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Arizona Administrative REGISTER

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Arizona Administrative Register
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Issue 45
November 6, 2026

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From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Office of the Secretary of State's website is the official published version for rulemaking activity in the state of Arizona. The *Register* is published weekly by issue number, every Friday by the Administrative Rules Division.

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

The *Register* contains notices of docket openings, proposed, final, emergency, expedited, exempt, and terminated rules as defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), and A.R.S. Title 41, Chapter 6, Articles 1 through 10. Other "notice only" filings are published in the *Register* which includes Informal Public Meetings on an Open Rulemaking Docket, Formal Rulemaking Advisory Committees, Public Information, Oral Proceedings, Public Hearings, Public Meetings, Agency Guidance Documents, Substantive Policy Statements, Proposed Delegation Agreements, Final Delegation Agreements, and Agency Ombudsman.

ABOUT AMENDMENTS TO RULES

Rulemaking is defined in the APA. Rules can be made (all new text); amended (changed) or repealed (removed) as codified in the *Arizona Administrative Code*; or renumbered (moving rules to a different Section number). New rules published in the *Register*, whether proposed or made as a final rule, are underlined; repealed rules (text being removed), is stricken.

ABOUT THE TABLE OF CONTENTS

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.

ABOUT FILE NUMBERS

Notices filed in the Division are assigned a file number. This number is enclosed in brackets and located at the top right of the published documents in the *Register*. Original filed notices are available in pdf for free. For a copy, contact our Division with the file number.

ABOUT THE ADMINISTRATIVE CODE

The *Arizona Administrative Code* (A.A.C.) contains codified text of rules. When published, the underling and striking of text in notices as published in the *Register* are removed. The codified rules have either been approved by the Governor's Regulatory Review Council or Attorney General as prescribed under the APA. The *Code* also contains rules exempt from the rulemaking process, and emergency rules. The authenticated pdf of *Code* Chapters posted on the Office of the Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

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

ADMINISTRATIVE CODE
The *Arizona Administrative Code* is available online at www.azsos.gov.

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.

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Participate in Rulemaking

Review Published Notices

Those interested in participating in the rulemaking process should review notices published in the *Arizona Administrative Register*.

The Preamble at the beginning of a notice contains information about the rulemaking and provides agency justification and regulatory intent. Agency contact information is published in the Preamble for those interested in participating in the rulemaking process.

The Preamble 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.

Agency Contact Lists

Many agencies maintain stakeholder lists to contact those interested in proposed changes to rules. Check an agency's website and its newsletters for information about notices, oral proceedings, 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. Refer to A.R.S. § 41-1033 for more information.

Attend a Public Meeting

Stakeholders can attend an public meeting, known as an oral proceeding, being conducted by the agency on a Notice of Proposed Rulemaking. A proceeding may be listed in the Preamble of a Notice of Proposed Rulemaking or an agency may inform the public of the meeting in a Notice of Oral Proceeding. Attend the meeting and be prepared to speak and comment.

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

Refer to information in the Preamble.

Write the Agency

Put your comments in writing and send them 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, before the rules are filed with the Secretary of State.

THE REGULAR RULEMAKING PROCESS

Authority

An agency is given the authority to promulgate a rule under the APA, statute passed by the Legislature, or ballot proposition, which is passed by the voters.

An agency may be given certain exemptions to the APA or portions thereof.

Information about the exemptions are provided in the Preamble of the rulemaking.

Permission to Proceed

Before moving forward with any notice, an agency first receives permission from the governor's office to proceed with a rulemaking.

The governor's office provides the agency a written response to proceed that is filed with the notice.

Stakeholder and Public Notification

The agency opens a docket. It is filed as a Notice of Rulemaking Docket Opening for publication in the *Register*.

The notice includes agency contact information along with its intentions to make, amend, repeal, or renumber, a rule and its justification to perform the rulemaking action. Often an agency will file the docket with the proposed rulemaking.

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

Agency Proposes Rules, Public Reviews Proposal

The agency files a Notice of Proposed Rulemaking and the notice is published in the *Register*.

The public is given the opportunity to comment on the proposed rules. The agency opens the comment period to last at least 30 days. Written comments are accepted informally.

The notice *may* contain information about oral proceedings.

A proceeding is held no sooner than 30 days after the notice is published.

If no proceeding is scheduled, the agency provides information on how a person may request to speak to the agency in person at an oral proceeding.

Oral Proceeding

A person requests an agency to conduct an oral proceeding based on the information provided in its Notice of Proposed Rulemaking.

The agency prepares a Notice of Oral Proceeding on Proposed Rulemaking, schedules one or more proceeding, and files the notice for publication in the *Register*.

When is occurs, an agency extends the public comment period.

Close of Record

After evaluating public comments and conducting an internal review of the rule, an agency:

1. Determines whether the rulemaking requires a substantial change. When an agency decides to make substantial changes to a proposed rule, it continues the process as outlined under the APA. The agency obtains permission to proceed as stated under #2 of this timeline. The agency prepares a Notice of Supplemental Proposed Rulemaking with the changes and files it for publication in the *Register*. Comments are once again solicited and reviewed by the agency.
2. Prepares and submits for review a Notice of Final Rulemaking for review and approval by G.R.R.C. or Attorney General. The Notice of Final Rulemaking must be submitted for review within 120 days after the close of record; or
3. Terminates the rulemaking. The agency may decided to terminate its docket and files a notice for publication in the Register notifying stakeholders of the termination. Refer to A.R.S. § 41-1021(A)(2).

Time Frame for Approval or Disapproval of the Notice

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

The Approved Rule is Published in *Register* and Codified in the *Code*

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

The Notice of Final Rulemaking is published in the *Register* and codified in the *Arizona Administrative Code*.

Definitions and Acronyms

***Arizona Administrative Code, 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, 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 complied by Legislative Council, with the official publication codified by Thomson Reuters. 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.

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NOTICES OF FINAL RULEMAKING

An agency shall submit a Notice of Final Rulemaking to the Governor's Regulatory Review Council (Council) or Attorney General for review within 120 days after the close of the record on a proposed rulemaking, and if applicable, supplemental proposed rulemaking, under A.R.S. § 41-1024.

The Notice of Final Rulemaking as published in this section has been filed with a certificate of approval from the Council or Attorney General.

An economic, small business and consumer impact statement is filed with this notice but not published in the *Register*.

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Final Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICES OF FINAL RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 13. DEPARTMENT OF ENVIRONMENTAL QUALITY SOLID WASTE MANAGEMENT

File Number: R26-202

PREAMBLE

1. Permission to proceed with this final rulemaking was granted under A.R.S. § 41-1039 by the governor on:

February 2, 2024 and July 27, 2026

2. Article, Part, or Section Affected (as applicable)

	Rulemaking Action
R18-13-401	Amend
R18-13-402	Amend
R18-13-403	New Section
R18-13-404	New Section
R18-13-405	New Section
R18-13-406	New Section
R18-13-501	Renumber
R18-13-501	New Section
R18-13-501	Amend
R18-13-502	Renumber
R18-13-503	New Section
R18-13-504	New Section
R18-13-505	New Section
R18-13-506	New Section
R18-13-1701	Amend
R18-13-1702	New Section
R18-13-1703	Amend
R18-13-1704	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 49-104

Implementing statute: A.R.S. §§ 49-761(A), 49-761(G), 49-761(H), 49-761(J), 49-770

4. The effective date of the rule:

December 13, 2026

a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Not applicable

b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final rule:

Notice of Rulemaking Docket Opening: 31 A.A.R. 1977; Issue Date: June 20, 2025; Issue Number: 25; File Number: R25-128

Notice of Proposed Rulemaking: 32 A.A.R. 872; Issue Date: April 17, 2026; Issue Number: 16; File Number: R26-47

6. The agency's contact person who can answer questions about the rulemaking:

Name:	John MacBain
Title:	Rule Writer
Division:	Waste Programs Division
Address:	Department of Environmental Quality Waste Programs Division 1110 W. Washington St. Phoenix, AZ 85007
Telephone:	(602) 771-0101
Email:	macbain.john@azdeq.gov
Website:	azdeq.gov/rulemaking-transfer-facility-design-operation

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

Summary: ADEQ is promulgating this rulemaking to fulfill its statutory mandate to establish design, operation, and closure standards, and financial assurance requirements for solid waste transfer facilities operating in Arizona as established in A.R.S. § 49-761 subsections (G), (H), and (J) and A.R.S. § 49-770.

Background: The U.S. Environmental Protection Agency (EPA) found that, in 2018 in the United States, 4.9 pounds of municipal solid waste was generated per person per day, for a total annual generation of 292.4 million tons, with only 32% of that waste recycled or composted. Both total waste generation and per capita generation has been steadily increasing. Transfer facilities represent a critical component of the waste management stream, facilitating the sorting, compacting, and directing of wastes and recyclable materials and providing access to proper disposal in rural areas. In Arizona, there are approximately 163 facilities that operate as solid waste transfer facilities. These facilities are categorized in statute based on daily waste throughput as either facilities subject to best management practices (BMP) under A.R.S. § 49-762.02, defined as transfer facilities having a daily solid waste throughput of 180 cubic yards or less, or facilities subject to self-certification under A.R.S. § 49-762.01, which are transfer facilities having a daily solid waste throughput of more than 180 cubic yards.

Currently, Arizona solid waste transfer facilities are not subject to any design or operation rules adopted by the Director, but are subject only to minimal statutory requirements. Instead, in addition to administrative information, self-certification facilities are subject only to basic reporting tied to registration and renewal fees, including brief descriptions of: waste storage and treatment equipment and methods of waste management; waste management practices used at the facility; facility design and operations; and information related to site activities. Current reporting elements lack specificity and standards. Further, solid waste transfer facilities are not required to maintain or demonstrate any financial responsibility or capacity for operations, closure, or emergency preparedness.

A lack of specified and enforceable standards for the design and operation and financial responsibility of solid waste transfer facilities results in both greater risks for harm to human health and the environment, and a lack of ability for ADEQ to mitigate or remediate such harms. Though ADEQ does not recognize a general lack of operational capability among transfer facilities, without memorializing baseline operational standards and financial responsibility requirements in rule, risks to human health and the environment and a lack of ability to correct such risks persists. Potential harms include excessive waste accumulation in communities, fire hazards from poorly managed waste and facilities, community and environmental nuisance from odor, litter, dust, or other vectors, and costs to both communities and the state associated with closure, cleanup, and emergency events at facilities lacking financial assurances or guarantees.

This rulemaking seeks to fulfill the Agency's statutory mandate in the enactment of regulations for measured, enforce-

able, and effective design and operation and financial responsibility standards and requirements for solid waste transfer facilities. The consequences of not pursuing this rulemaking may include continued uncertainties about potential environmental, public safety, and health impacts presented by mismanaged transfer facilities.

Explanation about the Rulemaking: This rulemaking amends existing rules and adds new rules to Article 4, Article 5, and Article 17 within Title 18, Chapter 13 of the Arizona Administrative Code to establish comprehensive design, operation, and financial assurance standards for solid waste transfer facilities, as mandated by A.R.S. §§ 49-761 and 49-770. The rulemaking distinguishes between BMP facilities and those subject to self-certification based on a daily throughput threshold, while consolidating financial assurance requirements for both categories.

Clarification of Applicability and Exemptions: The rules clarify the definition of "transfer facility" to explicitly exclude facilities engaged in the transportation, handling, storage, and treatment of biohazardous medical waste or special waste, ensuring these entities remain regulated under their specific statutory frameworks. Additionally, the rulemaking introduces targeted exemptions to avoid over-regulating small-scale activities. "Temporary drop-site locations" that operate for 30 days or less per calendar year, and municipal solid waste collection containers with a cumulative capacity of 20 cubic yards or less, are explicitly exempted from transfer facility registration and design requirements.

Throughput Thresholds: The rulemaking clarifies that the statutory throughput threshold of 180 cubic yards, which distinguishes BMP facilities (Article 4) from self-certification facilities (Article 5), is applied on a daily basis rather than as an average over time. To accommodate operational flexibility, the rules establish an "exceedance allowance" for BMP facilities. This provision allows a facility to exceed the 180 cubic yard daily limit up to four times per calendar year without re-classifying as a self-certification facility, provided the owner or operator submits written notification to the Department at least 30 days prior to the scheduled exceedance. Additionally, the rules provide an emergency exception allowing BMP facilities to exceed the throughput threshold in the event of an unscheduled exceedance caused by an unforeseeable emergency or severe weather event.

Facility Registration: The rulemaking establishes clear registration procedures for both BMP and self-certification facilities. Owners and operators must submit basic facility information during their initial registration, including facility contact details, physical locations or legal descriptions, descriptions of waste management methods and equipment, steps necessary to close the facility, and a property diagram. Registration requirements differ depending on whether a facility is a BMP Facility or self-certification facility, with additional information being required for self-certification facilities. However, the rules explicitly clarify that this documentation is only required initially. During subsequent annual registrations, operators are only required to submit updated information if there have been actual changes to the facility's operations or details. If no changes have occurred since the last registration, no additional information is required to be submitted.

Design and Operation Standards: The rulemaking establishes consistent operational standards for both BMP and self-certification facilities to prevent environmental nuisances and threats to public health. Key requirements include:

- Access and Vector Control: Facilities must restrict unauthorized access via signage, manage storage areas to control wind dispersal, and implement measures to control vector breeding.
- Waste Screening: Operators must implement waste screening measures, including personnel training and segregation procedures to prevent acceptance of unauthorized waste, and notify the Department within 24 hours of discovery of the acceptance of any non-residential biohazardous medical waste, non-residential hazardous waste, or special waste by the facility.
- Site Management: Facilities must ensure waste handling areas are free of standing water and ensure containers used in handling waste are constructed of durable materials, maintained in good condition, and leak-resistant such that waste stored within will not leak from the container.
- Liquid Waste: The rules introduce specific standards for facilities handling liquid waste, requiring storage in watertight, compatible, and labeled containers. Operators must maintain a written liquid waste management plan, or utilize an existing spill prevention plan, that includes emergency preparedness procedures and prohibits the dilution of liquid waste.

Closure Requirements: The rulemaking codifies a formal closure process to ensure facilities are properly decommissioned. Owners or operators must submit a "Notice of Intent to Close" to the Department at least 30 days prior to beginning closure activities. The rules mandate specific closure performance standards, including the removal and proper disposal of all solid waste and leachate, and the washing of all surfaces and equipment that contact waste. A final written notice certifying compliance must be submitted to the Department upon completion.

Financial Assurance: Finally, within 180 days of the effective date of the rulemaking's design and operation standards, the financial assurance requirements of A.R.S. § 49-770 become effective for transfer facilities. Pursuant to A.R.S. § 49-770 owners or operators will be required to demonstrate financial capability to meet the costs of facility closure, post-closure care if necessary, and corrective action for known releases. This rulemaking amends Article 17 to establish specific financial assurance requirements for all solid waste transfer facilities. The rules allow the use of various

financial mechanisms, such as surety bonds, letters of credit, or insurance policies, and require that cost estimates be updated every three years to account for inflation and changes in facility conditions. Additionally, ADEQ has modeled the financial assurance requirements after the EPA's rules for financial assurance outlined in 40 CFR 258.74. This will provide consistency and simplicity and allow cities and counties to combine financial assurance demonstrations for transfer stations and landfills if they wish to do so.

The design and operation requirements in this rulemaking do not establish explicit post-closure care requirements for transfer facilities. Standard transfer station operations do not typically involve long-term waste placement or require ongoing post-closure monitoring. However, the requirement to establish financial assurance for post-closure care is mandated by statute. A.R.S. § 49-770 requires financial assurance for "the costs of closure, post-closure care, if necessary, and any corrective action as a result of known releases from the facility." While general post-closure care is not required for transfer facilities under R18-13-404 and R18-13-504, discretion to mandate it in exceptional circumstances to protect human health and the environment is retained by the Director in statute. Given this fact, the rulemaking mirrors the post-closure care language of A.R.S. § 49-770, noting such coverage is only required "if necessary". Outside exceptional circumstances, post-closure care coverage will not be applicable to the vast majority of transfer facilities in Arizona.

Licensing Time Frames: ADEQ determined that licensing time frames are not necessary for the requirements established in these rules.

Informal Stakeholder Engagement: ADEQ has engaged with stakeholders throughout the process of developing these rules, including three informal stakeholder meetings; the presentations for which can currently be found at https://www.azdeq.gov/rulemaking-transfer-facility-design-operation. Throughout this engagement, ADEQ received questions and comments from stakeholders which have helped the Agency with the design of the rules. Common topics that were raised include applicability and throughput volumes, biohazardous medical waste and special waste transfer facilities, design and operation requirements, financial assurance, household hazardous wastes, and general rulemaking and implementation questions.

Applicability and throughput volumes: Throughout the stakeholder process, ADEQ received several questions related to the applicability of the rules and the volume requirements for BMP and self-certification facilities. These questions included questions about possible exceptions for applicability of the rules to tipping pads located at landfills, applicability to small or temporary collection sites, and uncertainty around the 180 cubic yard threshold between BMP facilities and self-certification facilities.

Regarding tipping pads, ADEQ explained to stakeholders that any tipping pads for public use at landfills for waste being disposed of at the landfills are considered part of the landfill operation. As such, these tipping pads would not be required to separately register as transfer stations. However, if the waste is to be transported off site, then transfer station registration would be required.

Stakeholder questions regarding small or temporary collection sites highlighted a need for some flexibility for these categories of sites in the rules. Responding to these concerns, ADEQ incorporated new exemptions within the draft rules. The new rule establishes exemptions from the definition of "transfer facility" for bins, drop boxes, roll off containers, or vehicles that have a cumulative capacity of 20 cubic yards or less, and for temporary drop-site locations that operate for a determinate amount of time not to exceed 30 days per calendar year.

In response to stakeholder comments relating to a lack of clarity regarding the 180 cubic yard per day threshold that distinguishes facilities subject to BMPs and self-certification facilities, ADEQ added language to the rule clarifying that the throughput threshold is a daily limit, rather than an average, so facilities should consider the threshold crossed if they exceed 180 cubic yards in a single day. However, the agency also developed the scheduled and emergency exceedance allowances for BMP facilities described in "Throughput Thresholds" above.

Biohazardous medical waste and special waste transfer facilities: ADEQ also received several comments and questions regarding biohazardous medical waste and special waste transfer facilities. Many of these comments expressed a desire to alter requirements as they relate to these types of transfer facilities. However, ADEQ noted that biohazardous medical waste and special waste facilities are unique facility classifications subject to their own specific rules in Article 13 and 14, respectively, which address the transfer of biohazardous medical waste and special waste, and make plan approval available for facilities seeking to conduct these transfers. For the purposes of this rulemaking, ADEQ has limited its scope to Articles 4, 5, and 17 of Chapter 13. ADEQ would not be able to examine referenced requirements for biohazardous medical waste and special waste facilities without exceeding that scope or contradicting existing rules. ADEQ also included language in the rules explicitly stating that biohazardous medical waste facilities and special waste facilities are not subject to the new transfer station requirements and are, instead, subject to their own rules.

Design and operation requirements: Several questions were raised regarding some of the new design and operation requirements established in the rules. In designing these rules, ADEQ worked to establish requirements within stan-

dard business practices for BMP and self-certification facilities. ADEQ believes the standards will not require facilities to undertake substantial capital investments to comply. ADEQ will provide compliance assistance, templates, and examples of compliance to assist facilities in meeting new requirements. ADEQ is also developing templates and answers to frequently asked questions to assist stakeholders prior to the rules becoming effective.

Financial Assurance: ADEQ also received questions regarding the new financial assurance requirement for transfer facilities established by the rules. Questions were raised regarding whether transfer facilities could be added to existing financial assurance mechanisms for owners and operators of facilities falling under multiple categories of solid waste facilities. ADEQ explained that the mechanism can be combined for multiple facilities (i.e. landfills and transfer stations), however, the cost estimates for each facility should be itemized separately. ADEQ also clarified the requirements for providing financial assurance documentation. Under A.R.S. § 49-770, all solid waste facilities must provide the requisite financial assurance documentation with their initial facility registration or, for existing facilities, within 180 days of design and operation rules becoming effective. The cost estimates included in that documentation must be updated every three years to account for changes in third party closure costs and any changes that have occurred to the facility, and be provided to the Agency. Other than the three-year cost estimate updates, financial assurance documentation needs to be resubmitted to the Agency during annual registration if changes to the selected mechanism, or mechanisms, occur. For example, mechanisms with fixed coverage periods, such as insurance policies, should be submitted whenever a new coverage period becomes effective. The most up to date financial assurance documentation should be kept with the facility operating records at all times.

Questions were also raised regarding where the metrics for ADEQ's financial assurance mechanisms originated. ADEQ explained that it is adopting the EPA's rule for financial assurance outlined in 40 CFR 258.74 in the new financial assurance rules. This is to provide consistency and simplicity, for example, by allowing cities and counties to combine their transfer station and landfill financial assurance demonstrations, if they wish to do so.

Household Hazardous Wastes: Multiple questions were asked throughout the stakeholder engagement process regarding the applicability of the rules to facilities accepting household hazardous wastes. ADEQ explained that household hazardous waste is a solid waste, and facilities (municipal or non-municipal) handling solid waste for the primary purpose of transportation are considered transfer facilities subject to these rules. However, there are exemptions for facilities with a cumulative capacity of 20 cubic yards or less, and for seasonal/temporary drop-site locations.

General Rulemaking and Implementation: Some stakeholders raised questions regarding the timeline for the implementation of the rules and whether ADEQ would be using its myDEQ portal for transfer facilities following the implementation of the rules. ADEQ explained that the rules will become effective 60 days after the publication of the notice of final rulemaking, though the design, operation, closure, and financial assurance requirements become effective 180 days after the effective date of the rules. The Agency also explained that there are currently no immediate plans to transition transfer facility registration or compliance to the myDEQ portal, though a transition at some point in the future is a possibility.

8. 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:

Not applicable

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

Not applicable

10. A summary of the economic, small business, and consumer impact:

The following discussion addresses each of the elements required for an Economic, Small Business, and Consumer Impact statement (EIS) under A.R.S. § 41-1055.

An identification of the rulemaking.

This rulemaking fulfills ADEQ's statutory mandates under A.R.S. §§ 49-761(G), (H), and (J) and 49-770 to establish comprehensive design, operation, closure, and financial assurance standards for solid waste transfer facilities operating in Arizona. Currently, the state's 163 transfer facilities operate without specific design or operation rules adopted by the Director, relying instead on minimal administrative reporting and broad statutory requirements.

The targeted conduct this rulemaking addresses is the operation of solid waste transfer facilities without clear, enforceable regulatory baselines. Without these specific operational standards, facilities are more susceptible to environmental and operational issues such as vector breeding, wind dispersion of waste, and the risk of fires. Furthermore, operators currently function without any regulatory requirement to maintain financial assurance mechanisms.

The harm resulting from operations lacking these specific baselines includes potential environmental nuisances, such as odor, litter, and dust, as well as risks to human health from potential unauthorized public access to unsecured facilities. Additionally, while facility closures remain relatively rare, the lack of financial assurance poses a significant potential fiscal vulnerability. If a facility eventually closes or fails without adequate funding for site closure, the state or local communities could be left to bear the outstanding financial liabilities associated with site cleanup and remediation. If the rule is not adopted, ADEQ will have to continue relying on its broad statutory authority to address nuisances and imminent hazards, which often limits the Department to reactive enforcement rather than proactive regulatory actions.

The expected change resulting from this rulemaking is a codification of current industry best practices into enforceable, consistent standards, without creating significant new operational or financial burdens on owners and operators. By establishing clear, proactive requirements, such as access and vector control, leak-resistant containers, and liquid waste management plans, the rule will help mitigate the potential severity and frequency of environmental releases, public nuisances, and facility fires. Finally, by implementing statutory financial assurance requirements across all transfer facilities, the rule effectively mitigates the risk of the state bearing the financial burden for future facility closures, ensuring that closure and corrective action liabilities remain properly funded by the facility operators.

Identification of the persons who will be directly affected by, bear the costs of, or directly benefit from the rules:

Stakeholders for this rulemaking include the Department, county and municipal agencies operating solid waste transfer facilities, private businesses operating solid waste transfer facilities, users of waste transfer facilities including residents, commercial waste haulers, and the general public.

The stakeholders most directly affected by these rule changes are the public and private owners and operators of the 163 currently operating solid waste transfer facilities within the state who will be subject to compliance and financial assurance requirements. However, these owners and operators will also benefit from greater regulatory certainty, less ambiguity in daily operational expectations, and through consistent codified standards. The Department, local communities, and the general public will directly benefit from the establishment of these standards through mitigated environmental nuisances, reduced public health risks, and the protection of taxpayer funds from unfunded facility closures.

Cost/benefit analysis:

Part I - Cost/Benefit Stakeholder Matrix

This section summarizes the economic impacts of the amendments to 18 A.A.C. 13, Articles 4, 5, and 17. To comply with accessibility guidelines, this summary utilizes a structured narrative in place of a data matrix. The Department utilizes the following classifications to quantify economic impacts: Minimal ($1,000 or less); Moderate ($1,001 to $10,000); Substantial ($10,001 or more); and Significant (Cost or burden cannot be precisely calculated, but the Department expects it to be significant).

The Department: The rule introduces a Minimal increased cost to review updated, change-based registration documents and a Moderate increased cost in technical staff time to conduct periodic compliance reviews of financial assurance demonstrations. Conversely, the Department realizes a Moderate benefit through streamlined data collection and improved regulatory oversight, alongside a decreased potential liability by ensuring private operators, rather than the state, bear the financial liability for closing abandoned facilities.

County and Municipal Agencies: Public operators face Minimal to Moderate increased costs to align existing operations with codified design and operation standards, alongside Moderate increased costs to establish required financial assurance mechanisms. However, these agencies experience Moderate to Substantial decreased costs and regulatory relief by utilizing the 20-cubic-yard and temporary drop-site exemptions, plus a Significant operational benefit from the exceedance allowance, which prevents costly permanent reclassification during short-term volume surges.

Private Businesses: Commercial operators will incur a Minimal increased administrative cost under the change-based reporting framework, Minimal to Moderate increased costs to align with the flexible design and operation standards, and Moderate increased costs to secure and maintain financial assurance. In terms of decreased costs, small private operators realize Moderate to Substantial savings through the 20-cubic-yard capacity exemption, while all private BMP facilities gain a Significant operational benefit from the exceedance allowance, avoiding disruptive regulatory reclassification during emergencies or scheduled projects.

Waste Transfer Facility Users: Residents and commercial haulers utilizing these facilities may incur a Minimal increased cost if operators marginally adjust tipping or drop-off fees to offset their compliance upgrades. This is offset by a Minimal to Moderate benefit derived from consistent operational standards that ensure public drop-off sites remain accessible, reliable, and safe.

The General Public: The general public bears no increased costs from this rulemaking. Instead, this group receives a significantly decreased cost regarding taxpayer liability, as the financial assurance requirements prevent local tax dollars from being used to clean up abandoned commercial sites. Additionally, the public realizes a significant qualitative benefit through mitigated environmental nuisances, improved vector control, and the protection of local property values

from odors and windblown litter.

Part II - Individual Stakeholder Summaries/Calculations

The Department. The Department currently oversees 163 operating solid waste transfer facilities in Arizona, consisting of 111 facilities subject to Best Management Practices (BMP) and 52 facilities subject to self-certification. Under the new rules, reviewing expanded initial and annual registration submissions—such as facility diagrams and detailed waste management descriptions—will cause a minor increase in administrative workload. However, replacing broad statutory language with codified design and operation standards will make the Department's administration and enforcement more straightforward and consistent.

The biggest impact on Department resources will be implementing the new Article 17 financial assurance requirements. Technical staff will need to conduct compliance reviews of financial assurance demonstrations, which includes evaluating initial cost estimates and periodic three-year updates to ensure financial instruments remain sufficient to cover rising closure costs.

The Department anticipates it can absorb this moderate workload increase using its current staff capacity. No new personnel will need to be hired, and no staff will be laid off as a result of this rulemaking. The rule is not expected to negatively impact the Department's cash flow, as existing registration fee structures will remain in place.

The rulemaking provides a significant benefit to the Department and the state by reducing financial vulnerability. By requiring all transfer facilities to secure financial assurance, the Department is guaranteed access to the necessary funds to execute site closure and corrective actions in the event of a facility abandonment, ensuring cleanup costs are borne by the operator rather than taxpayers.

County and municipal agencies operating waste transfer facilities. County and municipal agencies operate a significant portion of Arizona's solid waste transfer network. The new rules will not require these public agencies to alter their staffing levels. Administrative burdens are kept minimal because the updated rules only require agencies to report material changes to their facility information.

Public operators may see minimal to moderate costs to align existing sites with the new design and operation standards. The rules offer flexible compliance options to avoid forcing heavy capital investments. For instance, agencies can use leak-resistant containers instead of pouring new impervious concrete pads and can rely on existing Stormwater Pollution Prevention Plans (SWPPPs) to satisfy spill and water management requirements.

Establishing financial assurance for facility closure will be the most notable new expense. To ease this transition, the rule incorporates federal frameworks like the local government financial test and local guarantees. Qualifying municipalities can meet the requirement through their existing financial strength rather than purchasing expensive third-party instruments.

Targeted exemptions provide substantial regulatory relief for public entities. The rules exempt temporary drop-site locations operating 30 days or less and containers with a cumulative capacity of 20 cubic yards or less, completely shielding seasonal community clean-ups and small rural drop-boxes from registration and financial assurance costs. Municipal facilities can also use the new “exceedance allowance” to absorb short-term waste surges up to four times a year without triggering reclassification.

Private businesses operating waste transfer facilities. Private businesses operate a substantial share of the state's transfer facilities. The Department does not expect compliance to drive changes in commercial staffing levels or cause layoffs. Because operators only need to submit updates when facility details actually change, the administrative reporting burden remains low.

While operators might face minimal to moderate costs to meet the new design and operation standards, these rules are tailored to reflect current industry best practices. Most commercial operators already meet these baseline expectations and will not need to make disruptive capital investments to achieve compliance.

To minimize the regulatory burden on small businesses—which make up approximately 20 of the impacted private operators—the rule includes significant operational flexibilities. Most of these small enterprises operate within the BMP classification, avoiding the heavier requirements of the self-certification tier. The 20-cubic-yard capacity exemption will completely eliminate the registration and fee burden for at least two currently registered small businesses. Additionally, the exceedance allowance lets private BMP facilities handle short-term volume surges for scheduled projects or unforeseen emergencies without permanent reclassification.

The primary financial impact and potential minor barrier to entry for private businesses is the statutory financial assurance requirement. Securing mechanisms like surety bonds or letters of credit to cover facility closure and known corrective actions will introduce moderate ongoing costs. However, this requirement is scaled appropriately to the facility's actual operational footprint, ensuring financial viability without imposing the long-term liabilities associated with landfill post-closure monitoring.

Waste transfer facility users. Facility users, including residents and commercial waste haulers, will likely experience minimal direct economic impacts. While operators may pass on moderate compliance and financial assurance costs through slightly adjusted tipping or drop-off fees, this is offset by the rule's direct benefits. Consistent operational standards ensure transfer facilities remain accessible, reliable, and safe while mitigating local environmental nuisances.

General Public. The general public will not bear direct compliance costs and stands as the primary beneficiary of these modernized standards. Mandating financial assurance protects taxpayer funds by ensuring private operators, not local taxpayers, pay for the closure and cleanup of abandoned sites.

Residents living near these facilities will directly benefit from the new operational standards. Enforceable requirements for waste storage, windblown litter, and vector control will reduce environmental nuisances and protect local property values from odors and pests. Additionally, exemptions for small-scale community bins and temporary drop-sites guarantee that neighborhood clean-up events can continue without added regulatory hurdles.

A general description of the probable impact on private and public employment in business agencies, and political subdivisions of this state directly affected by the rulemaking:

The Department anticipates that the rulemaking will have no measurable impact on private or public employment in Arizona. Because the codified design and operation standards are explicitly tailored to mirror established industry best practices, private transfer facility operators and commercial waste management businesses will not need to significantly alter their operations, undertake substantial capital investments, or hire additional staff to achieve compliance. Similarly, county and municipal agencies will not need to expand or reduce their existing workforces to absorb the modernized requirements. Consequently, the Department expects no impact to employment as a result of this rulemaking.

A statement of the probable impact of the rules on small business:

An identification of the small business subject to the rules. The Department estimates that approximately 12 small businesses own or operate solid waste transfer facilities in Arizona. To ensure a conservative analysis, the Department assumed an entity qualifies as a small business if its corporate size or revenue could not be definitively determined. Nearly all of these 12 identified operators manage daily waste volumes that keep them within the Best Management Practices (BMP) classification, meaning they operate within the state's less stringent regulatory tier.

The administrative and other costs required for compliance with the rules. As detailed in the Cost/Benefit Analysis (Section 3), small businesses will incur minimal to moderate costs to align their facilities with the codified design and operation standards. The most significant compliance expense, however, will be securing and maintaining the financial assurance mechanisms required by A.R.S. § 49-770. Beyond these initial outlays, the ongoing administrative effort to maintain compliance is expected to remain low. Because the updated rules primarily codify established industry best practices, the Department does not anticipate that small businesses will need to hire additional personnel or retain expensive outside legal or consulting services.

A description of the methods that the agency may use to reduce the impact on small businesses. In accordance with A.R.S. § 41-1035, the Department actively integrated alternative methods to reduce the regulatory burden on small businesses while still accomplishing the objective of protecting human health and the environment:

i. Exempting small businesses: The rule establishes an explicit exemption for collection points utilizing containers with a cumulative capacity of 20 cubic yards or less. The Department anticipates this will completely remove all registration, fee, and financial assurance requirements for at least two currently registered small businesses. The rule also exempts temporary drop-site locations, protecting small-scale community cleanup operations.

ii. Establishing less stringent compliance and reporting requirements: By maintaining the tiered regulatory structure, the vast majority of small businesses remain in the BMP tier, shielding them from the heavier administrative and operational demands of the self-certification tier. Furthermore, the newly established “exceedance allowance” permits small operators to handle short-term surges in waste (up to four times a year) or respond to emergencies without triggering a permanent, costly reclassification to the self-certification tier.

iii. Establishing less stringent schedules or deadlines: The rule incorporates a 180-day implementation window following the effective date. This grace period ensures small businesses have ample time to update their registrations, align operations, and secure financial assurance without disrupting their current business activities or cash flow.

iv. Establishing performance standards over design standards: Rather than prescribing rigid engineering or construction mandates (such as requiring new enclosed buildings or poured concrete pads), the rules offer flexible compliance pathways. For example, small operators can utilize leak-resistant containers to meet containment standards, preventing the need for substantial capital investments.

The probable costs and benefits to private persons and consumers who are directly affected by the rules. Private persons and consumers who utilize small business transfer facilities will experience minimal direct economic impacts. If small operators need to pass on the moderate costs of securing financial assurance or facility upgrades, consumers may see slightly adjusted tipping or drop-off fees. However, this potential indirect cost is offset by the qualitative benefit

of ensuring these local drop-off sites remain accessible, financially viable, and free from environmental nuisances like windblown litter, odors, and vectors.

A statement of the probable effect on state revenues:

The Department anticipates that this rulemaking will have a minimal effect on state revenues. The existing registration fee structure for solid waste transfer facilities remains unchanged. The only projected impact to state revenue is a negligible decrease resulting from the new exemption for collection points utilizing containers with a cumulative capacity of 20 cubic yards or less. The Department estimates that at least two currently registered facilities will qualify for this exemption, resulting in the loss of their annual registration fees. This minor reduction will be easily absorbed and will not impact the Department's ability to administer and enforce the solid waste program.

A description of any less intrusive or less costly alternative methods of achieving the purpose of the rulemaking:

The Department determined that the rulemaking represents the least intrusive and least costly method of achieving the regulatory objectives while strictly adhering to statutory mandates.

A "no action" alternative would involve leaving the current regulatory framework unchanged. However, this approach would conflict with explicit statutory mandates. Through A.R.S. § 49-761, the legislature directs the Department to establish comprehensive design, operation, and closure standards for specific classes of solid waste facilities, including transfer facilities subject to best management practices or self-certification. Furthermore, A.R.S. § 49-761(J) and A.R.S. § 49-770 dictate that the Department must adopt financial assurance rules, and that facilities must demonstrate compliance within 180 days of the design and operation standards taking effect. Maintaining the status quo would fail to satisfy these statutory requirements.

To meet these obligations, the Department developed a regulatory framework that minimizes the burden on operators while still fulfilling its statutory duties and establishing the standards necessary to protect human health, safety, and the environment. By codifying established industry best practices, offering flexible compliance pathways, and implementing targeted regulatory relief, such as the 20-cubic-yard capacity exemption, temporary drop-site exceptions, and the newly established exceedance allowance, the Department concluded there are no viable alternative methods that would be less intrusive or less costly while still achieving the purpose of the rulemaking.

A description of any data on which the rule is based with a detailed explanation of how the data was obtained and why the data is acceptable data:

Any data or reasoning which this rulemaking is based on is identified in the "Rule Scope and Explanation" portion of the Notice of Final Rulemaking located in Part 7. Generally, no new data was introduced or reviewed to make these rule changes.

11. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

Pursuant to A.R.S. § 41-1025(B), the Department determined that the final rule is not substantially different from the published proposed rule. To ensure all affected persons understood that the proposed rule would affect their interests, ADEQ compiled a custom stakeholder list of over 360 individuals, consisting of facility owners, operators, local government representatives, and other relevant parties to engage with throughout the rulemaking. The subject matter of the rulemaking, establishing baseline environmental safeguards, operational standards, and financial assurance for solid waste transfer facilities, remains unchanged.

Between the Notice of Proposed Rulemaking and this Notice of Final Rulemaking and in response to stakeholder feedback, the Department made targeted changes to the rule text to clarify regulatory intent and provide operational flexibility. As detailed below, these changes do not alter the substantive effects of the proposed rule, they adjust and clarify the rule text to achieve intended outcomes.

The specific changes are detailed below:

Definitions (R18-13-401 and R18-13-501):

Liquid Waste: The Department expanded the definition of liquid waste to explicitly exclude "incidental liquids to municipal solid waste collection." This clarifies that the rule's liquid waste management standards are intended for bulk liquid waste, and do not apply to trace liquids like residual beverage fluids or accumulated rainwater.

Registration and Reporting (R18-13-402 and R18-13-502):

Annual Updates: Subsections 402(C) and 502(C) were revised to clarify that the comprehensive facility information detailed in subsections 402(B) and 502(B) is only required during initial registration. For annual renewals, updates are only required if there have been material changes to the facility's information.

Emergency Exceedance Allowance: R18-13-402(F)(2)(c) was added to create an unscheduled exceedance allowance for BMP facilities. This accommodates unforeseeable emergencies or severe weather events, acknowledging that

operators cannot always predict or control sudden community waste surges.

Design and Operation Requirements (R18-13-403 and R18-13-503):

Access Control: The Department removed the phrase "or physical barriers" from R18-13-403(A)(1)(a) and R18-13-503(A)(1)(a). The final rule clarifies that appropriate signage is sufficient to restrict unauthorized access, preventing existing facilities from needing to undertake costly and technically difficult retrofits.

Dispersal Management: Subsections 403(A)(1)(b) and 503(A)(1)(c) were simplified by removing the phrase "cover or otherwise." The rule now broadly requires that tipping floors and storage areas be managed to prevent wind and surface dispersal, giving operators flexibility in how they achieve that performance standard.

Aisle Space: The Department removed the specific 20-foot aisle space requirement for BMP facilities in R18-13-403(A)(1)(d). Due to the rule form being interpreted as more stringent than intended, the language was changed to mirror the self-certification standard, simply requiring operators to "ensure facility access" to waste areas for emergency vehicles.

Container Standards: Subsections 403(A)(1)(g) and 503(A)(1)(i) were modified to remove the requirement that containers be "leak-proof." The final rule requires containers to be "leak-resistant such that waste stored within will not leak from the container." This clarifies that standard solid waste roll-offs do not need to be perfectly watertight; they only need to contain and not spill the solid waste.

Liquid Waste Management Plans; Subsections 403(D) and 503(D) were modified to clarify that facilities handling liquid waste may utilize existing spill prevention plans to satisfy the requirement to maintain a written liquid waste management plan.

Financial Assurance and Closure (R18-13-405 and R18-13-505):

Post-Closure Care: The Department added the phrase "if necessary" immediately following references to post-closure care across both sections. This change aligns the rule text identically with the statutory mandate in A.R.S. § 49-770 and acknowledges that standard transfer stations, unlike landfills, do not typically require long-term post-closure monitoring.

The National Waste & Recycling Association (NWRA) provided additional comments to the Governor's Regulatory Review Council's (GRRC) outside the public comment period, dated September 24, 2026 from the National Waste & Recycling Association (NWRA). These comments were reviewed by the Department and discussed during the GRRC. September 29, 2026 study session in which this rulemaking was under consideration. In response, the Department made the following additional changes:

Vector Breeding and Wind Dispersion Control: The rule text provided to GRRC required facilities to "prevent" wind dispersion and vector breeding. In order to avoid an overly broad interpretation of the stringency of these requirements, and to more closely mirror the requirements of A.R.S. § 49-762.07(F)(1), the Department altered the rule text in R18-13-403(A)(1)(b) and (c) and R18-13-503(A)(1)(c) and (d) to "control" rather than "prevent" wind dispersion and vector breeding.

Emergency Notification Timeline: The rule text provided to GRRC required facilities to notify the Department within 48 hours of an uncontained release, fire, or impact to the subsurface or soil. In order to allow greater operational flexibility in these emergencies, this time frame has been changed to 72 hours in R18-13-403(A)(6) and R18-13-503(A)(8).

Alternate Documentation Location Notification: The rule text provided to GRRC required owners and operators to obtain Department approval when required documentation is stored off-site. This approval requirement was more stringent than intended, and the Department updated R18-13-406 and R18-13-506 to merely require notification to the Department when documentation is stored off-site.

Improved Road Definition: In the rule text provided to GRRC, R18-13-503(A)(1)(b) required self-certification facilities to limit vehicular traffic to "improved roads", without defining "improved roads." The Department has defined "improved road" in R18-13-501(C) as a road which is graded, stabilized with compacted crushed gravel or stone, paved, or otherwise maintained for the volume and type of vehicles using the road.

Permitting Container Use in Waste Handling Areas: R18-13-403(A)(1)(H) allows facilities subject to best management practices to handle waste in waste handling areas on either impervious surfaces or in permitted containers. The rule text provided to GRRC unintentionally omitted the option to use permitted containers for facilities subject to self-certification. The Department has updated 503(A)(1)(j) to explicitly allow self-certification facilities to utilize permitted containers or impervious surfaces.

Clarifying Closure Requirement Applicability: The rule text provided to GRRC used the term "solid waste facility" in R18-13-404 and R18-13-504 to describe facility closure requirements. In order to improve clarity and consistency the Department has changed R18-13-404(A) and (B) and R18-13-504(A) and (B) to refer specifically to solid waste transfer facilities rather than solid waste facilities.

12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

The Department received written comments from two stakeholders, Republic Services and NWRA, during the formal public comment period. No public comments were received during the virtual oral proceeding held on May 28, 2026. The comments are categorized by topic below followed by the Department's corresponding response.

Applicability & Scope

Comment 1 (Republic Services): The definition of a transfer facility is not entirely clear. Because 49-701 refers to solid waste and because hazardous waste is a type of solid waste, this definition may be broader than intended.

ADEQ Response 1: ADEQ appreciates the comment. A "transfer facility" is defined in A.R.S. § 49-701 as a facility engaged in the rehandling or storage for ninety days or less of solid waste generated off-site for the primary purpose of transporting that solid waste. A.R.S. § 49-701.01 specifically excludes hazardous waste from the definition of solid waste. The requirements in this rulemaking only apply to facilities handling solid waste, and do not apply to facilities solely managing hazardous waste, which are subject to separate rules.

Comment 2 (NWRA): The definition and applicability of "transfer facility" warrants further clarification. Because A.R.S. § 49-701 broadly defines solid waste, and hazardous waste is a subset of solid waste, the draft language may unintentionally extend these requirements beyond their intended scope.

ADEQ Response 2: ADEQ appreciates the comment. A "transfer facility" is defined in A.R.S. § 49-701 as a facility engaged in the rehandling or storage for ninety days or less of solid waste generated off-site for the primary purpose of transporting that solid waste. A.R.S. § 49-701.01 specifically excludes hazardous waste from the definition of solid waste. The requirements in this rulemaking only apply to facilities handling solid waste, and do not apply to facilities solely managing hazardous waste, which are subject to separate rules.

Comment 3 (NWRA): Explicit exclusions should be provided for convenience centers, small-volume drop-off facilities, and other operations not engaged in traditional transfer station activities.

ADEQ Response 3: The Department has already incorporated explicit exclusions into the rule text to accommodate small-volume and non-traditional operations. Specifically, R18-13-402(A)(1)(c) exempts "Bins, drop boxes, roll off containers, or vehicles that have cumulative capacity of 20 cubic yards or less". Additionally, R18-13-402(A)(1)(d) establishes an explicit exemption for "A temporary drop-site location". Regarding convenience centers, the Department has clarified that tipping pads or convenience centers located at landfills for public use, where the waste is being disposed of at that same landfill, are considered part of the landfill operation itself. As such, these facilities are not required to separately register as transfer stations under these rules.

Liquid Waste Provisions

Comment 4 (Republic Services): Likewise, provisions related to liquid waste should be clarified as applying only to specific liquid waste facilities and would not include rainwater.

ADEQ Response 4: ADEQ appreciates the comment. The Department agrees that standard municipal solid waste with residual moisture or accumulated rainwater should not trigger the bulk liquid waste requirements. To provide clarity and ensure the rule is narrowly tailored to its intended target, the Department amended the definition of "Liquid waste" in R18-13-401(C) in the final rule. The definition was updated to specify "bulk liquids" and to explicitly exclude "incidental liquids to municipal solid waste collection". This change ensures that facilities handling standard municipal waste, which may include trace liquids like residual beverage fluids or accumulated rainwater, are not inadvertently subjected to the bulk liquid waste standards.

Comment 5 (NWRA): Additionally, provisions addressing liquid waste handling should be clarified to apply only to facilities that manage specific liquid waste streams, rather than all transfer facilities broadly.

ADEQ Response 5: ADEQ appreciates the comment. The design and operation requirements for liquid waste handling established in R18-13-403(C) and R18-13-503(C) are conditional and apply exclusively to a solid waste transfer facility "which handles liquid waste". Facilities that do not handle bulk liquid waste streams are not subject to these specific standards. Furthermore, to ensure the rule remains narrowly tailored and does not inadvertently capture standard municipal waste, the Department amended the definition of "Liquid waste" in R18-13-401(C) in the final rule to explicitly exclude "incidental liquids to municipal solid waste collection".

Comment 6 (NWRA): The proposed liquid waste provisions introduce storage, segregation, reporting, and planning requirements that appear duplicative of existing federal, state, and DOT regulations. It is unclear what specific environmental issue these provisions are intended to address in a transfer station context. Transfer stations do not manage long-term liquid waste storage, and incompatible or hazardous liquids are already regulated under existing programs. Applying landfill-style liquid waste management requirements to transfer stations risks adding complexity without commensurate environmental benefit.

ADEQ Response 6: ADEQ appreciates the comment. While existing federal regulations address hazardous waste, they do not govern non-hazardous bulk liquids, leaving a significant regulatory gap. For instance, liquids classified as hazardous waste in other states, such as California, are often not federally regulated under RCRA and can be shipped into Arizona as non-hazardous waste. Because the EPA and DOT do not regulate the management of these specific liquids once they enter the state's solid waste infrastructure, the liquid waste provisions are not duplicative. Instead, they establish essential baseline management standards for compatibility and containment to prevent unauthorized releases and ensure safe handling while these bulk liquids are managed at transfer facilities.

Throughput Thresholds and Exceedances

Comment 7 (Republic Services): The daily throughput threshold (e.g., 180 cubic yards per day) creates regulatory inflexibility for transfer station operators. Transfer stations frequently experience seasonal or temporary surges in volume. Tying additional certification or compliance burdens to daily volume thresholds may discourage operational flexibility and create uncertainty for facilities that fluctuate around the limit. A longer period or average over a certain period would better allow for operational flexibility. Similarly, transfer stations do not have planned episodic events so scheduled exceedances would be difficult to account for. A requirement for submit advance notifications for exceedance is impractical for a transfer station that can't always reasonable predict volumes.

ADEQ Response 7: The Department recognizes the need for operational flexibility and has incorporated several regulatory relief mechanisms directly into the rules to accommodate seasonal or temporary surges. First, the rules provide explicit exclusions for temporary drop-site locations and small sites utilizing containers with a cumulative capacity of 20 cubic yards or less. Second, the rules establish an exceedance allowance that permits BMP facilities to exceed the 180-cubic-yard daily throughput threshold up to four times per calendar year for pre-scheduled events. Finally, the Department added new language to R18-13-402(F)(2)(c) in the final rule to create an emergency exceedance allowance, which accommodates unscheduled volume surges caused by unforeseeable emergencies or severe weather events without triggering a permanent facility reclassification.

Comment 8 (NWRA): The daily throughput thresholds established in the draft rule create regulatory uncertainty for transfer stations that experience routine short-term fluctuations due to seasonal activity, weather events, emergency response efforts, or community clean-ups. Transfer stations generally do not schedule episodic exceedances in advance, making predictive compliance difficult. Operational practices such as increasing outbound shipments or deploying additional trailers are typical management tools that allow facilities to respond efficiently to volume variability. These routine operational responses should not trigger additional regulatory classifications or obligations absent a sustained change in facility function.

ADEQ Response 8: ADEQ appreciates the comment. The Department understands that operational variability occurs and has integrated specific regulatory relief mechanisms into the rules to ensure temporary volume fluctuations do not automatically trigger a permanent change in facility classification. To accommodate foreseeable events like seasonal activity or community clean-ups, the rule establishes a scheduled exceedance allowance permitting BMP facilities to exceed the 180-cubic-yard daily threshold up to four times per calendar year. To address unforeseeable events the Department added R18-13-402(F)(2)(c) to the final rule. This new provision creates an unscheduled exceedance allowance for emergencies and severe weather events, provided the operator notifies the Department within 48 hours.

Design Standards:

Comment 9 (Republic Services): We understand that many of the proposed design standards-including impervious tipping floors, aisle space, covered waste handling areas, stormwater diversion systems, leak-proof containers, and expanded site controls- apply only to specific tipping floor and handling areas. We request further clarification so it is clear that these provisions do not apply to the entire transfer station footprint and/or areas where there may be dumpster storage or staging.

ADEQ Response 9: ADEQ appreciates the comment. The Department has clarified and refined these standards in the final rule text to reflect the operational flexibility the rules are intended to allow. Regarding impervious tipping floors, R18-13-403(A)(1)(h) and R18-13-503(A)(1)(j) explicitly state that waste must be handled within designated areas on impervious surfaces or in compliant containers; therefore, container staging and dumpster storage areas do not require underlying impervious pads if leak-resistant containers are utilized. To address aisle space concerns, the Department revised R18-13-403(A)(1)(d) to remove the specific 20-foot metric, aligning it with R18-13-503(A)(1)(f) to merely require that facilities ensure adequate access to waste areas for emergency vehicles. For covered handling areas, the phrase “cover or otherwise” was removed from R18-13-403(A)(1)(b) and R18-13-503(A)(1)(c), simplifying the text to require that active areas are managed to prevent wind and surface dispersal. Container standards in R18-13-403(A)(1)(g) and R18-13-503(A)(1)(i) were revised by replacing “leak-proof” with “leak-resistant,” clarifying that containers do not need to be perfectly watertight, but must successfully prevent the solid waste contained within from leaking. All specific references to stormwater diversion systems were removed from the draft rules prior to the publication of the NPRM to eliminate duplicative water-management requirements. Finally, regarding site controls, the Department

removed the phrase “or physical barriers” from R18-13-403(A)(1)(a) and R18-13-503(A)(1)(a), establishing that appropriate signage alone is sufficient to satisfy the access restriction standard.

Comment 10 (NWRA): Several proposed design standards, such as impervious tipping floors, covered waste handling areas, expanded stormwater controls, leak-proof containers, and increased aisle spacing, would require substantial capital investment, particularly for existing facilities. Many transfer stations operate on constrained sites with fixed layouts. Retrofitting to meet new structural requirements could trigger extensive engineering redesign, local permitting, phased construction, and operational disruption. These costs may be disproportionate to the environmental risk profile of transfer stations, which function as short-term handling facilities rather than long-term disposal sites. Clarification is also needed regarding which design standards apply specifically to tipping floors and active waste handling areas versus areas where dumpsters or containers are staged.

ADEQ Response 10: ADEQ appreciates the comment. The Department has clarified and refined these standards in the final rule text to reflect the operational flexibility the rules are intended to allow and to avoid the imposition of substantial capital investments. Regarding impervious tipping floors, R18-13-403(A)(1)(h) and R18-13-503(A)(1)(j) explicitly state that waste must be handled within designated areas on impervious surfaces or in compliant containers; therefore, container staging and dumpster storage areas do not require underlying impervious pads if leak-resistant containers are utilized. To address aisle space concerns, the Department revised R18-13-403(A)(1)(d) to remove the specific 20-foot metric, aligning it with R18-13-503(A)(1)(f) to merely require that facilities ensure adequate access to waste areas for emergency vehicles. For covered handling areas, the phrase “cover or otherwise” was removed from R18-13-403(A)(1)(b) and R18-13-503(A)(1)(c), simplifying the text to require that active areas are managed to prevent wind and surface dispersal without mandating structural roofs. Container standards in R18-13-403(A)(1)(g) and R18-13-503(A)(1)(i) were revised by replacing “leak-proof” with “leak-resistant,” clarifying that containers do not need to be perfectly watertight, but must successfully prevent the solid waste itself from leaking. Finally, all specific references to stormwater diversion systems were removed from the draft rules prior to the publication of the Notice of Proposed Rulemaking to eliminate duplicative water-management requirements.

Stormwater and Spill Response

Comment 11 (Republic Services): We understand that approved stormwater prevention plans and spill prevention containment plans would meet the requirements of these sections. We request clarifying language be added to the final rules.

ADEQ Response 11: ADEQ appreciates the comment. All specific references to stormwater diversion systems were removed from the draft rules prior to the publication of the NPRM to eliminate duplicative water-management requirements. For the remaining operational standards, such as implementing general spill and leak response procedures, the Department agrees that maintaining and implementing an existing spill prevention plan that achieves these performance outcomes is sufficient, and language has been added to the rules to reflect this.

Comment 12 (NWRA): Many transfer facilities already operate under approved stormwater pollution prevention plans and spill prevention and containment measures. Clear acknowledgment that compliance with existing approved plans satisfies new requirements would avoid duplicative obligations and unnecessary administrative burden. Aligning new rule language with existing compliance frameworks will provide certainty to facilities that are already operating responsibly.

ADEQ Response 12: ADEQ appreciates the comment. All specific references to stormwater diversion systems were removed from the draft rules prior to the publication of the NPRM to eliminate duplicative water-management requirements. For the remaining operational standards, such as implementing general spill and leak response procedures, the Department agrees that maintaining and implementing an existing spill prevention plan that achieves these performance outcomes is sufficient, and language has been added to the rules to reflect this.

Site Access and Screening

Comment 13 (Republic Services): For existing facilities, retrofitting to meet these specifications may be technically difficult or economically infeasible, particularly for smaller, locally owned operations. We understand that signage and passive screening may be sufficient and therefore request clarifying language to this effect.

ADEQ Response 13: ADEQ appreciates the comment. The Department agrees that the phrase “or physical barriers” was superfluous and had the potential to cause confusion regarding the necessity of structural modifications. To clarify the rule's intent and ensure the access restriction requirements are straightforward, the Department amended R18-13-403(A)(1)(a) and R18-13-503(A)(1)(a) in the final rule text by removing the phrase “or physical barriers,” modifying the provision to simply require the owner or operator to “Restrict unauthorized access to the facility by signage”.

Comment 14 (Republic Services): Likewise, a 24-hour notification window may be impractical given the operating hours of many transfer stations.

ADEQ Response 14: ADEQ appreciates the comment. The rule language in R18-13-403(A)(3)(c) and R18-13-

503(A)(3)(c) mandates that facilities notify the Department within 24 hours of the discovery of the acceptance of the specified wastes, rather than within 24 hours of the waste actually being dropped off. Therefore, if prohibited waste is left at a facility outside of its standard operating hours, the 24-hour clock does not begin until facility personnel discover the waste. Additionally, to minimize the administrative burden on operators, the Department narrowed the scope of this requirement prior to the publication of the NPRM. Previous drafts required notification for the receipt of any unacceptable waste, the current rule limits the 24-hour notification requirement to instances where a facility accepts non-residential biohazardous medical waste, non-residential hazardous waste, or special waste.

Comment 15 (NWRA): For existing facilities, retrofitting perimeter screening and access controls to meet new specifications may be technically infeasible or cost-prohibitive. NWRA understands that signage and passive screening may be sufficient in many cases and requests the final rule explicitly reflect this flexibility.

ADEQ Response 15: ADEQ appreciates the comment. The Department agrees that the phrase “or physical barriers” was superfluous and had the potential to cause confusion regarding the necessity of structural modifications. To clarify the rule's intent and ensure the access restriction requirements are straightforward, the Department amended R18-13-403(A)(1)(a) and R18-13-503(A)(1)(a) in the final rule text by removing the phrase “or physical barriers,” modifying the provision to simply require the owner or operator to “Restrict unauthorized access to the facility by signage”.

Registration Requirements

Comment 16 (Republic Services): The draft rules require detailed submittals including site diagrams, legal descriptions, operational plans, and ongoing reporting obligations. For transfer station owners- especially those operating multiple facilities - this creates significant administrative overhead and increased compliance staffing costs.

ADEQ Response 16: ADEQ appreciates the comments. The Department agrees that requiring the routine resubmittal of static information adds unnecessary administrative burden and cost without commensurate environmental benefit. The intent of the documentation requirements is to utilize a change-based reporting framework. The detailed information listed in the rules only needs to be submitted once during the initial registration process, and then subsequently only if that specific information changes. To eliminate any ambiguity and ensure this framework is clear, the Department amended R18-13-402(C) and R18-13-502(C) in the final rule text to explicitly clarify the annual registration expectations. The rules now clearly state that, “If no changes have occurred, no additional information is required”.

Comment 17 (NWRA): The draft rules introduce expanded registration, reporting, and documentation requirements, including detailed facility diagrams, legal descriptions, operational plans, and ongoing updates. For operators managing multiple facilities, these requirements represent significant administrative and staffing burdens. Requiring routine resubmittal of information that poses no environmental risk, such as equipment changes or record storage locations, adds cost without benefit. A change-based reporting framework rather than periodic resubmission would be more efficient for both ADEQ and regulated entities.

ADEQ Response 17: ADEQ appreciates the comments. The Department agrees that requiring the routine resubmittal of static information adds unnecessary administrative burden and cost without commensurate environmental benefit. The intent of the documentation requirements is to utilize a change-based reporting framework. The detailed information listed in the rules only needs to be submitted once during the initial registration process, and then subsequently only if that specific information changes. To eliminate any ambiguity and ensure this framework is clear, the Department amended R18-13-402(C) and R18-13-502(C) in the final rule text to explicitly clarify the annual registration expectations. The rules now clearly state that, “If no changes have occurred, no additional information is required”.

Comment 18 (NWRA): Additionally, annual registration fees and CPI-based fee escalations introduce recurring costs at the same time facilities may be absorbing new capital and operational expenditures.

ADEQ Response 18: ADEQ appreciates the comment. The annual registration fees and the CPI based fee adjustment fall outside the scope of this rulemaking. This regulatory action is strictly limited to establishing registration, design, operation, closure, and financial assurance requirements. The existing fee structures and escalators were evaluated and established in a prior, separate rulemaking. Regarding the concern over absorbing new capital expenditures, the Department has made several clarifying revisions to the final rule text to reinforce the intent that no substantial capital investments are required to achieve compliance. As noted in previous responses, the codified standards are tailored to reflect current industry best practices and prioritize operational flexibility. For example, the rules allow facilities to utilize leak-resistant containers and do not mandate new impervious concrete surfaces. Additionally, the rules clarify that appropriate signage satisfies access restriction requirements without the need to construct new physical perimeter barriers. These and other changes intended to clarify that existing facilities are not expected to engage in costly or disruptive structural retrofits to satisfy compliance.

Compliance Timeline

Comment 19 (NWRA): The draft rule’s requirement for compliance within 180 days of the effective date presents significant challenges for facilities requiring physical or structural modifications. This timeframe is insufficient to complete

necessary engineering evaluations, obtain permits and plan approvals, procure contractors, and sequence construction in a manner that avoids interruption of essential waste management services. We respectfully encourage ADEQ to consider phased implementation schedules or alternative compliance pathways that account for real-world permitting and construction timelines outside the operator's control.

ADEQ Response 19: ADEQ appreciates the comment. Regarding the concern over physical or structural modifications, the Department has made several clarifying revisions to the final rule text to reinforce the intent that substantial capital investments and structural retrofits are neither expected nor required. By allowing the use of leak-resistant containers in lieu of new impervious surfaces and clarifying that appropriate signage satisfies access requirements without the need for new physical barriers, facilities are not anticipated to require extensive engineering evaluations, local permitting, or disruptive construction sequencing. Second, the 180-day window for design and operation requirements provides facilities an additional six months beyond the rule's effective date to achieve compliance. This extended timeframe provides operators ample opportunity to align with the operational standards, such as posting necessary signage or updating facility plans.

Financial Assurance

Comment 20 (Republic Services): The requirement to demonstrate financial capability for closure imposes a new long-term financial burden on transfer station owners. Unlike landfills, transfer stations do not involve long-term waste containment. Applying similar financial assurance expectations may not reflect the lower environmental risk profile of transfer operations and may strain smaller or independently owned facilities.

ADEQ Response 20: ADEQ appreciates the comment. The requirement to demonstrate financial capability for facility closure established in statute by A.R.S. § 49-770, and A.R.S. § 49-761(J) expressly directs the Department to adopt rules implementing these requirements. To minimize the burden on operators, the Department has narrowly tailored the closure requirements R18-13-404 and R18-13-504 to reflect the specific operational realities of transfer stations rather than applying landfill-scale standards. This tailoring limits the financial assurance burden closure to necessary site sanitation and waste removal, including the removal and disposal of all solid waste and leachate, the washing of surfaces and equipment that contacted waste, and the proper disposal of wash and rinse water.

Comment 21 (Republic Services): Likewise, post-closure care should not be required for transfer stations.

ADEQ Response 21: ADEQ appreciates the comment. While A.R.S. § 49-770 mandates financial assurance for post-closure care, the Department recognizes that standard transfer station operations do not involve long-term waste placement or monitoring, and thus typically do not require post-closure care. To ensure the rule reflects this operational reality, the Department amended the final rule text in R18-13-405 and R18-13-505 to explicitly include the qualifier "if necessary" following any reference to post-closure care. Because the rule does not independently establish post-closure requirements for transfer facilities, operators are not obligated to provide this coverage unless they are otherwise mandated to conduct post-closure care under exceptional circumstances.

Comment 22 (NWRA): Transfer stations do not involve long-term waste placement or post-closure care. Applying closure, post-closure, and corrective action financial assurance frameworks designed for landfills does not align with the operational realities or risk profile of transfer facilities. Closure requirements for transfer stations should focus on waste removal and basic cleanup, not ongoing post-closure monitoring. Financial assurance requirements should be limited accordingly and scaled to actual risk.

ADEQ Response 22: The Department acknowledges that the operational risk profile of transfer facilities differs significantly from that of landfills and has tailored the financial assurance requirements accordingly. While A.R.S. § 49-770 mandates financial assurance for closure, post-closure care, and corrective action, the Department has narrowly defined the scope of these obligations within the final rule to align with the realities of transfer station operations. As previously noted, the closure requirements in R18-13-404 and R18-13-504 are strictly limited to necessary site sanitation, such as the removal of all solid waste and leachate, the washing of surfaces and equipment, and the proper disposal of wash water. This limits the closure costs that must be covered. Furthermore, because the rules do not independently establish post-closure requirements for transfer facilities, the post-closure care financial assurance obligation is qualified by the phrase "if necessary," ensuring such coverage is only mandated if a facility is otherwise required to conduct post-closure care under exceptional circumstances. These tailored requirements ensure that financial assurance obligations are scaled to the specific operational footprint and lower environmental risk profile of transfer facilities.

Record Keeping

Comment 23 (Republic Services): The expanded recordkeeping requirements, multi-year retention obligations, and increased inspection authority add ongoing compliance costs. Transfer stations operate on tight turnaround schedules; layering additional documentation and procedural requirements may slow operations and increase staffing needs.

ADEQ Response 23: ADEQ appreciates the comment. The Department acknowledges that administrative and record-

keeping obligations impact operational workflows, and has designed the rule to balance these requirements with the need for sufficient oversight. To minimize the burden on facility operations, the Department utilized a change-based reporting framework for registration, which ensures that static information only needs to be submitted initially, rather than through periodic, redundant resubmission. The recordkeeping requirements established in R18-13-406 and R18-13-506 are limited to a three-year retention period, which aligns with standard industry practices and provides necessary documentation for compliance verification without imposing excessive long-term storage or staffing demands. The Department believes these requirements provide the essential information needed to ensure compliance while maintaining the operational flexibility required by facilities managing tight turnaround schedules.

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

There are no other matters prescribed by statute.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The registration requirements established in R18-13-402(B) and R18-13-502(B) constitute a license, however a general permit is not required under A.R.S. § 41-1037(A)(2) as the issuance of alternative licenses are authorized by A.R.S. § 49-762.07 and A.R.S. § 762.02 respectively. Additionally, the financial assurance requirements in R18-13-405 and R18-13-505 establish a permit requirement, however a general permit is not required under A.R.S. § 41-1037(A)(2) as an alternative permit is authorized by A.R.S. § 49-770.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There is no corresponding federal law for Article 4 - Solid Waste Facilities Subject to Best Management Practices, Article 5 - Requirements for Solid Waste Facilities Subject to Self-Certification, or Article 17- Financial Assurance.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No such analysis was submitted.

14. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

Not applicable

16. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 13. DEPARTMENT OF ENVIRONMENTAL QUALITY SOLID WASTE MANAGEMENT

ARTICLE 4. SOLID WASTE FACILITIES SUBJECT TO BEST MANAGEMENT PRACTICES

Section
R18-13-401. Definitions
R18-13-402. Solid Waste Facilities Subject to Best Management Practices; Fees
R18-13-403. Transfer Facilities; Design and Operation Requirements
R18-13-404. Facility Closure; Notice; Requirements
R18-13-405. Financial Assurance; Requirements
R18-13-406. Record Keeping

ARTICLE 5. REQUIREMENTS FOR SOLID WASTE FACILITIES SUBJECT TO SELF-CERTIFICATION

Section
R18-13-501. ~~Solid Waste Facilities Requiring Self-Certification; Fees~~ Definitions
R18-13-502. Solid Waste Facilities Requiring Self-Certification; Fees
R18-13-503. Transfer Facilities; Design and Operation Requirements
R18-13-504. Facility Closure; Notice; Requirements

R18-13-505. Financial Assurance; Requirements
R18-13-506. Record Keeping

ARTICLE 17. FINANCIAL ASSURANCE

Section
R18-13-1701. Definitions
R18-13-1702. ~~Reserved~~ Financial Demonstrations for Solid Waste Facilities
R18-13-1703. Financial Demonstrations for CCR Facilities
R18-13-1704. Financial Assurance Mechanisms

ARTICLE 4. SOLID WASTE FACILITIES SUBJECT TO BEST MANAGEMENT PRACTICES

R18-13-401. Definitions

A. "Department" means the Arizona Department of Environmental Quality.

B. "Free liquids" means liquids that readily separate from the solid portion of a waste under ambient temperature and pressure.

C. "Liquid waste" means bulk liquids, that are not hazardous waste regulated under subtitle C of RCRA, 42 U.S.C. 6921-6939f, and which are not incidental liquids to municipal solid waste collection.

~~**B.**~~**D.** "Material recovery facility" means a ~~transfer~~ facility that collects, compacts, repackages, sorts, or processes commingled recyclable solid waste generated offsite for the purpose of recycling and transport, or where source separated recyclable solid waste is processed for sale to various markets, and where the incoming materials are predominantly recyclable solid waste.

~~**C.**~~**E.** "Recyclable solid waste" means a product or material described in subsection ~~(C)(1)~~ (E)(1) or (2), and for which subsection ~~(C)(3)~~ (E)(3) is true:

1. A product with no useful life remaining for the purposes for which it was produced, or if useful life remains, the product will not, due to location, quantity, or owner choice, remain in use or be reused for a purpose for which it was produced.
2. A material that is a result of a process or activity whose purpose was to produce something else.
3. The product or material retains some economic value, with or without further processing, as a raw material or feedstock in some process other than incineration or combustion.

F. "Temporary drop-site location" means a temporary or seasonal site receiving solid waste from vehicles other than those designed to compact solid waste and used primarily for rehandling or storage of a specified class or classes of solid waste for a determinate amount of time not to exceed 30 days per calendar year.

R18-13-402. Solid Waste Facilities Subject to Best Management Practices; Fees

A. The following solid waste facilities subject to best management practices under A.R.S. § 49-762.02 shall register with the Department and pay registration fees as provided in this Section:

1. A transfer facility, as defined in A.R.S. § 49-701, and that is not a facility engaged in the transportation, handling, storage, and treatment of biohazardous medical waste as defined in R18-13-1401(4) or special waste as defined in A.R.S. § 49-851(A)(9), with a daily throughput of 180 cubic yards or less, but not including:
   a. A material recovery facility where the incoming materials are primarily source separated recyclables that is operated in a manner so as not to cause a nuisance, vector breeding or fire hazard; ~~or~~
   b. Community or neighborhood recycling bins including drop boxes, roll off containers, and plastic containers used to collect residential, business, or governmental recyclable solid waste.;
   c. Bins, drop boxes, roll off containers, or vehicles that have cumulative capacity of 20 cubic yards or less used to collect residential, business, or governmental municipal solid waste that is operated in a manner so as not to cause a nuisance, vector breeding or fire hazard; or
   d. A temporary drop-site location.
2. A site at which more than 500 and fewer than 5,000 waste tires are stored on any day that is not required to obtain plan approval pursuant to A.R.S. § 49-762.

B. Initial registration. Beginning on the effective date of the rule, ~~A~~ a new solid waste facility listed in subsection (A)(1) shall not begin ~~operation~~ construction until the owner or operator registers with the Department ~~on a form approved by the Department~~. The owner or operator of a new solid waste facility listed in subsection (A)(1) shall submit an initial registration fee of $1,485 at the time of registration under this subsection. A new solid waste facility listed in subsection (A)(1) shall submit the following information to the Department on a form approved by the Department before beginning construction. An existing solid waste facility listed in subsection (A)(1) shall submit the following information to the Department on a form approved by the Department within 180 days of the effective date of the rule:

1. Facility name and physical address, mailing address, address at which the facility's operating record will be retained, and contact information of the owner and operator of the solid waste facility.
2. Legal description by township, range, and section, and county assessor's book, map and parcel number.
3. Description of waste storage and waste handling equipment, as applicable, methods of waste management, including types and volumes of waste handled and time the waste remains on site, and designed facility capacity.
4. Description of steps necessary to close the facility in compliance with R18-13-404.
5. Description of waste management practices used at the facility including measures taken to protect the environment and to protect the public health.
6. A diagram of the property showing the location of the solid waste facility or facilities, including locations designated for handling, storing, transferring solid waste.

C. Annual registration fee and updates. The Department shall bill an annual registration fee of $742 to a registered solid waste facility listed in subsection (A)(1) that has not filed a notice of termination of registration with the Department. The owner or operator of a registered solid waste facility listed in subsection (A)(1) shall pay the annual registration fee within 30 days of invoice receipt. and at that time submit any changes to the information provided in the initial registration under subsection (B) of this Section, or since the most recent annual registration provided to the Department. If no changes have occurred, no additional information is required.

D. Registration as a waste tire collection site under R18-13-1211 shall satisfy registration and fee requirements pursuant to this Section for a site under subsection (A)(2) of this Section.

E. Beginning January 1, 2026, the Director shall adjust the fee amounts in subsections (B) and (C) of this Section annually by the following method:

1. Multiply the amount by the October CPI for the most recent year and then divide by the October CPI for the year 2024. The October CPI for any year is the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items, published by the United States Department of Labor at www.bls.gov/cpi/regional-resources.htm, for October of that year.
2. Round the result from subsection (E)(1) down to the nearest cent. ADEQ shall post the new amounts on its webpage and install them in the billing software as soon as practicable.

F. Throughput limit and exceedance allowance.

1. The daily throughput threshold specified in subsection (A)(1) of this section shall be applied on a daily basis, not as an average over time. If a facility exceeds 180 cubic yards of solid waste on a single calendar day, it shall be classified as a transfer facility subject to self-certification pursuant to Article 5, except as provided in subsection (F)(2).
2. A solid waste facility subject to best management practices under subsection (A)(1) may exceed the 180 cubic yard daily throughput threshold on a scheduled basis, not to exceed four instances per calendar year, provided that:
   a. The owner or operator submits written notification to the Department at least 30 days prior to the scheduled exceedance, specifying the anticipated dates and volumes of solid waste to be received during the exceedance period.
   b. The facility complies with all other applicable requirements of this Article during the exceedance period.
   c. In the event of an unscheduled exceedance caused by an unforeseeable emergency or severe weather event, the 30-day prior notification requirement is waived provided the owner or operator submits a written report to the Department within 48 hours. The report must affirmatively demonstrate that:
      i. The exceedance was caused by an exceptional incident beyond the reasonable control of the owner or operator;
      ii. The exceedance was not the result of operational error, improperly designed equipment, lack of preventive maintenance, or careless operation; and
      iii. The facility took all reasonable steps to mitigate the accumulation of waste and return to standard operating volumes as expeditiously as possible.

R18-13-403. Transfer Facilities; Design and Operation Requirements

A. Within 180 days of the effective date of the rule the owner or operator of a solid waste transfer facility listed under R18-13-402(A)(1) shall:

1. Operate and maintain the facility to comply with all the following design and operation requirements:
   a. Restrict unauthorized access to the facility by signage;
   b. Manage tipping floors, storage areas, and storage bins to control wind dispersal and other surface dispersion;
   c. Control vector breeding;
   d. Ensure facility access to all waste handling and storage areas for emergency response vehicles;
   e. Post signage that indicates the name of the facility, address of facility, hours of operation, unauthorized waste not accepted at the facility for rehandling or storage in accordance with subsection (4) of this Section, and facility emergency contact;
   f. Ensure any area used for receiving, processing, storing, reloading, or transferring of solid waste be free of standing water;
   g. Ensure all containers used in the handling of solid waste are constructed of durable materials, maintained in good condition, and leak-resistant such that waste stored within will not leak from the container;
   h. Ensure all waste is handled only within designated waste handling areas, on impervious surfaces or in containers meeting the criteria of subsection (A)(1)(g) of this section;
2. Implement spill and leak response and management procedures;
3. Implement waste screening measures for the purpose of preventing acceptance of unauthorized waste that includes:
   a. Training personnel for identification and handling of unacceptable waste.
   b. Procedures for segregation and proper disposal of any unauthorized waste.
   c. Notification to the Department within 24 hours of discovery of the acceptance of any non-residential biohazardous medical waste, non-residential hazardous waste, or special waste by the facility.
4. Accept, manage, store, and handle waste only within the facility capacity as described in registration;
5. Ensure waste is not stored for more than 90 days; and
6. Notify the Department within 72 hours of an uncontained release, fire, or impact to the subsurface or soil requiring response by a third party or emergency response personnel.

B. If there is evidence or reasonable belief of a release from the facility, the Director may require an investigation into the nature and extent of the release, including testing for soil or groundwater contamination and an assessment of measures necessary to correct an impact to soil or groundwater. The Director may require the owner or operator to institute necessary corrective action as determined by the Director.

C. In addition to the requirements under subsection (A) of this Section, the owner or operator of a solid waste transfer facility listed under R18-13-402(A)(1) which handles liquid waste shall operate and maintain the facility to comply with the following:

1. Provide that liquid waste is stored in a container or tank that meets the following requirements:

a. The tank or container shall be watertight, leak-proof, and constructed of materials compatible with the waste being stored.
b. The tank or container shall be labeled with a description of the contents.

2. Areas used to load or unload tanks or containers shall be designed to contain spills and accidental releases during loading and unloading.
3. Liquid waste may only be mixed with other liquid waste that is the same or substantially similar and shall not be diluted with any other material or substance.
4. Provide on-duty personnel during all times the facility is open to the public.

D. A solid waste transfer facility listed under R18-13-402(A)(1) which handles liquid waste shall maintain a written liquid waste management plan, or utilize an existing spill prevention plan. The liquid waste management plan must consist of the following:
1. Emergency preparedness procedures to respond to releases of waste including spill response and containment.
2. Waste handling procedures to prevent mixing of incompatible liquid waste and to ensure liquid waste is handled, stored, and transported in accordance with the requirements of subsection (C) of this Section.
3. Documentation of throughput by weight or volume of liquid waste.

R18-13-404. Facility Closure; Notice; Requirements

A. At least 30 days prior to beginning final closure activities, the owner or operator of a solid waste transfer facility listed under R18-13-402(A)(1) shall submit to the Department a notice of intent to close the facility. If final closure is not completed within six months from the date the Department is informed, the notice of intent to close is deemed to be expired. The notice of intent to close shall contain the following information:
1. Facility name, mailing address, and contact information of the owner and operator of the solid waste facility;
2. A description of the steps necessary to close the facility, the specific proposed closure activities, and an implementation schedule; and
3. Information on site conditions and the types of waste received during the life of the facility.

B. To finally close a solid waste transfer facility listed under R18-13-402(A)(1), the owner or operator shall take all necessary steps to minimize or eliminate the release of waste, waste constituents, or leachate to ensure no future threat of harm to human health and the environment, including complying with the following procedures:
1. Post signage stating expected closure date and date waste is no longer accepted at least 30 days prior to closure or end of operations;
2. Remove and properly dispose of all solid waste at a waste facility authorized to accept such waste, including leachate, from the facility;
3. All areas of the facility, including containers, equipment, machines, floors, and surfaces, that were in contact with solid waste and that are not to be removed during final closure shall be washed with soap or detergent or otherwise subject to procedures that substantially reduce or eliminate any remaining constituents or contaminants derived from contact with solid wastes; and
4. Collect and properly dispose of all wash water and rinse water;

C. Any ongoing or required investigation into the nature and extent of any release and required corrective action pursuant to R18-13-403(B) must be completed before final closure of the facility may occur.

D. Upon completion of final closure, the owner or operator of the facility shall submit written notice of final closure to the Department. The written notice shall certify compliance with the requirements of this Section. The written notice shall be submitted to the Department within 30 days of the completion of final closure.

R18-13-405. Financial Assurance; Requirements

A. Within 180 days of the effective date of the rule the owner or operator of an existing solid waste transfer facility listed under R18-13-402(A)(1) shall demonstrate financial capability to meet any closure, post-closure care if necessary, and corrective action requirements under this Article. Beginning 180 days after the effective date of this rule, a new solid waste transfer facility listed under R18-13-402(A)(1) shall not begin operation until the owner or operator demonstrates financial capability to meet any closure, post-closure care, and corrective action requirements under this Article. The owner or operator shall demonstrate financial capability pursuant to R18-13-1702.

B. The owner or operator of a solid waste transfer facility listed under R18-13-402(A)(1) may use any one or combination of financial assurance mechanisms listed under R18-13-1704 to demonstrate financial capability as required under subsection (A) of this Section.

C. The cost estimate made pursuant to R18-13-1702(A) shall be updated every three years to adjust for inflation or as necessary to reflect increased costs resulting from changes to facility conditions, and the owner or operator shall resubmit their demonstration of financial capability pursuant to R18-13-1702 to the Department.

R18-13-406. Record Keeping

All records required by this Article shall be retained in an operating record near the facility, or in an alternative location following notice to the Department, for at least three years. If notification of an enforcement action by the Department has been received, the records shall be retained until a final determination has been made in the matter or in accordance with the final determination.

ARTICLE 5. REQUIREMENTS FOR SOLID WASTE FACILITIES SUBJECT TO SELF-CERTIFICATION

R18-13-501. Definitions

A. "Department" means the Arizona Department of Environmental Quality.

B. "Free liquids" means liquids that readily separate from the solid portion of a waste under ambient temperature and pressure.

C. "Improved road" means a road which is graded, stabilized with compacted crushed gravel or stone, paved, or otherwise maintained for the volume and type of vehicles using the road.

D. "Liquid waste" means bulk liquids, that are not hazardous waste regulated under subtitle C of RCRA, 42 U.S.C. 6921-6939f, and which are not incidental liquids to municipal solid waste collection.

E. "Material recovery facility" means a facility that collects, compacts, repackages, sorts, or processes commingled recyclable solid waste generated offsite for the purpose of recycling and transport, or where source separated recyclable solid waste is processed for sale to various markets, and where the incoming materials are predominantly recyclable solid waste.

F. "Recyclable solid waste" means a product or material described in subsection (F)(1) or (2), and for which subsection (F)(3) is true:

1. A product with no useful life remaining for the purposes for which it was produced, or if useful life remains, the product will not, due to location, quantity, or owner choice, remain in use or be reused for a purpose for which it was produced.
2. A material that is a result of a process or activity whose purpose was to produce something else.
3. The product or material retains some economic value, with or without further processing, as a raw material or feedstock in some process other than incineration or combustion.

~~R18-13-501.~~R18-13-502.Solid Waste Facilities Requiring Self-Certification; Registration Fees

A. The following solid waste facilities requiring self-certification under A.R.S. § 49-762.01 shall register with the Department and pay annual registration fees as provided in this Section:

1. A transfer facility, as defined in A.R.S. § 49-701, and that is not a facility engaged in the transportation, handling, storage, and treatment of biohazardous medical waste as defined in R18-13-1401(4) or special waste as defined in A.R.S. § 49-851(A)(9), with a daily throughput of more than 180 cubic yards, including a material recovery facility, but not including:
   a. A material recovery facility where the incoming materials are primarily source separated recyclables that is operated in a manner so as not to cause a nuisance, vector breeding or fire hazard; or
   b. Community or neighborhood recycling bins including drop boxes, roll off containers, and plastic containers used to collect residential, business, or governmental recyclable solid waste.
2. A facility storing 5,000 or more waste tires on any one day and not required to obtain plan approval.
3. A waste tire shredding and processing facility.

B. Initial registration for a new facility. The owner or operator of a planned new facility identified in subsection (A) of this Section shall submit the following information to the Department before beginning construction:

1. The name of the solid waste facility.
2. The name, mailing address and telephone number of each owner and operator of the solid waste facility.
3. The physical location of the solid waste facility by physical address, latitude and longitude, or legal description. If none of these are practical, by driving directions from the nearest city or town.
4. The address at which the facility's operating record will be retained.
~~4.~~5. A brief description of operations, including waste management methods, types and volumes of waste handled, waste storage, handling, and treatment equipment, and the length of time the waste remains onsite.
6. A description of steps necessary to close the facility in compliance with R18-13-504.
~~5.~~7. A diagram of the property showing its approximate size and the planned location of the solid waste facility or facilities.
~~6.~~8. Documentation that the facility will comply with local zoning laws or, if the owner is an agency or political subdivision of this state, with A.R.S. § 49-767.
~~7.~~9. Documentation that the facility has any other environmental permit that is required by statute.
~~8.~~10. A copy of the public notice in a newspaper of general circulation in the area where the facility will be located stating the intent to construct and operate a new solid waste facility pursuant to A.R.S. § 49-762.05.

C. ~~Initial and annual registration for an existing facility. The owner or operator of an existing facility identified in subsection (A) of this Section shall submit the following information to the Department annually on a form approved by the Department and note any changes since the last registration:~~

~~1. The name of the solid waste facility.~~
~~2. The name,~~ mailing ~~address and telephone number of each owner and operator of the solid waste facility.~~
~~3. The physical location of the solid waste facility by physical address, latitude and longitude, or legal description. If none of these are practical, by driving directions from the nearest city or town.~~
~~4. A brief description of operations, including waste management methods, types and volumes of waste handled, waste storage and treatment equipment, and the length of time the waste remains onsite.~~
~~5. A diagram of the property showing its approximate size and the location of the solid waste facility or facilities.~~
~~6. Documentation that the facility remains in compliance with the most current local zoning laws or with A.R.S. § 49-767, as applicable.~~
~~7. Documentation that the facility continues to hold any other environmental permit that is required by statute.~~

Annual registration and updates for existing facilities. The owner or operator of an existing facility identified in subsection (A) of this Section shall, within 180 days of the effective date of this rule, submit to the Department any information required under subsection (B) of this Section that has not been previously submitted. Annually thereafter, when submitting the annual registration fee, the owner or operator shall submit only changes to the facility information that have occurred since the most recent registration. If no changes have occurred, no additional information is required.

D. Self-certification. With each registration under subsection (B) or (C) of this Section, the owner or operator shall certify that the information submitted is true, accurate, and complete to the best of the person's knowledge and belief.

E. Registration fees. The owner or operator of a transfer facility under subsection (A)(1) shall pay the Department $1,485 for the initial registration of a new facility, and $742 for each annual registration thereafter. The owner or operator of a tire facility under subsection (A)(2) or (3) shall pay the Department $1,485 for the initial registration of a new facility, and $371 for each annual registration there-

after. The Department shall bill the annual registration fee to a solid waste facility under subsection (A) that has not filed a notice of termination of registration with the Department and the solid waste facility shall pay within 30 days of invoice receipt.

F. Beginning July 1, 2026, the Director shall adjust the fee amounts in subsection (E) of this Section annually by the following method, except that no adjustment in any year shall exceed four percent of the fee amount of the preceding year:

1. Multiply the amount by the October CPI for the most recent year and then divide by the October CPI for the year 2024. The October CPI for any year is the Consumer Price Index for All Urban Consumers, Phoenix-Mesa-Scottsdale, AZ, all items, published by the United States Department of Labor at www.bls.gov/cpi/regional-resources.htm, for October of that year.
2. Round the result from subsection (F)(1) down to the nearest cent. ADEQ shall post the new amounts on its webpage and install them in the billing software as soon as practicable.

~~**G.** As used in this Section:~~

~~1. "Department" means the Arizona Department of Environmental Quality.~~
~~2. "Material recovery facility" means a transfer facility that collects, compacts, repackages, sorts, or processes commingled recyclable solid waste generated offsite for the purpose of recycling and transport, or where source separated recyclable solid waste is processed for sale to various markets, and where the incoming materials are predominantly recyclable solid waste.~~
~~3. "Recyclable solid waste" means a product or material described in subsection (G)(3)(a) or (b), and for which subsection (G)(3)(c) is true:~~
~~a. A product with no useful life remaining for the purposes for which it was produced, or if useful life remains, the product will not, due to location, quantity, or owner choice, remain in use or be reused for a purpose for which it was produced.~~
~~b. A material that is a result of a process or activity whose purpose was to produce something else.~~
~~c. The product or material retains some economic value, with or without further processing, as a raw material or feedstock in some process other than incineration or combustion.~~

G. Throughput limit and exceedance allowance. The daily throughput threshold specified in subsection (A)(1) of this section shall be applied on a daily basis, not as an average over time. If a facility's throughput exceeds 180 cubic yards of solid waste on a single calendar day, it shall be classified as a transfer facility subject to self-certification pursuant to Article 5, except as provided in subsection R18-13-402(F)(2).

R18-13-503. Transfer Facilities; Design and Operation Requirements

A. Within 180 days of the effective date of the rule the owner or operator of a solid waste transfer facility listed under R18-13-502(A)(1) shall:

1. Operate and maintain the facility to comply with all the following design and operation requirements:
   a. Restrict unauthorized access to the facility by signage;
   b. Limit vehicular traffic to use on improved surfaces;
   c. Manage tipping floors, storage areas, and storage bins to control wind dispersal and other surface dispersion;
   d. Control vector breeding;
   e. Ensure adequate fire prevention and control;
   f. Ensure facility access to all waste handling and storage areas for emergency response vehicles;
   g. Post signage that indicates the name of the facility, address of facility, hours of operation, unauthorized waste not accepted at the facility for rehandling or storage in accordance with subsection (4) of this Section, and facility emergency contact;
   h. Ensure any area used for receiving, processing, storing, reloading, or transferring of solid waste be free of standing water;
   i. Ensure all containers used in the handling of solid waste are constructed of durable materials, maintained in good condition, and leak-resistant such that waste stored within will not leak from the container;
   j. Ensure all waste is handled only within designated waste handling areas and such areas are made of impervious surfaces or in containers meeting the criteria of subsection (A)(1)(i) of this section;
2. Implement spill and leak response and management procedures;
3. Implement waste screening measures for the purpose of preventing acceptance of unauthorized waste that includes:
   a. Training personnel for waste identification and handling.
   b. Procedures for segregation and proper disposal of any unauthorized waste.
   c. Notification to the Department within 24 hours of discovery of the acceptance of any non-residential biohazardous medical waste, non-residential hazardous waste, or special waste by the facility.
4. Accept, manage, store, and handle waste only within the facility capacity as described in registration;
5. Ensure waste is not stored for more than 90 days;
6. Provide on-duty personnel during all times the facility is open to the public;
7. Manage any water that has come into contact with waste, that may include leachate, to prevent ponding; and
8. Notify the Department within 72 hours of an uncontained release, fire, or impact to the subsurface or soil requiring response by a third party or emergency response personnel.

B. If there is evidence or reasonable belief of a release from the facility, the Director may require an investigation into the nature and extent of the release, including testing for soil or groundwater contamination and an assessment of measures necessary to correct an impact to soil or groundwater. The Director may require the owner or operator to institute necessary corrective action as determined by the Director.

C. In addition to the requirements under subsection (A) of this Section, the owner or operator of a solid waste transfer facility listed under R18-13-502(A)(1) which handles liquid waste shall operate and maintain the facility to comply with the following:

1. Provide that liquid waste is stored in a container or tank that meets the following requirements:
   a. The tank or container shall be watertight, leak-proof, and constructed of materials compatible with the waste being stored.
   b. The tank or container shall be labeled with a description of the contents.

2. Areas used to load or unload tanks or containers shall be designed to contain spills and accidental releases during loading and unloading.
3. Liquid waste may only be mixed with other liquid waste that is the same or substantially similar and shall not be diluted with any other material or substance.

D. A solid waste transfer facility listed under R18-13-402(A)(1) which handles liquid waste shall maintain a written liquid waste management plan, or utilize an existing spill prevention plan. The liquid waste management plan must consist of the following:
1. Emergency preparedness procedures to respond to releases of waste including spill response and containment.
2. Waste handling procedures to prevent mixing of incompatible liquid waste and to ensure liquid waste is handled, stored, and transported in accordance with the requirements of subsection (C) of this Section.
3. Documentation of throughput by weight or volume of liquid waste.

R18-13-504. Facility Closure; Notice; Requirements

A. At least 30 days prior to beginning final closure activities, the owner or operator of a solid waste transfer facility listed under R18-13-502(A)(1) shall submit to the Department notice of intent to close the facility. If final closure is not completed within six months from the date the Department is informed, the notice of intent to close is deemed to be expired. The notice of intent to close shall contain the following information:
1. Facility name, mailing address, and contact information of the owner and operator of the solid waste facility;
2. A description of the steps necessary to close the facility, the specific proposed closure activities, and an implementation schedule; and
3. Information on site conditions and the types of waste received during the life of the facility.

B. To finally close a solid waste transfer facility listed under R18-13-502(A)(1), the owner or operator shall take all necessary steps to minimize or eliminate the release of waste, waste constituents, or leachate to ensure no future threat of harm to human health and the environment, including complying with the following procedures:
1. Post signage stating expected closure date and date waste is no longer accepted at least 30 days prior to closure or end of operations;
2. Remove and properly dispose of all solid waste at a waste facility authorized to accept such waste, including leachate, from the facility;
3. All areas of the facility, including containers, equipment, machines, floors, and surfaces, that were in contact with solid waste and that are not to be removed during final closure shall be washed with soap or detergent or otherwise subject to procedures that substantially reduce or eliminate any remaining constituents or contaminants derived from contact with solid wastes; and
4. Collect and properly dispose of all wash water and rinse water;

C. Any ongoing or required investigation into the nature and extent of any release and required corrective action pursuant to R18-13-503(B) must be completed before final closure of the facility may occur.

D. Upon completion of final closure, the owner or operator of the facility shall submit written notice of final closure to Department. The written notice shall certify compliance with the requirements of this Section. The written notice shall be submitted to the Department within 30 days of the completion of final closure.

R18-13-505. Financial Assurance; Requirements

A. Within 180 days of the effective date of the rule the owner or operator of an existing solid waste transfer facility listed under R18-13-502(A)(1) shall demonstrate financial capability to meet any closure, post-closure care if necessary, and corrective action requirements under this Article. Beginning 180 days after the effective date of this rule, a new solid waste transfer facility listed under R18-13-502(A)(1) shall not begin operation until the owner or operator demonstrates financial capability to meet any closure, post-closure care, and corrective action requirements under this Article. The owner or operator shall demonstrate financial capability pursuant to R18-13-1702.

B. The owner or operator of a solid waste transfer facility listed under R18-13-502(A)(1) may use any one or combination of financial assurance mechanisms listed under R18-13-1704 to demonstrate financial capability as required under subsection (A) of this Section.

C. The cost estimate made pursuant to R18-13-1702(A) and associated financial assurance mechanism shall be updated every three years to adjust for inflation or as necessary to reflect increased costs resulting from changes to facility conditions.

R18-13-506. Record Keeping

All records required by this Article shall be retained in an operating record near the facility, or in an alternative location following notice to the Department, for at least three years. If notification of an enforcement action by the Department has been received, the records shall be retained until a final determination has been made in the matter or in accordance with the final determination.

ARTICLE 17. FINANCIAL ASSURANCE

R18-13-1701. Definitions

1. "Book net worth" means the net difference between total assets and total liabilities.
2. "Face amount" means the total amount the insurer is obligated to pay under the policy.
3. "MSWLF" means municipal solid waste landfill.
~~3.~~4. "Net working capital" means current assets minus current liabilities.
~~4.~~5. "Substantial business relationship" means a pattern of recent or ongoing business transactions to the extent that a guaranty contract issued incident to that relationship is valid and enforceable.

~~5.~~6. "Tangible net worth" means an owner or operator's book net worth, plus subordinated debts, less goodwill, patent rights, royalties, and assets and receivables due from affiliates or shareholders.

R18-13-1702. Financial Demonstrations for Solid Waste Facilities

A. Financial demonstration. The owner or operator of a solid waste facility for which a financial demonstration is required under R18-13-405 or R18-13-505 shall submit a demonstration of financial capability to meet the following, as required, based on the cost estimate of hiring a third-party to complete site closure:
1. Cost of facility closure;
2. Cost to ensure proper facility post-closure care, if necessary; and
3. Cost to perform any corrective action as a result of any known releases from the facility.

B. The owner or operator of a solid waste facility for which a financial demonstration is required under R18-13-405 or R18-13-505 shall submit a letter signed by the chief financial officer or other delegated officer stating that the owner or operator is financially capable of meeting the costs described in subsection (A) and submit the information required for at least one of the financial assurance mechanisms listed in R18-13-1704 that covers the closure, post-closure, and corrective action costs submitted under subsection (A), including:
1. The selected financial mechanism or mechanisms;
2. The amount covered by each financial mechanism;
3. The institution or company that is responsible for each financial mechanism used in the demonstration; and
4. Any other details that demonstrate how the owner or operator is financially capable of meeting the costs described in R18-13-405(A), R18-13-505(A), or other applicable rules in this Chapter.

R18-13-1703. Financial Demonstrations for CCR Facilities

A. Financial demonstration. The owner or operator ~~of a~~ of a ~~CCR~~ solid waste facility for which a financial demonstration is required under ~~this Chapter~~ R18-13-1020 shall demonstrate financial capability to meet all of the following based on third-party cost estimates that are representative of regional fair market costs:
1. Cost of Facility Closure for all applicable units at the facility,
2. Cost to Ensure Proper Post-Closure Care for all applicable units at the Facility, and
3. Cost to perform any corrective action as a result of known releases at all applicable units at the facility

B. The owner or operator shall:
1. Submit a letter signed by the chief financial officer stating that the owner or operator is financially capable of meeting the costs described in subsection (A); and either subsection (B)(2) or (B)(3).
2. For a state or federal agency, county, city, town, or other local governmental entity, submit a statement specifying the details of the financial arrangements used to meet the estimated costs described in subsection (A), including any other details that demonstrate how the owner or operator is financially capable of meeting those costs; or
3. For other than a state or federal agency, county, city, town, or other local governmental entity, submit the information required for at least one of the financial assurance mechanisms listed in R18-13-1704 that covers the closure, post-closure, and corrective action costs submitted under subsection (A), including:
   a. The selected financial mechanism or mechanisms;
   b. The amount covered by each financial mechanism;
   c. The institution or company that is responsible for each financial mechanism used in the demonstration;
   d. Any other details that demonstrate how the owner or operator is financially capable of meeting the costs described in R18-13-1020(A)(2) or other applicable rules in this Chapter.

R18-13-1704. Financial Assurance Mechanisms

The owner or operator of a ~~CCR~~ solid waste facility for which a financial demonstration under R18-13-1702 or R18-13-1703 is required by this Chapter may use any one or a combination of the following mechanisms to cover the financial assurance obligations under R18-13-1702(A) or R18-13-1703(A):
1. Financial test for self-assurance. If an owner or operator uses a financial test for self-assurance, the owner or operator shall not consolidate the financial statement with a parent or sibling company. The owner or operator shall make the demonstration in either subsection (1)(a) or (b) and submit the information required in subsection (1)(c):
   a. The owner or operator may demonstrate:
      i. One of the following:
         (1) A ratio of total liabilities to net worth less than 2.0 and a ratio of current assets to current liabilities greater than 1.5;
         (2) A ratio of total liabilities to net worth less than 2.0 and a ratio of the sum of net annual income plus depreciation, depletion, and amortization to total liabilities greater than 0.1; or
         (3) A ratio of the sum of net annual income plus depreciation, depletion, and amortization to total liabilities greater than 0.1 and a ratio of current assets to current liabilities greater than 1.5;
      ii. The net working capital and tangible net worth of the owner or operator each are at least six times the closure, post-closure and corrective action cost estimates; and
      iii. The owner or operator has assets in the U.S. of at least 90 percent of total assets or six times the closure, post-closure and corrective action cost estimates; or
   b. The owner or operator may demonstrate:
      i. The owner or operator's senior unsecured debt has a current investment-grade rating as issued by Moody's Investor Service, Inc.; Standard and Poor's Corporation; or Fitch Ratings;

ii. The tangible net worth of the owner or operator is at least six times the closure, post-closure and corrective action cost estimates; and
iii. The owner or operator has assets in the U.S. of at least 90 percent of total assets or six times the closure, post-closure and corrective action cost estimates; and

c. The owner or operator shall submit:
i. A letter signed by the owner or operator's chief financial officer that identifies the criterion specified in subsection (1)(a) or (b) and used by the owner or operator to satisfy the financial assurance requirements of this Section, an explanation of how the owner or operator meets the criterion, and certification of the letter's accuracy, and
ii. A statement from an independent certified public accountant verifying that the demonstration submitted under subsection (1)(c)(i) is accurate based on a review of the owner or operator's financial statements for the latest completed fiscal year or more recent financial data and no adjustment to the financial statement is necessary.

2. Performance surety bond. The owner or operator may use a performance surety bond if all the following conditions are met:
a. The company providing the performance bond is listed as an acceptable surety on federal bonds in Circular 570 of the U.S. Department of the Treasury;
b. The bond provides for performance of all the covered items listed in R18-13-1702(A) or R18-13-1703(A) by the surety, or by payment into a standby trust fund of an amount equal to the penal amount if the owner or operator fails to perform the required activities;
c. The penal amount of the bond is at least equal to the amount of the cost estimate developed in R18-13-1702(A) or R18-13-1703(A) if the bond is the only method used to satisfy the requirements of this Section or a pro-rata amount if used with another financial assurance mechanism;
d. The surety bond names the Arizona Department of Environmental Quality as beneficiary;
e. The original surety bond is submitted to the Director;
f. Under the terms of the bond, the surety is liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond; and
g. The surety payments under the terms of the bond are deposited directly into the Standby Trust Fund.

3. Certificate of deposit. The owner or operator may use a certificate of deposit if the following conditions are met:
a. The owner or operator submits to the Director one or more certificates of deposit made payable to or assigned to the Department to cover the owner or operator's financial assurance obligation or a pro-rata amount if used with another financial assurance mechanism;
b. The certificate of deposit is insured by the Federal Deposit Insurance Corporation and is automatically renewable;
c. The bank assigns the certificate of deposit to the Arizona Department of Environmental Quality;
d. Only the Department has access to the certificate of deposit; and
e. Interest accrues to the owner or operator during the period the owner or operator gives the certificate as financial assurance, unless the interest is required to satisfy the requirements in R18-13-1702(A) or R18-13-1703(A).

4. Trust fund. The owner or operator may use a trust fund if the following conditions are met:
a. The trust fund names the Arizona Department of Environmental Quality as beneficiary, and
b. For a CCR facility under R18-13-1703, ~~The~~ the trust is initially funded in an amount at least equal to:
i. The cost estimate for the items submitted under R18-13-1703(A),
ii. The amount specified in a compliance schedule approved in a CCR facility permit, or
iii. A pro-rata amount if used with another financial assurance mechanism.
c. For a solid waste facility under R18-13-1702:
i. The trustee must be an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a federal agency or an agency of the state in which the fund is established. A copy of the trust agreement must be placed in the facility's operating record.
ii. Payments into the trust fund must be made annually by the owner or operator for a period of 20 years or over the remaining life of the solid waste facility, whichever is shorter, until the fund is fully-funded. This period is referred to as the pay-in period.
iii. For a trust fund used to demonstrate financial assurance for closure and post-closure care, the first payment into the fund must be at least equal to the current cost estimate for closure or post-closure care, except as provided in subsection (12), divided by the number of years in the pay-in period as defined in subsection (4)(c)(ii). The amount of subsequent payments must be determined by the following formula:

$$\frac{TF - CF}{Y}$$

where TF is the total required financial assurance for the owner or operator, CF is the current amount in the fund, and Y is the number of years remaining in the pay-in period.

5. Letter of credit. The owner or operator may use a letter of credit if the following conditions are met:
a. The financial institution issuing the letter is regulated and examined by a federal or state agency;
b. The letter of credit is irrevocable and issued for at least one year in an amount equal to the cost estimate submitted under R18-13-1702(A) or R18-13-1703(A) or a pro rata amount if used with another financial assurance mechanism. The letter of credit provides that the expiration date is automatically extended for a period of at least one year unless the issuing institu-

tion has canceled the letter of credit by sending notice of cancellation by certified mail to the owner or operator and the Director 90 days in advance of cancellation or expiration. The owner or operator shall provide alternate financial assurance within 60 days of receiving the notice of expiration or cancellation;

c. The financial institution names the Arizona Department of Environmental Quality as beneficiary for the letter of credit; and

d. The letter is prepared by the financial institution and identifies the letter of credit issue date, expiration date, dollar sum of the credit, the name and address of the Department as the beneficiary, and the name and address of the owner or operator.

6. Insurance policy. The owner or operator may use an insurance policy if the following conditions are met:

a. The insurance is effective before signature of the permit or substitution of insurance for other extant financial assurance instruments posted with the Director;

b. The insurer is authorized to transact the business of insurance in the state and has an AM BEST Rating of at least a B+ or the equivalent;

c. The owner or operator submits a copy of the insurance policy to the Department;

d. The insurance policy guarantees that funds are available to pay costs for all items listed under R18-13-1702(A) or R18-13-1703(A) without a deductible. The policy also guarantees that once cleanup steps begin that the insurer will pay out funds to the Director or other entity designated by the Director up to an amount equal to the face amount of the policy;

e. The policy guarantees that while closure, post-closure, or corrective action activities are conducted the insurer will pay out funds to the Director or other entity designated by the Director up to an amount equal to the face amount of the policy;

f. The insurance policy is issued for a face amount at least equal to the current cost estimate submitted to the Director for performance of all items listed under R18-13-1702(A) or R18-13-1703(A) or a pro-rata amount if used with another financial assurance mechanism. Actual payments by the insurer will not change the face amount, although the insurer's future liability is reduced by the amount of the payments, during the policy period;

g. The insurance policy names the Arizona Department of Environmental Quality as additional insured;

h. The policy contains a provision allowing assignment of the policy to a successor owner or operator. The transfer of the policy is conditional upon consent of the insurer and the Department; and

i. The insurance policy provides that the insurer does not cancel, terminate, or fail to renew the policy except for failure to pay the premium. The automatic renewal of the policy, at a minimum, provides the insured with a renewal option at the face amount of the expiring policy. If the owner or operator fails to pay the premium, the insurer may cancel the policy by sending notice of cancellation by certified mail to the owner or operator and to the Director 90 days in advance of the cancellation. If the insurer cancels the policy, the owner or operator shall provide alternate financial assurance within 60 days of receiving the notice of cancellation.

7. ~~Cash deposit. The owner or operator may use a cash deposit if the cash is deposited with the Department to cover the financial assurance obligation under R18-13-1703(A).~~
Deposit with the State Treasurer. The owner or operator may use a receipt of deposit with the State Treasurer to cover the financial assurance obligation under R18-13-1702(A) or R18-13-1703(A). The receipt shall show funds are available for costs under R18-13-1702(A) or R18-13-1703(A). The deposit shall be in the name of the Arizona Department of Environmental Quality on behalf of the owner or operator.

8. Local government financial test. A local government owner or operator that satisfies the requirements of subsections (8)(a) through (8)(c) of this section may satisfy the financial assurance obligation under this Article:

a. Financial component. The owner or operator must satisfy paragraph (8)(a)(i) or (8)(a)(ii) of this section, as applicable:

i. If the owner or operator has outstanding, rated, general obligation bonds that are not secured by insurance, a letter of credit, or other collateral or guarantee, it must have a current rating of Aaa, Aa, A, or Baa, as issued by Moody's, or AAA, AA, A, or BBB, as issued by Standard and Poor's on all such general obligation bonds; or

ii. The owner or operator must satisfy each of the following financial ratios based on the owner or operator's most recent audited annual financial statement:

(1) A ratio of cash plus marketable securities to total expenditures greater than or equal to 0.05; and

(2) A ratio of annual debt service to total expenditures less than or equal to 0.20.

b. The owner or operator must prepare its financial statements in conformity with Generally Accepted Accounting Principles (GAAP) for governments and have its financial statements audited by an independent certified public accountant or Arizona Auditor General.

c. A local government owner or operator is not eligible to assure its obligations under this subsection if the local government:

i. is currently in default on any outstanding general obligation bonds;

ii. has any outstanding general obligation bonds rated lower than Baa as issued by Moody's or BBB as issued by Standard and Poor's;

iii. operated at a deficit equal to five percent or more of total annual revenue in each of the past two fiscal years; or

iv. receives an adverse opinion, disclaimer of opinion, or other qualified opinion from the independent certified public accountant or state agency auditing its financial statement as required under subsection (8)(b) of this Section.

d. Notwithstanding the eligibility requirements of subsection (8)(c) of this Section, the Director may evaluate qualified opinions on a case-by-case basis and allow use of the financial test pursuant to this subsection in cases where the Director deems the qualification insufficient to warrant disallowance of use of the test.

e. Public notice component. The local government owner or operator must place a reference to a financial demonstration under R18-13-1702 assured through the financial test pursuant to this subsection into its next annual comprehensive financial report (ACFR) after the effective date of this subsection or prior to the initial receipt of waste at the facility, whichever is later. Disclosure must include closure and post-closure care requirements pursuant to this Chapter, the reported liability at the balance sheet date, the estimated total closure and post-closure care cost remaining to be recognized, and the estimated

life of the solid waste facility in years. A reference to corrective action costs must be placed in the CAFR no later than 120 days after a corrective action remedy has been selected. For the first year the financial test is used to assure costs at a particular facility, the reference may instead be placed in the operating record until issuance of the next available CAFR if timing does not permit the reference to be incorporated into the most recently issued CAFR or budget. For closure and post-closure costs, conformance with Government Accounting Standards Board Statement 18 assures compliance with this public notice component.

f. Recordkeeping and reporting. The local government owner or operator must place the following in the facility's operating record:
   i. A letter signed by the local government's chief financial officer or other designated officer that:
      (1) Lists all current cost estimates covered by a financial test, as described in subsection (l);
      (2) Provides evidence and certifies that the local government meets the conditions of subsections (8)(a), (8)(b), and (8)(c); and
      (3) Certifies the local government meets the conditions of subsection (8)(e) and subsection (l).
   ii. The local government's independently audited year-end financial statements for the latest fiscal year, except for local governments where audits are required every two years where unaudited statements may be used in years when audits are not required, including the unqualified opinion of the auditor who must be an independent, certified public accountant or a state agency that conducts equivalent comprehensive audits;
   iii. A report to the local government from the local government's independent certified public accountant (CPA) or state agency based on performing an agreed upon procedures engagement relative to the financial ratios required by subsection (8)(a)(ii), if applicable, and the requirements of subsections (8)(b), (8)(c)(iii), and (8)(c)(iv). The CPA or state agency's report should state the procedures performed and the CPA or state agency's findings; and
   iv. A copy of the annual comprehensive financial report (ACFR) used to comply with subsection (8)(e) or certification that the requirements of General Accounting Standards Board Statement 18 have been met.

g. The items required in subsection (8)(f) must be placed in the facility operating record as follows:
   i. In the case of closure and post-closure care, prior to the initial receipt of waste at the facility; or
   ii. In the case of corrective action, not later than 120 days after the corrective action remedy is selected.

h. After the initial placement of the items in the facility's operating record, the local government owner or operator must update the information every three years to adjust for inflation or as necessary to reflect increased costs resulting from changes to facility conditions and place the updated information in the operating record within 180 days following the close of the owner or operator's fiscal year.

i. The local government owner or operator is no longer required to meet the requirements of subsection (8)(f) when:
   i. The owner or operator substitutes alternate financial assurance as specified in this Section; or
   ii. The owner or operator is released from the requirements of this Section in accordance with any applicable rule or law.

j. A local government must satisfy the requirements of the financial test in accordance with R18-13-1702. If the local government owner or operator no longer meets the requirements of the local government financial test it must, within 210 days following the close of the owner or operator's fiscal year, obtain alternative financial assurance that meets the requirements of this Section, place the required submissions for that assurance in the operating record, and notify the Director that the owner or operator no longer meets the criteria of the financial test and that alternate assurance has been obtained.

k. The Director, based on a reasonable belief that the local government owner or operator may no longer meet the requirements of the local government financial test, may require additional reports of financial condition from the local government at any time. If the Director finds, on the basis of such reports or other information, that the owner or operator no longer meets the requirements of the local government financial test, the local government must provide alternate financial assurance in accordance with this section.

l. Calculation of costs to be assured. The portion of the closure, post-closure, and corrective action costs for which an owner or operator can assure under this paragraph is determined as follows:
   i. If the local government owner or operator does not assure other environmental obligations through a financial test, it may assure closure, post-closure, and corrective action costs that equal up to 43 percent of the local government's total annual revenue.
   ii. If the local government assures other environmental obligations through a financial test, including those associated with UIC facilities under 40 CFR 144.62, petroleum underground storage tank facilities under 40 CFR Part 280, PCB storage facilities under 40 CFR Part 761, and hazardous waste treatment, storage, disposal facilities under 40 CFR Parts 264 and 265, and Municipal Solid Waste Landfills under 40 CFR Part 258, it must add those costs to the closure, post-closure, and corrective action costs it seeks to assure under this paragraph. The total that may be assured must not exceed 43 percent of the local government's total annual revenue.
   iii. The owner or operator must obtain an alternate financial assurance instrument for those costs that exceed the limits set in subsections (l)(i) and (l)(ii).

~~8.~~9. ~~Guarantees~~ Corporate Guarantee.

a. The owner or operator may use ~~guarantees~~ a guarantee to cover the financial assurance obligations under R18-13-1702(A) or R18-13-1703(A) if the following conditions are met:
   i. The owner or operator submits to the Department an affidavit certifying that the guarantee arrangement is valid under all applicable federal and state laws. If the owner or operator is a corporation, the owner or operator shall include a certified copy of the corporate resolution authorizing the corporation to enter into an agreement to guarantee the owner or operator's financial assurance obligation;

ii. The owner or operator submits to the Department documentation that explains the substantial business relationship between the guarantor and the owner or operator;
iii. The owner or operator demonstrates that the guarantor meets conditions of the financial mechanism listed in subsection (1). For purposes of applying the criteria in subsection (1) to a guarantor, substitute "guarantor" for the term "owner or operator" as used in subsection (1);
iv. The guarantee is governed by and complies with state law;
v. The guarantee continues in full force until released by the Director or replaced by another financial assurance mechanism listed under subsection (1);
vi. The guarantee provides that, if the owner or operator fails to perform closure, post-closure care or corrective action of a facility covered by the guarantee, the guarantor shall perform or pay a third party to perform closure, post-closure care or corrective action, as required by the permit, or establish a fully funded trust fund as specified under subsection (4) in the name of the owner or operator; and
vii. The guarantor names the Arizona Department of Environmental Quality as beneficiary of the guarantee.

b. Guarantee reporting. The guarantor shall notify or submit a report to the Department within 30 days of:
i. An increase in financial responsibility during the fiscal year that affects the guarantor's ability to meet the financial demonstration;
ii. Receiving an adverse auditor's notice, opinion, or qualification; or
iii. Receiving a Department notification requesting an update of the guarantor's financial condition.

10. Local government guarantee. An owner or operator may demonstrate financial assurance for closure, post-closure, and corrective action to cover the financial assurance obligations under this R18-13-1702(A) by obtaining a written guarantee provided by a local government. The guarantor must meet the requirements of the local government financial test in subsection (9) of this Section, and must comply with the terms of a written guarantee.
a. Terms of the written guarantee. The guarantee must be effective before the initial receipt of waste in the case of closure, post-closure care, or no later than 120 days after the corrective action remedy has been selected. The guarantee must provide that:
i. If the owner or operator fails to perform closure, post-closure care, or corrective action of a facility covered by the guarantee, the guarantor will:
(1) Perform, or pay a third party to perform, closure, post-closure care, and corrective action, as required; or
(2) Establish a fully funded trust fund as specified in subsection (4) of this Section in the name of the owner or operator.
ii. The guarantee will remain in force unless the guarantor sends notice of cancellation by certified mail to the owner or operator and to the Director. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the owner or operator and the Director, as evidenced by the return receipts.
iii. If a guarantee is cancelled, the owner or operator must, within 90 days following receipt of the cancellation notice by the owner or operator and the Director, obtain alternate financial assurance, place evidence of that alternate financial assurance in the facility operating record, and notify the Director. If the owner or operator fails to provide alternate financial assurance within the 90-day period, the guarantor must provide that alternate assurance within 120 days following the guarantor's notice of cancellation, place evidence of the alternate assurance in the facility operating record, and notify the Director.
b. Recordkeeping and reporting. The owner or operator must place a certified copy of the guarantee along with the items required under subsection (9)(f) into the facility's operating record before the initial receipt of waste or before the effective date of this section, whichever is later, in the case of closure, post-closure care, or no later than 120 days after the corrective action remedy has been selected.
c. The owner or operator is no longer required to maintain the items specified in subsection (11)(b) when:
i. The owner or operator substitutes alternate financial assurance as specified in this section; or
ii. The owner or operator is released from the requirements of this Article.
d. If a local government guarantor no longer meets the requirements of subsection (9), the owner or operator must, within 90 days, obtain alternative assurance, place evidence of the alternate assurance in the facility operating record, and notify the Director. If the owner or operator fails to obtain alternate financial assurance within that 90-day period, the guarantor must provide that alternate assurance within the next 30 days.

11. Use of multiple mechanisms. An owner or operator may demonstrate financial assurance for closure, post-closure, and corrective action, as required under this Article, by establishing more than one mechanism per facility, except that mechanisms guaranteeing performance rather than payment, may not be combined with other instruments. The mechanisms must be as specified in subsections (1) through (11) and subsection (13), except that financial assurance for an amount at least equal to the current cost estimate for closure, post-closure care, and corrective action may be provided by a combination of mechanisms rather than a single mechanism.
12. Use of a financial mechanism for multiple facilities. An owner or operator may use a financial assurance mechanism specified in subsections (1) through (11) and subsection (13) to meet the financial assurance requirements under this Article. The amount of funds available through the mechanism must be no less than the sum of funds that would be available if a separate mechanism had been established and maintained for each facility.
~~9.~~13. An owner or operator may use a financial assurance mechanism not listed in subsections (1) through ~~(8)~~ (12) if approved by the Director.

B. Loss of coverage. If the Director believes that an owner or operator will lose financial capability under this Section, the owner or operator shall, within 30 days from the date of receipt of the Director's request, submit evidence that the financial demonstration under R18-13-1702 or R18-13-1703 is being met or provide an alternative financial assurance mechanism.

C. Financial assurance mechanism substitution. An owner or operator of a facility subject to the financial assurance requirements of R18-13-1702 may substitute one financial assurance mechanism with another, and shall notify the Department within 30 days of the substitution. An owner or operator of a facility subject to the financial assurance requirements of R18-13-1703 may substitute one financial assurance mechanism for another if the substitution is approved by the Director through a permit modification or other Department approval.

Volume 32, Issue 45, November 6, 2026

NOTICES OF FINAL EXPEDITED RULEMAKING

An agency submits a Notice of Final Expedited Rulemaking to the Governor's Regulatory Review Council for review and approval under A.R.S. § 41-1027(E).

The Notice of Final Expedited Rulemaking as published in this section has been filed with a certificate of approval from the Council.

An agency may conduct expedited rulemaking if the rulemaking does not increase the cost of regulatory compliance, increase a fee or reduce procedural rights of persons regulated. Other requirements to conduct expedited rulemaking are listed under A.R.S. § 41-1027(A)(1) through (8).

The effective date of this notice is published in item #4 of the preamble.

Questions about the notice can be answered by the person listed in item #6 of the preamble.

The codified version of Notices of Final Expedited Rulemaking are published in the *Arizona Administrative Code* by title and chapter.

NOTICE OF FINAL EXPEDITED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 11. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTION FACILITY DATA

File Number: R26-203

PREAMBLE

1. Permission to proceed with this final expedited rulemaking was granted under A.R.S. § 41-1039(B) by the governor on:

August 14, 2026

2.

Article, Part, or Section Affected (as applicable)	Rulemaking Action
R9-11-101	Amend
R9-11-201	Amend
R9-11-204	Amend
R9-11-301	Amend
R9-11-304	Amend
R9-11-305	Amend
R9-11-401	Amend
R9-11-402	Amend
R9-11-501	Amend
R9-11-502	Amend

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 36-136(G)

Implementing statute: A.R.S. §§ 36-125.04, 36-125.05, 36-436, 36-436.01, 36-436.02, 36-436.03, 36-2901.08

4. The effective date of the rule:

October 14, 2026 (*immediately upon filing with the Office of the Secretary of State*)

5. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the current record of the final expedited rule:

Notice of Rulemaking Docket Opening: 32 A.A.R. 939; Issue Date: April 24, 2026; Issue Number: 17; File Number: R26-55

Notice of Proposed Expedited Rulemaking: 32 A.A.R. 1288; Issue Date: June 5, 2026; Issue Number: 23; File Number: R26-80

6. The agency's contact person who can answer questions about the rulemaking:

Name: Joseph Spadafino
Title: Hospital Data & Systems Manager
Division: Planning and Operations

Address: 150 N. 18th Ave., Suite 550
Phoenix, AZ 85007
Telephone: (480) 215-6092
Email: joseph.spadafino@azdhs.gov
or
Name: Stacie Gravito
Title: Office Chief, Administrative Counsel and Rules
Division: Director's Office
Address: 150 N. 18th Ave., Suite 540
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
Email: stacie.gravito@azdhs.gov

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

Arizona Revised Statutes (A.R.S.) § 36-104 requires the Arizona Department of Health Services (Department) to adopt rules "prescribing the designated database information to be collected by health professional regulatory boards" pursuant to A.R.S. Title 32, Chapter 32, Article 5. A.R.S. § 36-171 requires the Department to adopt rules to establish and maintain the health care professionals workforce data repository containing the data collected and transferred to the Department. The Department, in its 2025 five-year-review report, identified that the rules' effectiveness could be improved by making the rules more clear, concise, and understandable by correcting grammatical errors, clarifying the language throughout the rules, and removing obsolete definitions. The proposed changes will adhere to the current rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State, and the Department may add, amend, repeal, or renumber rules as necessary to achieve these objectives.

8. 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:

The Department did not review or rely on any study for this rulemaking.

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

Not applicable

10. A statement that the agency is exempt from the requirements under A.R.S. § 41-1055(G) to obtain and file a summary of the economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2):

This rulemaking is exempt from the requirements to obtain and file an economic, small business, and consumer impact under A.R.S. § 41-1055(D)(2).

11. A description of any change between the proposed expedited rulemaking, to include a supplemental proposed notice, and the final rulemaking:

No changes were made between the proposed expedited rulemaking and the final rulemaking

12. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

The Department received a comment from Steve Wagner, President & Founder of the RightCare Foundation, Inc. The comment asked why this rulemaking is considered expedited and why definitions were being removed. In response, the Department explained that the rulemaking is expedited because the amendments do not increase regulatory burden, impose new requirements, or change the substantive meaning of the rules, pursuant to A.R.S. § 41-1027(A). Definitions are being removed because those terms are not used in the Chapter.

13. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

There are no other matters prescribed by statutes applicable specifically to the Department or this specific rulemaking.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rule does not require the issuance of a regulatory permit. Therefore, a general permit is not applicable.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There are no federal laws applicable to the subject of these rules.

c. Whether a person submitted an analysis to the agency regarding the rule's impact on the competitiveness of businesses in this state as compared to the competitiveness of businesses in other states under A.R.S. § 41-1055(I). If yes, include the analysis with the rulemaking package.

No business competitiveness analysis was submitted to the Department.

14. List all incorporated by reference material as specified in A.R.S. § 41-1028 and include a citation where the material is located:

Not applicable

15. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A) state where the text was changed between the emergency and the final expedited rulemaking package:

The rules were not previously made as an emergency rule.

16. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

CHAPTER 11. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTION FACILITY DATA

ARTICLE 1. DEFINITIONS

Section
R9-11-101. Definitions

ARTICLE 2. ANNUAL FINANCIAL STATEMENTS AND UNIFORM ACCOUNTING REPORTS

Section
R9-11-201. Definitions
R9-11-204. Nursing Care Institution Uniform Accounting Report

ARTICLE 3. RATES AND CHARGES SCHEDULES

Section
R9-11-301. Definitions
R9-11-304. Home Health Agency Rates and Charges Schedule
R9-11-305. Outpatient Treatment Center Rates and Charges Schedule

ARTICLE 4. HOSPITAL INPATIENT DISCHARGE REPORTING

Section
R9-11-401. Definitions
R9-11-402. Reporting Requirements

ARTICLE 5. EMERGENCY DEPARTMENT DISCHARGE REPORTING

Section
R9-11-501. Definitions
R9-11-502. Reporting Requirements

ARTICLE 1. DEFINITIONS

R9-11-101. Definitions

In this Chapter, unless otherwise specified:

1. "Admission" or "admitted" means documented acceptance by a health care institution of an individual as an inpatient of a hospital, a resident of a nursing care institution, or a patient of a hospice.
2. "AHCCCS" means the Arizona Health Care Cost Containment System, established under A.R.S. § 36-2902.
3. "Allowance" means a charity care discount, self-pay discount, or contractual adjustment.
4. "Arizona facility ID" means a unique code assigned to a hospital by the Department to identify the source of inpatient discharge or emergency department discharge information.
5. "Assisted living facility" means the same as in A.R.S. § 36-401.
6. "Attending provider" means the medical practitioner who has primary responsibility for the services a patient receives during an episode of care.
7. "Available bed" means an inpatient bed or resident bed, as defined in A.R.S. § 36-401, for which a hospital, nursing care institution, or hospice has health professionals and commodities to provide services to a patient or resident.
8. "Bill" means a statement for money owed to a health care institution for the provision of the health care institution's services.
9. "Business day" means any day of the week other than a Saturday, a Sunday, a legal holiday, or a day on which the Department is authorized or obligated by law or executive order to close.
10. "Calendar day" means any day of the week, including a Saturday or a Sunday.
~~11. "Cardiopulmonary resuscitation" means the same as in A.R.S. § 36-3251.~~
~~12.~~11. "Charge" means a specific dollar amount set by a health care institution for the use or consumption of a unit of service provided by the health care institution.
~~13.~~12. "Charge source" means the unit within a health care institution that provided services to an individual for which the individual's payer source is billed.
~~14. "Charity care" means services provided without charge to an individual who meets certain financial criteria established by a health care institution.~~
~~15.~~13. "Chief administrative officer" means the same as in A.A.C. R9-10-101.
~~16.~~14. "Chief financial officer" means an individual who is responsible for the financial records of a health care institution.
~~17.~~15. "Classification" means a designation that indicates the types of services a hospital provides.
~~18. "Clinical evaluation" means an examination performed by a medical practitioner on the body of an individual for the presence of disease or injury to the body, and review of any laboratory test results for the individual.~~
~~19.~~16. "Code" means a single number or letter, a set of numbers or letters, or a combination of numbers and letters that represents specific information.
~~20.~~17. "Commodity" means a non-reusable material, such as a syringe, bandage, or IV bag, utilized by a patient or resident.
~~21. "Contractual adjustment" means the difference between charges billed to a payer source and the amount that is paid to a health care institution based on an established agreement between the health care institution and the payer source.~~
~~22.~~18. "Control number" means a unique number assigned by a hospital for an individual's specific episode of care.
~~23.~~19. "Department" means the Arizona Department of Health Services.
~~24.~~20. "Designee" means a person assigned by the governing authority of a health care institution or by an individual acting on behalf of the governing authority to gather information for or report information to the Department.
~~25.~~21. "Diagnosis" means the identification of a disease or injury, by an individual authorized by law to make the identification, that is a cause of an individual's current medical condition.
~~26.~~22. "Discharge" means a health care institution's termination of services to a patient or resident for a specific episode of care.
~~27.~~23. "Discharge status" means the disposition of a patient, including whether the patient:
   a. Was discharged home,
   b. Was transferred to another health care institution, or
   c. Died.
~~28.~~24. "DNR" means Do Not Resuscitate, a document prepared for a patient indicating that cardiopulmonary resuscitation, as defined in A.R.S. § 36-3251, is not to be used in the event that the patient's heart stops beating.
~~29.~~25. "Electronic" means the same as in A.R.S. § 36-301.
~~30.~~26. "Emergency" means the same as in A.A.C. R9-10-101.
~~31.~~27. "Emergency department" means the unit within a hospital that is designed for the provision of emergency services.
~~32.~~28. "Emergency services" means the same as in A.A.C. R9-10-101.
~~33.~~29. "Episode of care" means medical services, nursing services, or health-related services provided by a hospital to a patient for a specific period of time, ending with a discharge.
~~34.~~30. "Fiscal year" means a consecutive 12-month period established by a health care institution for accounting, planning, or tax purposes.
~~35.~~31. "Governing authority" means the same as in A.R.S. § 36-401.
~~36.~~32. "Health care institution" means the same as in A.R.S. § 36-401.
~~37.~~33. "Health-related services" means the same as in A.R.S. § 36-401.
~~38.~~34. "Home health agency" means the same as in A.R.S. § 36-151.
~~39. "Home health services" means the same as in A.R.S. § 36-151.~~
~~40.~~35. "Home office" means the person that is the owner of and controls the functioning of a nursing care institution.
~~41.~~36. "Hospice" means the same as in A.R.S. § 36-401.
~~42.~~37. "Hospital" means the same as in A.A.C. R9-10-101.
~~43.~~38. "Hospital administrator" means the same as "chief administrative officer" or "administrator" in A.A.C. R9-10-101.
~~44.~~39. "Hospital services" means the same as in A.A.C. R9-10-201.

~~45.~~40. "Inpatient" means an individual admitted to a hospital and billed as an inpatient according to the hospital's policies and procedures.
~~46.~~41. "International Classification of Diseases Code" means a code included in a set of codes such as the ICD-10-CM codes, which is used by a hospital for billing purposes.
~~47.~~42. "Licensed capacity" means the same as in A.R.S. § 36-401.
~~48.~~43. "Management company" means an entity that:
a. Acts as an intermediary between the governing authority of a nursing care institution and the individuals who work in the nursing care institution,
b. Takes direction from the governing authority of the nursing care institution, and
c. Ensures that the directives of the governing authority of the nursing care institution are carried out.
~~49.~~44. "Medical practitioner" means an individual who is:
a. Licensed:
i. As a physician;
ii. As a dentist, under A.R.S. Title 32, Chapter 11, Article 2;
iii. As a podiatrist, under A.R.S. Title 32, Chapter 7;
iv. As a registered nurse practitioner, under A.R.S. Title 32, Chapter 15;
v. As a physician assistant, under A.R.S. Title 32, Chapter 25; or
vi. To use or prescribe drugs or devices for the evaluation, diagnosis, prevention, or treatment of illness, disease, or injury in human beings in this state; or
b. Licensed in another state and authorized by law to use or prescribe drugs or devices for the evaluation, diagnosis, prevention, or treatment of illness, disease, or injury in human beings in this state.
~~50.~~45. "Medical record number" means a unique number assigned by a hospital to an individual for identification purposes.
~~51.~~46. "Medical services" means the same as in A.R.S. § 36-401.
~~52.~~47. "Medicare" means a federal health insurance program established under Title XVIII of the Social Security Act.
~~53.~~48. "National provider identifier" means the unique number assigned by the Centers for Medicare and Medicaid Services to a health care institution, physician, registered nurse practitioner, or other medical practitioner to submit claims and transmit electronic health information to all payer sources.
~~54.~~49. "Newborn" means a human:
a. Whose birth took place in the reporting hospital, or
b. Who was:
i. Born outside a hospital,
ii. Admitted to the reporting hospital within 24 hours of birth, and
iii. Admitted to the reporting hospital before being admitted to any other hospital.
~~55.~~50. "Nursing care institution" means the same as in A.R.S. § 36-446.
~~56.~~51. "Nursing care institution administrator" means the same as in A.R.S. § 36-446.
~~57.~~52. "Nursing services" means the same as in A.R.S. § 36-401.
~~58.~~53. "Patient" means the same as in A.A.C. R9-10-101.
~~59.~~54. "Payer source" means an individual or an entity, such as a private insurance company, AHCCCS, or Medicare, to which a health care institution sends a bill for the services provided to an individual by the health care institution.
~~60.~~55. "Physician" means an individual licensed as a doctor of allopathic medicine under A.R.S. Title 32, Chapter 13, as a doctor of naturopathic medicine under A.R.S. Title 32, Chapter 14, or as a doctor of osteopathic medicine under A.R.S. Title 32, Chapter 17.
~~61.~~56. "Principal diagnosis" means the reason established after a clinical evaluation of a patient to be chiefly responsible for a specific episode of care.
~~62.~~57. "Principal procedure" means the procedure judged by an individual working on behalf of a hospital to be:
a. The most significant procedure performed during an episode of care, or
b. The procedure most closely associated with a patient's principal diagnosis.
~~63.~~58. "Priority of visit" means the urgency with which a patient required medical services during an episode of care.
~~64.~~59. "Procedure" means a set of activities performed on a patient that:
a. Is intended to diagnose or treat a disease, illness, or injury;
b. Requires the individual performing the set of activities be trained in the set of activities; and
c. May be invasive in nature or involve a risk to the patient from the activities themselves or from anesthesia.
~~65.~~60. "Prospective payment system" means a system of classifying episodes of care for billing and reimbursement purposes, based on factors such as diagnoses, age, and sex.
~~66.~~61. "Refer" means to direct an individual to a health care institution for services provided by the health care institution.
~~67.~~62. "Referral source" means a code designating the entity that referred or transferred a patient to a hospital.
~~68.~~63. "Registered nurse practitioner" means an individual who meets the definition of registered nurse practitioner in A.R.S. § 32-1601, and is licensed under A.R.S. Title 32, Chapter 15.
~~69.~~64. "Reporting period" means the specific fiscal year, calendar year, or portion of the fiscal or calendar year for which a health care institution is reporting data to the Department.
~~70.~~65. "Residence" means the place where an individual lives, such as:
a. A private home,
b. A nursing care institution, or
c. An assisted living facility.

~~71.~~66."Resident" means the same as in A.A.C. R9-10-101.
~~72.~~67."Revenue code" means a code for a unit of service that a hospital includes on a bill for hospital services.
~~73. "Secondary diagnosis" means any diagnosis for an individual other than the principal diagnosis.~~
~~74. "Self-pay discount" means a reduction in charges billed to an individual.~~
~~75.~~68."Service" means an activity performed as part of medical services, hospital services, nursing services, emergency services, health-related services, hospice services, home health services as defined in A.R.S. § 36-151, or supportive services.
~~76. "Supportive services" means the same as in A.R.S. § 36-151.~~
~~77.~~69."Transfer" means discharging an individual from a health care institution so the individual may be admitted to another health care institution.
~~78.~~70."Trauma center" means the same as in:
a. A.R.S. § 36-2201, or
b. A.R.S. § 36-2225.
~~79.~~71."Treatment" means the same as in A.A.C. R9-10-101.
~~80.~~72."Type of" means a specific subcategory of the following that is provided, enumerated, or utilized by a health care institution:
a. An employee or contracted worker;
b. An accounting concept, such as asset, liability, or revenue;
c. A non-covered ancillary charge;
d. A payer source;
e. A charge source;
f. A medical condition; or
g. A service.
~~81.~~73."Type of bed" means a category of available bed that specifies the services provided to an individual occupying the available bed.
~~82.~~74."Unit" means an area within a health care institution that is designated by the health care institution to provide a specific type of service.
~~83.~~75."Unit of service" means a procedure, service, commodity, or other item or group of items provided to a patient or resident for which a health care institution bills a payer source a specific amount.
~~84.~~76."Written notice" means a document that is provided:
a. In person,
b. By delivery service,
c. By facsimile transmission,
d. By electronic mail, or
e. By mail.

ARTICLE 2. ANNUAL FINANCIAL STATEMENTS AND UNIFORM ACCOUNTING REPORTS

R9-11-201. Definitions

In this Article, unless otherwise specified:
~~1. "Accredited" means the same as in A.R.S. § 36-422.~~
~~2.~~1. "ALTCS" means the Arizona Long-term Care System established under A.R.S. § 36-2932.
~~3.~~2. "Asset" means the same as "asset" in generally accepted accounting principles.
~~4.~~3. "Audit" means the same as "audit" in generally accepted accounting principles.
~~5.~~4. "Bereavement services" means activities provided by or on behalf of a hospice to the family or friends of an individual that are intended to comfort the family or friends before and after the individual's death.
~~6.~~5. "Building improvement" means an addition to or reconstruction, removal, or replacement of any portion or component of an existing building that affects licensed capacity, increases the useful life of an available bed, or enhances resident safety.
~~7.~~6. "Caseload" means the number of assigned patients for which an individual working for a hospice is to provide hospice services.
~~8.~~7. "Certified nursing assistant" means the same as ~~"nursing assistant"~~ in A.R.S. § 32-1601.
~~9.~~8. "Chaplain" means an individual trained to offer support, prayer, and spiritual guidance to a patient and the patient's family.
~~10.~~9."Continuous care" means hospice services provided in a patient's residence to a patient who requires nursing services to be available 24 hours a day.
~~11.~~10."Contracted worker" means an individual who:
a. Performs:
i. Hospital services in a hospital,
ii. Nursing services or health-related services in a nursing care institution,
iii. Hospice services for a hospice, or
iv. Labor as a medical record coder or transcriptionist for a hospital; and
b. Is paid by a person with whom the hospital, nursing care institution, or hospice has a written agreement to provide hospital services, nursing services, health-related services, hospice services, or medical record coder or transcriptionist labor.
~~12. "Covered services" means hospice services that are provided to an individual by a hospice and are paid for by a payer source.~~
~~13. "Daily census" means a count of the number of patients to whom hospice services were provided during a 24-hour period.~~
~~14. "Direct care" means services provided to a resident that require hands-on contact with the resident.~~
~~15. "Direction" means the same as in A.R.S. § 36-401.~~
~~16.~~11."Employee" means an individual other than a contracted worker who works for a health care institution for compensation and provides or assists in the provision of a service to patients or residents.

~~17.~~12.“Employee-related expenses” means costs incurred by an employer to pay for the employer’s portion of Social Security taxes, Medicare taxes, and other costs such as health insurance.
~~18.~~13.“Equity” means the same as “equity” in generally accepted accounting principles.
~~19.~~14.“Expense” means the same as “expense” in generally accepted accounting principles.
~~20. “Free-standing” means that a health care institution does not operate as part of another health care institution.~~
~~21.~~15.“FTE” means full-time equivalent position, which is a job for which a health care institution expects to pay an individual for 2,080 hours per year.
~~22.~~16.“Generally accepted accounting principles” means the set of financial reporting standards administered by the Financial Accounting Standards Board, the Governmental Accounting Standards Board, or other specialized bodies dealing with accounting and auditing matters.
~~23.~~17.“Health professional” means the same as in A.R.S. § 32-3201.
~~24.~~18.“Hospice administrator” means the chief administrative officer for a hospice.
~~25. “Hospice chief financial officer” means an individual who is responsible for the financial records of a hospice.~~
~~26.~~19.“Hospice inpatient facility” means the same as in A.A.C. R9-10-101.
~~27.~~20.“Hospice services” means the activities described in A.A.C. R9-10-612.
~~28.~~21.“Hospice service agency” means the same as in A.R.S. § 36-401.
~~29.~~22.“Income” means the same as “income” in generally accepted accounting principles.
~~30.~~23.“Inpatient services” means sleeping accommodations and assistance, such as personal care and food preparation, provided to a patient at one of the following health care institutions:
a. A hospice inpatient facility licensed under 9 A.A.C. 10, Article 6;
b. A hospital licensed under 9 A.A.C. 10, Article 2; or
c. A nursing care institution licensed under 9 A.A.C. 10, Article 4.
~~31. “Level of care” means a designation that indicates the scope of medical services, nursing services, and health-related services that are provided to a patient or resident.~~
~~31.~~24.“Liability” means the same as “liability” in generally accepted accounting principles.
~~33.~~25.“Licensed nurse” means a registered nurse practitioner, registered nurse, or practical nurse.
~~34. “Licensee” means the same as in R9-10-101.~~
~~35. “Median length of stay” means the midpoint in the number of patient care days for all patients who were discharged from a hospice during a specific period of time.~~
~~36.~~26.“Medicaid” means a federal health insurance program, administered by states, for individuals who meet specific income criteria established, in Arizona, by AHCCCS.
~~37.~~27.“Medical record coder” means an individual who assigns codes to a patient’s diagnoses and procedures for billing purposes.
~~38.~~28.“Medical record transcriptionist” means an individual who copies and edits dictation from medical practitioners into medical records.
~~39. “Medical records” mean the same as in A.R.S. § 12-2291.~~
~~40.~~29.“Medicare cost report” means the annual financial and statistical documents submitted to the United States Department of Health and Human Services as required by Title XVIII of the Social Security Act.
~~41.~~30.“Medicare-certified” means that a health care institution is authorized by the United States Department of Health and Human Services to bill Medicare for services provided to patients or residents who are eligible to receive Medicare.
~~42.~~31.“Midnight census” means a count of the number of patients or residents in a health care institution at 12:00 a.m.
~~43.~~32.“Net assets” means the same as “net assets” in generally accepted accounting principles.
~~44.~~33.“Non-covered ancillary services” means activities, such as rehabilitation services, laboratory tests, or x-rays, provided to an individual in a health care institution that are paid for by:
a. A payer source other than ALTCS, or
b. ALTCS to an entity that is not a health care institution.
~~45.~~34.“Nursery patient” means a newborn who was born in a hospital and not admitted to a type of bed that is counted toward the hospital’s licensed capacity.
~~46.~~35.“Nursing personnel” means the individuals authorized by a health care institution to provide nursing services to a patient or resident.
~~47.~~36.“Occupancy rate” means the midnight census divided by the number of available beds, expressed as a percent.
~~48.~~37.“Operating expense” means the same as “operating expense” in generally accepted accounting principles.
~~49.~~38.“Outpatient hospice services” means hospice services provided at a location outside a hospice inpatient facility.
~~50.~~39.“Owner” means the same as in A.A.C. R9-10-101.
~~51.~~40.“Patient care day” means a calendar day during which a hospice provides hospice services to a patient.
~~52.~~41.“Patient day” means a period during which a patient received inpatient services with:
a. The time between the midnight census on two successive calendar days counting as one period, and
b. The day of discharge being counted only when the patient is admitted and discharged on the same day.
~~53.~~42.“Person” means the same as in A.R.S. § 41-1001.
~~54.~~43.“Practical nurse” means an individual licensed under A.R.S. Title 32, Chapter 15, Article 2, to practice practical nursing, as defined in A.R.S. § 32-1601.
~~55.~~44.“Registered nurse” means an individual licensed under A.R.S. Title 32, Chapter 15, Article 2, to practice professional nursing, as defined in A.R.S. § 32-1601.
~~56. “Rehabilitation services” means the same as in A.A.C. R9-10-101.~~

~~57.~~45.“Resident day” means a period during which a resident received nursing services or health-related services provided by a nursing care institution with:
a. The time between the midnight census on two successive calendar days counting as one period, and
b. The day of discharge being counted only when the resident is admitted and discharged on the same day.
~~58. “Respite care services” means the same as in A.R.S. § 36-401.~~
~~59.~~46.“Revenue” means the same as “revenue” in generally accepted accounting principles.
~~60. “Routine home care” means hospice services provided in a patient’s residence to a patient who does not require nursing services to be available 24 hours a day.~~
~~61.~~47.“Rural” means the same as in A.R.S. § 36-2171.
~~62.~~48.“Self-pay” means that charges for hospice services are billed to an individual.
~~63.~~49.“Social worker” means an individual licensed according to A.R.S. §§ 32-3291, 32-3292, or 32-3293.
~~64.~~50.“Statement of cash flows” means the same as “statement of cash flows” in generally accepted accounting principles.
~~65. “Surgery” means the excision of a part of a patient’s body or the incision into a patient’s body for the correction of a deformity or defect; repair of an injury; or diagnosis, amelioration, or cure of disease.~~
~~66.~~51.“Turnover rate” means:
a. For a hospital, a percent calculated by dividing the number of individuals employed by the hospital who resign or retire from or are dismissed by the hospital during a reporting period by the average number of individuals employed during the reporting period; or
b. For a nursing care institution, a percent calculated by dividing the number of employees who resign or retire from or are dismissed by a nursing care institution during a reporting period by the average number of employees during the reporting period.
~~67.~~52.“Uniform accounting report” means a document that meets the requirements of A.R.S. § 36-125.04 and contains the information required in R9-11-203 for hospitals, R9-11-204 for nursing care institutions, and R9-11-205 for hospices.
~~68. “Unscheduled medical services” means the same as in A.R.S. § 36-401.~~
~~69.~~53.“Urban” means an area not defined as “rural.”
~~70.~~54.“Urgent care unit” means a facility under a hospital’s license that is:
a. Located within one-half mile of the hospital, and
b. Designated by the hospital for the provision of unscheduled medical services for medical conditions that are of a less critical nature than emergency medical conditions.
~~71.~~55.“Vacancy rate” means a percent calculated by dividing the number of unfilled FTEs at the end of a hospital’s reporting period by the sum of the unfilled FTEs and filled FTEs at the end of the hospital’s reporting period.
~~72.~~56.“Volunteer” means the same as in A.A.C. R9-10-101.

R9-11-204. Nursing Care Institution Uniform Accounting Report

A. No change
B. No change
C. The uniform accounting report required in subsection (A) shall include the following information:
1. The name, physical address, mailing address, county, and telephone number of the nursing care institution;
2. The name, physical address, mailing address, and telephone number of the nursing care institution’s:
   a. Home office, if applicable; and
   b. Management company, if applicable;
3. An alternative name under which the nursing care institution provides nursing services or health-related services, if applicable;
4. The identification number assigned to the nursing care institution:
   a. By the Department;
   b. By AHCCCS, if applicable;
   c. By Medicare, if applicable; and
   d. As the nursing care institution’s national provider identifier;
5. The name, telephone number, and e-mail address of the:
   a. Nursing care institution administrator;
   b. Nursing care institution chief financial officer;
   c. Individual who prepared the uniform accounting report; and
   d. Individual whom the Department may contact about the uniform accounting report at the:
      i. Home office, if applicable; and
      ii. Management company, if applicable;
6. The beginning and ending dates of the nursing care institution’s reporting period;
7. If the nursing care institution began operations during the nursing care institution’s reporting period, the date on which the nursing care institution began operations;
8. The date the uniform accounting report was submitted to the Department;
9. Whether the entity that is the owner of the nursing care institution is:
   a. Not for profit;
   b. For profit; or
   c. A federal, state, or local government agency;
10. Whether or not the nursing care institution is Medicare-certified;
11. The licensed capacity at the beginning and end of the reporting period;

12. The total number of available beds at the beginning and end of the reporting period;
13. If the nursing care institution has a distinct unit for patients whose payer source is Medicare, the number of licensed beds in that unit at the beginning and end of the reporting period;
14. The number of resident admissions during the reporting period;
15. The number of resident days during the reporting period:
    a. For each payer source that is not ALTCS, and
    b. For each level of care for residents whose payer source is ALTCS;
16. The total number of resident days during the reporting period;
17. The average occupancy rate for the reporting period;
18. The number of paid hours during the reporting period for each of the following types of employees:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
19. The number of hours worked during the reporting period by each of the following types of employees:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
20. The amount in salaries paid, excluding employee-related expenses, for each of the following types of employees:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
21. The number of each of the following types of employees at the beginning and end of the reporting period:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
~~22. The number of each of the following types of employees at the end of the reporting period:~~
    ~~a. Registered nurses,~~
    ~~b. Practical nurses, and~~
    ~~c. Certified nursing assistants;~~
~~23.~~22. For staff employed by the nursing care institution during the reporting period as registered nurses, practical nurses, or certified nursing assistants, the total:
    a. Number of paid hours;
    b. Number of hours worked;
    c. Amount in salaries paid, excluding employee-related expenses; and
    d. Number of staff at the beginning and end of the reporting period; ~~and~~
    ~~e. Number of staff at the end of the reporting period;~~
~~24.~~23. The turnover rate for the reporting period for:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
~~25.~~24. The total turnover rate for the reporting period for all employees of the nursing care institution who are registered nurses, practical nurses, or certified nursing assistants;
~~26.~~25. The number of hours worked during the reporting period by each of the following types of contracted workers:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
~~27.~~26. The total number of hours worked during the reporting period by contracted workers who are registered nurses, practical nurses, or certified nursing assistants;
~~28.~~27. The amount paid during the reporting period for each of the following types of contracted workers:
    a. Registered nurses,
    b. Practical nurses, and
    c. Certified nursing assistants;
~~29.~~28. The total amount paid during the reporting period to contracted workers who are registered nurses, practical nurses, or certified nursing assistants;
~~30.~~29. The amount of revenue generated and allowances given, for each type of revenue or allowance, by the nursing care institution during the reporting period;
~~31.~~30. The total amount of revenue generated and allowances given by the nursing care institution during the reporting period;
~~32.~~31. The operating expenses incurred by the nursing care institution during the reporting period for each type of operating expense;
~~33.~~32. The total operating expenses incurred by the nursing care institution during the reporting period;
~~34.~~33. The income and expenses, other than revenue and operating expenses, for each type of income received and expense incurred by the nursing care institution during the reporting period;
~~35.~~34. The charges for non-covered ancillary services during the reporting period:
    a. For each type of non-covered ancillary service,
    b. For each type of payer source, and

c. For each type of non-covered ancillary service for each type of payer source;
~~36.~~35. The total amount of non-covered ancillary charges for the reporting period;
~~37.~~36. If the nursing care institution has documentation of building improvement costs that:
a. Affected the licensed capacity:
i. The year in which each building improvement was completed;
ii. The cost of each building improvement;
iii. The licensed capacity before the building improvement was begun;
iv. The number of beds that were added as a result of the building improvement, if applicable;
v. The number of beds that were removed as a result of the building improvement, if applicable; and
vi. ~~he~~ The licensed capacity after the building improvement was completed; and
b. Did not affect the licensed capacity:
i. The year in which each building improvement was completed; and
ii. The cost of each building improvement;
~~38.~~37. The amount of assets, for each type of asset, of the nursing care institution at the end of the reporting period;
~~39.~~38. The total amount of assets of the nursing care institution at the end of the reporting period;
~~40.~~39. The amount of liabilities, for each type of liability, of the nursing care institution at the end of the reporting period;
~~41.~~40. The total amount of liabilities of the nursing care institution at the end of the reporting period;
~~42.~~41. The amount of equity, for each type of equity, of the nursing care institution at the end of the reporting period;
~~43.~~42. The total amount of equity of the nursing care institution at the end of the reporting period;
~~44.~~43. The difference between the amount identified in subsection (C)(43) and the amount identified in subsection (C)(41); and
~~45.~~44. An equity reconciliation statement, including:
a. Net equity at the beginning of the reporting period;
b. The difference between the amount identified in subsection (C)(31) and the amount identified in subsection (C)(33);
c. Additions to equity, for each type of additional equity, for the reporting period;
d. The total amount of additional equity for the reporting period;
e. Deductions from equity, for each type of equity deduction, for the reporting period;
f. The total amount of equity deduction for the reporting period; and
g. Net equity at the end of the reporting period.

D. No change
1. No change
a. No change
b. No change
i. No change
ii. No change
iii. No change
iv. No change
2. No change

E. No change
1. No change
2. No change

F. No change

ARTICLE 3. RATES AND CHARGES SCHEDULES

R9-11-301. Definitions

In this Article, unless otherwise specified:
1. "Adolescent" means an individual the hospital designates as an adolescent based on the hospital's criteria.
~~2. "Adult" means the same as in A.A.C. R9-10-201.~~
~~3. "Behavioral health service" means the same as in A.R.S. § 36-401.~~
~~4. "Blood bank cross match" means a laboratory analysis, performed by a facility that stores and preserves donated blood, to test the compatibility of a quantity of blood donated by one individual with another individual who is the intended recipient of the blood.~~
~~5. "Complete blood count with differential" means enumerating the number of red blood cells, platelets, and white blood cells in a sample of an individual's blood, and including in the enumeration of white blood cells the number of each type of white blood cell.~~
~~6.~~2. "Contrast medium" means a substance opaque to x-rays, radio waves, or electromagnetic radiation that enhances an image of internal body structures.
~~7.~~3. "CT" means Computed Tomography, a diagnostic procedure in which x-ray measurements from many angles are used to provide images of internal body structures.
~~8.~~4. "Current rates and charges information" means the most recent rates and charges schedule for a health care institution on file with the Department, and all documents changing the most recent rates and charges schedule.
~~9.~~5. "Drug" means the same as in A.R.S. § 32-1901.
~~10. "EEG" means electroencephalogram, a diagnostic procedure used to measure the electrical activity of the brain.~~
~~11. "EKG" means electrocardiogram, a diagnostic procedure used to measure the electrical activity of the heart.~~
~~12.~~6. "Facility" means a building and associated personnel and equipment that perform a particular service or activity.

~~13.~~7.“Formulary” means a list of drugs that are available to a patient through a hospital.
~~14.~~8.“Home health agency” means the same as in A.R.S. § 36-151.
~~15.~~9.“Home health agency administrator” means the chief administrative officer for a home health agency.
~~16.~~10.“Hospital department” means a subdivision of a hospital providing administrative oversight for one or more charge sources.
~~17.~~11.“Implementation date” means the month, day, and year a health care institution intends to begin using specific rates and charges when billing a patient or resident.
~~18.~~12.“Intensive care bed” means an available bed used to provide intensive care services, as defined in A.A.C. R9-10-201, to a patient.
~~19. “IVP” means intravenous pyelography, a diagnostic procedure that uses an injection of a contrast medium into a vein and x-rays to provide images of the kidneys, ureters, bladder, and urethra.~~
~~20. “Labor and delivery” means services provided to a woman related to childbirth.~~
~~21. “Lithotripsy” means a procedure that uses sound waves to break up hardened deposits of mineral salts inside the human body.~~
~~22.~~13.“Mark-up” means the difference between the dollar amount a hospital pays for a drug, commodity, or service and the charge billed to a patient.
~~23. “MRI” means Magnetic Resonance Imaging, a diagnostic procedure that uses a magnetic field and radio waves to provide images of internal body structures.~~
~~24. “Neonate” means the same as in A.A.C. R9-10-201.~~
~~25. “Nursery bed” means an available bed used to provide hospital services to a neonate.~~
~~26.~~14.“Outpatient treatment center” means the same as in A.A.C. R9-10-101.
~~27.~~15.“Outpatient treatment center administrator” means the chief administrative officer for an outpatient treatment center.
~~28.~~16.“Overview form” means a document:
a. Submitted by a hospital to the Department as part of a rates and charges schedule or a change to the hospital’s current rates and charges information, and
b. That contains the information required in R9-11-302(B)(2) for the hospital.
~~29.~~17.“Pediatric” means the same as in A.A.C. R9-10-201.
~~30. “Pediatric bed” means an available bed used to provide hospital services to a pediatric patient.~~
~~31. “Physical therapy” means the same as in A.R.S. § 32-2001.~~
~~32. “Post-hospital extended care services” means the services that are described in and meet the requirements of 42 CFR 409.31.~~
~~33.~~18.“Private room” means a room that contains one available bed.
~~34.~~19.“Rate” means a specific dollar amount per unit of service set by a health care institution.
~~35.~~20.“Rates and charges schedule” means a document that meets the requirements of A.R.S. Title 36, Chapter 4, Article 3 and contains the information required in R9-11-302(B) for hospitals, R9-11-303(A)(2) for nursing care institutions, R9-11-304(A)(2) for home health agencies, or R9-11-305(A)(2) for outpatient treatment centers.
~~36. “Rehabilitation bed” means a type of bed used to provide services to a patient to restore or to optimize the patient’s functional capability.~~
~~37.~~21.“Review” means an analysis of a document to ensure that the document is in compliance with the requirements of this Article.
~~38. “Semi-private room” means a room that contains two available beds.~~
~~39. “Skilled nursing bed” means an available bed used for a patient requiring skilled nursing services.~~
~~40. “Skilled nursing services” means nursing services provided by an individual licensed under A.R.S. Title 32, Chapter 15.~~
~~41. “Small volume nebulizer” means a device that:~~
~~a. Holds liquid medicine that is turned into a mist by an air compressor, and~~
~~b. Is used for treatments lasting less than 20 minutes.~~
~~42. “Swing bed” means an available bed for which a hospital has been granted an approval from the Centers for Medicare and Medicaid Services to provide post-hospital extended care services and be reimbursed as a swing-bed hospital.~~
~~43. “Swing-bed hospital” means the same as in 42 CFR 413.114.~~
~~44. “Trauma team activation” means a notification by a health care institution:~~
~~a. That alerts individuals designated by the health care institution to respond to a particular type of emergency;~~
~~b. That is based on a patient’s triage information; and~~
~~c. For which the health care institution uses Revenue Category 068X of the National Uniform Billing Committee, UB-04 Data Specifications Manual to bill charges.~~
~~45. “Ultrasound” means a diagnostic procedure that uses high-frequency sound waves to provide images of internal body structures.~~

R9-11-304. Home Health Agency Rates and Charges Schedule

A. Before a home health agency provides services to patients, a home health agency administrator or designee shall submit to the Department a rates and charges package that contains:
1. A cover letter that includes:
   a. The name, physical address, mailing address, county, and telephone number of the home health agency;
   b. The identification number assigned to the home health agency:
      i. By the Department;
      ii. By AHCCCS, if applicable;
      iii. By Medicare, if applicable; and
      iv. As the home health agency’s national provider identifier;
   c. The name, telephone number, and e-mail address of:
      i. The home health agency administrator,

ii. The home health agency chief financial officer, and
iii. Another individual involved in the preparation of the rates and charges package, whom the Department may contact regarding the rates and charges package; and
d. The planned implementation date for the rates and charges;
2. Either:
a. A rates and charges schedule, in a format specified by the Department, containing:
i. A table of contents;
ii. For each unit of service offered for which a separate rate or charge is billed:
(1) The unit of service code,
(2) A description of the unit of service, and
(3) The rate or charge for the unit of service; and
iii. A copy of any home health agency rules or formulae that may affect the rate or charge for a unit of service; or
b. Current cost reports and financial information that the home health agency files for other government reporting purposes if the current cost reports and financial information submitted to the Department contain the information required in subsections (A)(2)(a)(ii) and (A)(2)(a)(iii); and
3. A form provided by the Department, on which the home health agency administrator or designee:
a. Attests that, to the best of the knowledge and belief of the home health agency administrator or designee, the information submitted according to subsections (A)(1) and (A)(2) is accurate and complete; or
b. If the home health agency administrator or designee has personal knowledge that the information submitted according to subsections (A)(1) and (A)(2) is ~~not accurate or not complete~~ inaccurate or incomplete:
i. Identifies the information that is ~~not accurate or not complete~~ inaccurate or incomplete;
ii. Describes the circumstances that make the information ~~not accurate or not complete~~ inaccurate or incomplete;
iii. States what actions the home health agency is taking to correct the inaccurate information or make the information complete; and
iv. Attests that, to the best of the knowledge and belief of the home health agency administrator or designee, the information submitted according to subsections (A)(1) and (A)(2), except the information identified in subsection (A)(3)(b)(i), is accurate and complete.

B. To change a home health agency's current rates and charges information, a home health agency administrator or designee shall submit to the Department:
1. A cover letter:
a. Containing the information specified in subsection (A)(1), and
b. Stating that the accompanying information is changing the home health agency's current rates and charges information;
2. Either:
a. The rates and charges schedule specified in subsection (A)(2)(a) or the current cost reports and financial information specified in subsection (A)(2)(b); or
b. The following information:
i. A description of:
(1) The current and new rate or charge for each unit of service undergoing a change, and
(2) The current and new rules and formulae for each change to the home health agency rules or formulae which may affect the rate or charge for a unit of service;
ii. The line number or page number in the home health agency's current rates and charges information for each change listed in subsection (B)(2)(b)(i); and
iii. A list of each previous change:
(1) To a rate, charge, rule, or formula being changed;
(2) That was submitted since the last submission made according to subsection (A)(2) or (B)(2)(a); and
(3) Including:
(a) The date the rate, charge, rule, or formula was previously changed; and
(b) A description of how the rate, charge, rule, or formula was previously changed; and
3. A form provided by the Department, on which the home health agency administrator or designee:
a. Attests that, to the best of the knowledge and belief of the home health agency administrator or designee, the information submitted according to subsections (B)(1) and (B)(2) is accurate and complete; or
b. If the home health agency administrator or designee has personal knowledge that the information submitted according to subsections (B)(1) and (B)(2) is ~~not accurate or not complete~~ inaccurate or incomplete:
i. Identifies the information that is ~~not accurate or not complete~~ inaccurate or incomplete;
ii. Describes the circumstances that make the information ~~not accurate or not complete~~ inaccurate or incomplete;
iii. States what actions the home health agency is taking to correct the inaccurate information or make the information complete; and
iv. Attests that, to the best of the knowledge and belief of the home health agency administrator or designee, the information submitted according to subsections (B)(1) and (B)(2), except the information identified in subsection (B)(3)(b)(i), is accurate and complete.

C. No change
D. No change
E. No change
1. No change

2. No change

F. No change

R9-11-305. Outpatient Treatment Center Rates and Charges Schedule

A. Before an outpatient treatment center provides services to patients, an outpatient treatment center administrator or designee shall submit to the Department a rates and charges package that contains:

1. A cover letter that includes:
   a. The name, physical address, mailing address, county, and telephone number of the outpatient treatment center;
   b. The identification number assigned to the outpatient treatment center:
      i. By the Department;
      ii. By AHCCCS, if applicable;
      iii. By Medicare, if applicable; and
      iv. As the outpatient treatment center's national provider identifier;
   c. The name, telephone number, and e-mail address of:
      i. The outpatient treatment center administrator,
      ii. The outpatient treatment center chief financial officer, and
      iii. Another individual involved in the preparation of the rates and charges package whom the Department may contact regarding the rates and charges package; and
   d. The planned implementation date for the rates and charges;
2. Either:
   a. A rates and charges schedule, in a format specified by the Department, containing:
      i. A table of contents;
      ii. For each unit of service offered for which a separate rate or charge is billed:
         (1) The unit of service code,
         (2) A description of the unit of service, and
         (3) The rate or charge for the unit of service; and
      iii. A copy of any outpatient treatment center rules or formulae which may affect the rate or charge for a unit of service; or
   b. Current cost reports and financial information that the outpatient treatment center files for other government reporting purposes if the current cost reports and financial information submitted to the Department contain the information required in subsections (A)(2)(a)(ii) and (A)(2)(a)(iii); and
3. A form provided by the Department, on which the outpatient treatment center administrator or designee:
   a. Attests that, to the best of the knowledge and belief of the outpatient treatment center administrator or designee, the information submitted according to subsections (A)(1) and (A)(2) is accurate and complete; or
   b. If the outpatient treatment center administrator or designee has personal knowledge that the information submitted according to subsections (A)(1) and (A)(2) is ~~not accurate or not complete~~ inaccurate or incomplete:
      i. Identifies the information that is ~~not accurate or not complete~~ inaccurate or incomplete;
      ii. Describes the circumstances that make the information ~~not accurate or not complete~~ inaccurate or incomplete;
      iii. States what actions the outpatient treatment center is taking to correct the inaccurate information or make the information complete; and
      iv. Attests that, to the best of the knowledge and belief of the outpatient treatment center administrator or designee, the information submitted according to subsections (A)(1) and (A)(2), except the information identified in subsection (A)(3)(b)(i), is accurate and complete.

B. To change an outpatient treatment center's current rates and charges information, an outpatient treatment center administrator or designee shall submit to the Department:

1. A cover letter:
   a. Containing the information specified in subsection (A)(1), and
   b. Stating that the accompanying information is changing the outpatient treatment center's current rates and charges information;
2. Either:
   a. The rates and charges schedule specified in subsection (A)(2)(a) or the current cost reports and financial information specified in subsection (A)(2)(b); or
   b. The following information:
      i. A description of:
         (1) The current and new rate or charge for each unit of service undergoing a change, and
         (2) The current and new rules and formulae for each change to the outpatient treatment center rules or formulae which may affect the rate or charge for a unit of service;
      ii. The line number or page number in the outpatient treatment center's current rates and charges information for each change listed in subsection (B)(2)(b)(i); and
      iii. A list of each previous change:
         (1) To a rate, charge, rule, or formula being changed;
         (2) That was submitted since the last submission made according to subsection (A)(2) or (B)(2)(a); and
         (3) Including:
            (a) The date the rate, charge, rule, or formula was previously changed; and
            (b) A description of how the rate, charge, rule, or formula was previously changed; and

3. A form provided by the Department, on which the outpatient treatment center administrator or designee:
   a. Attests that, to the best of the knowledge and belief of the outpatient treatment center administrator or designee, the information submitted according to subsections (B)(1) and (B)(2) is accurate and complete; or
   b. If the outpatient treatment center administrator or designee has personal knowledge that the information submitted according to subsections (B)(1) and (B)(2) is ~~not accurate or not complete~~ inaccurate or incomplete:
      i. Identifies the information that is ~~not accurate or not complete~~ inaccurate or incomplete;
      ii. Describes the circumstances that make the information ~~not accurate or not complete~~ inaccurate or incomplete;
      iii. States what actions the outpatient treatment center is taking to correct the inaccurate information or make the information complete; and
      iv. Attests that, to the best of the knowledge and belief of the outpatient treatment center administrator or designee, the information submitted according to subsections (B)(1) and (B)(2), except the information identified in subsection (B)(3)(b)(i), is accurate and complete.

C. No change
D. No change
E. No change
1. No change
2. No change

F. No change

ARTICLE 4. HOSPITAL INPATIENT DISCHARGE REPORTING

R9-11-401. Definitions

In this Article, unless otherwise specified:

~~1. "Admitting diagnosis" means the reason an individual is admitted to a hospital.~~
~~2. "DRG" means Diagnosis Related Group, a type of prospective payment system used in billing for inpatient episodes of care.~~
~~3. "HIPPS" means the Health Insurance Prospective Payment System, a type of prospective payment system used by specific health care institutions, such as rehabilitation hospitals, for billing for services provided by the health care institutions.~~
~~4.~~1. "Inpatient discharge report" means a document that meets the requirements of A.R.S. § 36-125.05 and contains the information required in R9-11-402.
~~5.~~2. "Length of stay" means the total number of calendar days for a specific episode of care, from the date of admission to the date of discharge.

R9-11-402. Reporting Requirements

A. No change
1. No change
2. No change
3. No change
4. No change
   a. No change
   b. No change
5. No change
6. No change

B. ~~A hospital administrator or designee shall on~~ On a form provided by the Department, a hospital administrator or designee shall:
1. Attest that, to the best of the knowledge and belief of the hospital administrator or designee, the information submitted according to subsection (C) is accurate and complete; or
2. If the hospital administrator or designee has personal knowledge that the information submitted according to subsection (C) is ~~not accurate or not complete~~ inaccurate or incomplete:
   a. Identify the information that is ~~not accurate or not complete~~ inaccurate or incomplete;
   b. Describe the circumstances that make the information ~~not accurate or not complete~~ inaccurate or incomplete;
   c. State what actions the hospital is taking to correct the inaccurate information or make the information complete; and
   d. Attest that, to the best of the knowledge and belief of the hospital administrator or designee, the information submitted according to subsection (C), except the information identified in subsection (B)(2)(a), is accurate and complete.

C. No change
1. No change
2. No change
3. No change
   a. No change
   b. No change
   c. No change
   d. No change
   e. No change
   f. No change
   g. No change
   h. No change
   i. No change

j. No change
k. No change
l. No change
m. No change
n. No change
o. No change
p. No change
q. No change
r. No change;
s. No change
t. No change
u. No change
i. No change
ii. No change
iii. No change
v. No change
w. No change
x. No change
y. No change
z. No change
aa. No change
bb. No change
i. No change
ii. No change
cc. No change
dd. No change
ee. No change
ff. No change
gg. No change
hh. No change

D. No change
1. No change
2. No change
a. No change
b. No change

E. No change
1. No change
2. No change

F. No change

ARTICLE 5. EMERGENCY DEPARTMENT DISCHARGE REPORTING

R9-11-501. Definitions

In this Article, unless otherwise specified:

~~1.~~ ~~"CPT code" means a code from Current Procedural Terminology, a HCPCS coding system used primarily to identify medical services and procedures provided by medical practitioners.~~

~~2.~~1. "Emergency department discharge report" means a document that meets the requirements of R.S. § 36-125.05 and contains the information required in R9-11-502.

~~3.~~2. "HCPCS" means the Healthcare Common Procedure Coding System used by a hospital for billing for hospital services or commodities provided to an outpatient as defined in A.A.C. R9-10-201.

R9-11-502. Reporting Requirements

A. No change
1. No change
2. No change
3. No change
4. No change
a. No change
b. No change
5. No change
6. No change

B. A hospital administrator or designee shall on a form provided by the Department:
1. Attest that, to the best of the knowledge and belief of the hospital administrator or designee, the information submitted according to subsection (C) is accurate and complete; or

2. If the hospital administrator or designee has personal knowledge that the information submitted according to subsection (C) is ~~not accurate or not complete~~ inaccurate or incomplete:
   a. Identify the information that is ~~not accurate or not complete~~ inaccurate or incomplete;
   b. Describe the circumstances that make the information ~~not accurate or not complete~~ inaccurate or incomplete;
   c. State what actions the hospital is taking to correct the inaccurate information or make the information complete; and
   d. Attest that, to the best of the knowledge and belief of the hospital administrator or designee, the information submitted according to subsection (C), except the information identified in subsection (B)(2)(a), is accurate and complete.

C. No change
1. No change
2. No change
3. No change
   a. No change
   b. No change
   c. No change
   d. No change
   e. No change
   f. No change
   g. No change
   h. No change
   i. No change
   j. No change
   k. No change
   l. No change
   m. No change
   n. No change
   o. No change
   p. No change
   q. No change
   r. No change
   s. No change
   t. No change
      i. No change
      ii. No change
      iii. No change
   u. No change
   v. No change
   w. No change
   x. No change
   y. No change
   z. No change
   aa. No change
      i. No change
      ii. No change
   bb. No change
   cc. No change
   dd. No change
   ee. No change
   ff. No change
   gg. No change

D. No change
1. No change
2. No change
   a. No change
   b. No change

E. No change
1. No change
2. No change

F. No change

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NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires an agency file a Notice of Rulemaking Docket Opening which outlines its rulemaking intentions under A.R.S. § 41-1021.

A docket opening and Notice of Proposed Rulemaking are often filed at the same time and published in the same *Register* issue.

If a Notice of Proposed Rulemaking is not published in this *Register* that corresponds with a published docket in this week's issue, it simply means the agency has not filed the notice for consideration and public review.

An agency has one year from the publishing of this notice to propose a rule; after one year the docket expires.

Questions about the notice can be answered by the person listed in item #5 of the preamble.

Refer to item #6 in the preamble for information on how to comment on this notice.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES
LABORATORIES

File Number: R26-204

1. Permission to proceed with this docket was granted under A.R.S. § 41-1039(A) by the governor on:
September 16, 2024

2. Title and its heading:
9, Health Services

Chapter and its heading:
14, Department of Health Services - Laboratories

Article and its heading:
6, Licensing of Environmental Laboratories

Section number:
R9-14-601 through R9-14-621 and Tables 6.1., 6.2.A., 6.2.B., 6.2.C., 6.2.D., 6.2.E., 6.3., and 6.4.
Sections may be added, amended, repealed, or renumbered as necessary.

3. The subject matter of the proposed rule:
Arizona Revised Statutes (A.R.S.) § 36-495.01 requires the Arizona Department of Health Services (Department) to license environmental laboratories engaged in compliance testing; establish minimum standards of proficiency, methodology, quality assurance, and operation and safety for environmental laboratories. A.R.S. § 36-495.01 also requires that the rules be developed in cooperation with the Arizona Department of Environmental Quality. The Department adopted rules implementing A.R.S. § 36-495.01 in Arizona Administrative Code (A.A.C.) Title 9, Chapter 14, Article 6. After receiving approval to conduct rulemaking from the Governor's Office, pursuant to A.R.S. § 41-1039(A), the Department proposes to update references to testing methods, correct grammatical errors, and add clarifying language. Furthermore, the Department is increasing the fees associated with the licensing of environmental labs, which have not been changed since October 2016. The changes will conform to the current rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of Secretary of State. The Department may add, amend, repeal, or renumber rules as necessary.

4. A citation to all published notices relating to the current proceeding:
Notice of Rulemaking Docket Opening: 31 A.A.R. 4343; Issue Date: November 14, 2025; Issue Number: 46; File Number: R25-258

5. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name:	Kathryn Wangsness
Title:	Bureau Chief
Division:	Arizona State Public Health Laboratory
Address:	250 N. 17th Ave., Phoenix, AZ 85007

Telephone:	(602) 364-0724
Email:	kathryn.wangsness@azdhs.gov
or	
Name:	Stacie Gravito
Title:	Office Chief, Administrative Counsel and Rules
Division:	Policy and Intergovernmental Affairs
Address:	150 N. 18th Ave., Suite 540 Phoenix, AZ 85007
Telephone:	(602) 542-1020
Fax:	(602) 364-1150
Email:	ACR@azdhs.gov

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

To be announced in future notices regarding this rulemaking.

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

Unknown

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2026 REGISTER INDEXES

The *Register* is published by volume in a calendar year. Refer to the "Information" pages in the front of each issue for more details.

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING
PN means Proposed new Section
PM means Proposed amended Section
PR means Proposed repealed Section
P# means Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING
SPN means Supplemental proposed new Section
SPM means Supplemental proposed amended Section
SPR means Supplemental proposed repealed Section
SP# means Supplemental proposed renumbered Section

FINAL RULEMAKING
FN means Final new Section
FM means Final amended Section
FR means Final repealed Section
F# means Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY
PSMN means Proposed Summary new Section
PSMM means Proposed Summary amended Section
PSMR means Proposed Summary repealed Section
PSM# means Proposed Summary renumbered Section

FINAL SUMMARY
FSMN means Final Summary new Section
FSMM means Final Summary amended Section
FSMR means Final Summary repealed Section
FSM# means Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED
PEN means Proposed Expedited new Section
PEM means Proposed Expedited amended Section
PER means Proposed Expedited repealed Section
PE# means Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED
SPEN means Supplemental Proposed Expedited new Section
SPEM means Supplemental Proposed Expedited amended Section
SPER means Supplemental Proposed Expedited repealed Section
SPE# means Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED
FEN means Final Expedited new Section
FEM means Final Expedited amended Section
FER means Final Expedited repealed Section
FE# means Final Expedited renumbered Section

EXEMPT RULEMAKING

EXEMPT
XN means Exempt new Section
XM means Exempt amended Section
XR means Exempt repealed Section
X# means Exempt renumbered Section

EXEMPT PROPOSED
PXN means Proposed Exempt new Section
PXM means Proposed Exempt amended Section
PXR means Proposed Exempt repealed Section
PX# means Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED
SPXN means Supplemental Proposed Exempt new Section
SPXR means Supplemental Proposed Exempt repealed Section
SPXM means Supplemental Proposed Exempt amended Section
SPX# means Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING
FXN means Final Exempt new Section
FXM means Final Exempt amended Section
FXR means Final Exempt repealed Section
FX# means Final Exempt renumbered Section

EMERGENCY RULEMAKING
EN means Emergency new Section
EM means Emergency amended Section
ER means Emergency repealed Section
E# means Emergency renumbered Section
EEXP means Emergency expired

RECODIFICATION OF RULES
RC means Recodified

REJECTION OF RULES
RJ means Rejected by the Attorney General

TERMINATION OF RULES
TN means Terminated proposed new Section
TM means Terminated proposed amended Section
TR means Terminated proposed repealed Section
T# means Terminated proposed renumbered Section

RULE EXPIRATIONS
EXP means Rules have expired
Refer to "emergency expired" under emergency rulemaking

CORRECTIONS
C means Corrections to Published Rules

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RULEMAKING ACTIVITY INDEX

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R20-5-1226.	PN-1417
R20-5-1227.	P#-1417; PM-1417
R20-5-1228.	P#-1417; PM-1417
R20-5-1229.	P#-1417
R20-5-1230.	P#-1417
R20-5-1231.	P#-1417
R20-5-1232.	P#-1417

Barbering and Cosmetology Board

R4-10-101.	PM-417; FM-2283
R4-10-102.	PM-417; FM-2283
R4-10-103.	PM-417; FM-2283
R4-10-106.	PM-417; FM-2283
R4-10-111.	PM-417; FM-2283
R4-10-112.	PM-417; FM-2283
R4-10-113.	PM-417; FM-2283
R4-10-114.	PM-417; FM-2283
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R4-10-A101.	PR-417; FR-2283
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Part B. PR-417; FR-2283
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R4-10-B202. P#-417; F#-2283
R4-10-301. PM-417; FM-2283
R4-10-302. PM-417; FM-2283
R4-10-303. PM-417; FM-2283
R4-10-304. PM-417; FM-2283
R4-10-304.1. PM-417; FM-2283
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R4-10-B305. PM-417; FM-2283
R4-10-B306. PM-417; FM-2283
R4-10-B307. PM-417; FM-2283
R4-10-401. PM-417; FM-2283
R4-10-402. PM-417; FM-2283
R4-10-403. PM-417; FM-2283
R4-10-404. PM-417; FM-2283
R4-10-405. PM-417; FM-2283
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R4-10-A401. P#-417; F#-2283
R4-10-406. P#-417; PM-417; F#-2283; FM-2283
Part B. PR-417; FR-2283
R4-10-B401. P#-417; F#-2283
R4-10-407. P#-417; PM-417; F#-2283; FM-2283
R4-10-B402. P#-417; F#-2283
R4-10-408. P#-417; PM-417; F#-2283; FM-2283

Child Safety, Department of - Child Welfare Agency Licensing

R21-7-101. PM-2393
R21-7-134. PM-2393
R21-7-207. PM-2393
R21-7-209. PM-2393

Child Safety, Department of - Permanency and Support Services

R21-5-502. FM-582
R21-5-507. FM-582
R21-5-508. FM-582
R21-5-510. FM-582
R21-5-511. FM-582

Clean Elections Commission, Citizens

R2-20-106. FM-807
R2-20-113. PM-669; FM-1773
R2-20-702. PM-245; FM-1430
R2-20-706. FN-807

Corporation Commission, Arizona - Fixed Utilities

R14-2-901. FR-215
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R14-2-903. FR-215
R14-2-904. FR-215
R14-2-905. FR-215
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R14-2-909. FR-215
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Table 4. FR-1335
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Corporation Commission, Arizona - Power Plant and Transmission Line Siting Committee

R14-7-101. RC-997
R14-7-102. RC-997
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R14-7-105. RC-997
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R14-7-115. RC-997
R14-7-116. RC-997
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R14-7-120. RC-997

Corporation Commission, Arizona - Rules of Practice and Procedure

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R14-3-208. RC-997
R14-3-209. RC-997
R14-3-210. RC-997
R14-3-211. RC-997
R14-3-212. RC-997
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R14-3-217. RC-997
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R14-3-220. RC-997

Corporation Commission, Arizona - Securities

R14-4-114. PXM-1610

Corporation Commission, Arizona - Transportation

R14-5-201. FM-1806
R14-5-202. FM-1806
R14-5-203. FM-1806
R14-5-204. FM-1806
R14-5-207. FM-1806

Criminal Justice Commission, Arizona

R10-4-502. PEM-1717

Dental Examiners, State Board of

R4-11-303. PM-1065
R4-11-1102. PM-1065
R4-11-1203. PM-2275
R4-11-1204. PM-2275

Economic Security, Department of - Developmental Disabilities

R6-6-1401. FN-1170
R6-6-1402. FN-1170
R6-6-1403. FN-1170
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R6-6-1405. FN-1170
R6-6-1406. FN-1170
R6-6-1407. FN-1170

Economic Security, Department of - Employment Service

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R6-2-202. F#-477; FN-477; FM-477
R6-2-203. FN-477
R6-2-204. FN-477
R6-2-301. FN-477
R6-2-302. FN-477
R6-2-303. FN-477
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Economic Security, Department of - Social Services

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R6-5-6902. EXP-1003
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R6-5-6908. EXP-1003
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R6-5-7424. EXP-1004
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R6-5-7436. EXP-1004
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R6-5-7460. EXP-1004
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R6-5-7462. EXP-1004
R6-5-7463. EXP-1004
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R6-5-7468. EXP-1004
R6-5-7469. EXP-1004
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R6-5-7471. EXP-1004
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Education, State Board of

R7-2-701. FXM-221
R7-2-703. FXM-221
R7-2-704. FXM-221
R7-2-709. FXM-221
R7-2-712. FXM-221
R7-2-1301. FXM-221
R7-2-1302. FXM-221
R7-2-1303. FXM-221
R7-2-1304. FXM-221
R7-2-1305. FXM-221
R7-2-1306. FXM-221
R7-2-1307. FXM-221
R7-2-1308. FXM-221
R7-2-1309. FXM-221

Environmental Quality, Department of - Administration

Table 10. PM-2173

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R18-2-302.01. FM-55
R18-2-304. FM-55
R18-2-306. FM-55
R18-2-306.01. FM-55
R18-2-306.02. FN-55
R18-2-306.03. FN-55
R18-2-307. FM-55
R18-2-309. FM-55
R18-2-310.01. FM-55
R18-2-317.01. FM-55
R18-2-320.01. FM-55
R18-2-324.01. FM-55
R18-2-501. FM-55
R18-2-513. FM-55
A14. Appendix 14. FM-93
R18-2-610.03. FXM-1131
R18-2-611.03. FXM-1131
R18-2-613. PM-2455
R18-2-613.01. PM-2455
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R18-2-B1301. FM-93
R18-2-B1301.01. FM-93
R18-2-B1302. FM-93
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R18-2-E1301. PN-2455
R18-2-E1302. PN-2455
R18-2-E1303. PN-2455
A16. Appendix 16. PN-2455
R18-2-1407. EXP-1686
R18-2-1408. EXP-1686
R18-2-1409. EXP-1686
R18-2-1410. EXP-1686
R18-2-1411. EXP-1686
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R18-2-1429. EXP-1686
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R18-2-1433. EXP-1686
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Table 2. EXP-1686
R18-2-1435. EXP-1686
Table 3. EXP-1686
R18-2-1436. EXP-1686

Environmental Quality, Department of - Permit and Compliance Fees

R18-14-101. PM-283; FM-1434
R18-14-102. PM-283; FM-1434
R18-14-104. PM-283; FM-1434
R18-14-106. PM-283; FM-1434
R18-14-108. PM-283; FM-1434
R18-14-109. PM-283; FM-1434
R18-14-110. PM-283; FM-1434
R18-14-111. PM-283; FM-1434
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R18-14-113. PR-283; FR-1434
R18-14-202. PM-283; FM-1434
R18-14-301. PM-283; FM-1434; PM-2244
R18-14-302. PM-2244

Environmental Quality, Department of - Environmental Reviews and Certification

R18-5-103. PM-2180

Environmental Quality, Department of - Safe Drinking Water

R18-4-102. PEM-448; FEM-1491
R18-4-107. PEM-448; FEM-1491
R18-4-111. PEM-448; FEM-1491
R18-4-117. PEM-448; FEM-1491

Environmental Quality, Department of - Solid Waste Management

R18-13-401. PM-872
R18-13-402. PM-872
R18-13-403. PN-872
R18-13-404. PN-872
R18-13-405. PN-872
R18-13-406. PN-872
R18-13-501. P#-872; PN-872; PM-872
R18-13-502. P#-872
R18-13-503. PN-872
R18-13-504. PN-872
R18-13-505. PN-872
R18-13-506. PN-872
R18-13-1701. PM-872
R18-13-1702. PN-872
R18-13-1703. PM-872
R18-13-1704. PM-872

Environmental Quality, Department of - Water Pollution Control

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R18-9-A801. PM-2185
R18-9-A802. PM-2185
R18-9-A803. PM-2185
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R18-9-B804. PM-2185
R18-9-B805. PM-2185
R18-9-B806. PM-2185
R18-9-B809. PM-2185
R18-9-B811. PM-2185
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R18-9-C812. PM-2185
R18-9-C813. PM-2185
R18-9-C814. PM-2185
R18-9-C815. PM-2185
R18-9-C816. PM-2185

R18-9-C817. PM-2185
R18-9-C818. PM-2185
Part D.
R18-9-D819. PM-2185
R18-9-D821. PM-2185
R18-9-D822. PM-2185
Part E.
R18-9-E824. PM-2185
R18-9-E825. PM-2185
R18-9-E826. PM-2185
R18-9-E828. PM-2185
R18-9-E829. PM-2185
R18-9-E830. PM-2185
R18-9-E831. PM-2185
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R18-9-F832. PM-2185
R18-9-F833. PM-2185
R18-9-1101. PN-671; FN-2776
R18-9-1102. PN-671; FN-2776
R18-9-1103. PN-671; FN-2776
R18-9-1104. PN-671; FN-2776
R18-9-1105. PN-671; FN-2776
R18-9-1106. PN-671; FN-2776
R18-9-1107. PN-671; FN-2776

Environmental Quality, Department of - Water Quality Standards

R18-11-112. PM-391; FM-2318
Appendix B. FM-612
Table B. FM-612

Forestry and Fire Management, Department of

R4-36-201. FM-558
R4-36-302. FM-558
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R4-36-502. XN-691
R4-36-503. XN-691
R4-36-504. XN-691
R4-36-505. XN-691

Funeral Directors and Embalmers, Board of

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R4-12-106. RC-177
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R4-12-108. RC-177
R4-12-202. RC-177
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R4-12-205. RC-177
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R4-12-210. RC-177
R4-12-211. RC-177
R4-12-212. RC-177
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R4-12-303. RC-177
R4-12-304. RC-177
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R4-12-415. RC-177
R4-12-416. RC-177
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R4-12-545. RC-177
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R4-12-554. RC-177
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R4-12-613. RC-177
R4-12-614. RC-177
R4-12-615. RC-177
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Game and Fish Commission

R12-4-114. FM-679
R12-4-201. FM-560
R12-4-202. FM-560
R12-4-203. FM-560
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R12-4-210. FM-560
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R12-4-213. FM-560
R12-4-215. FM-560
R12-4-216. FM-560
R12-4-217. FM-560
R12-4-402. FM-7
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R12-4-404. FM-7
R12-4-406. FM-7
R12-4-407. FM-7
R12-4-409. FM-7
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R12-4-414. FM-7
R12-4-417. FM-7
R12-4-418. FM-7
R12-4-420. FM-7
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R12-4-802. XM-256
R12-4-1001. FM-959
R12-4-1002. FM-959
R12-4-1004. FM-959
R12-4-1005. FM-959

Health Care Cost Containment System, Arizona (AHCCCS) - Administration

R9-22-101. PM-1525; FM-2725
R9-22-201. PM-1525; FM-2725
R9-22-207. PM-1525; FM-2725
R9-22-209. PM-1525; FM-2725
R9-22-212. PM-1525; FM-2725
R9-22-213. PM-1525; FM-2725
R9-22-215. PM-1525; FM-2725
R9-22-712.35. PM-1540; FM-2740
R9-22-712.61. PM-1540; FM-2740
R9-22-712.71. PM-1540; FM-2740
R9-22-712.90. PM-1540; FM-2740
R9-22-730. PXM-2400
R9-22-731. PXM-2405
R9-22-1201. PXM-2503
R9-22-1202. PXR-2503
R9-22-1203. PXM-2503
R9-22-1204. PXM-2503
R9-22-1205. PXM-2503
R9-22-1206. PXM-2503
R9-22-1207. PX#-2503; PXN-2503
R9-22-1208. PXN-2503
R9-22-1209. PX#-2503; PXM-2503

Health Care Cost Containment Sys-

tem, Arizona (AHCCCS) - Arizona Long-term Care System

R9-28-1201. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1202. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1203. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1204. PN-867; EN-932; TN-1862; PXN-2409
Table 1. PN-867; EN-932; TN-1862; PXN-2409
Table 2. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1205. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1206. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1207. PN-867; EN-932; TN-1862; PXN-2409
R9-28-1208. PXN-2409
R9-28-1209. PXN-2409
R9-28-1210. PXN-2409
R9-28-1211. PXN-2409

Health Services, Department of - Communicable Diseases and Infestations

R9-6-501. PM-2277
R9-6-502. PM-2277
R9-6-503. PM-2277
R9-6-504. PM-2277

Health Services, Department of - Emergency Medical Services

R9-25-506. XN-993

Health Services, Department of - Food, Recreational, and Institutional Sanitation

R9-8-119. FR-488
R9-8-901. FN-488
R9-8-902. FN-488
R9-8-903. FN-488
R9-8-904. FN-488
R9-8-905. FN-488
R9-8-906. FN-488
R9-8-907. FN-488
R9-8-908. FN-488
R9-8-909. FN-488
R9-8-910. FN-488
Table 9.1. FN-488
R9-8-911. FN-488
Table 9.2. FN-488
Table 9.3. FN-488
R9-8-912. FN-488
R9-8-913. FN-488

Health Services, Department of - Health Care Institution Facility Data;

R9-11-101. PEM-1288
R9-11-201. PEM-1288
R9-11-204. PEM-1288
R9-11-301. PEM-1288
R9-11-304. PEM-1288
R9-11-305. PEM-1288
R9-11-401. PEM-1288
R9-11-402. PEM-1288
R9-11-501. PEM-1288
R9-11-502. PEM-1288

Health Services, Department of - Health Care Institutions: Licensing

Table 1.3. FM-1920
R9-10-701. PM-1068; FM-1920
R9-10-702. PM-1068; FM-1920
R9-10-703. PM-1068; FM-1920
R9-10-706. PM-1068; FM-1920
R9-10-707. PM-1068; FM-1920
R9-10-708. PM-1068; FM-1920
R9-10-709. PM-1068; FM-1920
R9-10-711. PM-1068; FM-1920
R9-10-712. PM-1068; FM-1920
R9-10-716. PM-1068; FM-1920
R9-10-718. PM-1068; FM-1920
R9-10-722. PM-1068; FM-1920
R9-10-2002. FM-504
R9-10-2003. FM-504
R9-10-2005. F#-504; FM-504
R9-10-2006. F#-504; FM-504
R9-10-2007. F#-504; FM-504
R9-10-2008. F#-504
R9-10-2009. FM-504
R9-10-2102. PEM-2494
R9-10-2105. PEM-2494
R9-10-2106. PEM-2494
R9-10-2107. PEM-2494
R9-10-2109. PEM-2494
R9-10-2111. PEM-2494
R9-10-2113. PEM-2494
R9-10-2115. PEM-2494
R9-10-2118. PEM-2494
R9-10-2301. PN-1068; FN-1920
R9-10-2302. PN-1068; FN-1920
R9-10-2303. PN-1068; FN-1920
R9-10-2304. PN-1068; FN-1920
R9-10-2305. PN-1068; FN-1920
R9-10-2306. PN-1068; FN-1920
R9-10-2307. PN-1068; FN-1920
R9-10-2308. PN-1068; FN-1920
R9-10-2309. PN-1068; FN-1920
R9-10-2310. PN-1068; FN-1920
R9-10-2311. PN-1068; FN-1920
R9-10-2312. PN-1068; FN-1920
R9-10-2313. PN-1068; FN-1920
R9-10-2314. PN-1068; FN-1920
R9-10-2315. PN-1068; FN-1920
R9-10-2316. PN-1068; FN-1920
R9-10-2317. PN-1068; FN-1920
R9-10-2318. PN-1068; FN-1920
R9-10-2319. PN-1068; FN-1920
R9-10-2320. PN-1068; FN-1920
R9-10-2401. PN-1068; FN-1920
R9-10-2402. PN-1068; FN-1920

R9-10-2403. PN-1068; FN-1920
R9-10-2404. PN-1068; FN-1920
R9-10-2405. PN-1068; FN-1920
R9-10-2406. PN-1068; FN-1920
R9-10-2407. PN-1068; FN-1920
R9-10-2408. PN-1068; FN-1920
R9-10-2409. PN-1068; FN-1920
R9-10-2410. PN-1068; FN-1920
R9-10-2411. PN-1068; FN-1920
R9-10-2412. PN-1068; FN-1920
R9-10-2413. PN-1068; FN-1920
R9-10-2414. PN-1068; FN-1920
R9-10-2415. PN-1068; FN-1920
R9-10-2416. PN-1068; FN-1920
R9-10-2417. PN-1068; FN-1920
R9-10-2418. PN-1068; FN-1920
R9-10-2419. PN-1068; FN-1920

Health Services, Department of - Human Remains

Subchapter B. Funeral Industry

R9-9B-101. RC-177; PM-307; FM-1177
R9-9B-102. RC-177; PM-307; FM-1177
Table 1.1. RC-177; PM-307; FM-1177
R9-9B-103. RC-177; PM-307; FM-1177
R9-9B-104. RC-177; PM-307; FM-1177
R9-9B-201. PN-307; FN-1177
R9-9B-202. PN-307; FN-1177
R9-9B-203. RC-177; PM-307; FM-1177
R9-9B-204. RC-177; PM-307; FM-1177
R9-9B-205. RC-177; PM-307; FM-1177
R9-9B-206. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-207. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-208. RC-177; PR-307; FR-1177
R9-9B-209. RC-177; PR-307; FR-1177
R9-9B-301. RC-177; PM-307; FM-1177
R9-9B-302. RC-177; PM-307; FM-1177
R9-9B-303. PN-307; FN-1177
R9-9B-304. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-305. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-306. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-307. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-308. RC-177; PM-307; FM-1177
R9-9B-309. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-310. PN-307; FN-1177
R9-9B-311. PN-307; FN-1177
R9-9B-312. RC-177; PR-307; FR-1177
R9-9B-313. RC-177; PR-307; FR-1177
R9-9B-314. RC-177; PR-307; FR-1177
R9-9B-315. RC-177; PR-307; FR-1177
R9-9B-316. RC-177; PR-307; FR-1177
R9-9B-317. RC-177; PR-307; FR-1177
R9-9B-318. RC-177; PR-307; FR-1177
R9-9B-319. RC-177; PR-307; FR-1177
R9-9B-320. RC-177; PR-307; FR-1177
R9-9B-321. RC-177; PR-307; FR-1177
R9-9B-322. RC-177; PR-307; FR-1177
R9-9B-323. RC-177; PR-307; FR-1177
R9-9B-324. RC-177; PR-307; FR-1177
R9-9B-325. RC-177; PR-307; FR-1177
R9-9B-326. RC-177; PR-307; FR-1177
R9-9B-401. RC-177; FM-1177
R9-9B-402. PN-307; FN-1177
R9-9B-403. PN-307; FN-1177
R9-9B-404. PN-307; FN-1177
R9-9B-405. PN-307; FN-1177
R9-9B-406. RC-177; PR-307; PN-307; FR-1177; FN-1177
R9-9B-407. PN-307; FN-1177

R9-9B-408. PN-307; FN-1177
R9-9B-409. PN-307; FN-1177
R9-9B-410. PN-307; FN-1177
R9-9B-411. PN-307; FN-1177
R9-9B-412. RC-177; PR-307; FR-1177
R9-9B-413. RC-177; PR-307; FR-1177
R9-9B-414. RC-177; PR-307; FR-1177

Health Services, Department of - Occupational Licensing

R9-16-201. FEM-521
R9-16-202. FEM-521
R9-16-203. FEM-521
R9-16-205. FEM-521
R9-16-207. FEM-521
R9-16-208. FEM-521
R9-16-209. FEM-521
R9-16-211. FEM-521
R9-16-214. FEM-521
R9-16-215. FEM-521
R9-16-301. FM-511
R9-16-302. FM-511
R9-16-303. FM-511
R9-16-304. FM-511
R9-16-305. FM-511
R9-16-306. FM-511
R9-16-307. FR-511
R9-16-308. FM-511
R9-16-309. FM-511
R9-16-310. FM-511
R9-16-312. FM-511
R9-16-314. FM-511
Table 3.1.
R9-16-315. FM-511
R9-16-316. FM-511
R9-16-501. FEM-521
R9-16-502. FEM-521
R9-16-503. FEM-521
R9-16-504. FEM-521
R9-16-505. FEM-521
R9-16-507. FEM-521

Health Services, Department of - Radiation Control

R9-7-1302. FEM-721
R9-7-1401. FE#-721; FEM-721
R9-7-1402. FE#-721; FEM-721
R9-7-1403. FER-721; FEN-721
R9-7-1404. FEM-721
R9-7-1405. FER-721; FEN-721
R9-7-1406. FER-721; FE#-721; FEM-721
R9-7-1407. FER-721; FEN-721
R9-7-1408. FER-721; FEN-721
R9-7-1409. FER-721; FE#-721; FEM-721
R9-7-1410. FER-721; FE#-721; FEM-721
R9-7-1411. FE#-721; FEM-721
R9-7-1412. FER-721; FE#-721; FEM-721
R9-7-1413. FER-721; FE#-721; FEM-721
R9-7-1414. FER-721; FE#-721; FEM-721
R9-7-1415. FER-721; FE#-721; FEM-721
R9-7-1416. FER-721; FE#-721; FEM-721
R9-7-1418. FER-721
R9-7-1421. FER-721
R9-7-1422. FER-721
R9-7-1423. FER-721
R9-7-1425. FE#-721
R9-7-1426. FER-721
R9-7-1427. FER-721
R9-7-1429. FER-721
R9-7-1433. FER-721
R9-7-1434. FE#-721
R9-7-1435. FER-721
R9-7-1436. FE#-721
R9-7-1437. FER-721
R9-7-1438. FE#-721
R9-7-1439. FE#-721
R9-7-1440. FE#-721
R9-7-1441. FE#-721
R9-7-1442. FER-721
R9-7-1443. FER-721
R9-7-1444. FER-721
Appendix A. FER-721
Appendix B. FER-721
Appendix C. FE#-721
Appendix D. FE#-721

Health Services, Department of - Sober Living Homes

R9-12-101. PEM-1668
R9-12-103. PEM-1668
R9-12-104. PEM-1668
R9-12-105. PEM-1668
R9-12-106. PEM-1668
R9-12-107. PEM-1668
Table 1.1. PEM-1668
Table 1.2. PEN-1668
R9-12-201. PEM-1668
R9-12-202. PEM-1668
R9-12-203. PEM-1668
R9-12-204. PEM-1668
R9-12-205. PEM-1668
R9-12-206. PE#-1668; PEN-1668
R9-12-207. PE#-1668; PEM-1668
R9-12-208. PE#-1668; PEM-1668

Health Services, Department of - Vital Records and Statistics

R9-19-101. PEM-2336
R9-19-105. PM-1909
R9-19-201. PEM-2336
R9-19-205. PEM-2336
R9-19-206. PEM-2336
R9-19-207. PEM-2336
R9-19-208. PEM-2336
R9-19-210. PEM-2336
R9-19-211. PEM-2336
R9-19-212. PEM-2336
R9-19-302. PEM-2336
R9-19-303. PEM-2336
R9-19-310. PEM-2336
R9-19-315. PM-1909
R9-19-316. PEM-2336
R9-19-317. PEM-2336

Insurance and Financial Institutions, Department of - Insurance Division

R20-6-101. FM-637
R20-6-209. FM-645
R20-6-601. FM-637
R20-6-602. FM-637
R20-6-1902. FM-637

Insurance and Financial Institutions, Department of - Financial Institutions Division - Real Estate Appraisal

R4-46-107. FR-5
R4-46-201. PM-174; FM-1167

Insurance and Financial Institutions, Department of - Financial

Institutions Division

Table A. FM-123
R20-4-602. FM-123

Investment, State Board of

R2-13-204. PEM-1715; FEM-2654

Liquor Licenses and Control, Department of

R19-1-101. PM-785
R19-1-102. PM-785
R19-1-103. PM-785
R19-1-105. PM-785
R19-1-110. PM-785
R19-1-202. PM-785
R19-1-205. PM-785
R19-1-206. PM-785
R19-1-207. PM-785
R19-1-209. PM-785
R19-1-304. PM-785
R19-1-305. PM-785
R19-1-307. PM-785
R19-1-317. PM-785
R19-1-318. PR-785
R19-1-319. PM-785
R19-1-320. PM-785
R19-1-321. PM-785
R19-1-324. PM-785
R19-1-325. PM-785
R19-1-403. PM-785
R19-1-405. PM-785
R19-1-502. PM-785
R19-1-604. PM-785
R19-1-801. PM-785
R19-1-802. PR-785
R19-1-804. PM-785

Lottery Commission, Arizona State

R19-3-204. PM-1025
R19-3-801. PN-1025
R19-3-802. PN-1025
R19-3-803. PN-1025
R19-3-804. PN-1025
R19-3-805. PN-1025
R19-3-806. PN-1025
R19-3-807. PN-1025
R19-3-808. PN-1025
R19-3-809. PN-1025
R19-3-810. PN-1025
R19-3-811. PN-1025
R19-3-812. PN-1025
R19-3-813. PN-1025

Manufactured Housing, Board of

R4-34-101. PM-551; FM-2718
R4-34-102. PM-551; FM-2718
R4-34-201. PM-551; FM-2718
R4-34-204. PM-551; FM-2718
R4-34-401. PM-551; FM-2718
R4-34-402. PM-551; FM-2718
R4-34-403. PM-551; FM-2718
R4-34-603. PM-551; FM-2718
R4-34-606. PM-551; FM-2718
R4-34-701. PM-551; FM-2718
R4-34-802. PM-551; FM-2718

Medical Board, Arizona

R4-16-201. PM-1371
R4-16-201.1. PM-1371
R4-16-201.2. PN-1371
R4-16-201.3. PN-1371
R4-16-204. PN-1371
R4-16-204.1. PN-1371
R4-16-205. PM-1371
Table 1. PM-1371

Osteopathic Examiners in Medicine and Surgery, Board of

R4-22-106. PM-1407
R4-22-202. PM-1407
R4-22-207. PM-1407
R4-22-208. PN-1407
R4-22-301. PM-1407
R4-22-302. PM-1407
R4-22-304. PM-1407
R4-22-401. PM-1407
R4-22-402. PM-1407
R4-22-501. PM-1407
R4-22-503. PM-1407
R4-22-504. PM-1407
R4-22-505. PM-1407
R4-22-506. PM-1407
R4-22-507. PM-1407
R4-22-508. PM-1407

Peace Officer Standards and Training Board, Arizona

R13-4-101. PM-2543
R13-4-110. PM-2543
R13-4-112. PM-2543
R13-4-116. PM-2543

Pharmacy, Board of

R4-23-205. FM-1649
R4-23-407. PM-715; FM-1643
R4-23-410. FM-1649
R4-23-411. FM-471
R4-23-670. FM-1649

Physicians Medical Board, Naturopathic

R4-18-101. TM-840
R4-18-603. FM-1285

Private Postsecondary Education, Board for,

R4-39-101. PM-2693
R4-39-103. PM-2693
R4-39-104. PM-2693
R4-39-105. PM-2693
R4-39-107. PM-2693
R4-39-108. PM-2693
R4-39-110. PM-2693
R4-39-113. PN-2693
R4-39-201. PM-2693
R4-39-301. PM-2693
R4-39-403. PM-2693
R4-39-404. PM-2693
R4-39-407. PM-2693
R4-39-601. PM-2693
R4-39-602. PM-2693
R4-39-603. PM-2693

Psychologist Examiners, Board of

R4-26-101. PM-831; FM-2709
R4-26-207. PM-831; FM-2709
Table 1. PM-831; FM-2709
R4-26-405. PM-831; FM-2709
R4-26-409. PM-831; FM-2709
R4-26-417. PM-831; FM-2709
Table 2. PN-831; FN-2709

Public Safety, Department of - School Buses

R13-13-301. FN-925
R13-13-302. FN-925
R13-13-303. FN-925
R13-13-304. FN-925

Racing Commission, Arizona

R19-2-101. PM-2015
R19-2-102. PM-2015
R19-2-103. PM-2015
R19-2-104. PM-2015
R19-2-105. PM-2015
R19-2-106. PM-2015
R19-2-107. PM-2015
R19-2-108. PM-2015
R19-2-109. PM-2015

R19-2-110. PM-2015
R19-2-111. PM-2015
R19-2-112. PM-2015
R19-2-113. PM-2015
R19-2-114. PM-2015
R19-2-115. PM-2015
R19-2-116. PM-2015
R19-2-117. PM-2015
R19-2-118. PM-2015
R19-2-119. PM-2015
R19-2-120. PM-2015
R19-2-121. PM-2015
R19-2-122. PM-2015
R19-2-123. PM-2015
R19-2-124. PM-2015
R19-2-125. PM-2015
R19-2-126. PM-2015
R19-2-201. PM-2015
R19-2-202. PM-2015
R19-2-204. PM-2015
R19-2-205. PM-2015
R19-2-401. PM-2065
R19-2-402. PM-2065
R19-2-403. PM-2065
R19-2-404. PM-2065
R19-2-405. PM-2065
R19-2-406. PM-2065
R19-2-407. PM-2065
R19-2-408. PM-2065
R19-2-409. PM-2065
R19-2-410. PM-2065
R19-2-411. PM-2065
R19-2-412. PM-2065
R19-2-413. PM-2065
R19-2-414. PM-2065
R19-2-415. PM-2065
R19-2-416. PM-2065
R19-2-417. PM-2065
R19-2-418. PM-2065
R19-2-419. PM-2065
R19-2-420. PM-2065
R19-2-501. PM-2065
R19-2-502. PM-2065
R19-2-503. PM-2065
R19-2-504. PM-2065
R19-2-505. PM-2065
R19-2-506. PM-2065
R19-2-507. PM-2065
R19-2-508. PM-2065
R19-2-509. PM-2065
R19-2-510. PM-2065
R19-2-511. PM-2065
R19-2-512. PM-2065
R19-2-513. PM-2065
R19-2-514. PM-2065
R19-2-515. PM-2065
R19-2-516. PM-2065
R19-2-517. PM-2065
R19-2-518. PM-2065
R19-2-519. PM-2065
R19-2-520. PM-2065
R19-2-523. PM-2065
Table 1. PM-2065
Table 2. PM-2065
Table 3. PM-2065
Table 4. PM-2065
Table 5. PM-2065
Table 6. PM-2065
Table 7. PM-2065

Retirement System Board, State

R2-8-104. FM-605
R2-8-301. PM-921; FM-1803
R2-8-304. PM-921; FM-1803
R2-8-403. FM-608
R2-8-804. PM-921; FM-1803
R2-8-807. PM-921; FM-1803
R2-8-903. FM-610

Revenue, Department of - Unclaimed Property

R15-8-101. PN-2137
R15-8-102. PN-2137
R15-8-103. PN-2137
R15-8-104. PN-2137

Technical Registration, Board of

R4-30-284. SPM-1033; FM-2309
R4-30-301. SPM-1033; FM-2309
R4-30-305. SPN-1033; FN-2309

Transportation, Department of - Commercial Programs

R17-5-202. PM-2644
R17-5-203. PM-2644
R17-5-204. PM-2644
R17-5-205. PM-2644
R17-5-208. PM-2644
R17-5-209. PM-2644
R17-5-212. PM-2644
R17-5-401. PEM-1607
R17-5-402. PEM-1607
R17-5-601. PM-1745
R17-5-602. PM-1745
R17-5-603. PM-1745
R17-5-604. PM-1745
R17-5-605. PM-1745
R17-5-606. PM-1745
R17-5-607. PM-1745
R17-5-608. PR-1745
R17-5-609. PM-1745
R17-5-610. PM-1745
R17-5-611. PM-1745
R17-5-612. PM-1745
R17-5-613. PM-1745
R17-5-614. PM-1745
R17-5-615. PM-1745
R17-5-616. PM-1745
R17-5-617. PM-1745
R17-5-618. PM-1745
R17-5-619. PM-1745
R17-5-620. PM-1745
R17-5-621. PM-1745
R17-5-622. PM-1745
R17-5-623. P#-1745; PN-1745; PM-1745
R17-5-624. PN-1745; PM-1745
R17-5-701. PR-1745
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RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states 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 notice's preamble for effective dates.

January

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

February

Date Filed		Effective Date
February 1	effective	April 2
February 2	effective	April 3
February 3	effective	April 4
February 4	effective	April 5
February 5	effective	April 6
February 6	effective	April 7
February 7	effective	April 8
February 8	effective	April 9
February 9	effective	April 10
February 10	effective	April 11
February 11	effective	April 12
February 12	effective	April 13
February 13	effective	April 14
February 14	effective	April 15
February 15	effective	April 16
February 16	effective	April 17
February 17	effective	April 18
February 18	effective	April 19
February 19	effective	April 20
February 20	effective	April 21
February 21	effective	April 22
February 22	effective	April 23
February 23	effective	April 24
February 24	effective	April 25
February 25	effective	April 26
February 26	effective	April 27
February 27	effective	April 28
February 28	effective	April 29

March

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

RULES EFFECTIVE DATES CALENDAR

April

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

May

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

June

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

RULES EFFECTIVE DATES CALENDAR

July

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

August

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

September

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

RULES EFFECTIVE DATES CALENDAR

October

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

November

Date Filed		Effective Date
November 1	effective	December 31
November 2	effective	January 1
November 3	effective	January 2
November 4	effective	January 3
November 5	effective	January 4
November 6	effective	January 5
November 7	effective	January 6
November 8	effective	January 7
November 9	effective	January 8
November 10	effective	January 9
November 11	effective	January 10
November 12	effective	January 11
November 13	effective	January 12
November 14	effective	January 13
November 15	effective	January 14
November 16	effective	January 15
November 17	effective	January 16
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November 19	effective	January 18
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November 24	effective	January 23
November 25	effective	January 24
November 26	effective	January 25
November 27	effective	January 26
November 28	effective	January 27
November 29	effective	January 28
November 30	effective	January 29

December

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

RULES EFFECTIVE DATES CALENDAR

REGISTER DEADLINES

The Secretary of State's Office publishes the *Register* weekly. There is a three-week delay between the deadline date to file a notice and the *Register* date in which the notice is published. The weekly deadline dates are listed in the first column and issue dates are provided in the second column. Listed in the third column 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*. Governor Regulatory Review Council meetings and *Register* deadlines do not correlate.

Deadline Date Friday, 5:00 p.m.	***Register* Publication Date**	**Oral Proceeding may be scheduled on or after**
August 21, 2026	September 11, 2026	October 13, 2026 Later date due to a holiday
August 28, 2026	September 18, 2026	October 19, 2026
September 4, 2026	September 25, 2026	October 26, 2026
September 11, 2026	October 2, 2026	November 2, 2026
September 18, 2026	October 9, 2026	November 9, 2026
September 25, 2026	October 16, 2026	November 16, 2026
October 2, 2026	October 23, 2026	November 23, 2026
October 9, 2026	October 30, 2026	November 30, 2026
October 16, 2026	November 6, 2026	December 7, 2026
October 23, 2026	November 13, 2026	December 14, 2026
October 30, 2026	November 20, 2026	December 21, 2026
November 6, 2026	November 27, 2026	December 28, 2026
November 13, 2026	December 4, 2026	January 4, 2027
November 20, 2026	December 11, 2026	January 11, 2027
November 27, 2026	December 18, 2026	January 19, 2027 Later date due to a holiday
December 4, 2026	December 25, 2026	January 25, 2027
December 11, 2026	January 1, 2027	February 1, 2027
December 18, 2026	January 8, 2027	February 8, 2027
December 24, 2026 Early date due to a holiday	January 15, 2027	February 16, 2027
December 31, 2026 Early date due to a holiday	January 22, 2027	February 22, 2027
January 8, 2027	January 29, 2027	March 1, 2027
January 15, 2027	February 5, 2027	March 8, 2027
January 22, 2027	February 12, 2027	March 15, 2027
January 29, 2027	February 19, 2027	March 22, 2027
February 5, 2027	February 26, 2027	March 29, 2027
February 12, 2027	March 5, 2027	April 5, 2027
February 19, 2027	March 12, 2027	April 12, 2027
February 26, 2027	March 19, 2027	April 19, 2027
March 5, 2027	March 26, 2027	April 26, 2027
March 12, 2027	April 2, 2027	May 3, 2027
March 19, 2027	April 9, 2027	May 10, 2027

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GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

MEETING DATES ARE SUBJECT TO CHANGE

The deadlines provided in the following table apply to all Five-Year Review Reports and any rulemaking notice submitted for review to the Governor's Regulatory Review Council (Council). The Office publishes these deadlines under A.R.S. § 41-1013(B)(15).

Council meetings and *Register* deadlines do not correlate.

All rulemaking notices submitted for review and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date.

The Council's office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007.

For more information, call (602) 542-2058 or visit the Council's website.

File Number: M25-79

DEADLINE FOR PLACEMENT ON AGENDA Materials must be submitted by 5 p.m. on dates listed in this column as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.	**DEADLINE FOR FINAL MATERIALS SUBMITTED TO COUNCIL**	**DATE OF COUNCIL STUDY SESSION**	**DATE OF COUNCIL MEETING**
Tuesday March 24, 2026	Tuesday April 21, 2026	Tuesday April 28, 2026	Tuesday May 5, 2026
Tuesday April 21, 2026	Tuesday May 19, 2026	Wednesday May 27, 2026	Tuesday June 2, 2026
Tuesday May 19, 2026	Tuesday June 23, 2026	Tuesday June 30, 2026	Tuesday July 7, 2026
Tuesday June 23, 2026	Tuesday July 21, 2026	Tuesday July 28, 2026	Tuesday August 4, 2026
Tuesday July 21, 2026	Tuesday August 18, 2026	Tuesday August 25, 2026	Tuesday September 1, 2026
Tuesday August 18, 2026	Tuesday September 22, 2026	Tuesday September 29, 2026	Tuesday October 6, 2026
Tuesday September 22, 2026	Tuesday October 20, 2026	Tuesday October 27, 2026	Tuesday November 3, 2026
Tuesday October 20, 2026	Tuesday November 17, 2026	Tuesday November 24, 2026	Tuesday December 1, 2026
Tuesday November 17, 2026	Tuesday December 22, 2026	Tuesday December 29, 2026	Tuesday January 5, 2027
Tuesday December 22, 2026	Tuesday January 19, 2027	Tuesday January 26, 2027	Tuesday February 2, 2027