architectural building or structure, or a previously coated marine-vessel.
- 21. FLOW COAT:** A non-atomized technique of applying coatings to a substrate with a fluid nozzle in a fan pattern with no air supplied to the nozzle.
- 22. HAND APPLICATION METHODS:** Application of coatings by non-mechanical, hand-held equipment including but not limited to paint brushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges.
- 23. HEAT-RESISTANT COATING:** A coating that must withstand a temperature of at least 400°F during normal use.
- 24. HIGH PERFORMANCE ARCHITECTURAL COATING:** A coating used to protect architectural subsections and that meets the requirements of the Architectural Aluminum Manufacturer Association's publication number AAMA 2604-05 (Voluntary Specification, Performance Requirements and Test Procedures for High Performance Organic Coatings on Aluminum Extrusions and Panels) or 2605-05 (Voluntary Specification, Performance Requirements and Test Procedures for Superior Performing Organic Coatings on Aluminum Extrusions and Panels).
- 25. HIGH TEMPERATURE COATING:** A coating that is certified to withstand a temperature of 1000°F for 24 hours.
- 26. HIGH-VOLUME, LOW PRESSURE (HVLP) SPRAY-GUN:** Spray equipment that is permanently labeled as such and used to apply any coating by means of a spray-gun which is designed and operated between 0.1 and 10 pounds per square inch gauge (psig) air atomizing pressure measured dynamically at the center of the air cap and at the air horns.
- 27. HIGHWAY VEHICLE:** ~~Any~~ A vehicle that is physically capable of being driven upon a highway including, but not limited to, cars, pickups, vans, trucks, truck-tractors, motor-homes, motorcycles, and utility vehicles.
- 28. IN USE OR HANDLED:** Actively engaging the materials with activities such as mixing, depositing, brushing, rolling, padding, wiping or removing or transferring material into or out of the container.
- 29. LARGE APPLIANCE:** A door, case, lid, panel, or interior support part of residential and commercial washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners, evaporative coolers, and other similar products.
- 30. LOW PRESSURE SPRAY GUN:** An air-atomized spray gun that, by design, functions best at tip pressures below 10 psig (516 mm Hg), measured according to §5-13-500(4)(i)(d) of this rule, and for which the manufacturer makes no claims to the public that the gun can be used effectively above 12 psig (619 mm Hg).



- 31. METAL FURNITURE:** Furniture made of metal or any metal part which will be assembled with other parts made of metal or other material(s) to form a furniture piece.
- 32. METALLIC COATING:** A coating that contains more than 5 grams of metal particles per liter of coating as applied.
- 33. MILITARY SPECIFICATION COATING:** A coating that has a formulation that has been approved by a United States Military Agency for use on military equipment.
- 34. MOBILE EQUIPMENT:** Equipment that is physically capable of being driven or drawn on a highway including, but not limited to: construction vehicles (such as mobile cranes, bulldozers, concrete mixers); farming equipment (wheel tractor, plow, pesticide sprayer); hauling equipment (truck trailers, utility bodies, camper shells); and miscellaneous equipment (street cleaners, mopeds, golf carts).
- 35. MOLD-SEAL COATING:** The initial coating applied to a new mold or a repaired mold to provide a smooth surface which, when coated with a mold release coating, prevents products from sticking to the mold.
- 36. NON-PRECURSOR ORGANIC COMPOUNDS:** Non-Precursor Organic Compounds are compounds having negligible photochemical reactivity. The list of negligible photochemical reactivity compounds is provided in 40 CFR 51.100(s)(1).
- 37. OTHER METAL PARTS AND PRODUCTS:** Any metal part or product, excluding the following items that are made of metal: can, coil, furniture, large appliance, aerospace component, metal foil, metal textile fabric, semiconductor metal, highway vehicle, mobile equipment, an architectural building or structure, a previously coated marine-vessel.
- 38. PAN BACKING COATING:** A coating applied to the surface of pots, pans, or other cooking implements that are exposed directly to a flame or other heating element.
- 39. PLASTIC:** Substrates containing one or more resins and may be solid, porous, flexible, or rigid. Plastics include fiber reinforced plastic composites. Any solid, synthetic: resin, polymer, or elastomer, except rubber. For the purposes of this rule, plastic film is considered film; fabric and paper made of polymeric plastic fibers are considered fabric and paper, respectively.
- 40. PREFABRICATED ARCHITECTURAL COMPONENT COATING:** A coating applied to metal parts and products which are to be used as an architectural structure.
- 41. PRETREATMENT COATING:** A coating containing no more than 12 percent solids by weight, and at least 1/2 percent acid, by weight, is used to provide surface etching, and is applied directly to metal surfaces to provide corrosion resistance, adhesion and ease of stripping.
- 42. PRIMER:** A coating applied directly to substrate for any one or combination of the following purposes: corrosion prevention, protection from the environment, functional fluid resistance, or adhesion of subsequent coatings.
- 43. REPAIR COATING:** A coating used to recoat the portion of a completed finish that suffered post-production damage at the facility where the finish was applied.
- 44. RESTRICTED SPRAY GUN:** An air-atomizing spray gun that is not a low pressure spray gun, and any other spray gun that is not on the list in §5-13-300.2 of this rule.
- 45. SEALANT (BEADED):** A material with adhesive properties that is applied as a rope or bead and that is formulated for use primarily to fill, seal, waterproof, or weatherproof gaps or joints between two surfaces. Sealants include sealant primers and caulks.
- 46. SMALL SURFACE COATING SOURCE (SSCS):** A facility from which the total VOC emissions for all surface coating operations that are subject to this rule without, or prior to, any emission control, is less than 2 tons/yr (1814 kg); as demonstrated by both adequate records of coating and diluent use (according to §5-13-500.1 of this rule) and a separate tally of the number of days each month such coating operations occur.



- 47. STENCIL COATING:** An ink or a coating that is rolled or brushed onto a template or stamp in order to add identifying letters, symbols and/or numbers.
- 48. SURFACE COATING:** A liquid, fluid, or mastic composition that is converted to a solid (or semi-solid) protective, decorative, or adherent film or deposit after application as a thin layer. Surface coating is generally distinct and different from impregnation and from applying adhesive for bonding purposes.
- 49. SURFACE COATING OPERATION:** Preparation, handling, mixing, and application of surface coating, and cleanup of application equipment and enclosures at a facility where surface coating is applied.
- 50. SURFACE PREPARATION:** Surface preparation is the cleaning of a substrate to remove dirt, oils, and other contaminants prior to the application of surface coatings or sealants.
- 51. TEXTURE COATING:** A coating that is applied which, in its finished form, consists of discrete raised spots of the coating.
- 52. TOUCH UP COATING:** A coating used to cover minor coating imperfections after the main coating operation. This includes touch-up coating that accompanies the purchase of an object already coated with that coating.
- 53. TRANSFER EFFICIENCY:** The ratio of the weight of coating solids adhering to the part being coated, to the weight of coating solids used in the application process expressed as a percentage.
- 54. VACUUM-METALIZING COATING:** The undercoat applied to the substrate on which the metal is deposited or the overcoat is applied directly to the metal film. Vacuum metalizing/ physical vapor deposition (PVD) is the process whereby the metal is vaporized and deposited in a substrate in a vacuum chamber.
- 55. VOC ACTUAL:** VOC Actual includes the VOC Content minus the weight of water and minus the weight of exempt compounds (§5-13-200.12) divided by the total volume of all materials. Units of VOC actual are in pounds of VOC per gallon (or grams per liter) of material and shall be calculated using the following equation:

$$\text{VOC Content of Cleaners or Reducers} = \frac{W_s - W_w - W_{es}}{V_m}$$

Using consistently either English or metric measures in the calculations, where:

W_s = weight of all volatile material in pounds (or grams) including VOC, water, non-precursor organic compounds ((§5-13-200.30) and dissolved vapors

W_w = weight of water in pounds (or grams)

W_{es} = weight of all non-precursor organic compounds in pounds (or grams)

V_m = volume of total material in gallons (or liters)

- 56. VOC CONTENT:** The organic chemicals in a material that have a high vapor pressure at ordinary room temperature. The high vapor pressure results from a low boiling point, which causes large numbers of molecules to evaporate or sublimate from the liquid or solid form of the compound and enter the surrounding air. The term VOC Content is a general term used throughout the rule and includes VOC, VOC Actual or VOC Regulatory.
- 57. VOC REGULATORY:** VOC Content Minus Exempt Compounds The VOC content minus the weight of water and minus the weight of Exempt Compounds divided by the volume of material minus the volume of water and minus the volume of Exempt Compounds. Units of VOC Regulatory are in pounds of VOC per gallon (or grams per liter) of material and shall be calculated using the following equation:



$$\text{VOC Regulatory} = \frac{W_s - W_w - W_{es}}{V_m - V_w - V_{es}}$$

Using consistently either English or metric measures in the calculations, where:

W_s = weight of all volatile material in pounds (or grams), including VOC, water, non-precursor organic compounds and dissolved vapors

W_w = weight of water in pounds (or grams)

W_{es} = weight of all non-precursor organic compounds in pounds (or grams)

V_m = volume of total material in gallons (or liters)

V_w = volume of water in gallons (or liters)

V_{es} = volume of all non-precursor organic compounds in gallons (or liters)

5-13-300 – STANDARDS

- 1. SURFACE COATINGS:** An owner or operator shall comply with one of the following for all applications of surface coatings:
 - i.** Meet the limits in Table 1 of this rule. Coating limits are VOC Regulatory; or
 - ii.** Operate an Emission Control System (ECS) in accordance with §5-13-300.5 of this rule when applying a coating that exceeds the VOC limits in Table 1 of this rule; or
 - iii.** Qualify for an exemption under §5-13-100.3 or §5-13-100.4 of this rule.

Table 1: Coating Limits For Metal Parts and Products

| Coating Category | Air Dried | | Baked | |
|---------------------------------------|-----------|------------|---------|------------|
| | g VOC/l | lb VOC/gal | g VOC/l | lb VOC/gal |
| Clear Coat | 515 | 4.3 | 515 | 4.3 |
| Camouflage | 420 | 3.5 | 420 | 3.5 |
| Electric-Insulating Varnish | 420 | 3.5 | 420 | 3.5 |
| Etching Filler | 420 | 3.5 | 420 | 3.5 |
| Extreme High-Gloss | 420 | 3.5 | 360 | 3.0 |
| Extreme Performance | 420 | 3.5 | 360 | 3.0 |
| Heat-Resistant | 420 | 3.5 | 360 | 3.0 |
| High Performance Architectural | 740 | 6.2 | 740 | 6.2 |
| High Temperature | 420 | 3.5 | 420 | 3.5 |
| Metallic | 420 | 3.5 | 420 | 3.5 |
| Military Specification | 340 | 2.8 | 280 | 2.3 |
| Mold-Seal | 420 | 3.5 | 420 | 3.5 |
| Pan Backing | 420 | 3.5 | 420 | 3.5 |
| Prefabricated Architectural Component | 420 | 3.5 | 280 | 2.3 |
| Pretreatment Coating | 420 | 3.5 | 420 | 3.5 |
| Repair | 420 | 3.5 | 360 | 3.0 |
| Touch up | 420 | 3.5 | 360 | 3.0 |
| Vacuum-Metalizing | 420 | 3.5 | 420 | 3.5 |
| Drum Coating, New, Exterior | 340 | 2.8 | 0.34 | 2.8 |
| Drum Coating, New, Interior | 420 | 3.5 | 420 | 3.5 |
| Drum Coating, Reconditioned, Exterior | 420 | 3.5 | 420 | 3.5 |
| Drum Coating, Reconditioned, Interior | 500 | 4.2 | 500 | 4.2 |



| Coating Category | Air Dried | | Baked | |
|--|-----------|------------|---------|------------|
| | g VOC/l | lb VOC/gal | g VOC/l | lb VOC/gal |
| OTHER METAL PARTS AND PRODUCTS COATING: includes Adhesive Primer, Caulking, and Beaded Sealants: | | | | |
| Air Dried | 420 | 3.5 | | |
| Baked Coating [above 200°F (93°C)] | | | 360 | 3.0 |

2. APPLICATION METHODS FOR SURFACE COATINGS:

- i.** An owner or operator shall use one of the following methods for all applications of surface coating materials containing more than 2 pounds of VOC per gallon (240 g/L), minus exempt compounds,(VOC regulatory):
 - a.** HVLP Spray-Gun (Low Pressure Spray Gun);
 - b.** Electrostatic System;
 - c.** A system that atomizes principally by hydraulic pressure, including “airless” and “air assisted airless”;
 - d.** Hand Application Methods, including but not limited to:
 - (1)** Flow Coat;
 - (2)** Roll Coat;
 - (3)** Dip-Coating;
 - e.** An Alternative Application Method: Any method approved by the Administrator as HVLP-equivalent.
- ii.** An owner or operator is allowed to use a device or system other than that described in §5-13-300(2)(i) of this rule for applications of surface coating containing less than 2.0 lb VOC/gal (250 g/l).

3. CLEANUP OF APPLICATION EQUIPMENT: An owner or operator shall comply with the following when using VOC-containing material to clean application equipment:

- i. Spray-Gun Cleaning Requirements:**
 - a.** Clean spray-guns without spraying or atomizing a solvent cleaner with the gun.
 - b. Spray-Gun Cleaning Machine:** Use a spray-gun cleaning machine that complies with the following requirements unless the owner or operator complies with the manual spray-gun cleaning requirements in §5-13-300(3)(ii) of this rule.
 - (1) Spray-Gun Cleaning Machine-General Requirements:** The spray-gun cleaning machine shall meet all of the following requirements:
 - (a)** Be designed to clean spray-guns.
 - (b)** Have at least one pump that drives solvent cleaner through and over the spray-gun.
 - (c)** Have a basin which permits containment of the solvent cleaner.
 - (d)** Be kept in proper repair and free from liquid leaks.
 - (e)** Shall be fitted with a cover.
 - (f)** Be located on-site where the spray application occurs; and
 - (g)** Be operated and maintained according to manufacturer’s or distributor’s instructions.
 - (2) Automatic Spray-Gun Cleaning Machine:** An automatic spray-gun cleaning machine shall have a self-covering or enclosing cover feature when not loading or unloading that in the cover's closed position



allows no gaps exceeding 1/8 inch (3 mm) between the cover and the cabinet. This self-enclosing feature shall be maintained and consistently cover or enclose to these gap limits.

(3) Non-Automatic Remote Reservoir Spray-Gun Cleaning Machine: Non-automatic Remote Reservoir Spray-Gun Cleaning Machine shall meet all of the following requirements:

- (a)** Drain solvent cleaner from the sink/work-space quickly into a remote reservoir when work-space is not in use; and
- (b)** Machine reservoir shall not have cumulative total openings, including the drain opening(s) exceeding two square inches in area so that the reservoir will not allow VOC vapors to escape to the atmosphere; and
- (c)** Allow a machine design in which the base of the sink/work-space functions as the reservoir's top surface, as long as the fit/seal between sink base and reservoir container allows the reservoir to meet the opening limits specified in §5-13-300(3)(i)(b)(3)(b) of this rule.

ii. Manual Spray-Gun Cleaning Requirements: An owner or operator manually cleaning spray-guns shall comply with the following requirements:

- a.** Disassembled spray-guns must be cleaned by non-mechanical, hand-held method of application of cleaners including but not limited to paint brushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges;
- b.** Disassembled spray-guns must be soaked in a vat which remains covered at all times, except when the application equipment is being handled in the container, or transferred into or out of the container;
- c.** Solvent cleaners used to clean spray-guns shall be less than 10 percent VOC (excluding water and non-precursor organic compounds) and shall contain less than 8.0 percent VOC by weight (including water and non-precursor organic compounds) and calculated pursuant to VOC Regulatory as defined in this rule.

4. WORK PRACTICES-HANDLING, DISPOSAL AND STORAGE OF VOC-CONTAINING MATERIAL: An owner or operator of any surface coating facility shall store, handle, and dispose of VOC-containing material in a way to prevent the evaporation of VOC to the atmosphere. Work practices limiting VOC emissions include but are not limited to the following:

- i.** **Use and Storage:** An owner or operator shall cover and keep covered each VOC-containing material which is not currently in use. A person shall store finishing and cleaning materials in closed or covered leak-free containers.
- ii.** **Disposal of VOC-Containing Material:** An owner or operator shall store all VOC-containing materials intended for disposal including, but not limited to, rags, waste coatings, waste brushes, waste rollers, waste applicators, waste solvents, and their residues, in closed, leak free containers. The containers shall be clearly marked "Disposal of VOC Material" and remain covered with a leak tight cover, when not in use.
- iii.** **Minimize spills of VOC-containing coatings, thinners, and coating-related waste materials; and**
- iv.** **Convey VOC-containing coatings, thinners, and coating-related waste materials from one location to another in closed containers or pipes.**
- v.** **Use of VOC Solvent for Surface Coating Cleanup:** An owner or operator may choose to use a VOC cleaning solvent for the cleaning of coating-application equipment, if such application equipment does not use spray devices and the same principal solvent is used for cleaning as is used in the coating.

5. EMISSION CONTROL SYSTEM (ECS) REQUIREMENTS:

- i.** **ECS Control Efficiencies:** To meet the requirements pursuant to §5-13-300(1)(ii) of this rule, an ECS shall be operated as follows:
 - a.** **Overall ECS Efficiency:** The ECS shall prevent at least 90% of the mass of the VOC emitted by each coating or process from entering the atmosphere except those controlled pursuant to the alternative in §5-13-300(5)(i)(c)(2) of this rule.
 - b.** **Capture Efficiency:**



For an ECS used pursuant to §5-13-300(1)(ii) of this rule, capture shall be at least 90%.

c. Control Efficiency of The Emissions Processing Subsystem:

(1) The ECS shall reduce the mass of VOC entering it by at least 90 percent.

(2) Alternative for Very Dilute Input: For VOC input-concentrations of less than 100 ppm (as carbon) at the inlet of the ECS emissions processing subsystem, an ECS' VOC processing subsystem also satisfies the processor efficiency requirements of this rule if:

(a) The VOC output is consistently less than 20 mg VOC/m³ (as carbon) adjusted to standard conditions; and

(b) The ECS consistently shows an overall control efficiency of at least 90% when tested pursuant to §5-13-500(4)(i)(b) of this rule, at VOC input-concentrations exceeding 100 ppm (as carbon).

d. All VOC coatings used that are in excess of the VOC limits in Table 1 of this rule shall be clearly identified such that coating-operators are informed that an ECS must be used.

ii. Operation and Maintenance (O&M) Plan Required for ECS:

a. An owner or operator shall provide and maintain (an) O&M Plan(s) for any ECS, any other emission processing equipment, and any ECS monitoring devices used pursuant to this rule or to an air pollution control permit.

b. The owner or operator shall submit to the Control Officer for approval the O&M Plans of each ECS and each ECS monitoring device used pursuant to this rule.

c. The owner or operator shall comply with all identified actions and schedules provided in each O&M Plan.

iii. Providing and Maintaining ECS Monitoring Devices: Any owner or operator incinerating, adsorbing, or otherwise processing VOC emissions pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation, devices described in the facility's O&M Plan that indicate temperatures, pressures, rates of flow, or other operating conditions necessary to determine if air pollution control equipment is functioning properly and is properly maintained. Records shall be kept pursuant to §5-13-500.2 which demonstrate that the ECS meets the overall control standard required by §5-13-300(5)(i) of this rule.

iv. O&M Plan Responsibility: An owner or operator of a facility that is required to have an O&M Plan pursuant to §5-13-300(5)(ii) must fully comply with all O&M Plans that the owner or operator has submitted for approval, but which have not yet been approved, unless notified otherwise by the Control Officer in writing. If revisions to the plan have been submitted and not yet been approved by the Control Officer, then an owner or operator shall comply with the most recent O&M plan on file at Pinal County Air Quality Control District.

v. Operation and Maintenance (O&M) Plan Contents For an ECS:

a. An O&M Plan for any ECS including any ECS monitoring devices shall include all of the following information:

(1) ECS equipment manufacturer;

(2) ECS equipment model;

(3) ECS equipment identification number or identifier that owner or operator subject to this rule assigns to such ECS equipment when manufacturer's equipment identification number is unknown; and

(4) Information required by §5-13-500.1 of this rule.

b. Control Officer Modifications to Plan: After discussion with the owner or operator, the Control Officer may modify the plan in writing prior to approval of the initial O&M Plan. An owner or operator shall then comply with the plan modified.

c. Deficient Plan: The owner or operator subject to this rule, who receives a written notice from the Control Officer that the O&M Plan is deficient or inadequate, must make written revisions to the O&M Plan for any ECS including any ECS monitoring devices, and must submit such revised O&M Plan to the Control Officer within five working days of receipt of the Control Officer's written notice, unless such time period is



extended by the Control Officer, upon written request, for good cause. During the time such owner or operator is preparing revisions to the O&M Plan, such owner or operator shall still comply with all requirements of this rule.

5-13-400 – ADMINISTRATIVE REQUIREMENTS

1. COMPLIANCE SCHEDULE VOC LIMITS:

- i. Emission Control System (ECS):** Any owner or operator installing an ECS shall:
 - a.** Implement all recordkeeping provisions of this rule.
 - b.** Announce the intention to use an ECS to the Control Officer in writing if:
 - (1)** The ECS is used as an alternative to meeting the spray-gun provisions of §5-13-300.2 of this rule; or
 - (2)** The ECS is used as an alternative to meeting the gun cleaning machine provisions of §5-13-300.3 of this rule.
 - c.** One year after rule adoption of this rule, the ECS announced pursuant to §5-13-400(1)(i)(b) shall be in continuous use.
- ii. VOC limits and Rule Requirements:** Upon adoption of this rule, the owner or operator shall discontinue shelf purchase of materials that are non-compliant with §5-13-300(1)(i). The owner or operator has up to 6 months after rule adoption to complete use of existing non-compliant materials already purchased. A schedule for achieving compliant use of materials shall be prepared and made available to an inspector upon request. This schedule shall specify that 6 months after rule adoption complete material compliance shall be achieved.

2. COMPLIANCE SCHEDULE O&M PLAN:

- i.** O&M Plans for ECS equipment subject to this rule shall be revised /updated 3 months after rule adoption.
- ii.** The Control Officer shall take final action on an O&M Plan revision/update to address the newly amended provisions of this rule within thirty calendar days of the filing of the complete O&M Plan revision/update. The Control Officer shall notify the applicant in writing of approval or denial.

5-13-500 – MONITORING AND RECORDS

1. RECORDKEEPING AND REPORTING: The owner or operator shall comply with the following recordkeeping requirements.

- i.** The type and amount used of each VOC-containing coating which is regulated by name or type in Table 1 of this rule, and update each VOC-containing material, related to surface coating, that is not addressed by this table. This includes, but is not limited to, thinners, surfacers, and diluents.
- ii.** Records shall be retained for five years and shall be made available to the Control Officer upon request.
- iii. Current Lists:**
 - a.** Maintain a current list of coatings, or any other VOC-containing materials regulated by this rule. This list shall include:
 - VOC content for each as received (before thinning). Express VOC content in 1 of 3 forms:
 - (1)** Pounds VOC per gallon;
 - (2)** Grams VOC per liter; ; or
 - (3)** The percent VOC by weight along with the specific gravity or density. (Two numbers are required).
 - b.** An owner operator using any VOC coating subject to §5-13-300.1 of this rule shall have on site the written value of the VOC coating in one of the following forms:
 - (1)** A manufacturer’s technical data sheet;
 - (2)** A manufacturer’s safety data sheet (MSDS); or



(3) Actual test results.

c. Usage or Purchase Records:

(1) **Monthly:** Records of the amount of VOC coatings used shall be updated by the end of month for the previous month. Show the type and amount of each make-up (as described in §5-13-500(1)(iii) of this rule) and all other VOC cleaners or solvents to which this rule is applicable.

(2) **Annually:**

(i) **Low VOC Coatings:** Use of low VOC coatings shall be updated at least annually.

(ii) **Low-VOC Cleaner:** An owner and/or operator need not keep a record of a cleaning substance that is made by diluting a concentrate with water or non-precursor compound(s) to a level that qualifies as a "Low VOC Cleaner" if records of the concentrate usage are kept in accordance with this rule.

(3) **Grouping by VOC Content:** For purposes of recording usage, an operator may give VOC coatings, cleaners, and solvents of similar VOC content a single group-name, distinct from any product names in the group. The total usage of all the products in that group is then recorded under just one name. (In such a case, the operator must also keep a separate list that identifies the product names of the particular solvents included under the group name). To the group name shall be assigned the highest VOC content among the members of that group, rounded to the nearest 10th of a pound of VOC per gallon of material, or to the nearest gram VOC per liter of material.

d. Facilities That Are Not Small Surface-Coating Sources: Facilities that are not small surface-coating sources shall for all coatings (except those recorded under §5-13-100(3)(v)(c) low usage allowance), make the following listings for coatings that have VOC limits listed in Table 1 of this rule:

(1) **VOC Before Reducing:** The VOC content of each coating as received, minus exempt compounds. (This figure is sometimes called the "EPA Method 24" VOC content on manufacturer's data sheets). If the coating is a multi-part coating, list the manufacturer's final VOC content.

(2) **List Maximum VOC Content of Coating As Applied:** For each coating that you thin/reduce or add any additive to, record in a permanent log either of the following:

(a) The maximum number of fluid ounces thinner/reducer added to a gallon of unreduced coating (or maximum g/liter), and the maximum fluid ounces of every other additive mixed into a gallon of the coating; or

(b) The VOC content of the coating, after adding the maximum amount of thinner/reducer and other additives added as determined by the formula in the definition of VOC Regulatory in this rule.

e. Aerosol Spray Cans: Maintain purchase records for aerosol spray-cans, including VOC content.

iv. Frequency of Updating Usage or Purchase Records: Maintain records according to the following schedule:

a. Small Surface-Coating Sources: Small surface-coating sources shall update each month's records of coating use by the end of the following month.

b. All Other Sources: For a source that does not meet the definition of small surface-coating source, update records monthly for each coating used that complies with the VOC limits in Table 1 of this rule. Complete a month's update by the end of the following month.

v. Grouping By VOC Content: The highest VOC content among the members of that grouping shall be assigned to that grouping, rounded to the nearest 10th of a pound. To identify what products belong within each group, after each group name and the group's VOC content of material must appear the name of each product in the group and its VOC content of material. **For example:** For flexible plastic parts, you use 20 gallons of primer that has 3.04 lb VOC/gal., 30 gallons of primer having 3.14 lb VOC/gal., and 40 gallons of primer having 2.89 lb VOC/gal. You may record usage as 90 gallons of flexible plastic primer containing 3.1 lb VOC/gal. If grams VOC per liter is used to record VOC content, round off to the nearest whole number of grams.



2. ECS RECORDING REQUIREMENTS:

- i.** On each day an ECS is used at a facility pursuant to this rule, the owner or operator shall:
 - a.** Record the amount and VOC content of coating, the amount of catalyst/hardener, and the amounts of solvent, reducer, and diluent used that were subject to ECS control pursuant to this rule; and
 - b.** Make a permanent record of the operating parameters of the key systems as required by the O&M Plan; and
 - c.** Make a permanent record of the maintenance actions taken within 24 hours of the action's completion for each day or period the O&M Plan requires maintenance be done.
- ii.** An explanation shall be entered for scheduled maintenance that is not performed during the period designated for it in the O&M Plan.

3. O&M PLAN RECORDS: An owner or operator of a facility shall maintain all of the following records in accordance with an approved O&M Plan for any ECS.

- i.** Periods of time an approved ECS is operating to comply with this rule;
- ii.** Periods of time an approved ECS is not operating;
- iii.** Flow rates;
- iv.** Pressure drops;
- v.** Other conditions necessary to determine if the approved ECS is functioning properly;
- vi.** Results of visual inspections; and
- vii.** Correction action taken, if any.

4. COMPLIANCE DETERMINATION AND TEST METHODS:

- i.** **Compliance Determination:** The following means shall be used to determine compliance with this rule. When more than one test method is permitted for a determination, an exceedance of the limits established in the rule determined by any of the applicable test methods constitutes a violation of this rule.
 - a.** Measurement of VOC content of materials subject to §§5-13-300.1 or 5-13-300.2 of this rule shall be conducted and reported using one of the following means:
 - (1)** VOC content of coatings, solvents, and other substances having less than 5% solids will be determined by the test method in §§5-13-500(4)(ii)(f) of this rule (BAAQMD Method 31 [April 15, 1992]) or 5-13-500(4)(ii)(g) (SCAQMD Method 313-91 [April 1997]) of this rule.
 - (2)** The VOC content of coatings or other materials having 5% or more solids will be determined by the test method in §5-13-500(4)(ii)(c) (EPA Method 24), §§5-13-500(4)(ii)(f) (BAAQMD Method 31 [May 18, 2005]) or 5-13-500(4)(ii)(g) (SCAQMD Method 313-91 [April 1997]) of this rule.
 - (a)** Plastisols, powder coatings, and radiation-cured coatings shall be cured according to the procedures actually used in the coating process being tested before final VOC-emission determinations are made.
 - (b)** In the case of multi-component, polymerizing coatings tested according to §5-13-500(4)(i)(a) of this rule, Method 24 shall be modified to eliminate the post-mixing dilution-step (that employs toluene or other solvent). Instead, the mixture shall be spread by appropriate technique to form a thin layer, occupying the entire bottom of the foil pan. Techniques included in the method referenced in §5-13-500(4)(i)(b) of this rule, can be used as a guide for such spreading.
 - b.** The VOC content of gaseous emissions entering and exiting an ECS shall be determined by either EPA Method 18 referred to in §5-13-500(4)(ii)(b) of this rule, or EPA Method 25 and its submethod, referred to in §5-13-500(4)(ii)(d) of this rule.



- c. Capture efficiency of an ECS shall be determined either by the methods in §5-13-500(4)(ii)(e) of this rule (EPA Method 204 and its submethods), or by using mass balance calculation methods in concert with the methods in §5-13-500(4)(ii)(a) of this rule (EPA Methods 2, 2a, 2c, and 2d).
 - d. Measurement of air pressure at the center of the spray gun tip and air horns of an air-atomizing spray gun shall be performed using an attachable device in proper working order supplied by the gun's manufacturer for performing such a measurement.
 - e. Temperature measurements shall be done with an instrument with an accuracy and precision of less than one-half degree Fahrenheit (0.25°C) for temperatures up to 480°F (250°C).
- ii. Test Methods Adopted By Reference:** The EPA test methods as they exist in the Code of Federal Regulations (CFR) (July 1, 2015), as listed below, are adopted by reference. The other test methods listed here are also adopted by reference, each having paired with it a specific date that identifies the particular version/revision of the method that is adopted by reference. These adoptions by reference include no future editions or amendments.
 - a. EPA Methods 2 (“Determination of Stack Gas Velocity and Volumetric Flow Rate”), 2a (“Direct Measurement of Gas Volume Through Pipes and Small Ducts”), 2c (“Determination of Stack Gas Velocity and Volumetric Flow rate in Small Stacks or Ducts”), and 2d (“Measurement of Gas volumetric Flow Rates in Small Pipes and Ducts”). All 4 of the foregoing methods are in 40 CFR 60, Appendix A.
 - b. EPA Method 18 (“Measurement of Gaseous Organic Compound Emissions by Gas Chromatography”) and its submethods (40 CFR 60, Appendix A).
 - c. EPA Test Method 24 (“Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings”) (40 CFR 60, Appendix A).
 - d. EPA Method 25 (“Determination of Total Gaseous Non-methane Organic Emissions as Carbon”) and its submethods (40 CFR 60, Appendix A).
 - e. EPA Test Methods 204 (“Criteria for and Verification of a Permanent or Temporary Total Enclosure”), 204a, 204b, 204c, 204d, 204e, and 204f (Appendix M, 40 CFR 51).
 - f. California’s Bay Area Air Quality Management District (BAAQMD) Method 31 (May 18, 2005), “Determination of Volatile Organic Compounds in Paint Strippers, Solvent Cleaners, and Low Solids Coatings.”
 - g. California’s South Coast Air Quality Management District (SCAQMD) Method 313-91 (April 1997).
- iii. Test Methods for ECS:** For coatings/adhesives controlled pursuant to §5-13-300(2)(i) or §5-13-300(5)(iii) of this rule:
 - a. Measurements of VOC emissions from an ECS shall be conducted in accordance with EPA Methods 18 or its submethods, or by Method 25 or its submethods (40 CFR 60, Appendix A).
 - b. Capture efficiency of an ECS shall be determined by mass balance in combination with ventilation/draft rate determinations done in accordance with §5-13-500(4)(iii)(c) of this rule or with US EPA Test Methods 204, 204a, 204b, 204c, 204d, 204e, and 204f (Appendix M, 40 CFR 51).
 - c. Ventilation/draft rates shall be determined by EPA Methods 2, 2a, 2c, and 2d (40 CFR 60, Appendix A).



PINAL COUNTY

NOTICE OF PROPOSED RULEMAKING DOCKET OPENING

(Ref. A.R.S. §41-1021)

[M16-200]

- 1. **Title and its heading:** Pinal County Air Quality Control District Code of Regulations
- Regulations and headings:** Chapter 1, Article 1, Section 105 – SIP List
Chapter 5, Article 20 – Storage and Loading of Gasoline at gasoline dispensing facilities

Rules and headings:

| Section Affected | Rulemaking Action |
|--|--------------------------|
| § 1-1-105. SIP List..... | Amend |
| § 5-20-100. General..... | New |
| § 5-20-200. Definitions..... | New |
| § 5-20-300. Standards..... | New |
| § 5-20-400. Administrative Requirements..... | New |
| § 5-20-500. Monitoring and Records..... | New |

2. **Subject Matter of the Proposed Rule**

The Phoenix-Mesa, Arizona Marginal Ozone Nonattainment area for the 2008 ozone national ambient air quality standard (NAAQS) was recently redesignated to moderate nonattainment because the area did not attain the 2008 NAAQS by the July 20, 2015 attainment date. Pinal County has a small portion of the Phoenix-Mesa, Arizona ozone nonattainment area.

The Clean Air Act (CAA) Section 172(c)(1) requires nonattainment areas, such as Phoenix, to use “Reasonably Available Control Measures” (RACM) including “Reasonably Available Control Technology (RACT), to control VOC emissions. CAA Section 182(b)(2)(A) provides that RACT for each source category of volatile organic compounds (VOCs) is described in U.S. Environmental Protection Agency (EPA) Control Techniques Guidelines (CTGs). The CTGs are intended to provide State and local air pollution control authorities information that assists in determining VOC RACT from gas station operations. The EPA defines RACT as “the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.”

To attain the required RACT for gas stations, Pinal County is proposing to adopt a new rule, Chapter 5, Article 20 – Storage and Loading of Gasoline at gasoline dispensing facilities.

PCAQCD will follow up this proposed rulemaking docket opening with a formal rulemaking proposal in which the new Chapter 5, Article 20 – Storage and Loading of Gasoline at gasoline dispensing facilities will be proposed to be added to the PCAQCD Code of Regulations.

The ultimate goal of the proposed rulemaking will be adoption of the rules by the Pinal County Board of Supervisors and submittal to EPA (through ADEQ) for inclusion into the Arizona SIP.

Also as part of this rulemaking, Pinal County may add, delete or modify additional rules as necessary.

3. **Prior Related Notices**

None

4. **Contact Information**

Those wishing further information regarding any aspect of this proposal may contact

Name: Scott DiBiase,
 Title: Air Quality Manager
 Address: Pinal County Air Quality



31 North Pinal St., Building F, Florence, Arizona, 85132
 Telephone: 520-866-6929
 Fax: 520-866-6967
 E-mail: scott.dibiase@pinalcountyz.gov

To the extent possible, the District will also post information on the County's website, www.pinalcountyz.gov, under the "air quality" link.

5. Opportunity for Written or Oral Comments

The District will publish a Notice of Proposed Rulemaking that will define a formal timetable for submittal of written comments. At any time prior to the close of that to-be-defined comment period, anyone may seek information or submit comments by contacting the Air Quality Manager at the address shown above. Ultimately, the public will also have an opportunity to offer comment in the public hearing before the Board of Supervisors.

6. Anticipated Timetable

To be announced in the Notice of Proposed Rulemaking.

PINAL COUNTY AIR QUALITY CONTROL DISTRICT

**COMBINED
 NOTICE OF PROPOSED RULEMAKING
 PURSUANT TO A.R.S. §49-112 AND §49-471.01 et seq.
 AND
 NOTICE OF ORAL PROCEEDING
 PURSUANT TO A.R.S. 49-471.06**

[M16-201]

1. Preamble

M. The Pinal County Air Quality Control District (PCAQCD), an operating division of Pinal County, proposes that the Board of Supervisors (BOS) adopt or amend certain rules under authority of A.R.S. §§49-479 and 49-480, which respectively authorize the board to adopt rules to control air pollution.

The Clean Air Act Amendments (CAAA) of 1990 required ozone nonattainment areas to implement Reasonably Available Control Technology (RACT) to control Volatile Organic Compounds (VOC) emissions. Pinal County has a small portion in/around the Apache Junction area that’s incorporated into the Phoenix metro ozone nonattainment area for the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS). The Phoenix metro was originally designated a ‘Marginal’ nonattainment area for the 2008 8-hour ozone NAAQS on July 20, 2012 and required to attain the standard by July 20, 2015. A marginal ozone nonattainment area isn’t required to submit an all-encompassing State Implementation Plan (SIP) that higher nonattainment designations carry (i.e. moderate, serious, severe) which include RACT requirements.

Unfortunately the nonattainment area didn’t attain the ozone NAAQS by the July 20, 2015 deadline and was recently redesignated to a moderate 8-hour ozone nonattainment area (81 FR 26697, May 4, 2016). Thus requiring the nonattainment area to complete a SIP by January 1, 2017 which includes RACT rules.

Pinal County Air Quality evaluated permitted sources within the Pinal County portion of the 8-hour ozone nonattainment area to determine what, if any source categories would require RACT. The two source categories in the ozone nonattainment area that were found to require RACT rules are gasoline service stations and surface coatings. This particular rulemaking addresses gasoline service stations.

The proposed amended and new rules are identified below and include an amendment to §1-1-105 with the ultimate purpose of this rulemaking being the submittal of the adopted rules in Chapter 5, Article 20 (specifically sections 100, 200, 300, 400 and 500) through ADEQ to EPA, for inclusion as elements of the Arizona State Implementation Plan (SIP) as required under the Clean Air Act (CAA).



N. All of the proposed corresponding changes are discussed in subsection E. of this preamble, and include the following sections:

| Section Affected | Rulemaking Action |
|---|--------------------------|
| §1-1-105. SIP List..... | Amend |
| §5-20-100. General..... | New |
| §5-20-200. Definitions..... | New |
| §5-20-300. Standards..... | New |
| §5-20-400. Administrative Requirements..... | New |
| §5-20-500. Monitoring and Records..... | New |

O. Those wishing further information regarding any aspect of this proposal may contact Scott DiBiase, Pinal County Air Quality, 31 North Pinal St., Building F, Florence, Arizona, 85132, 520-866-6929, scott.dibiase@pinalcountyaz.gov. To the extent possible, the District will also post information on the County's website, pinalcountyaz.gov, under the "air quality" link.

P. The rule making process will consist of an initial administrative rule development process, including this notice, a 30 day public comment period, a stakeholder meeting and an oral proceeding before the Control Officer or his designee. The date and location for the stakeholder meeting and oral proceeding are set forth below. Written comments are due prior to the close of the comment period, which shall be the close-of-business on the day of the oral proceeding. The final step in the rule adoption process will be a hearing before the Board of Supervisors. The Board of Supervisors hearing will be separately scheduled and noticed in accord with A.R.S. §49-479, and, where applicable, the requirements of 40 C.F.R. §51.102.

Q. The proposed additions include the following:

- 6. §1-1-105 – Addition of Chapter 5, Article 20, sections 100, 200, 300, 400 and 500 and their adoption dates in Section 1-1-105 which is a list designating which Board approved rules (and their corresponding adoption dates) that are to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP
- 7. Addition of Chapter 5, Article 20, §100. General
 - i. Purpose of the rule – limit emissions of VOCs from gasoline during storage and loading of gasoline at gasoline dispensing facilities.
 - ii. Applicability – Applies to an owner or operator that operates a gasoline dispensing facility in the Pinal County portion of the Phoenix-Mesa 2008 8-hour ozone NAAQS nonattainment area.
 - iii. Exemptions
 - a) Rule doesn't apply to storage and loading of diesel nor liquefied petroleum gas (LPG)
 - b) The loading of aviation gasoline into storage tanks at airports and transfer of aviation gasoline within the airport is exempt from the loading of gasoline requirements and control of VOC vapors (i.e. Stage 1 Vapor Recovery System) requirements. However the storage of aviation gasoline requirements still pertain.
 - c) Bulk gasoline plant or terminal
 - d) Stationary gasoline dispensing tanks used exclusively for fueling of implements of normal farm operations are exempt from all requirements of this rule except for the general housekeeping (i.e. minimize gasoline spills, clean up spills as expeditiously as possible, etc.)
 - e) Stage 1 vapor recovery systems don't apply to the following:
 - i. Non-resale gasoline dispensing operations receiving less than 120,000 gallons in any 12 consecutive calendar month is exempt from the standards as long as each stationary gasoline tank is equipped with a permanent submerged fill pipe.
 - ii. Stationary gasoline dispensing tanks having a capacity of 1,000 gallons or less that were installed prior to October 2, 1978, provided there's a permanent submerged fill pipe, unless such a pipe can't be installed then use of a nozzle extension is permitted.



- f) Loading of gasoline standards exempt when the gasoline dispensing facility is unattended or when there is only one owner or operator present.
- 8. Addition of Chapter 5, Article 20, §200. Definitions – Sixteen relevant definitions to the proposed new rule.
- 9. Addition of Chapter 5, Article 20, §300. Standards
 - i. Manufacturers, suppliers, and owners or operators
 - a) Tank system requirements for the manufacturers, suppliers and owners or operators including
 - i. CARB certified components or rebuilt by a person authorized by CARB to rebuild components. Identification requirements for installed components.
 - ii. A licensed vapor recovery registered service representative in the State of Arizona is required to install an aboveground or underground storage tank or vapor recovery system.
 - iii. Restrictions for use of coaxial vapor balance systems
 - iv. The owner or operator of stationary dispensing tanks is required to verify that vapor recovery equipment is properly installed and is in use at all times.
 - v. Requirement for owner or operator to allow the loading of gasoline from any cargo tank that has a current Maricopa County Pressure Test decal.
 - ii. General housekeeping requirements
 - a) Requirements for the owner or operator to minimize gasoline spills, clean up spills quickly, cover all open gasoline containers and gasoline storage tank fill-pipes with a gasketed seals when not in use. Minimize gasoline sent to open waste collection systems and properly dispose of VOC containing material.
 - b) Requirements for gasoline storage equipment and operations
 - c) Unless exempt (per §5-20-100.3), underground storage tanks (UST) must meet ten conditions, including but not limited to, being equipped and maintained with CARB certified components and authorized personnel.
 - d) Above ground storage tanks with a capacity greater than 250 gallons have to meet ten conditions similar in nature to the UST requirements in 5-20-300(3)(a).
 - iii. Loading of gasoline
 - a) When one or more owner or operator is present during acceptance of loading of gasoline, they shall verify the gasoline cargo tank displays a valid Maricopa County vapor tightness test decal and the owner or operator connects the vapor return hose.
 - iv. Control of VOC vapors
 - a) Unless exempted, gasoline vapors are to be handled by a Stage 1 vapor recovery system
 - b) Stage 1 vapor recovery system configuration
 - i. CARB certified replacement parts required including vapor valves. The vapor valves are to be inspected weekly and records are to be kept on the inspections.
 - ii. CARB certified fittings required for above ground systems
 - iii. Each new tank shall have CARB-certified fittings and have its own separate and functioning dual-point vapor return line and is allowed to have a combination vapor recovery system linking it to one or more other stationary gasoline dispensing tanks
 - iv. Prohibition on use of coaxial fill pipes in new installations and major modifications.
 - c) Equipment maintenance and use requirements
 - i. Vapor loss control equipment needs to be installed and operated correctly and maintained leak-free, vapor-tight and in good working order.
 - ii. Coaxial systems on existing tanks shall be maintained according manufacturer(s) standards and have no obstruction of vapor passage from the tank to the cargo tank.
 - v. Administrative requirements
 - a) The owner or operator is required to conduct inspections of the gasoline storage tank, including the spill containment receptacle, the external fittings of the fill pipe assembly, and the popped dry break. The frequency of inspections, at least once per



- week or if the gasoline dispensing facility receives gasoline loads less than once per week, the inspection shall take place upon the completion of receipt of the load of gasoline.
- b) The burden of proof of the eligibility for exemption from a provision(s) in this rule is on the owner or operator. The owner or operator seeking such an exemption shall keep adequate records and give them to the control officer when requested. The owner or operator is also required to provide proof when requested by the Control Officer that a vapor recovery system or its modifications meet the requirements of the article.
- c) An owner or operator can't install or reinstall a component related to vapor recovery that's been decertified by CARB.
- vi. Monitoring and Records
 - a) Monitoring for leaks
 - i. Test procedures for combustible gas detector or organic vapor analyzer including calibration of equipment, probe distance, probe movement and probe position
 - ii. Method 21, alternative screening procedure using a soap solution to determine whether a leak exists
 - iii. Optical gas imaging may be used to identify vapor leaks. If vapor leaks are detected then the instrument techniques in 5-20-500.1.a are to be used to determine if a vapor leak exists.
 - b) Compliance inspections
 - i. During any working hours any gasoline dispensing facility required by this rule to have vapor loss control devices may be subject to monitoring for vapor tightness and liquid leak tightness. Such tanks may be opened for gauging or inspection when loading operations aren't in progress as long as the tank is part of an open system or is served by a positive-pressure relief valve.
 - c) Gasoline dispensing facility recordkeeping
 - i. The owner or operator is required to keep records of the total amount of gasoline received each month which shall be recorded by the end of the following month. The owner or operator shall record inspections in a permanent record or log book by the end of Saturday of the following week or shall record the inspection within three days after receipt of the load of gasoline if the facility receives gasoline loads less than one per week. The records shall be retained for at least 5 years and records of the past 12 months shall be readily accessible and made available to the Control Officer within 24 hours upon verbal or written request.
 - d) Compliance determination
 - i. Compliance parameters defined for control efficiency of vapor loss, vapor pressure of gasoline and vapor leaks including reference to test methods in §5-20-500.5
 - e) Test methods
 - i. Stationary source test methods listed including EPA, ASTM, CARB, San Diego County and American Petroleum Institute.

R. A reference to any study relevant to the rule that the agency reviewed and either relied on in its evaluation of or justification for the rule or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study (See contact information in subsection C above), all data underlying each study, and any analysis of each study and other supporting material:

Design criteria for stage I vapor control systems gasoline service stations. EPA-450-R-75-102.

S. Economic, small business and consumer impact statement



The following discussion addresses each of the elements required for an economic, small business and consumer impact state under A.R.S. §41-1055.

This rulemaking is proposing to adopt Chapter 5, Article 20. Storage and Loading of Gasoline at Gasoline Dispensing Facilities.

The persons affected by this rulemaking will be the owners or operators of gasoline dispensing facilities in the Pinal County portion of the Phoenix metro ozone nonattainment area. The department has issued permits to 14 facilities that will be subject to Chapter 5, Article 20. The majority of these permitted gasoline dispensing facilities are owned and operated by national chains with other locations in Maricopa County. The facilities in Maricopa County have been regulated with RACT level rules (Maricopa County rules 33, 33.3 and 353) since the 1980s. Correspondingly their equipment and business practices align with the RACT rule. Since the gasoline dispensing facilities in Pinal County are in close proximity to the Phoenix metro and are run by the same national chains, both equipment and business practices are similar in nature. Therefore the majority of the equipment and business practices requirements of Chapter 5, Article 20 are for the most part already being followed. Therefore minimal impacts are expected. The one aspect of Chapter 5, Article 20 that may have some impact on gasoline dispensing facilities in the Pinal County portion of the Phoenix ozone nonattainment area are the administrative requirements. The owners or operators will be required to regularly inspect their storage tanks for leaks and also to keep records of their inspections. It is assumed that the owners or operators of the gasoline dispensing facilities already inspect their facilities in order to limit the possibility of loss of fuel from leaking storage tanks. However the documentation of these inspections may not be taking place currently so additional administrative duties will be required of the regulated community in order to comply with Chapter 5, Article 20.

The probable costs to the implementing agency (Pinal County Air Quality) will be minimal since the department already conducts regular inspections of gasoline dispensing facilities in order to verify compliance with their permit requirements.

- T. The proposed changes will take effect on January 1, 2017.
- U. Compliance with the Fee-limitations of A.R.S. §49-112 (A) or (B).

Based on information and belief, the Director of the Pinal County Air Quality Control District affirms the following: Initially, the total of the fees and other charges currently assessed in connection with the administration of the County's air quality program do not now equal the cost of program administration. To the extent that both the County and ADEQ impose parallel fees, the County's fees are capped by rule at ADEQ's rates, which implicitly affirms that the County's fees are reasonable. To the extent the County's program affects certain sources that ADEQ either does not regulate or does not charge, these proposed changes do not impose any additional fees on those sources at this time.

- V. Persons may obtain a full copy of the proposed rule or existing rules at:
Pinal County Air Quality Control District
31 North Pinal St., Building F.
P.O. Box 987
Florence, AZ. 85132

<http://www.pinalcountyaz.gov/AirQuality/Pages/home.aspx>

- W. A list of all previous notices appearing in the Register addressing the proposed rules:
Notice of Rulemaking Docket Opening: ## A.A.R. ##, ###, August 26, 2016.
- X. Date, time and location of scheduled oral proceeding:
 - 3) Stakeholder Meeting
 - Date: September 13, 2016
 - Time: 2 p.m.
 - Location: 31 N. Pinal St., Florence, AZ.
Building F, Ocotillo room
 - 4) Oral Proceeding



Date: September 27, 2016
Time: 2 p.m.
Location: 31 N. Pinal St., Florence, AZ.
Building F, Ocotillo room

Nature of meeting: Oral proceeding before the Control Officer or his designee in accord with A.R.S. §49-471.06(C) to consider public comments upon any or all of this proposal.

2. The full text of the proposed changes follows:

1-1-105. SIP list

A. As a declaration of Board policy rather than a rule, and subject to the limitations of paragraphs B. and C. of this section, the Board of Supervisors expressly designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP:

- 1. Chapter 1
a. Article 1. (As amended 5/14/97 and 5/27/98), except for §§1-1-105 and 1-1-107.
b. Article 2 (As amended 5/14/97 and 7/12/00) except for §1-2-110.
c. Article 3. (As amended 5/14/97, 5/27/98 and 10/27/04, 07/23/14, except for §1-3-130 and the definition in §1-3-140.82 (10/12/95) of "maximum achievable control technology.")
2. Chapter 2
a. Article 1. (As amended 10/12/95).
b. Article 2. (As amended 5/14/97), excluding:
i. §2-2-090 (as amended 5/14/97)
c. Article 3. (As amended 10/12/95).
d. Article 4. (As amended 10/12/95).
e. Article 5. (As amended 10/12/95).
f. Article 6. (As amended 10/12/95).
g. Article 7. (As amended 10/12/95).
h. Article 8. (As amended 5/18/05, as amended 1/7/09).
3. Chapter 3
a. Article 1. (As amended 5/14/97, and 5/27/98 and 7/12/00), excluding:
i. §3-1-020
ii. §3-1-045
iii. §3-1-080
iv. §3-1-100
v. §3-1-150 (as amended 5/14/97)
vi. §3-1-160 (as amended 5/14/97)
vii. §3-1-170 (as amended 5/14/97)
viii. §3-1-173 (as amended 5/14/97)
b. Article 2. (As amended 10/12/95, 5/27/98 and 7/29/98).
c. Article 3. (As amended 10/12/95, 5/27/15).
d. Article 8. (As amended 10/12/95 and 10/27/04).
4. Chapter 4
a. Article 1. (As amended 2/22/95).
b. Article 2. (As amended 5/14/97, 7/12/00, 12/4/02 and 10/27/04).
c. Article 3, limited to:
i. §4-3-160 (As amended 10/28/15)
ii. §4-3-170 (As amended 10/28/15)
iii. §4-3-180 (As amended 10/28/15)
iv. §4-3-190 (As amended 10/28/15)
d. Article 4 (As amended 6/3/09).
e. Article 5 (As amended 6/3/09).
f. Reserved.
g. Article 7 (As amended 6/3/09)
h. Reserved.
i. Article 9, limited to:



- i. §4-9-320 (As amended 6/3/09)
- ii. §4-9-340 (As amended 6/3/09)

10. Chapter 5

b. Article 20. (as amended ###/###/16)

B. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, those provisions, save §3-1-084 which shall be expressly exempted from the limitation of this paragraph, shall operate as elements of the SIP only insofar as they pertain to:

- 1. "construction," as defined in Nov. '93 Code §1-3-140.28; or
- 2. "modification," as defined in Nov. '93 Code §1-3-140.85; and

C. Notwithstanding the approval as elements of the SIP of those provisions of the Code identified in paragraph A of this section, neither those provisions nor any permit conditions imposed pursuant to those provisions shall:

- 1. Operate as elements of the SIP insofar as they pertain to other than "conventional pollutants," as defined in §1-3-140.33;
- 2. Operate as elements of the SIP insofar as they pertain only to a requirement arising under, or pertain to a source subject to regulation exclusively by virtue of a requirement arising under:
 - a. §111 of the Clean Air Act; or
 - b. Title IV of the 1990 amendments to the Clean Air Act; or
 - c. Title VI of the 1990 amendments to the Clean Air Act; or
 - d. Any section of this Code that is not a part of the SIP;
- 3. Operate as an element of the SIP, at least insofar as they impose a "fee";
- 4. Operate as an element of the SIP, at least insofar as they require a "certification";
- 5. Operate as an element of the SIP, at least insofar as they impose obligations pertaining to "renewals";
- 6. Operate as an element of the SIP, at least insofar as they impose requirements regarding "excess emissions"; or
- 7. Operate as an element of the SIP, at least insofar as they impose requirements regarding "compliance plans."

D. As a renumbering and reconciliation of previously approved SIP provisions as elements of this Code, the Board of Supervisors additionally designates the following list of sections within this Code, to be presented to the Governor of Arizona for transmittal to the Administrator of the EPA with a request that they be included as elements in the Arizona SIP without operational limitation:

- 1. §§1-1-010.C (2/22/95) and 1-1-010.D (2/22/95) *Declaration of Policy*
- 2. Chapter 2, Article 8 (As amended 1/7/09) *Visibility Limiting Standard*
- 3. Chapter 3, Article 8 (2/22/95) *Open Burning*
- 4. [Reserved]
- 5. [Reserved]
- 6. [Reserved]
- 7. [Reserved]
- 8. [Reserved]
- 9. [Reserved]
- 10. [Reserved]
- 11. [Reserved]
- 12. §5-18-740 (2/22/95) *Storage of Organic Compounds - Organic Compound Emissions*
- 13. §5-19-800 (2/22/95) *Loading of Volatile Organic Compounds - Organic Compound Emissions*
- 16. §5-22-950 (2/22/95) *Fossil Fuel Fired Steam Generator Standard Applicability*
- 17. §5-22-960 (2/22/95) *Fossil Fuel Fired Steam Generator Sulfur Dioxide Emission Limitation*
- 18. §5-24-1030.F (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Organic Compound Emissions*
- 19. §5-24-1030.I (2/22/95) *Generally Applicable Federally Enforceable Minimum Standard of Performance - Carbon Monoxide*
- 20. §5-24-1032 (2/22/95) *Federally Enforceable Minimum Standard of Performance - Process Particulate Emissions*
- 21. §5-24-1040 (2/22/95) *Carbon Monoxide Emissions - Industrial Processes*
- 22. §5-24-1045 (2/22/95) *Sulfite Pulp Mills - Sulfur Compound Emissions*
- 23. §5-24-1050 (2/22/95, as amended June 20, 1996) *Reduced Sulfur Emissions - Default Limitation*
- 24. §5-24-1055 (2/22/95) *Pumps and Compressors - Organic Compound Emissions*

CHAPTER 5, ARTICLE 20.



ARTICLE 20. ~~RESERVED~~ STORAGE AND LOADING OF GASOLINE AT GASOLINE DISPENSING FACILITIES

5-20-100. GENERAL

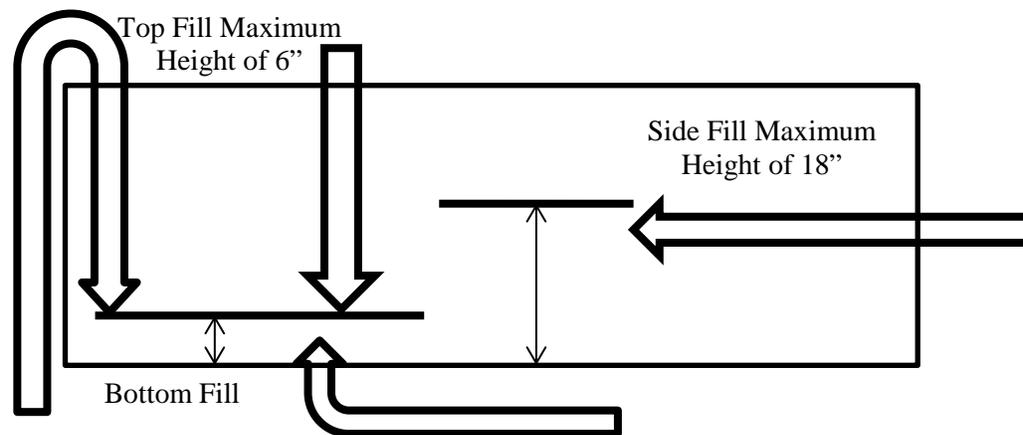
1. Purpose: To limit emissions of volatile organic compounds (VOC) from gasoline during storage and loading of gasoline at gasoline dispensing facilities.
2. Applicability: This Article applies to an owner or operator who operates a gasoline dispensing facility, including those located at airports in the Pinal County portion of the Phoenix-Mesa 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS) nonattainment area, namely T1N, R8E; T1S, R8E (Sections 1 through 12) as defined in 40 CFR 81.303.
3. Exemptions:
 - a. This Article does not apply to the storage and loading of the following fuels:
 - i. Diesel
 - ii. Liquefied petroleum gas (LPG)
 - b. Aviation gasoline loaded at airports: The loading of aviation gasoline into storage tanks at airports, and the subsequent transfer of aviation gasoline within the airport, is exempt from §5-20-300.4 and section §5-20-300.5(a) of this Article. The storage of aviation gas at airports is subject to this Article.
 - c. Bulk gasoline plant or bulk gasoline terminal: This Article does not apply to a bulk gasoline plant or a bulk gasoline terminal.
 - d. Stationary gasoline dispensing tanks for farm operations: Any stationary gasoline dispensing tank used exclusively for the fueling of implements of normal farm operations must comply with Section §5-20-300.2 (General Housekeeping Requirements), but is exempt from all other requirements of this rule.
 - e. Control of VOC Vapors exemption: The Stage 1 Vapory Recovery System provisions of §5-20-300.5.b of this Article shall not apply to the following stationary gasoline dispensing tanks:
 - i. Non-resale gasoline dispensing operations: Any stationary gasoline dispensing facility receiving less than 120,000 gallons of gasoline in any 12 consecutive calendar months, dispensing no resold gasoline, and having each stationary gasoline tank equipped with a permanent submerged fill pipe is exempt from §5-20-300 of this Article. However, any operation shall become subject to the provisions of §5-20-300 of this Article by exceeding the 120,000 gallon threshold, and shall remain subject to such provisions even if annual emissions later fall below this threshold.
 - ii. Stationary gasoline dispensing tanks of 1,000 gallons or less: Any stationary gasoline dispensing tank having a capacity of 1,000 gallons or less which was installed prior to October 2, 1978, provided that such tank is equipped with a permanent submerged fill pipe. Where, because of government regulation including, but not limited to, Fire Department codes, such a fill pipe cannot be installed, the gasoline shall be delivered into the tank using a nozzle extension that reaches within 6 inches of the tank bottom.
 - f. The owner or operator of a gasoline dispensing facility that is unattended or when there is only one owner or operator under control of the gasoline dispensing facility present, the owner or operator of the gasoline dispensing facility is exempt from §5-20-300.4.

5-20-200. DEFINITIONS

1. AVIATION GASOLINE – A type of gasoline used to fuel a piston engine aircraft.
2. CARB-CERTIFIED: A vapor control system, subsystem, or component that has been specifically approved by system configuration and manufacturer’s name and model number in an executive order of the California Air Resources Board (CARB), pursuant to Section 41954 of the California Health and Safety Code.
3. COAXIAL VAPOR BALANCE SYSTEM: A type of vapor balance system in which the gasoline vapors are removed through the same opening through which the fuel is delivered.
4. DUAL-POINT VAPOR BALANCE SYSTEM: A type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection. [40 CFR 63.11132].
5. GASOLINE: Any petroleum distillate, petroleum distillate/alcohol blend, petroleum distillate/organic compound blend, or alcohol having a Reid vapor pressure between 4.0 and 14.7 psi (200-760 mm Hg.), as determined by §5-20-500(4)(b) of this Article, and which is used as a fuel for internal combustion engines.



6. GASOLINE CARGO TANK: A delivery tank truck or railcar which is loading or unloading gasoline, or which has loaded or unloaded gasoline on the immediately previous load. This includes any hoses the vessel carries through which deliveries must be made.
7. GASOLINE DISPENSING FACILITY (GDF): Any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on-road and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline fueled engines and equipment. [40 CFR 63.11132]
8. GASOLINE VAPORS: Vapors, originating from liquid gasoline, that are usually found in mixture with air. Included are any droplets of liquid gasoline or of gasoline vapor condensate that are entrained by the vapor.
9. LEAK-FREE: A condition in which there is no liquid gasoline escape or seepage of more than 3 drops per minute from gasoline storage, handling, and ancillary equipment, including, but not limited to, seepage and escaped from above ground fittings.
10. MARICOP COUNTY (MC) VAPOR TIGHTNESS TEST: The complete pressure, vacuum, and vapor-valve testing of a gasoline cargo tank that is performed according to Maricopa County specifications as described in Maricopa County Air Quality Rule 352.
11. POPPEDED DRY BREAK: A type of vapor loss control equipment that opens only by connection to a mating device to ensure that no gasoline vapors escape from the stationary dispensing tank before the vapor return line is connected.
12. STAGE 1 VAPOR RECOVERY (VR) SYSTEM: At a gasoline dispensing facility, the use of installed vapor recovery equipment designed to reduce by at least 95% the VOC vapor that would otherwise be displaced into the atmosphere from a stationary dispensing tank when gasoline is delivered into the tank by a gasoline cargo tank. This reduction may be done either by capturing the displaced vapors within the gasoline cargo tank, and or by processing the vapors on site with an emission processing device.
13. STATIONARY DISPENSING TANK: Any stationary tank which dispenses gasoline directly into a motorized vehicle’s fuel tank, dispenses gasoline into an aircraft’s fuel tank, or dispenses gasoline into a watercraft’s fuel tank that directly fuels its engine(s).
14. SUBMERGED FILL: Any discharge pipe or nozzle which meets the applicable specifications as follows:
 - a. Top-Fill or Bottom-Fill Tanks: The end of the discharge pipe or nozzle is totally submerged when the liquid level is six inches (15 cm) from the bottom of the tank.
 - b. Side-Fill: At its highest point within the storage tank that is less than 2,000,000 gallon capacity, the end of the discharge pipe or nozzle is totally submerged when the liquid level is 18 inches (46 cm) from the bottom of the tank.
 - c. Horizontal Fill: At its highest point within a floating roof tank of 2,000,000 gallons or greater capacity, the end of the discharge pipe or nozzle may be up to 39.4 inches (1 meter) above the tank bottom if the discharge pipe or nozzle is kept completely submerged, including when the roof rests on its legs, except when the tank is being emptied completely.





- 15. VAPOR LOSS CONTROL EQUIPMENT: Any piping, hoses, equipment, or devices which are used to collect, store and/or process VOC vapors at a service station or other gasoline dispensing operation.
- 16. VAPOR TIGHT: A condition in which a suitable detector at the site of (potential) leakage of vapor shows less than 10,0000 ppmv when calibrated with methane; or the detector shows less than 1/5 LEL (lower explosive limit) subsequent to calibration with a gas specified by the manufacturer and is used according to the manufacturer's instructions.

5-20-300. STANDARDS

1. MANUFACTURERS, SUPPLIERS, AND OWNERS OR OPERATORS:

- a. A manufacturer, supplier, owner or operator shall not supply, offer for sale, sell, install or allow the installation of an aboveground or underground storage tank, any type of vapor recovery system or any of its components unless the tank, system and components meet the following:
 - i. Replacement Components for a Vapor Recovery System: A vapor recovery system for which there is a CARB specification shall be replaced with components that comply with one of the following:
 - 1. The equipment is supplied by the manufacturer as a CARB-certified component; or
 - 2. The equipment is rebuilt by a person who is authorized by CARB to rebuild that specific CARB-certified component.
 - ii. All vapor return lines from dispensing tanks shall be equipped with CARB-certified, spring loaded, vapor-tight, poppetted dry break valves.
 - iii. After [date of rule adoption], each new or rebuilt installed component shall be clearly identified with a permanent identification affixed by the certified manufacturer or rebuilder.
- b. A licensed Vapor Recovery Registered Service Representative (RSR) in the State of Arizona shall install an aboveground or underground storage tank or vapor recovery system components.
- c. Coaxial Vapor Balance System Prohibition: An owner or operator shall not
 - i. Install a coaxial fill pipe in a new installation; or
 - ii. Reinstall a coaxial fill pipe during any changes to the tank when the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.
- d. The owner or operator of a stationary dispensing tank shall verify that vapor recovery equipment (if required by this rule) is properly connected and in use at all times while gasoline is actively being loaded. If the gasoline dispensing facility is unattended or there is only one owner or operator under control of the gasoline dispensing facility on-site, the owner or operator of the cargo tank is responsible for the proper connection and use of the vapor recovery equipment (if required by this rule) while gasoline is being actively loaded.
- e. An owner or operator shall load, allow the loading, or provide equipment for the loading of gasoline from any cargo tank identified with a current Maricopa County Pressure Test decal into any stationary gasoline storage tank.

2. GENERAL HOUSEKEEPING REQUIREMENTS:

- a. An owner or operator shall not store gasoline or permit the loading of gasoline in any stationary gasoline storage tank located above or below ground unless all of the following conditions are met:
 - i. Minimize gasoline spills;
 - ii. Clean up spills as expeditiously as practicable;
 - iii. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
 - iv. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling equipment, such as oil/water separators;
 - v. Properly dispose of any VOC containing material.

3. GASOLINE STORAGE EQUIPMENT AND OPERATION REQUIREMENTS:

- a. An Underground Storage Tank (UST) must meet all of the following conditions unless exempt from the vapor recovery system requirements per §5-20-100.3 of this Article:
 - i. The UST is equipped and maintained according to §5-20-300.1 of this rule;



- ii. For an existing GDF, maintain a dual-point vapor recovery system OR a coaxial vapor balance system. For new installations or modifications to existing GDF, install and maintain a dual-point vapor recovery system with separate fill and vapor connection points;
 - iii. A pressure vacuum vent is installed and maintained per manufacturer specifications;
 - iv. The vapor recovery system is maintained and operated according to the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual;
 - v. A permanent submerged fill pipe is installed and maintained to ensure the highest point of the discharge opening is no more than six inches (6") from the bottom of the UST;
 - vi. Each fill pipe is equipped with gasketed vapor tight cap;
 - vii. Each popped dry break is equipped with vapor tight seal and gasketed vapor tight cap;
 - viii. Each gasketed vapor tight cap is maintained in a closed position except when the fill pipe or popped dry break it serves is actively in use;
 - ix. The fill pipe assembly, including fill pipe, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system; and
 - x. A spill containment receptacle is installed and maintained free of standing liquid, debris and other foreign matter. The spill containment receptacle shall be equipped with an integral drain valve or other CARB-certified equipment, to return spilled gasoline to the underground stationary storage tank. The drain valve shall be maintained closed and free of vapor emissions at all times except when the valve is actively in use.
- b. An Above Ground Storage Tank (AST) with a capacity greater than 250 gallons must meet all of the following conditions:
- i. A permanent submerged fill pipe is installed and maintained to ensure the highest point of the discharge opening is no more than six inches (6") from the bottom of the AST. If the AST is side filled, the fill pipe discharge opening is no more than 18 inches above the tank bottom;
 - ii. A pressure vacuum vent is installed and maintained per manufacturer specifications;
 - iii. Each fill pipe is equipped with a gasketed vapor tight cap;
 - iv. Each popped dry break is equipped with a vapor tight seal and is covered with a gasketed vapor tight cap;
 - v. All threads, gaskets, and mating surfaces of the fill pipe assembly shall prevent liquid or vapor leakage at the joints of the assembly;
 - vi. Each gasketed vapor tight cap is maintained in a closed position except when actively in use;
 - vii. If an AST is equipped with a spill containment receptacle, it shall be maintained to be free of standing liquid, debris and other foreign matter;
 - viii. A spill containment receptacle is installed at each fill pipe;
 - ix. Each spill containment receptacle equipped with an integral drain valve or other approved equipment that returns spilled gasoline to the aboveground storage tank shall be maintained closed vapor tight except when the valve is actively in use; and
 - x. Any overflow prevention equipment shall be approved, installed and maintained vapor tight to the atmosphere. Any device mounted within the fill pipe shall be so designed and maintained that no vapor from the vapor space above the gasoline within the tank can penetrate into the fill pipe or through any of the fill pipe assembly into the atmosphere.
4. LOADING OF GASOLINE:
- a. When more than one owner or operator is present at a gasoline dispensing facility, prior to accepting a load of gasoline, the owner or operator of a gasoline dispensing facility shall verify all of the following:
 - i. The gasoline cargo tank clearly displays a valid Maricopa County (Mc) Vapor Tightness Test decal that is permanently mounted near the front on the right (passenger) side of the vessel.
 - ii. The owner or operator of the gasoline cargo tank connects the vapor return hose.
5. CONTROL OF VOC VAPORS:
- a. Gasoline vapors displaced from a stationary dispensing tank by gasoline being delivered shall be handled by a Stage 1 Vapor Recovery System, unless the tank is exempted by §5-20-100.3 of this rule.



- b. Stage 1 Vapor-Recovery System Configuration:
 - i. Replacement: No part of a vapor recovery system for which there is a CARB specification shall be replaced with anything but CARB-certified components.
 - ii. Vapor Valves:
 - 1. All vapor return lines from a stationary dispensing tank shall be equipped with CARB-certified, spring-loaded, vapor-tight, poppetted dry break valves.
 - 2. Vapor valves shall be inspected weekly to determine if closure is complete and gaskets are intact; a record shall be made pursuant to §5-20-500.2 of this rule.
 - iii. Above Ground Systems: An above ground dispensing tank shall have CARB-certified fittings wherever CARB so specifies.
 - iv. Installation of New Gasoline Tank: Each new gasoline tank installation shall use CARB-certified fittings exclusively wherever CARB so specifies, and:
 - 1. Shall have its own separate, functioning dual-point vapor return line;
 - 2. Is allowed to have a combination vapor recovery system that in addition to having a separate dual-point vapor return line, also has vapor piping/fittings linking it to one or more (other) stationary gasoline dispensing tanks.
 - v. New Coaxial Prohibited:
 - 1. No coaxial fill pipes shall be installed in new installations; and
 - 2. No coaxial fill pipes shall be reinstalled in major modifications in which the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.
- c. Equipment Maintenance and Use Required:
 - i. All vapor loss control equipment shall be:
 - 1. Installed as required;
 - 2. Operated as recommended by the manufacturer; and
 - 3. Maintained leak-free, vapor-tight and in good working order.
 - ii. Coaxial Systems: Both spring-loaded and fixed coaxial fill pipes shall be
 - 1. Maintained according to the standards of their manufacturer(s); and
 - 2. Be operated so that there is no obstruction of vapor passage from the tank to the cargo tank.

5-20-400. ADMINISTRATIVE REQUIREMENTS

- 1. The owner or operator of a gasoline dispensing facility shall conduct inspections of the stationary gasoline storage tank.
 - a. The inspection shall include, but is not limited to all of the following:
 - i. The spill containment receptacle shall be maintained:
 - 1. Free of cracks, rust and defects;
 - 2. Free of foreign material;
 - 3. Empty of liquid, including gasoline; and
 - 4. The drain valve, if installed, shall properly seal.
 - ii. The external fittings of the fill pipe assembly shall be:
 - 1. Intact and not loose;
 - 2. Covered with a gasketed cap that fits securely onto the fill pipe.
 - iii. The poppetted dry break shall be:
 - 1. Equipped with a vapor tight seal;
 - 2. Covered with a gasketed cap that fits securely onto the poppetted dry break.
 - b. The inspections shall be conducted:
 - i. At least once per calendar week; or
 - ii. If the gasoline dispensing facilities receives gasoline loads less than once per calendar week, the inspection shall take place upon completion of the receipt of the load of gasoline.
- 2. Burden of Proof:
 - a. Proving Exempt Status: The burden of proof of eligibility for exemption from a provision of this rule is on the owner or operator. An owner or operator seeking such an exemption shall maintain adequate records and furnish them to the Control Officer upon request.



- b. Providing Proof of Equipment Compliance: It is the responsibility of the owner or operator to provide proof, when requested by the Control Officer, that a vapor recovery system or its modifications meet the requirements of this Article.
- 3. CARB Decertification: An owner or operator shall not install or reinstall a component related to vapor recovery that has been decertified by CARB.

5-20-500. MONITORING AND RECORDS

1. MONITORING FOR LEAKS

- a. Combustible Gas Detector or Organic Vapor Analyzer – Test Procedure: During loading of gasoline into storage tanks, the peripheries of all potential sources of leakage at the loading facility are checked with a combustible gas detector (CGD) or organic vapor analyzer(OVA) as follows:
 - i. Calibration: Within four hours prior to monitoring, the CGD or OVA shall be suitably calibrated in a manner and with the gas specified by the manufacturer for 20 percent LEL response, or calibrated with methane for a 10,000 ppm response.
 - ii. Probe Distance: The probe inlet shall be one inch (2.5 cm) or less from the potential leak source when searching for leaks. The probe inlet shall be one inch (2.5 cm) from the leak source when the highest detector reading is being determined for a discovered leak. When the probe is obstructed from moving within one inch (2.5 cm) of an actual or potential leak source, the closest practicable probe distance shall be used.
 - iii. Probe Movement: The probe shall be moved slowly, not faster than 1.6 inches per second (4 centimeters per second). If there is any meter deflection at a potential or actual leak source, the probe shall be positioned to locate the point of highest meter response.
 - iv. Probe Position: The probe inlet shall be positioned in the path of the vapor flow from a leak such that the central axis of the probe-tube inlet shall be positioned coaxial with the path of the most concentrated vapors.
 - b. Method 21-Determination of Volatile Organic Compound Leaks, Alternative Screening Procedure 8.3.3:
 - i. Spray a soap solution over all potential leak sources. The soap solution may be a commercially available leak detection solution or may be prepared using concentrated detergent and water. A pressure sprayer or squeeze bottle may be used to dispense the solution.
 - ii. Observe the potential leak sites to determine if any bubbles are formed.
 - 1. If no bubbles are observed, the source is presumed to have no detectable vapor leaks.
 - 2. If any bubbles are observed, the instrument techniques of §5-20-500.1.a of this rule shall be used to determine if a vapor leak exists.
 - c. Optical Gas Imaging: An owner or operator may use an optical gas imaging instrument to identify vapor leaks. If a vapor leak is detected, the instrument techniques listed in Section §5-20-500.1.a of this rule shall be used to determine if a vapor leak exists.
2. COMPLIANCE INSPECTIONS: Any gasoline dispensing facility required by this rule to be equipped with vapor loss control devices may be subject to monitoring for vapor tightness and liquid leak tightness during any working hours. Such a tank may be opened for gauging or inspection when loading operations are not in progress, provided that such tank is part of an open system or is served by a positive-pressure relief valve with a relief setting not exceeding +1/2 lb psig.
3. GASOLINE DISPENSING FACILITY RECORDKEEPING: The owner or operator of each gasoline dispensing facility in the Pinal County portion of the Phoenix 8-hour ozone nonattainment area shall maintain records as follows:
- a. The total amount of gasoline received each month shall be recorded by the end of the following month.
 - b. The owner or operator of a gasoline dispensing facility shall record inspections in a permanent record or log book:
 - i. By the end of Saturday of the following week; or
 - ii. If the gasoline dispensing facilities receives gasoline loads less than once per calendar week, the owner or operator shall record the inspection within three days after the receipt of the load of gasoline.
 - iii. These records and any reports or supporting information required by this rule or by the Control Officer shall be retained for at least 5 years.



- iv. Records of the past 12 months shall be in a readily accessible location and must be made available to the Control Officer within 24 hours upon verbal or written request.

- 4. COMPLIANCE DETERMINATION: The test methods referenced in §5-20-500.5 of this rule, shall be used in the ways given in the subsections that immediately follow. When more than one test method is permitted for a determination, an exceedance of the limits established in this rule determined by any of the applicable test methods constitutes a violation of this rule. For routine information collection, the Control Officer may accept a manufacturer’s data sheet (MSDS), data certified by an officer of the supplying company, or test data for the product of inquiry.
 - a. Control efficiency of vapor loss control equipment and vapor collection/ processing systems shall be determined according to EPA Method 2A and either EPA Method 25A or 25B, or by CARB-approved test methods. EPA Method 2B shall be used for vapor incineration devices.
 - b. Vapor pressure of gasoline shall be determined using ASTM D323-15a Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method or ASTM D4953-15, Standard Test Method for Vapor Pressure of Gasoline and Gasoline-Oxygenate Blends (Dry Method. ASTM D323-15a shall be used for gasoline either containing no oxygenates or MTBE (methyl tertiary butyl ether) as the sole oxygenate. Method ASTM 4953-15 shall be used for oxygenated gasoline.
 - c. Vapor Leaks:
 - i. If a determination of leak tight status is to be made on Stage 1VR system or spill containment equipment at a gasoline dispensing facility or on a cargo tank at the station, the method in §5-20-500(4)(c) of this rule shall be used.
 - ii. §5-20-500(4)(c) of this rule probe distance and movement parameters not with-standing, if it has been established that there are no other interfering vapor escapes, it is an exceedance if a reading by the Control Officer from an established vapor escape above 1/5 LEL (or 10,000 ppm as methane) is sustained for at least 5 seconds, and the probe is either consistently further than 1 inch from the source and/or the probe is consistently being moved faster than 4 cm per second.
 - iii. The Control Officer may count it as a failure to perform weekly inspections pursuant to §5-20-300.3 of this rule if foreign material is found in a spill containment receptacle and there is no record of an inspection’s being performed in the preceding 10 days.

- 5. TEST METHODS: The EPA test methods as they exist in the Code of Federal Regulations (CFR) as listed below, are adopted by reference. The CARB test methods as they exist in Stationary Source Test Methods, Volume 2, on April 8, 1999, as listed in §5-20-500(5)(c) of this rule, are adopted by reference. The other test methods listed here are also adopted by reference, each having paired with it a specific date that identifies the particular version/revision of the method that is adopted by reference. These adoptions by reference include no future editions or amendments.
 - a. EPA Test Methods:
 - i. EPA Methods 2a (“Direct Measurement of Gas Volume Through Pipes and Small Ducts”), and 2b (“Determination of Exhaust-Gas Volume Flow-Rate From Gasoline Vapor Incinerators“).40 CFR 60, Appendix A.
 - ii. EPA Method 21 - Determination of Volatile Organic Compound Leaks.
 - iii. EPA Method 21-Determination of Volatile Organic Compound Leaks, Alternative Screening Procedure 8.3.3
 - iv. EPA Method 25 (“Determination of Total Gaseous Nonmethane Organic Emissions as Carbon”) and its submethods (40 CFR 60, Appendix A).
 - v. EPA Method 27 (“Determination Of Vapor Tightness Of Gasoline Delivery Tank Using Pressure-Vacuum Test”) in 40 CFR 60, Appendix A.
 - vi. Optical Gas Imaging: Alternative Work Practice for Monitoring Equipment Leaks, 40 CFR 60.18(g). An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, Appendix A-7, Method 21 to monitor for equipment volatile organic compound leaks.
 - b. ASTM Standards:
 - i. ASTM D323-15a “Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method).
 - ii. ASTM D4953-15 “Standard Test Method for Vapor Pressure of Gasoline and Gasoline-Oxygenate Blends (Dry Method)



- c. CARB Certification and Test Procedures for Gasoline Vapor Recovery Systems:
- i. California Environmental Protection Agency, Air Resources Board Vapor Recovery Test Procedure TP-201.1B, Static Torque of Rotatable Phase 1 Adaptors, October 8, 2003 edition, California Air Resources Board, P.O. Box 2815, 2020 L. Street, Sacramento, California 95812-2815.
 - ii. California Air Resources Board Vapor Recovery Test Procedure TP-201.1,—Volumetric Efficiency for Phase I Vapor Recovery Systems, adopted April 12, 1996, and amended February 1, 2001, and October 8, 2003.
 - iii. CARB Test Procedure TP-201.1A - “Determination of Efficiency of Phase I Vapor Recovery Systems of Dispensing Facilities with Assist Processors”.
 - iv. California Environmental Protection Agency, Air Resources Board Vapor Recovery Test Procedure TP-201.1E, Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, October 8, 2003 edition, California Air Resources Board, P.O. Box 2815, 2020 L. Street, Sacramento, California 95812-2815.
 - v. California Environmental Protection Agency, Air Resources Board Vapor Recovery Test Procedure TP-201.1C, Leak Rate of Drop Tube/Drain Valve Assembly, October 8, 2003 edition, California Air Resources Board, P.O. Box 2815, 2020 L. Street, Sacramento, California 95812-2815.
 - vi. California Environmental Protection Agency, Air Resources Board Vapor Recovery Test Procedure TP-201.1D, Leak Rate of Drop Tube Overfill Protection Devices and Spill Container Drain Valves, October 8, 2003 edition, California Air Resources Board, P.O. Box 2815, 2020 L. Street, Sacramento, California 95812-2815.
 - vii. California Air Resources Board Vapor Recovery Test Procedure TP-201.3—Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities, adopted April 12, 1996, and amended July 26, 2012.
 - viii. Bay Area Air Quality Management District Source Test Procedure ST-30—Static Pressure Integrity Test—Underground Storage Tanks, adopted November 30, 1983, and amended December 21, 1994.
- d. Additional Test Methods:
- i. San Diego County Air Pollution Control District Test Procedure TP-96-1, March 1996, Third Revision, Air Pollution Control District, 9150 Chesapeake Drive, San Diego, CA 92123-1096.
 - ii. American Petroleum Institute Standard API STD 650 Welded Tanks for Oil Storage, Twelfth Edition, Includes Errata 1 (2013), Errata 2 (2014), and Addendum 1 (2014).

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:

PROPOSED RULEMAKING

PN = Proposed new Section
PM = Proposed amended Section
PR = Proposed repealed Section
P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
SPM = Supplemental proposed amended Section
SPR = Supplemental proposed repealed Section
SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
FM = Final amended Section
FR = Final repealed Section
F# = Final renumbered Section

SUMMARY RULEMAKING**PROPOSED SUMMARY**

PSMN = Proposed Summary new Section
PSMM = Proposed Summary amended Section
PSMR = Proposed Summary repealed Section
PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
FSMM = Final Summary amended Section
FSMR = Final Summary repealed Section
FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING**PROPOSED EXPEDITED**

PEN = Proposed Expedited new Section
PEM = Proposed Expedited amended Section
PER = Proposed Expedited repealed Section
PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
SPEM = Supplemental Proposed Expedited amended Section
SPER = Supplemental Proposed Expedited repealed Section
SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
FEM = Final Expedited amended Section
FER = Final Expedited repealed Section
FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING**EXEMPT PROPOSED**

PXN = Proposed Exempt new Section
PXM = Proposed Exempt amended Section
PXR = Proposed Exempt repealed Section
PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
SPXR = Supplemental Proposed Exempt repealed Section
SPXM = Supplemental Proposed Exempt amended Section
SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULMAKING

FXN = Final Exempt new Section
FXM = Final Exempt amended Section
FXR = Final Exempt repealed Section
FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

EN = Emergency new Section
EM = Emergency amended Section
ER = Emergency repealed Section
E# = Emergency renumbered Section
EEXP = Emergency expired

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

TN = Terminated proposed new Sections
TM = Terminated proposed amended Section
TR = Terminated proposed repealed Section
T# = Terminated proposed renumbered Section

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

CORRECTIONS

C = Corrections to Published Rules

**2016 Arizona Administrative Register
Volume 22 Page Guide**

| | | |
|--------------------------------------|---------------------------------------|---|
| Issue 1, Jan. 1, 2016.....1-44 | Issue 13, March 25, 2016.....663-692 | Issue 25, June 17, 2016.....1587-1632 |
| Issue 2, Jan. 8, 2016.....45-74 | Issue 14, April 1, 2016.....693-726 | Issue 26, June 24, 2016.....1633-1670 |
| Issue 3, Jan. 15, 2016.....75-100 | Issue 15, April 8, 2016.....727-800 | Issue 27, July 1, 2016.....1671-1722 |
| Issue 4, Jan. 22, 2016.....101-134 | Issue 16, April 15, 2016.....801-846 | Issue 28, July 8, 2016.....1723-1772 |
| Issue 5, Jan. 29, 2016.....135-172 | Issue 17, April 22, 2016.....847-916 | Issue 29, July 15, 2016.....1773-1874 |
| Issue 6, Feb. 5, 2016.....173-214 | Issue 18, April 29, 2016.....917-1016 | Issue 30, July 22, 2016.....1875-1936 |
| Issue 7, Feb. 12, 2016.....215-250 | Issue 19, May 6, 2016.....1017-1086 | Issue 31, July 29, 2016.....1937-2010 |
| Issue 8, Feb. 19, 2016.....251-362 | Issue 20, May 13, 2016.....1087-1284 | Issue 32, August 5, 2016.....2011-2074 |
| Issue 9, Feb. 26, 2016.....363-406 | Issue 21, May 20, 2016.....1285-1336 | Issue 33, August 12, 2016.....2075-2162 |
| Issue 10, March 4, 2016.....407-544 | Issue 22, May 27, 2016.....1337-1374 | Issue 34, August 19, 2016.....2163-2234 |
| Issue 11, March 11, 2016.....545-598 | Issue 23, June 3, 2016.....1375-1410 | |
| Issue 12, March 18, 2016.....599-662 | Issue 24, June 10, 2016.....1411-1585 | |

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 34 OF VOLUME 22.

| | | | |
|---|---------------------|--|--|
| Acupuncture Board of Examiners | | | |
| R4-8-101. | PM-697; FM-2175 | | |
| Table 1. | PM-697; FM-2175 | | |
| R4-8-203. | PM-697; FM-2175 | | |
| R4-8-403. | PM-697; FM-2175 | | |
| R4-8-407. | PM-697; FM-2175 | | |
| R4-8-411. | EXP-14 | | |
| R4-8-412. | EXP-14 | | |
| R4-8-502. | PM-697; FM-2175 | | |
| Agriculture, Department of - Animal Services Division | | | |
| R3-2-202. | PM-1021; FM-2167 | | |
| R3-2-405. | EM-1750 | | |
| R3-2-601. | EM-1750 | | |
| R3-2-602. | EM-1750 | | |
| R3-2-603. | EM-1750 | | |
| R3-2-605. | EM-1750 | | |
| R3-2-606. | EM-1750 | | |
| R3-2-608. | EM-1750 | | |
| R3-2-609. | EM-1750 | | |
| R3-2-610. | EM-1750 | | |
| R3-2-611. | EM-1750 | | |
| R3-2-617. | ER-1750 | | |
| R3-2-618. | ER-1750 | | |
| R3-2-801. | PM-1023; FM-2169 | | |
| R3-2-806. | PM-1023; FM-2169 | | |
| Agriculture, Department of - Environmental Services Division | | | |
| R3-3-208. | FM-367 | | |
| Agriculture, Department of - Agricultural Councils and Commissions | | | |
| R3-9-105. | EXP-1393 | | |
| Arizona Health Care Cost Containment System - Administration | | | |
| R9-22-401. | PN-1289 | | |
| R9-22-402. | PN-1289 | | |
| R9-22-403. | PN-1289 | | |
| R9-22-404. | PN-1289 | | |
| R9-22-405. | PN-1289 | | |
| R9-22-406. | PN-1289 | | |
| R9-22-407. | PN-1289 | | |
| R9-22-408. | PN-1289 | | |
| R9-22-701. | PM-761; FM-2187 | | |
| R9-22-712.15. | PM-770 | | |
| R9-22-712.35. | PM-761; FM-2187 | | |
| R9-22-712.60. | FM-2187 | | |
| R9-22-712.61. | PM-761; FM-2187 | | |
| R9-22-712.66. | PM-761; FM-2187 | | |
| R9-22-712.67. | PM-761; FM-2187 | | |
| R9-22-712.71. | PM-761; FM-2187 | | |
| R9-22-712.75. | PM-761; FM-2187 | | |
| R9-22-712.90. | SPN-1945 | | |
| R9-22-730. | FXM-2050 | | |
| Arizona Health Care Cost Containment System - Arizona Long-term Care System | | | |
| R9-28-702. | PM-2015 | | |
| Arizona Health Care Cost Containment System - Behavioral Health Services for Persons with Serious Mental Illness | | | |
| R9-21-101. | PM-731; FM-2019 | | |
| R9-21-102. | PM-731; FM-2019 | | |
| R9-21-103. | PM-731; FM-2019 | | |
| R9-21-104. | PM-731; FM-2019 | | |
| R9-21-105. | PM-731; FM-2019 | | |
| R9-21-106. | PM-731; FM-2019 | | |
| R9-21-201. | PM-731; FM-2019 | | |
| R9-21-203. | PM-731; FM-2019 | | |
| R9-21-204. | PM-731; FM-2019 | | |
| R9-21-205. | PM-731; FM-2019 | | |
| R9-21-206. | PM-731; FM-2019 | | |
| R9-21-206.01. | PM-731; FM-2019 | | |
| R9-21-208. | PM-731; FM-2019 | | |
| R9-21-209. | PM-731; FM-2019 | | |
| Exhibit A | PM-731; FM-2019 | | |
| R9-21-301. | PM-731; FM-2019 | | |
| R9-21-303. | PM-731; FM-2019 | | |
| R9-21-307. | PM-731; FM-2019 | | |
| R9-21-309. | PM-731; FM-2019 | | |

| | | | | | |
|--|----------|--|----------|---|-----------|
| R18-4-103. | FM-379 | R9-14-611. | PM-1415 | R9-15-314. | FXR-851 |
| R18-4-105. | FM-379 | R9-14-612. | PM-1415 | R9-15-315. | FXR-851 |
| R18-4-121. | FM-379 | R9-14-613. | PM-1415 | R9-15-316. | FXR-851 |
| R18-4-126. | FN-379 | R9-14-614. | PM-1415 | R9-15-317. | FXR-851 |
| R18-4-210. | FM-379 | R9-14-615. | PM-1415 | R9-15-318. | FXR-851 |
| Environmental Quality, Department of | | R9-14-616. | PM-1415 | R9-15-101. | FXR-851 |
| - Water Pollution Control | | R9-14-617. | PM-1415 | R9-15-101. | FXR-851 |
| R18-9-704. | FM-1696 | R9-14-620. | PM-1415 | R9-15-101. | FXR-851 |
| Environmental Quality, Department of | | R9-14-621. | PM-1415 | Health Services, Department of - Vital | |
| - Water Quality Standards | | Table 1. | P#-1415 | Records and Statistics | |
| R18-11-106. | TM-343; | Table 6.1. | P#-1415; | R9-19-101. | FXM-1782 |
| | PM-255 | | PM-1415 | R9-19-102. | FXN-1782 |
| R18-11-109. | TM-343; | Exhibit I. | PR-1415 | R9-19-103. | FXN-1782 |
| | PM-255 | Exhibit II. | PR-1415 | R9-19-104. | FXM-1782 |
| R18-11-110. | TM-343; | Table 6.2.A | PN-1415 | R9-19-105. | FXR-1782; |
| | PM-255 | Table 6.2.B. | PN-1415 | | FXM-1782 |
| R18-11-112. | TM-343; | Table 6.2.C. | PN-1415 | R9-19-106. | FXR-1782 |
| | PM-255 | Table 6.2.D. | PN-1415 | R9-19-108. | FXR-1782 |
| R18-11-115. | TM-343; | Table 6.2.E. | PN-1415 | R9-19-109. | FXR-1782 |
| | PM-255 | Table 6.3. | PN-1415 | R9-19-111. | FXR-1782 |
| R18-11-121. | TM-343; | Table 6.4. | PN-1415 | R9-19-112.01. | FXR-1782 |
| | PM-255 | | | R9-19-114. | FXR-1782 |
| Appendix A. | TM-343; | Health Services, Department of - Loan | | R9-19-115. | FXR-1782 |
| | PM-255 | Repayment Program | | R9-19-116. | FXR-1782 |
| Appendix B. | TM-343; | R9-15-101. | FXM-851 | R9-19-117. | FXR-1782 |
| | PM-255 | R9-15-201. | FXN-851 | R9-19-118. | FXR-1782 |
| Appendix C. | TM-343; | | FXR-851; | R9-19-120. | FXR-1782 |
| | PM-255 | R9-15-202. | FXN-851 | R9-19-201. | FXR-1782; |
| Game and Fish Commission | | | FXN-851 | | FXN-1782 |
| R12-4-701. | PM-810; | R9-15-203. | FXR-851; | R9-19-202. | FXR-1782; |
| | FM-2200 | | FXN-851 | | FXN-1782 |
| R12-4-702. | PM-810; | R9-15-204. | FXR-851; | R9-19-203. | FXN-1782 |
| | FM-2200 | | FXN-851 | R9-19-204. | FXN-1782 |
| R12-4-703. | PM-810; | R9-15-205. | FXR-851; | R9-19-205. | FXR-1782; |
| | FR-2200 | | FXN-851 | | FXN-1782 |
| R12-4-704. | PM-810; | R9-15-205.01. | FXN-851 | R9-19-206. | FXR-1782; |
| | FR-2200 | R9-15-206. | FXR-851; | | FXN-1782 |
| R12-4-705. | PM-810; | Table 2.1. | FXN-851 | R9-19-207. | FXR-1782; |
| | FR-2200 | R9-15-207. | FXR-851; | | FXN-1782 |
| R12-4-706. | PM-810; | | FXN-851 | R9-19-208. | FXR-1782; |
| | FR-2200 | R9-15-208. | FXR-851; | | FXN-1782 |
| R12-4-707. | PM-810; | | FXN-851 | R9-19-209. | FXN-1782 |
| | FR-2200 | R9-15-209. | FXR-851; | R9-19-210. | FXN-1782 |
| R12-4-708. | PM-810; | | FXN-851 | R9-19-211. | FXN-1782 |
| | FR-2200 | R9-15-210. | FXR-851; | R9-19-212. | FXN-1782 |
| R12-4-801. | FXM-951 | | FXN-851 | R9-19-301. | FXM-1782 |
| R12-4-802. | FXM-951; | R9-15-211. | FXR-851; | R9-19-302. | FX#-1782; |
| | FXM-2209 | | FXN-851 | | FXN-1782 |
| R12-4-803. | FXM-951; | R9-15-212. | FXR-851; | R9-19-303. | FXR-1782; |
| | FXM-2209 | | FXN-851 | | FXN-1782 |
| Health Services, Department of - Health | | R9-15-213. | FXR-851; | R9-19-304. | FXR-1782; |
| Care Institutions: Licensing | | | FXN-851 | | FXN-1782 |
| R9-10-101. | FXM-1035 | R9-15-214. | FXR-851; | R9-19-305. | FXR-1782; |
| R9-10-119. | PN-139; | | FXN-851 | | FX#-1782; |
| | EM-420; | R9-15-215. | FXR-851; | | FXM-1782 |
| | FN-1343 | | FXN-851 | R9-19-306. | FX#-1782; |
| R9-10-707. | FXM-1035 | | FXR-851 | | FXN-1782 |
| R9-10-1002. | FXM-1035 | R9-15-216. | FXR-851 | R9-19-307. | FXR-1782; |
| R9-10-1025. | FXM-1035 | R9-15-217. | FXR-851 | | FX#-1782; |
| R9-10-1030. | FXM-1035 | R9-15-218. | FXR-851 | | FXM-1782 |
| R9-10-1031. | FXN-1035 | R9-15-301. | FXR-851 | R9-19-308. | FX#-1782; |
| Health Services, Department of - Labo- | | R9-15-302. | FXR-851 | | FXM-1782 |
| roratories | | R9-15-303. | FXR-851 | R9-19-309. | FXR-1782; |
| R9-14-601. | PM-1415 | R9-15-304. | FXR-851 | | FX#-1782; |
| R9-14-602. | PM-1415 | R9-15-305. | FXR-851 | | FXM-1782 |
| R9-14-603. | PM-1415 | R9-15-306. | FXR-851 | R9-19-310. | FX#-1782; |
| R9-14-605. | PM-1415 | R9-15-307. | FXR-851 | | FXM-1782 |
| R9-14-606. | PM-1415 | R9-15-308. | FXR-851 | R9-19-311. | FX#-1782; |
| R9-14-607. | PM-1415 | R9-15-309. | FXR-851 | | FXM-1782 |
| R9-14-608. | PM-1415 | R9-15-310. | FXR-851 | R9-19-312. | FX#-1782; |
| R9-14-609. | PM-1415 | R9-15-311. | FXR-851 | | FXM-1782 |
| R9-14-610. | PM-1415 | R9-15-312. | FXR-851 | | FXM-1782 |
| | | R9-15-313. | FXR-851 | | |

| | | | | | |
|--|-----------|--|----------|---|----------|
| R9-19-313. | FX#-1782; | R19-3-546. | PM-1091 | R13-4-202. | FM-555 |
| | FXM-1782 | R19-3-547. | PM-1091 | R13-4-203. | FM-555 |
| R9-19-314. | FX#-1782; | R19-3-549. | PM-1091 | R13-4-204. | FM-555 |
| | FXN-1782 | R19-3-553. | PM-1091 | R13-4-205. | FM-555 |
| R9-19-315. | FXN-1782 | R19-3-562. | PM-1091 | R13-4-206. | FM-555 |
| R9-19-316. | FXN-1782 | R19-3-563. | P#-1091; | R13-4-208. | FM-555 |
| R9-19-317. | FXN-1782 | | PN-1091 | Private Postsecondary Education, Board for | |
| R9-19-402. | FXR-1782 | R19-3-564. | P#-1091; | R4-39-101. | FM-921 |
| R9-19-403. | FXR-1782 | | PM-1091 | R4-39-102. | FM-921 |
| R9-19-404. | FXR-1782 | R19-3-565. | P#-1091 | R4-39-103. | FM-921 |
| R9-19-405. | FXR-1782 | R19-3-566. | P#-1091; | R4-39-104. | FM-921 |
| R9-19-406. | FXR-1782 | | PM-1091 | R4-39-105. | FM-921 |
| R9-19-408. | FXR-1782 | R19-3-567. | P#-1091 | R4-39-106. | FM-921 |
| R9-19-412. | FXR-1782 | R19-3-568. | P#-1091 | R4-39-107. | FM-921 |
| R9-19-413. | FX#-1782 | R19-3-569. | P#-1091; | R4-39-108. | FM-921 |
| R9-19-414. | FXR-1782 | | PM-1091 | R4-39-109. | FM-921 |
| Industrial Commission of Arizona | | Medical Board, Arizona | | R4-39-110. | FM-921 |
| R20-5-601. | FM-773; | R4-16-201. | FXM-778 | R4-39-111. | FM-921 |
| | FM-1391 | R4-16-205. | FXM-778 | R4-39-201. | FM-921 |
| R20-5-602. | FM-773 | Nursing, State Board of | | R4-39-301. | FM-921 |
| R20-5-629. | FM-775 | R4-19-801. | FXM-1900 | R4-39-302. | FM-921 |
| R20-5-715. | PM-416 | R4-19-802. | FXM-1900 | R4-39-303. | FM-921 |
| R20-5-1301. | FM-1730 | R4-19-804. | FXM-1900 | R4-39-304. | FM-921 |
| R20-5-1302. | FM-1730 | R4-19-806. | FXM-1900 | R4-39-305. | FM-921 |
| R20-5-1303. | FM-1730 | R4-19-807. | FXM-1900 | R4-39-306. | FM-921 |
| R20-5-1304. | FM-1730 | R4-19-808. | FXM-1900 | R4-39-307. | FM-921 |
| R20-5-1305. | FM-1730 | R4-19-809. | FXM-1900 | R4-39-308. | FM-921 |
| R20-5-1306. | FM-1730 | R4-19-810. | FXM-1900 | R4-39-401. | FM-921 |
| R20-5-1307. | FM-1730 | R4-19-811. | FXM-1900 | R4-39-402. | FM-921 |
| R20-5-1308. | FM-1730 | R4-19-812. | FXM-1900 | R4-39-403. | FM-921 |
| R20-5-1309. | FM-1730 | R4-19-813. | FXM-1900 | R4-39-404. | FM-921 |
| R20-5-1310. | FM-1730 | R4-19-814. | FXM-1900 | R4-39-405. | FR-921 |
| R20-5-1311. | FM-1730 | R4-19-815. | FXM-1900 | R4-39-406. | FM-921 |
| R20-5-1312. | FM-1730 | Optometry, Board of | | R4-39-407. | FN-921 |
| Lottery Commission, Arizona State | | R4-21-101. | FM-328 | R4-39-408. | FN-921 |
| R19-3-201. | FM-1379 | R4-21-102. | FM-328 | R4-39-501. | FM-921 |
| R19-3-202. | FM-1379 | R4-21-103. | FM-328 | R4-39-502. | FM-921 |
| R19-3-202.01. | FM-1379 | R4-21-201. | FM-328 | R4-39-503. | FM-921 |
| R19-3-202.03. | FM-1379 | R4-21-202. | FM-328 | R4-39-504. | FN-921 |
| R19-3-202.04. | FM-1379 | R4-21-203. | FM-328 | R4-39-601. | FM-921 |
| R19-3-204. | FM-1379 | R4-21-205. | FM-328 | R4-39-602. | FM-921 |
| R19-3-204.02. | FM-1379 | R4-21-205.1. | FN-328 | R4-39-603. | FM-921 |
| R19-3-205. | FM-1379 | R4-21-206. | FM-328 | Psychologist Examiners, Board of | |
| R19-3-210. | FM-1379 | R4-21-208. | FM-328 | R4-26-101. | PM-1591 |
| R19-3-211. | FM-1379 | R4-21-209. | FM-328 | R4-26-108. | PM-1591 |
| R19-3-214. | FM-1379 | R4-21-210. | FM-328 | R4-26-109. | PN-1591 |
| R19-3-217. | FM-1379 | R4-21-211. | FM-328 | R4-26-110. | PN-1591 |
| R19-3-501. | PM-1091 | R4-21-213. | FR-328 | R4-26-111. | PN-1591 |
| R19-3-505. | PM-1091 | R4-21-302. | FM-328 | R4-26-203.03. | PM-1591 |
| R19-3-506. | PM-1091 | R4-21-305. | FM-328 | R4-26-203.04. | PN-1591 |
| R19-3-508. | PM-1091 | R4-21-306. | FM-328 | R4-26-205. | PM-1591 |
| R19-3-509. | PM-1091 | R4-21-308. | FM-328 | R4-26-206. | PM-1591 |
| R19-3-510. | PM-1091 | Peace Officer Standards and Training Board, Arizona | | R4-26-207. | PM-1591 |
| R19-3-514. | PM-1091 | R13-4-101. | FM-555 | R4-26-210. | PM-1591 |
| R19-3-517. | PM-1091 | R13-4-102. | FM-555 | R4-26-304. | PM-1591 |
| R19-3-518. | PM-1091 | R13-4-103. | FM-555 | R4-26-310. | PM-1591 |
| R19-3-520. | PM-1091 | R13-4-104. | FM-555 | Public Safety, Department of - Alcohol Testing | |
| R19-3-521. | PM-1091 | R13-4-105. | FM-555 | Exhibit E-1. | EXP-2054 |
| R19-3-523. | PM-1091 | R13-4-106. | FM-555 | Exhibit E-2. | EXP-2054 |
| R19-3-524. | PM-1091 | R13-4-107. | FM-555 | Exhibit E-3. | EXP-2054 |
| R19-3-525. | PM-1091 | R13-4-108. | FM-555 | Exhibit E-4. | EXP-2054 |
| R19-3-526. | PM-1091 | R13-4-109. | FM-555 | Exhibit E-5. | EXP-2054 |
| R19-3-527. | PM-1091 | R13-4-109.01. | FM-555 | Exhibit E-6. | EXP-2054 |
| R19-3-528. | PM-1091 | R13-4-110. | FM-555 | Exhibit F-1. | EXP-2054 |
| R19-3-531. | PM-1091 | R13-4-111. | FM-555 | Exhibit F-2. | EXP-2054 |
| R19-3-532. | PM-1091 | R13-4-112. | FM-555 | Exhibit F-3. | EXP-2054 |
| R19-3-533. | PR-1091 | R13-4-114. | FM-555 | Exhibit F-4. | EXP-2054 |
| R19-3-534. | PM-1091 | R13-4-116. | FM-555 | Exhibit F-5. | EXP-2054 |
| R19-3-535. | PM-1091 | R13-4-117. | FM-555 | Radiation Regulatory Agency | |
| R19-3-544. | PM-1091 | R13-4-118. | FM-555 | R12-1-102. | FM-603 |
| R19-3-545. | PM-1091 | R13-4-201. | FM-555 | R12-1-303. | FM-603 |

| | | | | | |
|--------------|--------|--|----------|---|----------|
| R12-1-306. | FM-603 | R12-1-19107. | FN-603 | R15-10-505. | FXN-116; |
| R12-1-308. | FM-603 | R12-1-19109. | FN-603 | | FXM-1852 |
| R12-1-311. | FM-603 | Appendix A. | FN-603 | R15-10-506. | FXN-1852 |
| R12-1-313. | FM-603 | Respiratory Care Examiners, Board of | | Revenue, Department of - Luxury Tax Section | |
| R12-1-320. | FM-603 | R4-45-101. | PM-549; | R15-3-201. | FXM-1843 |
| R12-1-323. | FM-603 | | FM-2181 | R15-3-301. | FXM-1843 |
| R12-1-418. | FM-603 | R4-45-102. | PM-549; | R15-3-302. | FXR-1843 |
| R12-1-452. | FM-603 | | FM-2181 | R15-3-303. | FXR-1843 |
| R12-1-503. | FM-603 | R4-45-105. | PM-549; | R15-3-304. | FXM-1843 |
| R12-1-703. | FM-603 | | FM-2181 | R15-3-305. | FXM-1843 |
| R12-1-1302. | FM-603 | R4-45-201. | PM-549; | R15-3-306. | FXN-1843 |
| R12-1-1512. | FM-603 | | FM-2181 | R15-3-307. | FXM-1843 |
| R12-1-1901. | FN-603 | R4-45-203. | PM-549; | R15-3-308. | FXM-1843 |
| R12-1-1903. | FN-603 | | FM-2181 | R15-3-309. | FXM-1843 |
| R12-1-1905. | FN-603 | R4-45-205. | PR-549; | R15-3-310. | FXM-1843 |
| R12-1-1907. | FN-603 | | FM-2181 | R15-3-311. | FXR-1843 |
| R12-1-1909. | FN-603 | R4-45-213. | PM-549; | R15-3-312. | FXR-1843 |
| R12-1-1911. | FN-603 | | FR-2181 | R15-3-313. | FXM-1843 |
| R12-1-1921. | FN-603 | R4-45-218. | PM-549; | R15-3-314. | FXM-1843 |
| R12-1-1923. | FN-603 | | FM-2181 | R15-3-315. | FXN-1843 |
| R12-1-1925. | FN-603 | Retirement System, State Board | | R15-3-316. | FXM-1843 |
| R12-1-1927. | FN-603 | R2-8-115. | FM-79 | R15-3-317. | FXM-1843 |
| R12-1-1929. | FN-603 | R2-8-116. | PN-107; | R15-3-318. | FXM-1843 |
| R12-1-1931. | FN-603 | | FN-1341 | R15-3-319. | FXN-1843 |
| R12-1-1933. | FN-603 | R2-8-118. | FM-79 | R15-3-501. | FXM-1843 |
| R12-1-1941. | FN-603 | R2-8-122. | FM-79 | Revenue, Department of - Transaction Privilege and Use Tax Section | |
| R12-1-1943. | FN-603 | R2-8-126. | FM-79; | R15-5-175. | EXP-2054 |
| R12-1-1945. | FN-603 | | PM-1727 | Secretary of State, Office of | |
| R12-1-1947. | FN-603 | R2-8-602. | PM-1879 | R2-12-402. | PM-109 |
| R12-1-1949. | FN-603 | R2-8-603. | PM-1879 | Secretary of State - Rules and Rulemaking | |
| R12-1-1951. | FN-603 | R2-8-604. | PM-1879 | R1-1-107. | PM-105 |
| R12-1-1953. | FN-603 | R2-8-605. | PM-1879 | Transportation, Department of - Title, Registration, and Driver Licenses | |
| R12-1-1955. | FN-603 | R2-8-606. | PM-1879 | R17-4-407. | PXN-194; |
| R12-1-1957. | FN-603 | R2-8-607. | PM-1879 | | FXN-819; |
| R12-1-1971. | FN-603 | R2-8-704. | PM-2079 | R17-4-409. | PXM-194; |
| R12-1-1973. | FN-603 | R2-8-706. | PM-2079 | | FXN-819; |
| R12-1-1975. | FN-603 | Revenue, Department of - General Administration | | | |
| R12-1-1977. | FN-603 | R15-10-105. | FXM-116 | | |
| R12-1-1979. | FN-603 | R15-10-501. | FXM-116; | | |
| R12-1-1981. | FN-603 | | FXM-1852 | | |
| R12-1-19101. | FN-603 | R15-10-502. | FXM-116 | | |
| R12-1-19103. | FN-603 | R15-10-504. | FXM-116 | | |
| R12-1-19105. | FN-603 | | | | |

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 34 OF VOLUME 22.

Agency Guidance Document, Notices of

Health Services, Department of; pp. 159, 705

Revenue, Department of; pp. 1857-1858

Agency Ombudsman, Notices of

Early Childhood Development and Health Board/ First Things First; p. 353

Game and Fish Commission; pp. 62-63, 1649

Health Services, Department of; p. 353

Public Safety, Department of; p. 2092

Transportation, Department of; p. 62

County Notices Pursuant to A.R.S. § 49-112

Maricopa County; pp. 431-535, 1116-1273, 1552-1572, 1708, 1958-1995, 2095-2149

Pima County; pp. 1305-1325

Governor's Office

Executive Order; pp. 19-20 (E.O. #2015-11); 20-21 (E.O. #2015-13); 21-22 (E.O. #2015-01); 84 (E.O. #2016-01); 85 (E.O. #2016-02); 86 (E.O. 2015-06); 87 (E.O. #2015-09); 88 (E.O. #2015-12); 426-27 (E.O. #2016-03)

Declarations; p. 1703 (M16-176)

Proclamations; pp. 23 (M15-350, M15-349); 24 (M15-348); 25 (M15-347); 64 (M15-354, M15-355); 65 (M15-356, M15-357); 66 (M15-358); 123 (M16-04, M16-05); 124 (M16-06,

M16-07); 125 (M16-08); 126 (M16-09); 162 (M16-13); 202 (M16-23, M16-24); 203 (M16-25, M16-26); 204 (M16-27); 428 (M16-33, M16-34); 429 (M16-35, M16-36); 430 (M16-430); 585 (M16-38, M16-39); 586 (M16-40, M16-41); 587 (M16-42, M16-43); 588 (M16-44); 653 (M16-45); 678 (M16-50, M16-51); 679 (M16-52, M16-53); 680 (M16-54, M16-55); 681 (M16-57, M16-58); 682 (M16-59); 711 (M16-62, M16-63); 712 (M16-66, M16-56); 713 (M16-67, M16-68); 714 (M16-69, M16-70); 715 (M16-71, M16-72); 788 (M16-64, M16-60); 789 (M16-75); 832 (M16-65, M16-83); 833 (M16-74, M16-84); 834 (M16-86, M16-87); 902 (M16-73, M16-89); 903 (M16-91, M16-85); 904 (M16-76, M16-77); 1002 (M16-88, M16-90); 1003 (M16-92, M16-93); 1004 (M16-94); 1070 (M16-110, M16-111); 1071 (M16-112, M16-113); 1072 (M16-114, M16-115); 1073 (M16-116, M16-117); 1074 (M16-118); 1299 (M16-125, M16-126); 1300 (M16-127, M16-128); 1301 (M16-129, M16-130); 1302 (M16-131, M16-132); 1303 (M16-133, M16-138); 1304 (M16-134); 1359 (M16-143, M16-136); 1360 (M16-144, M16-145); 1361 (M16-137, M16-139); 1549 (M16-147, M16-148); 1550 (M16-149); 1551 (M16-150); 1617 (M16-159, M16-156); 1618 (M16-157, M16-158); 1619 (M16-160, M16-161); 1652 (M16-162, M16-163); 1653 (M16-164, M16-65); 1654 (M16-166, M16-167); 1704 (M16-177, M16-179); 1705 (M16-181, M16-182); 1706 (M16-183, M16-168); 1758 (M16-187, M16-178); 1759 (M16-180); 1922 (M16-188, M16-189); 1923 (M16-190)

Governor's Regulatory Review Council

Notices of Action Taken at Monthly Meetings: pp. 96, 97-98, 402-403, 798, 1014, 1406, 1666, 2007-2008, 2231-2232

Proposed Delegation Agreement, Notices of

Environmental Quality, Department of; pp. 826, 827, 1545

Public Information, Notices of

Arizona Health Care Cost Containment System; pp. 49, 1067

Child Safety, Department of; p. 160

Environmental Quality, Department of; pp. 49, 1112

Environmental Quality, Department of - Pesticides and Water Pollution Control; pp. 1294-1296

Environmental Quality, Department of - Safe Drinking Water; pp. 1348-1349

Environmental Quality, Department of - Water Pollution Control; p. 1112

Game and Fish Department; pp. 1349-1354, 1646, 1919

Health Services, Department of; p. 394

Health Services, Department of - Loan Repayment; p. 346

Health Services, Department of - Vital Records and Statistics; p. 899

Rulemaking Docket Opening, Notices of

Acupuncture Board of Examiners; 4 A.A.C. 8; p. 703

Agriculture, Department of - Animal Services Division; 3 A.A.C. 2; p. 344

Arizona Health Care Cost Containment System - Administration; 9 A.A.C. 22; pp. 784-785, 1293

Arizona Health Care Cost Containment System - Arizona Long-term Care System; 9 A.A.C. 28; p. 2057

Arizona Health Care Cost Containment System - Behavioral Health Services for Persons with Serious Mental Illness; 9 A.A.C. 21; p. 782

Arizona Health Care Cost Containment System - Medicare Part D Prescription Coverage Extra Help Subsidy Program; 9 A.A.C. 30; p. 824

Charter Schools, State Board for; 7 A.A.C. 5; p. 823

Child Safety, Department of - Child Welfare Agency Licensing; 21 A.A.C. 7; p. 999

Corporation Commission - Fixed Utilities; 14 A.A.C. 2; pp. 424-425

Cosmetology, Board; 4 A.A.C. 10; p. 1611

Dental Examiners, State Board of; 4 A.A.C. 11; p. 2056

Economic Security, Department of; 6 A.A.C. 1; p. 2083

Economic Security, Department of - Cash Assistance Program; 6 A.A.C. 12; p. 2087

Economic Security, Department of - Developmental Disabilities; 6 A.A.C. 6; p. 2085

Economic Security, Department of - Social Services; 6 A.A.C. 5; pp. 1065, 2084

Economic Security, Department of - The JOBS Program; 6 A.A.C. 10; p. 2086

Economic Security, Department of - Unemployment Insurance; 6 A.A.C. 3; p. 2084

Environmental Quality, Department of - Air Pollution Control; 18 A.A.C. 2; p. 998

Environmental Quality, Department of - Water Pollution Control; 18 A.A.C. 9; pp. 16-17

Environmental Quality, Department of - Water Quality Standards; 18 A.A.C. 11; pp. 17-18, 345

Game and Fish Commission; 12 A.A.C. 4; p. 825

Health Services, Department of - Communicable Diseases; 9 A.A.C. 6; p. 1954

Health Services, Department of - Emergency Medical Services; 9 A.A.C. 25; p. 1612

Health Services, Department of - Laboratories; 9 A.A.C. 14; p. 704

Health Services, Department of - Medical Marijuana Program; 9 A.A.C. 17; pp. 423-424

Industrial Commission of Arizona; 20 A.A.C. 5; p. 239

Mine Inspector, State - Aggregate Mined Land Reclamation; 11 A.A.C. 3; p. 2057

Psychologist Examiners, Board of; 4 A.A.C. 26; pp. 1109-1110

Regulatory Board of Physician Assistants, Arizona; 4 A.A.C. 17; p. 2217

Retirement System, State; 2 A.A.C. 8; pp. 822, 823, 1063-1064, 1918, 2055, 2082

Secretary of State, Office of; 2 A.A.C. 12; pp. 121-122; 239

Secretary of State - Rules and Rulemaking; 1 A.A.C. 1; p.121

State Lottery Commission - 19 A.A.C. 3; p. 582

Technical Registration, Board of; 4 A.A.C. 30; pp. 1110-1111

Transportation, Department of - Commercial Programs; 17 A.A.C. 5; pp. 1347, 2089-2090

Transportation, Department of - Title, Registration, and Driver Licenses; 17 A.A.C. 4; p. 2088

Substantive Policy Statement, Notices of

Behavioral Health Examiners, Board of; p. 706

Environmental Quality, Department of; pp. 58-59; 161, 1356, 1614, 2091

Peace Officers Standards and Training Board; p. 348

Psychologist Examiners, Board of; pp. 1355, 1647-1648

Real Estate Department; p. 829

Registrar of Contractors; pp. 60-61, 706-707

Retirement System, State; pp. 707-708

Revenue, Department of; pp. 1859-1860

Technical Registration, Board of; pp. 348

Water Infrastructure Finance Authority; p. 349-352



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.

| January | | February | | March | | April | | May | | June | |
|------------|----------------|------------|----------------|------------|----------------|------------|----------------|------------|----------------|------------|----------------|
| Date Filed | Effective Date |
| 1/1 | 3/1 | 2/1 | 4/1 | 3/1 | 4/30 | 4/1 | 5/31 | 5/1 | 6/30 | 6/1 | 7/31 |
| 1/2 | 3/2 | 2/2 | 4/2 | 3/2 | 5/1 | 4/2 | 6/1 | 5/2 | 7/1 | 6/2 | 8/1 |
| 1/3 | 3/3 | 2/3 | 4/3 | 3/3 | 5/2 | 4/3 | 6/2 | 5/3 | 7/2 | 6/3 | 8/2 |
| 1/4 | 3/4 | 2/4 | 4/4 | 3/4 | 5/3 | 4/4 | 6/3 | 5/4 | 7/3 | 6/4 | 8/3 |
| 1/5 | 3/5 | 2/5 | 4/5 | 3/5 | 5/4 | 4/5 | 6/4 | 5/5 | 7/4 | 6/5 | 8/4 |
| 1/6 | 3/6 | 2/6 | 4/6 | 3/6 | 5/5 | 4/6 | 6/5 | 5/6 | 7/5 | 6/6 | 8/5 |
| 1/7 | 3/7 | 2/7 | 4/7 | 3/7 | 5/6 | 4/7 | 6/6 | 5/7 | 7/6 | 6/7 | 8/6 |
| 1/8 | 3/8 | 2/8 | 4/8 | 3/8 | 5/7 | 4/8 | 6/7 | 5/8 | 7/7 | 6/8 | 8/7 |
| 1/9 | 3/9 | 2/9 | 4/9 | 3/9 | 5/8 | 4/9 | 6/8 | 5/9 | 7/8 | 6/9 | 8/8 |
| 1/10 | 3/10 | 2/10 | 4/10 | 3/10 | 5/9 | 4/10 | 6/9 | 5/10 | 7/9 | 6/10 | 8/9 |
| 1/11 | 3/11 | 2/11 | 4/11 | 3/11 | 5/10 | 4/11 | 6/10 | 5/11 | 7/10 | 6/11 | 8/10 |
| 1/12 | 3/12 | 2/12 | 4/12 | 3/12 | 5/11 | 4/12 | 6/11 | 5/12 | 7/11 | 6/12 | 8/11 |
| 1/13 | 3/13 | 2/13 | 4/13 | 3/13 | 5/12 | 4/13 | 6/12 | 5/13 | 7/12 | 6/13 | 8/12 |
| 1/14 | 3/14 | 2/14 | 4/14 | 3/14 | 5/13 | 4/14 | 6/13 | 5/14 | 7/13 | 6/14 | 8/13 |
| 1/15 | 3/15 | 2/15 | 4/15 | 3/15 | 5/14 | 4/15 | 6/14 | 5/15 | 7/14 | 6/15 | 8/14 |
| 1/16 | 3/16 | 2/16 | 4/16 | 3/16 | 5/15 | 4/16 | 6/15 | 5/16 | 7/15 | 6/16 | 8/15 |
| 1/17 | 3/17 | 2/17 | 4/17 | 3/17 | 5/16 | 4/17 | 6/16 | 5/17 | 7/16 | 6/17 | 8/16 |
| 1/18 | 3/18 | 2/18 | 4/18 | 3/18 | 5/17 | 4/18 | 6/17 | 5/18 | 7/17 | 6/18 | 8/17 |
| 1/19 | 3/19 | 2/19 | 4/19 | 3/19 | 5/18 | 4/19 | 6/18 | 5/19 | 7/18 | 6/19 | 8/18 |
| 1/20 | 3/20 | 2/20 | 4/20 | 3/20 | 5/19 | 4/20 | 6/19 | 5/20 | 7/19 | 6/20 | 8/19 |
| 1/21 | 3/21 | 2/21 | 4/21 | 3/21 | 5/20 | 4/21 | 6/20 | 5/21 | 7/20 | 6/21 | 8/20 |
| 1/22 | 3/22 | 2/22 | 4/22 | 3/22 | 5/21 | 4/22 | 6/21 | 5/22 | 7/21 | 6/22 | 8/21 |
| 1/23 | 3/23 | 2/23 | 4/23 | 3/23 | 5/22 | 4/23 | 6/22 | 5/23 | 7/22 | 6/23 | 8/22 |
| 1/24 | 3/24 | 2/24 | 4/24 | 3/24 | 5/23 | 4/24 | 6/23 | 5/24 | 7/23 | 6/24 | 8/23 |
| 1/25 | 3/25 | 2/25 | 4/25 | 3/25 | 5/24 | 4/25 | 6/24 | 5/25 | 7/24 | 6/25 | 8/24 |
| 1/26 | 3/26 | 2/26 | 4/26 | 3/26 | 5/25 | 4/26 | 6/25 | 5/26 | 7/25 | 6/26 | 8/25 |
| 1/27 | 3/27 | 2/27 | 4/27 | 3/27 | 5/26 | 4/27 | 6/26 | 5/27 | 7/26 | 6/27 | 8/26 |
| 1/28 | 3/28 | 2/28 | 4/28 | 3/28 | 5/27 | 4/28 | 6/27 | 5/28 | 7/27 | 6/28 | 8/27 |
| 1/29 | 3/29 | 2/29 | 4/29 | 3/29 | 5/28 | 4/29 | 6/28 | 5/29 | 7/28 | 6/29 | 8/28 |
| 1/30 | 3/30 | | | 3/30 | 5/29 | 4/30 | 6/29 | 5/30 | 7/29 | 6/30 | 8/29 |
| 1/31 | 3/31 | | | 3/31 | 5/30 | | | 5/31 | 7/30 | | |



| July | | August | | September | | October | | November | | December | |
|------------|----------------|------------|----------------|------------|----------------|------------|----------------|------------|----------------|------------|----------------|
| Date Filed | Effective Date |
| 7/1 | 8/30 | 8/1 | 9/30 | 9/1 | 10/31 | 10/1 | 11/30 | 11/1 | 12/31 | 12/1 | 1/30/13 |
| 7/2 | 8/31 | 8/2 | 10/1 | 9/2 | 11/1 | 10/2 | 12/1 | 11/2 | 1/1/13 | 12/2 | 1/31/13 |
| 7/3 | 9/1 | 8/3 | 10/2 | 9/3 | 11/2 | 10/3 | 12/2 | 11/3 | 1/2/13 | 12/3 | 2/1/13 |
| 7/4 | 9/2 | 8/4 | 10/3 | 9/4 | 11/3 | 10/4 | 12/3 | 11/4 | 1/3/13 | 12/4 | 2/2/13 |
| 7/5 | 9/3 | 8/5 | 10/4 | 9/5 | 11/4 | 10/5 | 12/4 | 11/5 | 1/4/13 | 12/5 | 2/3/13 |
| 7/6 | 9/4 | 8/6 | 10/5 | 9/6 | 11/5 | 10/6 | 12/5 | 11/6 | 1/5/13 | 12/6 | 2/4/13 |
| 7/7 | 9/5 | 8/7 | 10/6 | 9/7 | 11/6 | 10/7 | 12/6 | 11/7 | 1/6/13 | 12/7 | 2/5/13 |
| 7/8 | 9/6 | 8/8 | 10/7 | 9/8 | 11/7 | 10/8 | 12/7 | 11/8 | 1/7/13 | 12/8 | 2/6/13 |
| 7/9 | 9/7 | 8/9 | 10/8 | 9/9 | 11/8 | 10/9 | 12/8 | 11/9 | 1/8/13 | 12/9 | 2/7/13 |
| 7/10 | 9/8 | 8/10 | 10/9 | 9/10 | 11/9 | 10/10 | 12/9 | 11/10 | 1/9/13 | 12/10 | 2/8/13 |
| 7/11 | 9/9 | 8/11 | 10/10 | 9/11 | 11/10 | 10/11 | 12/10 | 11/11 | 1/10/13 | 12/11 | 2/9/13 |
| 7/12 | 9/10 | 8/12 | 10/11 | 9/12 | 11/11 | 10/12 | 12/11 | 11/12 | 1/11/13 | 12/12 | 2/10/13 |
| 7/13 | 9/11 | 8/13 | 10/12 | 9/13 | 11/12 | 10/13 | 12/12 | 11/13 | 1/12/13 | 12/13 | 2/11/13 |
| 7/14 | 9/12 | 8/14 | 10/13 | 9/14 | 11/13 | 10/14 | 12/13 | 11/14 | 1/13/13 | 12/14 | 2/12/13 |
| 7/15 | 9/13 | 8/15 | 10/14 | 9/15 | 11/14 | 10/15 | 12/14 | 11/15 | 1/14/13 | 12/15 | 2/13/13 |
| 7/16 | 9/14 | 8/16 | 10/15 | 9/16 | 11/15 | 10/16 | 12/15 | 11/16 | 1/15/13 | 12/16 | 2/14/13 |
| 7/17 | 9/15 | 8/17 | 10/16 | 9/17 | 11/16 | 10/17 | 12/16 | 11/17 | 1/16/13 | 12/17 | 2/15/13 |
| 7/18 | 9/16 | 8/18 | 10/17 | 9/18 | 11/17 | 10/18 | 12/17 | 11/18 | 1/17/13 | 12/18 | 2/16/13 |
| 7/19 | 9/17 | 8/19 | 10/18 | 9/19 | 11/18 | 10/19 | 12/18 | 11/19 | 1/18/13 | 12/19 | 2/17/13 |
| 7/20 | 9/18 | 8/20 | 10/19 | 9/20 | 11/19 | 10/20 | 12/19 | 11/20 | 1/19/13 | 12/20 | 2/18/13 |
| 7/21 | 9/19 | 8/21 | 10/20 | 9/21 | 11/20 | 10/21 | 12/20 | 11/21 | 1/20/13 | 12/21 | 2/19/13 |
| 7/22 | 9/20 | 8/22 | 10/21 | 9/22 | 11/21 | 10/22 | 12/21 | 11/22 | 1/21/13 | 12/22 | 2/20/13 |
| 7/23 | 9/21 | 8/23 | 10/22 | 9/23 | 11/22 | 10/23 | 12/22 | 11/23 | 1/22/13 | 12/23 | 2/21/13 |
| 7/24 | 9/22 | 8/24 | 10/23 | 9/24 | 11/23 | 10/24 | 12/23 | 11/24 | 1/23/13 | 12/24 | 2/22/13 |
| 7/25 | 9/23 | 8/25 | 10/24 | 9/25 | 11/24 | 10/25 | 12/24 | 11/25 | 1/24/13 | 12/25 | 2/23/13 |
| 7/26 | 9/24 | 8/26 | 10/25 | 9/26 | 11/25 | 10/26 | 12/25 | 11/26 | 1/25/13 | 12/26 | 2/24/13 |
| 7/27 | 9/25 | 8/27 | 10/26 | 9/27 | 11/26 | 10/27 | 12/26 | 11/27 | 1/26/13 | 12/27 | 2/25/13 |
| 7/28 | 9/26 | 8/28 | 10/27 | 9/28 | 11/27 | 10/28 | 12/27 | 11/28 | 1/27/13 | 12/28 | 2/26/13 |
| 7/29 | 9/27 | 8/29 | 10/28 | 9/29 | 11/28 | 10/29 | 12/28 | 11/29 | 1/28/13 | 12/29 | 2/27/13 |
| 7/30 | 9/28 | 8/30 | 10/29 | 9/30 | 11/29 | 10/30 | 12/29 | 11/30 | 1/29/13 | 12/30 | 2/28/13 |
| 7/31 | 9/29 | 8/31 | 10/30 | | | 10/31 | 12/30 | | | 12/31 | 3/1/13 |



REGISTER PUBLISHING DEADLINES

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.

Table with 3 columns: Deadline Date (paper only) Friday, 5:00 p.m., Register Publication Date, and Oral Proceeding may be scheduled on or after. Rows list dates from June 10, 2016 to December 30, 2016.



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

| DEADLINE TO BE PLACED ON COUNCIL AGENDA | FINAL MATERIALS DUE FROM AGENCIES | DATE OF COUNCIL STUDY SESSION | DATE OF COUNCIL MEETING |
|---|-----------------------------------|----------------------------------|----------------------------------|
| November 17, 2015 | December 18, 2015 | December 29, 2015 | January 5, 2016 |
| December 21, 2015 | January 15, 2016 | January 26, 2016 | February 2, 2016 |
| January 19, 2016 (Tuesday) | February 12, 2016 | February 23, 2016 | March 1, 2016 |
| February 16, 2016 (Tuesday) | March 18, 2016 | March 29, 2016 | April 5, 2016 |
| March 21, 2016 | April 15, 2016 | April 26, 2016 | May 5, 2016 |
| April 18, 2016 | May 20, 2016 | June 1, 2016 (Wednesday) | June 7, 2016 |
| May 23, 2016 | June 17, 2016 | June 28, 2016 | July 6, 2016 (Wednesday) |
| June 20, 2016 | July 15, 2016 | July 26, 2016 | August 2, 2016 |
| July 18, 2016 | August 19, 2016 | August 30, 2016 | September 7, 2016 (Wednesday) |
| August 22, 2016 | September 16, 2016 | September 27, 2016 | October 4, 2016 |
| September 19, 2016 | October 14, 2016 | October 25, 2016 | November 1, 2016 |
| October 17, 2016 | November 18, 2016 | November 29, 2016 | December 6, 2016 |
| November 21, 2016 | December 16, 2016 | December 28, 2016 (Wednesday) | January 4, 2017 (Wednesday) |

*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.