

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

[R05-423]

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 22, Board of Osteopathic Examiners in Medicine and Surgery
Article and its heading: 2, Licensing and Time-frames (New Article)
Section numbers: R4-22-212
2. **The subject matter of the proposed rule:**
To comply with A.R.S. § 41-1073, the Board will establish the time-frame during which the Board will either grant or deny each type of license that it issues.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 11 A.A.R. 2980, August 5, 2005
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jack Confer, Executive Director
Address: Board of Osteopathic Examiners in Medicine and Surgery
9535 E. Doubletree Ranch Rd.
Scottsdale, AZ 85258-5539
Telephone: (480) 657-7703
Fax: (480) 657-7715
E-mail: Jack.confer@azosteoboard.org
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item #4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING

[R05-424]

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services – Health Care Institutions: Licensing
Article and its heading: 17, Outpatient Surgical Centers
Section numbers: R9-10-1701 through R9-10-1734 (The Department may add, delete, or modify sections as necessary.)
2. **The subject matter of the proposed rule:**
The purpose of this rulemaking is to amend minimum standards and requirements specific to outpatient surgical centers, a subclassification of health care institutions. The Department may add, delete, or modify sections as necessary.
The agency docket number, if applicable:
RE-022-05
3. **A citation to all published notices relating to the proceeding:**
None published

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

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services
1740 W. Adams, Suite 202
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Kathy McCanna, Program Manager

Address: Arizona Department of Health Services
150 N. 18th Ave., Suite 450
Phoenix, AZ 85007

Telephone: (602) 364-2841

Fax: (602) 364-4764

E-mail: mccannk@azdhs.gov

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

Written comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the addresses listed in item #4 until the close of record, which has not yet been determined. The schedule for public hearings, at which oral comments may be presented, will be included in the Notice of Proposed Rulemaking.

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

The Department has not yet determined a timetable for submitting a Notice of Proposed Rulemaking.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

[R05-435]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

2, Department of Environmental Quality – Air Pollution Control

Article and its heading:

1, General

3, Permits and Permit Revisions

4, Permit Requirements For New Major Sources and Major Modifications To Existing Major Sources

5, General Permits

Appendix 1, Standard Permit Application Form and Filing Instructions

Appendix 12, Procedures for Determining Ambient Air Concentrations for Hazardous Air Pollutants

Section numbers:

R18-2-101, R18-2-302, R18-2-304, R18-2-306.01, R18-2-317,

R18-2-330, R18-2-331, R18-2-406, R18-2-507, Appendix 1, Appendix

12 (As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

The Arizona Department of Environmental Quality is in the process of proposing rules, under a new Article of the *Arizona Administrative Code*, to implement a state hazardous air pollutants program under A.R.S. §§ 49-426.05 and 49-426.06(A)(2). As part of this rulemaking, other rules from other Articles of the A.A.C. must be amended in order to retain regulatory uniformity and reflect the addition of the new Article.

3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 10 A.A.R. 4272, October 22, 2004

Notice of Termination of Rulemaking: 11 A.A.R. 3948, October 14, 2005

Notice of Rulemaking Docket Opening: 11 A.A.R. 3976, October 14, 2005

Notice of Proposed Rulemaking: 11 A.A.R. 5038, December 2, 2005

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

Name: Kevin Force
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-4480
Fax: (602) 771-2366

5. 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 the Notice of Proposed Rulemaking

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

To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY STANDARDS**

[R05-434]

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

11, Department of Environmental Quality – Water Quality Standards

Article and its heading:

6, Impaired Water Identification

Section numbers:

R18-11-601 through R18-11-606

2. The subject matter of the proposed rule:

The Department proposes to update the Impaired Water Identification rules because it has developed more scientifically and statistically sound methods for impaired water identification and 303(d) listings. These methods are more consistent with federal assessment and 303(d) listing guidance. In 2002, the U.S. EPA partially disapproved Arizona's 2002 303(d) List and added surface waters that should have been assessed as impaired using federal guidance. EPA has indicated its intent to do the same for the 2004 list. Changes to the rules should help avoid some of these federal additions. The changes will also make minimum data requirements attainable with ADEQ's resources.

3. A citation to all published notices relating to the proceeding:

None

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

Name: Linda Taunt
Address: Arizona Department of Environmental Quality
1110 W. Washington, 5415A-1
Phoenix, AZ 85007
Telephone: (602) 771-4416 (Metro-Phoenix area) or toll free in Arizona at (800) 234-5677, ext. 4416
Fax: (602) 771-4528
E-mail: taunt.linda@azdeq.gov

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

Written comments will be accepted at the location listed in item #4 between 8 a.m. and 5 p.m., Monday through Friday. Oral comments will be accepted at the location listed in item #4 between 8 a.m. and 5 p.m., Monday through Friday. Comments will be accepted until the close of record, which has not yet been determined.

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

The Department anticipates that the Notice of Proposed Rulemaking will be filed with the Office of the Secretary of State for publication in the *Arizona Administrative Register* in March 2006, and that a Notice of Final Rulemaking will be filed by June 2006.

NOTICE OF RULEMAKING DOCKET OPENING

BANKING DEPARTMENT

[R05-422]

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 4, Banking Department
Article and its heading: 15, Collection Agencies
Section numbers: R20-4-1501, R20-4-1503, R20-4-1506, R20-4-1507, R20-4-1508, R20-4-1509, R20-4-1510, R20-4-1511, R20-4-1512, R20-4-1513, R20-4-1514, R20-4-1515, R20-4-1516, R20-4-1517, R20-4-1518, R20-4-1519, R20-4-1520, R20-4-1521
- 2. The subject matter of the proposed rule:**
These Sections control the conduct of the collection agency business in Arizona. On November 7, 2000, the Council approved the Department's five-year review report. In that report, the Department promised to revise or repeal several Sections of Article 15. This rulemaking is to fulfill that promise. This subject matter was dealt with in a proceeding for which the Notice of Rulemaking Docket Opening has lapsed.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 8 A.A.R. 2177, May 17, 2002
Notice of Rulemaking Docket Opening: 10 A.A.R. 3193, August 13, 2004
Notice of Proposed Rulemaking: 10 A.A.R. 3181, August 13, 2004
Notice of Proposed Rulemaking: 11 A.A.R. 5088, December 2, 2005
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: John P. Hudock
Address: Banking Department
2910 N. 44th St., Suite 310
Phoenix, AZ 85018-7270
Telephone: (602) 255-4421, ext. 167
Fax: (602) 381-1225
E-mail: jhudock@azbanking.com
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Department accepts written comments during business hours at the address stated in item #4 of this notice. Comments are welcome at any time until the close of the record in this proceeding. The date for closure of the record depends on the publication date of the actual proposed rules, which has not yet occurred. Notice of any opportunity to make public oral comment will be published as required by law.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
No timetable has been projected or established. By June 2005 the department expects to submit the text of final rules to the Council.

NOTICE OF RULEMAKING DOCKET OPENING

INDUSTRIAL COMMISSION OF ARIZONA

[R05-426]

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 5, Industrial Commission of Arizona
Article and its heading: 10, Wage Claims
Section numbers: R20-5-1001 through R20-5-1009
- 2. The subject matter of the proposed rule:**
The proposed rule amends the existing rules and makes new rules pertaining to the filing and processing of wage claims before the Industrial Commission of Arizona.
The agency docket number, if applicable:
None
- 3. A citation to all published notices relating to the proceeding:**
None

Notices of Rulemaking Docket Opening

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

Name: Patricia K. Husbands, Esq.
Legal Division
Industrial Commission of Arizona

Address: 800 W. Washington St., Suite 303
Phoenix, AZ 85007

Telephone: (602) 542-5906

Fax: (602) 542-6783

E-mail: phusbands@ica.state.az.us

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

Written and oral comments will be accepted as set forth in the Notice of Proposed Rulemaking.

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

Agency decisions or other actions will occur as set forth in the Notice of Proposed Rulemaking.