

# NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKING

After an agency has filed a Notice of Proposed Rulemaking with the Secretary of State's Office for *Register* publication and the agency decides to make substantial changes to the rule after it is proposed, the agency must prepare a Notice of Supplemental Proposed Rulemaking for submission to the Office, and the Secretary of State shall publish the Notice under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.). Publication of the Notice of Supplemental Proposed Rulemaking shall appear in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

## NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

### TITLE 4. PROFESSIONS AND OCCUPATIONS

#### CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

*Editor's Note: The following Notice of Supplemental Proposed Rulemaking was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1157.) The Governor's Office authorized the notice to proceed through the rulemaking process on November 16, 2010.*

[R12-66]

#### PREAMBLE

**1. Citations to the agency's Notice of Rulemaking Docket Opening, the Notice of Proposed Rulemaking, and any other Notices of Supplemental Proposed Rulemaking (if applicable) as published in the Register as specified in R1-1-409(A). A list of any other related notices published in the Register to include the as specified in R1-1-409(A):**

Notice of Rulemaking Docket Opening: 17 A.A.R. 4, January 7, 2011

Notice of Proposed Rulemaking: 17 A.A.R. 4, January 13, 2012

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

R4-30-103	Amend
R4-30-122	Amend
R4-30-204	Amend
R4-30-212	Amend
R4-30-214	Amend
R4-30-271	Amend
R4-30-272	Amend
R4-30-301	Amend
R4-30-305	Amend

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

Authorizing statute: A.R.S. §§ 32-106(A)(1) and (9), and 32-106(F)

Implementing statutes: A.R.S. §§ 32-122.01, 32-122.03, 32-122.04, 32-123, 12-990, 12-1000

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

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 An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

The State Board of Technical Registration (Board) is charged with protecting the health, safety, and welfare of the public. Toward this end, the Board examines, registers, and issues registrations and certificates to architects, assayers, clandestine drug lab remediation firms and their employees, certified remediation specialists, engineers, geologists, home inspectors, landscape architects, and land surveyors. Pursuant to A.R.S. § 32-106(A)(1), the Board has authority to adopt rules for the "performance of duties imposed upon it by law." The subject rulemaking is submitted pursuant to that authority.

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This rulemaking proposes to amend nine of the Board's rules. A.A.C. R4-30-305, Drug Laboratory Site Remediation Best Standards and Practices, requires the most significant modification, in order to incorporate new techniques to ensure that seized, illegal drug labs are cleaned thoroughly, and according to improved industry standards. Corresponding rules, A.A.C. R4-30-103, A.A.C. R4-30-271, and A.A.C. R4-30-272, should also be modified to accurately reflect these changing standards. The Board proposes to add required details regarding the materials incorporated by reference contained in these rules.

A.A.C. R4-30-122, the Board's Subpoena rule, must be modified to remove the outdated phrase "Hearing Officer" and affirm the Board's power to issue investigative subpoenas.

A.A.C. R4-30-204 should be modified in order to address a conflict that has arisen between the Board's rule, which requires that Architect applicants pass the national examination required for registration (the Architect Registration Examination,) within five years of first *taking* any division of it, and the new national standard, which provides architect candidates with five years to successfully complete the national examination from the date of *passing* the first of the examination's seven sections. The new national standard allows applicants a longer period of time to pass the competency examination than the Board's rule.

A.A.C. R4-30-212, and A.A.C. R4-30-214 must be modified to reflect the changes proposed in A.A.C. R4-30-204, and to more accurately define and distinguish the Architect In-Training Designation from Architect Registration. The Board has historically offered candidates who have not yet met the required 96 months of experience needed for architect registration the option of obtaining Architect In-Training designation.

Finally, A.A.C. R4-30-301 should be modified to remove and replace a reference to an incorrect web site regarding the Arizona association of land surveyors.

The Governor's Office has reviewed and granted the Board's request for an exemption to the Rules Moratorium, in place since 2009, in order to allow the Board to amend these rules to better protect the public's health, safety and welfare.

**6. 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:**

This rulemaking references an article entitled, "Support for Selection of a Cleanup Level for Methamphetamine at Clandestine Drug Laboratories," by the Colorado Department of Public Health, published in February 2005. The public may obtain or review the study, all underlying data and any analysis of the study at: <http://www.cdphe.state.co.us/hm/methlabcleanuplvlsupport.pdf>. The Board reviewed this study but did not rely upon it when determining to raise the remediation clearance level of methamphetamine from 0.1 to 1.5 in R4-30-305.

This rulemaking references an article entitled, "Development of a Reference Dose (RfD) for Methamphetamine" and "Assessment of Children's Exposure to Surface Methamphetamine Residues in Former Clandestine Methamphetamine Labs, and Identification of a Risk Based Cleanup Standard for Surface Methamphetamine Contamination," published by the Office of Environmental Health Hazard Assessment (OEHHA), Integrated Risk Assessment Branch, California Environmental Protection Agency, state of California, in February 2009. The Board relied upon these articles and the studies cited in them when it determined to raise the remediation clearance level of methamphetamine from 0.1 to 1.5 in R4-30-305. The public may obtain or review the studies, all underlying data and any analysis at: <http://www.calepa.ca.gov>.

**7. An explanation of the substantial change which resulted in the supplemental notice:**

In the Notice of Supplemental Proposed Rulemaking, proposed A.A.C. R4-30-212 now includes a new subsection (D), which explains how the public can apply and qualify for the Architect In-Training designation. This subsection was not included in the Notice of Proposed Rulemaking, published in the *Register* in January 2012. Similarly, proposed A.A.C. R4-30-214 includes a new subsection (C), which explains the requirements for Architect Registration the Notice of Supplemental Proposed Rulemaking. Finally, in proposed A.A.C. R4-30-204, geologists have been removed from subsection (C) because they do not apply directly to a national council to take their licensing exam; they apply to the Board, and the Board administers the geology licensing exam.

**8. A showing of good cause why the rule 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

**9. A preliminary summary of the economic, small business, and consumer impact:**

The Board expects that updating the rules will benefit all parties involved in its regulatory processes. The proposed rulemaking would clarify requirements for architect applicants seeking professional registration as well as those registrants working to clean up illegal drug labs.

The proposed rule changes will not impose significant additional costs for small business.

Updating the techniques used to clean illegal drug labs is not expected to impose significant costs on certificate holders or their employees. Architects will benefit from the adoption of the national standard for completion of the Architect Registration Examination.

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The proposed rulemaking would tighten language relating to enforcement and clarify compliance requirements, which the Board expects to affect registrants and small businesses positively.

The proposed rulemaking is not expected to have a significant negative impact on the following sectors of the economy: 1) the competitiveness of professionals in Arizona compared to their counterparts from other states; 2) the prices of goods and services in the state; 3) state revenues. The additional administrative costs to state agencies, such as to the Board, the Secretary of State's Office, and the Governor's Regulatory Review Council, are not expected to be significant.

**10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:**

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**11. The time, place, and nature of the proceedings to make, amend, renumber or repeal the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the supplemental proposed rule:**

No proceeding is scheduled. Written and/or oral comments will be accepted at the Board's office between 8:00 a.m. and 5:00 p.m., Monday through Friday, at 1110 W. Washington St., Suite 240, Phoenix, AZ 85007, for 30 days from the date these supplemental proposed rules are published in the *Register*.

**12. 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:**

**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:**

A.A.C. R4-30-305 does not require a permit because A.A.C. R4-30-270 requires remediation firms, workers and supervisors to be licensed by the Registrar of Contractors to perform activities required for remediations. None of the Board's other proposed rule changes require permitting.

**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:**

Federal law relating to remediating hazardous waste is applicable to the subject of the proposed rules changes, but this proposed rulemaking is not more stringent.

**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 one submitted analyses to the Board that compare the proposed rules' impact on business in this state or other states.

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

As contained in proposed rule **R4-30-103**:

- **(A)(2)**: Asbestos Hazard Emergency Response Act of 1986, 40 CFR 763.92, effective November 15, 2000. 65 FR 69216.
- **(A)(16)**: EPA Method 8015B.
- **(A)(17)**: EPA Method 6010B.
- **(A)(18)**: EPA Method 8260B.
- **(A)(26)**: "Hazardous Waste" as defined in 40 CFR 261.3, effective December 3, 2001. 66 FR 60153.
- **(A)(27)**: "Hazardous Waste Operations Training" as defined in 29 CFR 1910.120(e), effective November 7, 2002. 67 FR 67964.

As contained in proposed rule **R4-30-271(A)(11)**:

- 29 CFR 1926.62(l), effective January 8, 1998. 63 FR 1296.

As contained in proposed rule **R4-30-301(13)**:

- Arizona Professional Land Surveyors Association Arizona Boundary Survey Minimum Standards

**14. The full text of the rules to be amended follows:**

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**ARTICLE 1. GENERAL PROVISIONS**

Section	
R4-30-103.	Drug Laboratory Site Remediation Definitions
R4-30-122.	Issuance of Subpoenas

**ARTICLE 2. REGISTRATION PROVISIONS**

Section	
R4-30-204.	Examinations
R4-30-212.	Architect-in-training Designation
R4-30-214.	Architect Registration
R4-30-271.	<del>On-site</del> <u>Onsite</u> Supervisor Certification and Renewal
R4-30-272.	<del>On-site</del> <u>Onsite</u> Worker Certification and Renewal

**ARTICLE 3. REGULATORY PROVISIONS**

Section	
R4-30-301.	Rules of Professional Conduct
R4-30-305.	Drug Laboratory Site Remediation Best Standards and Practices

**ARTICLE 1. GENERAL PROVISIONS**

**R4-30-103. Drug Laboratory Site Remediation Definitions**

In addition to the definitions provided in A.R.S. §§ 12-990, 32-101, and R4-30-101, the following definitions shall apply only to drug laboratory site remediation requirements in this Chapter:

1. "ADHS" means the Arizona Department of Health Services.
2. "AHERA" means the Asbestos Hazard Emergency Response Act of 1986 training provisions contained in 40 CFR 763.92, effective November 15, 2000, 65 FR 69216, the provisions of which are incorporated by reference ~~and on file with the Secretary of State. This rule does not include any~~ The incorporated by reference material does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.
3. "AWQS" means the Arizona Aquifer Water Quality Standards contained in A.A.C. R18-11-406, effective December 31, 2002, the provisions of which are incorporated by reference, ~~and on file with the Secretary of State.~~ This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
4. "Background concentration" means the level of naturally occurring contaminant in soil.
5. "Certificate" or "certificates" means registrations or certifications issued to ~~on-site onsite~~ workers or ~~on-site/ remediation onsite~~ supervisors by the Board.
6. "Certified Industrial Hygienist" means a person certified in the comprehensive practice of industrial hygiene by the American Board of Industrial Hygiene.
7. "Certified Safety Professional" means a person certified in safety practices and procedures by the Board of Certified Safety Professionals.
8. "Chain-of-custody protocol" means a procedure used to document each person that has had custody or control of an environmental sample from its source to the analytical laboratory, and the time of possession of each person.
9. "Characterize" means to determine the quality or properties of a material by sampling and testing to determine the concentration of contaminants, or specific properties of the material such as flammability or corrosiveness.
10. "Combustible" means vapor concentration from a liquid that has a flash point greater than 100° F.
11. "Confirmation sampling of remedial projects" means collecting ~~materials~~ material samples after a remedial effort to confirm that the remedial effort reduced contaminant concentrations or material properties to below the remedial standard.
12. "Contamination" or "contaminated" means the state of being impacted or polluted by hazardous or petroleum substances or chemicals.
13. "Corrosive" means a material such as acetic acid, acetic anhydride, acetyl chloride, ammonia (anhydrous), ammonium hydroxide, benzyl chloride, dimethylsulfate, formaldehyde, formic acid, hydrogen chloride/hydrochloric acid, hydrobromic acid, hydroiodic acid, hydroxylamine, methylamine, methylene chloride (dichloromethane, methylene dichloride), methyl methacrylate, nitroethane, oxalylchloride, perchloric acid, phenylmagnesium bromide, phosphine, phosphorus oxychloride, phosphorus pentoxide, sodium amide (sodamide), sodium metal, sodium hydroxide, sulfur trioxide, sulfuric acid, tetrahydrofuran, or thionyl chloride that increases or decreases the pH of a material and may cause degradation of the material.
14. "Delineated" means to determine the extent of a contaminant by sampling, testing, and showing the size and shape of the contaminant plume on a drawing.
15. "EPA" means the United States Environmental Protection Agency.
16. "EPA Method 8015B" means the EPA approved method for determining the concentration of various non-haloge-

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nated volatile organic compounds and semi-volatile organic compounds by gas chromatography/flame ionization detector. The EPA first published the report, SW-846, in Ch. 4.3.1, citing this Method in the South West Region, in December 1996. It is incorporated by reference. The incorporated by reference material does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.

17. "EPA Method 6010B" means the EPA approved method for determining the concentration of various heavy metals by inductively coupled plasma. The EPA first published the report, SW-846, in Ch. 3.3, citing this Method in the South West Region, in December 1996. It is incorporated by reference. The incorporated by reference material does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.
18. "EPA Method 8260B" means the EPA approved method for determining the concentration of various volatile organic compounds by GC/MS. The EPA first published the report, SW-846, in Ch. 4.3.2, citing this Method in the South West Region, in December 1996. It is incorporated by reference. The incorporated by reference material does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.
19. "Exposed" means open to the atmosphere and not covered by a non-porous material.
20. "Final Report" means the report required in ~~R4-30-305(R)~~ R4-30-305(D).
21. "FID" means flame ionization detector.
22. "Flammable" means vapor concentration from a liquid that has a flash point less than 100° F.
23. "GC/MS" means gas chromatograph/mass spectrometer.
24. "Hazardous chemical decontamination projects" means work or services related to the remediation, removal, or clean-up of hazardous chemicals, hazardous substances, petroleum substances, or other hazardous materials.
25. "Hazardous substance" means red phosphorous, iodine crystals, tincture of iodine, methamphetamine, ephedrine, pseudoephedrine, volatile organic compounds, corrosives, LSD, ecstasy, lead, mercury, and any other chemical used at a clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.
26. "Hazardous waste" means toxic materials to be discarded as defined in 40 CFR 261.3, and 66 FR 60153, effective December 3, 2001, and originally published by the U.S. Government Printing Office in Washington, D.C. The text of this regulation is the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available in the office of the Board of Technical Registration.
27. "HAZWOPER" means Hazardous Waste Operations Training as defined in 29 CFR 1910.120(e), and 67 FR 67964, effective November 7, 2002, and originally published by the U.S. Government Printing Office in Washington, D.C. The text of this regulation is the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
28. "HEPA" means high-efficiency particulate air.
29. "Highly suggestive of contamination" means visible or olfactory indication of contamination, or locations within 10 feet of areas where hazardous substances were stored or used to manufacture methamphetamine, LSD, or ecstasy and could likely be contaminated with hazardous substances, unless separated by a full-height, non-porous wall with no openings.
30. "Impacted groundwater" means water present beneath ground surface that contains hazardous or petroleum substances at concentrations above background concentrations.
31. "Impacted soil" means soil that contains hazardous or petroleum substances at concentrations above background concentrations.
32. "Inaccessible" means unable to be reached without removal of a construction material or component.
33. "LEL/O<sub>2</sub>" means lower explosive limit/oxygen.
34. "Laboratory detection limit" means the lowest concentration of a hazardous or petroleum substance that can be reliably quantified or measured by an analytical laboratory under ideal operating conditions for a particular test method on a sample.
35. "Negative pressure enclosure" means an air-tight enclosure using a local exhaust and HEPA filtration system to maintain a lower air pressure in the work area than in any adjacent area and to generate a constant flow of air from the adjacent areas into the work area.
36. "Non-porous" means resistant to penetration of hazardous substances or non-permeable substance or materials, such as concrete floors, wood floors, ceramic tile floors, vinyl tile floors, sheet vinyl floors, painted drywall or sheet rock walls or ceilings, doors, appliances, bathtubs, toilets, mirrors, windows, counter-tops, sinks, sealed wood, metal, glass, plastic, and pipes.
37. "Personal protective equipment" means various types of clothing such as suits, gloves, hats, and boots, or apparatus such as face masks or respirators designed to prevent inhalation, skin contact, or ingestion of hazardous chemicals.
38. "Personnel decontamination procedures" means procedures used to clean or remove potential contamination from personal protective equipment.

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39. "PID" means photo ionization detector.
40. "Porous" means easily penetrated or permeated by hazardous substances or permeable substances or materials such as carpets, draperies, bedding, mattresses, fabric covered furniture, pillows, drop ceiling or other fiber-board ceiling panels, cork paneling, blankets, towels, clothing, and cardboard.
41. "Properly disposed of" means to discard at a licensed facility in accordance with all applicable laws and not reused or sold, or metal recycled by giving or selling to a licensed recycling facility for scrap metal.
42. "Remedial standard" or "remediation standard" means the level or concentration to be achieved by the drug laboratory site remediation firm as defined in R4-30-305(C)(2) ~~or and (C)(3) (4)~~.
43. "Remediated" or "remediation" means treatment of the residually contaminated portion of the real property by a drug laboratory site remediation firm to reduce contaminant concentrations below the remedial standards.
44. "Residual contamination" means contamination resulting from spills or releases of hazardous or petroleum substances.
45. "Return air housing" means the main portion of an air ventilation system where air from the livable space returns to the air handling unit for heating or cooling.
46. "Reusable" means not disposable or equipment that can be used more than one time for sampling after cleaning.
47. "Sample location" means the actual place where an environmental sample was obtained.
48. "Shoring plan" means a written description or drawing that shows the structural supports required to safely occupy the building during remediation.
49. "Seepage pit" means a hole in the ground used to dispose of septic fluids.
50. "Services" means the activities performed by the drug laboratory site remediation firm in the course of remediating residual contamination from the manufacturing of methamphetamine, ecstasy, or LSD, or from the storage of chemicals used in manufacturing methamphetamine, ecstasy, or LSD.
51. "SRL" means the Arizona residential soil remediation levels contained in A.A.C. ~~R18-7-204~~, R18-7-210 and Appendices A and B, effective September 30, 2002, the provisions of which are incorporated by reference ~~and on file with the Secretary of State~~. This rule does not include any later amendments or editions of the incorporated matter. Copies of this rule are available at the office of the Board of Technical Registration.
52. "Temporary filter media" means a device used to filter or clean air.
53. "Toxic" means hazardous substances that can cause local or systemic detrimental effects to people.
54. "VOA" means volatile organic analyte.
55. "VOCs" means volatile organic compounds or chemicals that can evaporate at ambient temperatures such as acetone, acetonitrile, aniline, benzene, benzaldehyde, benzyl chloride, carbon tetrachloride, chloroform, cyclohexanone, dioxane, ethanol, ethyl acetate, ethyl ether, Freon 11, hexane, isopropanol, methanol, methyl alcohol, methylene chloride, naphtha, nitroethane, petroleum ether, petroleum distillates, pyridine, toluene, o-toluidine, and any other volatile organic chemical used at the clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.
56. "Waste" means refuse, garbage, or other discarded material.

**R4-30-122. Issuance of Subpoenas**

Any party desiring the Board ~~or its hearing officers~~ to issue a subpoena shall make application, stating the substance of the testimony expected of the witness or the relevancy of the evidence to be produced. If the testimony or evidence appears to the Board ~~or its hearing officer~~ to be material and necessary, a subpoena shall be supplied. The affixing of the seal of the Board and the signature of the Chairman, Secretary, Executive Director, ~~or administrative law judge~~ shall be sufficient attestation of the same. The party applying for the subpoena shall pay for service of the subpoena. A party is considered served at the time of personal service or mailing of the document by certified mail that is addressed to the person's last known address of record on file with the Board.

**ARTICLE 2. REGISTRATION PROVISIONS**

**R4-30-204. Examinations**

- A. ~~An applicant with at least 72 but less than 96 months of required education and experience who wishes to sit for the professional examination for architecture, assaying, engineering, geology, landscape architecture, or land surveying shall submit an original and one copy of a completed application package for professional examination that contains the following:~~ Board Review For Examination Equivalency: Applicants who wish to sit for professional examination who do not possess an educational degree recognized by the appropriate national council shall submit to the Board the following information for approval:
  1. Name, residence address, mailing address if different from residence, and telephone number, ~~of the applicant;~~
  2. Date of birth and ~~social security~~ Social Security number ~~of the applicant;~~
  3. Citizenship ~~Proof of citizenship~~ or legal residence;
  4. Category, and branch of engineering if applicable, ~~for which the applicant is seeking registration;~~
  5. Name, mailing address, years attended, graduation date, major, and type of degree received from each college, university, or educational institution ~~the applicant attended;~~
  6. Certified transcripts sent directly to the Board from the registrar of each college, university, or educational institution ~~the applicant attended;~~

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7. Evidence of ~~72~~ at least 60 months of required education ~~or~~ and/or experience in the category for which registration is sought.
    - a. The name, current address, and telephone number of the applicant's current and former employers in the category for which registration is sought;
    - b. ~~dates~~ Dates of employment;
    - c. ~~applicant's~~ Applicant's title;
    - d. ~~description~~ Description of work performed; and
    - e. ~~number~~ Number of hours worked per week;
  8. Names and addresses of applicant's immediate supervisors in past and present employment in the category for which registration is sought. If an applicant cannot supply the names and addresses of supervisors for at least three engagements, the applicant shall provide to the Board a written, sworn statement explaining the inability to provide this information, and the names and addresses of three additional references, unrelated to the applicant, at least two of whom are registered in the category for which registration is sought;
  9. A release authorizing the Board to investigate the applicant's education and experience;
  10. Certificate of Experience Record and Reference Forms from the applicant's present and past immediate supervisors. The applicant shall also provide Certificate of Experience Record and Reference Forms from additional references as required by the Board. The applicant shall provide the name, address, and telephone numbers of all references. The applicant shall ensure that completed reference forms are provided to the Board;
  11. Evidence of successful completion, or waiver by the Board, of the applicable in-training examination. An applicant who has successfully completed an in-training examination in another jurisdiction in the category for which registration is sought equivalent to the examination for that category administered in Arizona shall submit proof of examination directly from the authority that administered the original examination. ~~An applicant seeking professional registration as an architect, or landscape architect may take the in-training examination at the same time as the professional examination.~~ An applicant seeking professional registration as an assayer, engineer, geologist, or land surveyor shall pass the applicable in-training examination before admission to the professional examination;
  12. Certification that the information provided to the Board is accurate, true, and complete; and
  13. The applicable fees.
- ~~B.~~ An applicant with at least 96 months of required education and experience who wishes to sit for the professional examination for architecture, assaying, engineering, geology, landscape architecture, or land surveying may submit a combined application for examination and registration that contains the information required in subsection (A) and R4 30 201, and shall pay the applicable fee.
- ~~C.B.~~ The Board staff shall review all applications and, if necessary, refer completed applications to an advisory committee for evaluation. If the application for examination is complete and in the proper form and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible to take the examination, the Board staff or committee shall recommend that the Board certify the applicant as eligible to take the examination ~~or exempt from the examination requirement.~~ If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true or that the applicant is eligible in all respects for examination, the Board staff shall make a further investigation of the applicant.
- C. National Council Examinations:
1. Applicants for architect, landscape architect, engineer, or land surveyor registration who wish to sit for a professional examination, and who have earned an educational degree recognized by the appropriate national council, may apply directly to the applicable national council to take that exam.
  2. Applicants not possessing the appropriate degree may apply to the Board for examination approval and after Board review, may be recommended to the appropriate national council for entry into the applicable national examination. Applicants must meet all national council requirements for successful completion of applicable examinations.
  3. An applicant for professional examination in any category must take the examination within one year after receiving approval. If an applicant fails to take an examination within one year after receiving approval, the applicant must submit a new application for professional examination to the Board.
- ~~F.4.~~ An applicant ~~except for a home inspector applicant,~~ who has failed any division of a national multi-divisional examination shall be required to meet the applicable national council's requirements for successful completion of the examination, re-examined only on the division(s) failed. The applicant shall submit a new application for examination, and retake and pass any division of the examination, ~~except the in-training examination,~~ with results that are five or more years old.
- ~~F.5.~~ Examinations administered by a national council of which the Board is a member, or a professional association approved by the Board, shall be given at the times and places determined by the testing agency. Once approved to sit for a non-Board-administered examination, the applicant shall communicate all questions and concerns regarding extensions, additional time, special accommodation, re-examination, exam review and refunds to the applicable testing agency. The Board shall not refund any examination fee paid to a testing agency.
- D. Board Administered Examinations:
- ~~D.1.~~ An examination administered by the Board shall be given at the times and places determined by the Board. Once the

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Board approves an applicant to sit for a Board-administered examination, the applicant shall communicate all questions and concerns regarding extensions, special accommodations and refunds to the Board. The applicant shall make any request for additional time or other special examination accommodation to the Board within a reasonable time before the examination date.

- ~~E.2.~~ An applicant who fails to achieve a passing grade on any division of any examination administered by the Board may request re-examination by notifying the Board in writing of the applicant's desire to re-take the examination and paying the applicable examination fee. An applicant who re-takes any examination shall advise the Board of any changes in the information provided under subsection (A) of this Section and R4-30-202(B) within 30 days from the date of the change. The Board shall close an applicant's file if the Board does not receive written confirmation from the applicant of the applicant's desire to re-take the Board-administered examination within one year from the request for re-examination. An applicant whose file has been closed and who later wishes to apply for examination shall submit a new examination application package to the Board.
- ~~G.3.~~ An applicant for a Board-administered examination who wishes to review the applicant's examination scores shall file a written request with the Board within 30 days after receiving notification of the failing grade. The applicant may review an examination by making prior arrangements with the staff and paying the applicable fee. The applicant shall complete any review within 60 days of the request for a review. In reviewing multiple choice questions, an applicant may review only those questions that were incorrect.
- ~~H.4.~~ An applicant who desires a re-grade of an a Board-administered examination and, where applicable, has exhausted all remedies for re-grading with the applicable testing agency, shall file a written request with the Board within 30 days after receiving notification of the failing grade or within 30 days after reviewing the examination, whichever is applicable, and pay the applicable fee. The applicant shall identify the questions to be reviewed. The applicant shall state why a review of the item is justified. The applicant shall provide specific facts, data, and references to support any assertion that the solution deserves more credit. The Board shall determine whether it will re-grade the examination.
- ~~J.5.~~ The Board shall ~~deny~~ close an application for ~~registration examination as a architect, assayer, engineer, geologist, landscape architect, or land surveyor~~ if the applicant fails to pass all divisions of the applicable examination within five years after first ~~taking passing~~ any division of the examination unless the Board approves an extension.
6. If an applicant for professional examination fails to take the examination within five years from the examination approval date, the Board shall close the application. The applicant will have to submit a new application to take the applicable examination to the Board.

**R4-30-212. Architect-in-training Designation**

- ~~A.~~ To qualify for admission to the ~~in-training examination~~ Architect Registration Examination solely on the basis of education, an applicant shall be a graduate of a ~~five-year~~ an architectural degree program accredited at the time of graduation by the National Architectural Accrediting Board (NAAB).
- ~~B.~~ To qualify for admission to the ~~in-training examination,~~ Architect Registration Examination, an applicant who is not a graduate of a ~~five-year~~ NAAB-accredited degree program shall have at least five years of education or experience or both directly related to the practice of architecture. Experience directly related to the practice of architecture of a character satisfactory to the Board includes but is not limited to the following:
1. Consultation: The active involvement in meetings, discussions, or the development of reports intended to provide information, facts or advice for the purpose of planning, designing or locating buildings, structures, alterations or construction projects.
  2. Evaluation: The analysis of client's requirements involving space relations, expansion needs, site requirements and flexibility, which serves as a basis for the development of appropriate design objectives.
  3. Site design: Design experience including the utilization of land, placement of structures, form relationships, traffic patterns, parking facilities and utility systems based upon an analysis of surface and subsurface conditions, ecological requirements and the requirements imposed by law.
  4. Building design: Design experience including the preparation of architectural, structural and interior drawings and the development of specifications, and the selection and layout of building systems involving structural, mechanical, electrical, civil and interior considerations.
  5. Construction review: The review or supervision of construction to ensure conformance with architectural or contract specifications or requirements (maximum 12 months' credit).
  6. Administration: Administrative experience including office and field administration, field testing, quotation requests, change orders, cost accounting and project closeouts (maximum 12 months' credit).
  7. Editing or writing: The editing or writing for publication of articles, books, newsletters or other written materials on architectural subjects (maximum six months' credit).
  8. Subprofessional experience: As defined in rule R4-30-101 (maximum six months' credit).
- ~~C.~~ An applicant shall successfully complete the ~~architect in-training examination~~ Architect Registration Examination designated by the Board and provided by the National Council of Architectural Registration Boards.
- ~~D.~~ An applicant who has completed the Architect Registration Examination and/or the Intern Development Program, but cannot demonstrate completion of the required 96 months of education and/or experience for registration, may apply for



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the Architect In-Training designation.

**R4-30-214. Architect Registration**

An applicant for architect registration shall complete all of the following:

- ~~A.1.~~ An applicant shall provide evidence of successful completion of the National Council of Architectural Registration Boards (NCARB) ~~Internship~~ Intern Development Program (IDP) training requirement, ~~or diverse work experience substantially equal to that program that is of a character acceptable to the Board, and which includes, but is not limited to, each of the following areas. The total minimum experience shall not be less than 4,680 hours and not less than the minimum hour totals for each activity shown below:~~

<u>Activity</u>	<u>Minimum Hour Totals:</u>
<del>1. Programming</del>	<del>80</del>
<del>2. Site and Environmental Analysis</del>	<del>80</del>
<del>3. Schematic Design</del>	<del>120</del>
<del>4. Engineering Systems Coordination</del>	<del>120</del>
<del>5. Building Cost Analysis</del>	<del>80</del>
<del>6. Code Research</del>	<del>120</del>
<del>7. Design Development</del>	<del>320</del>
<del>8. Construction Documents</del>	<del>1,080</del>
<del>9. Specifications and Material Research</del>	<del>120</del>
<del>10. Document Checking and Coordination</del>	<del>80</del>
<del>11. Bidding and Contract Negotiation</del>	<del>80</del>
<del>12. Construction Phase Office</del>	<del>80</del>
<del>13. Construction Phase Field Observation</del>	<del>120</del>
<del>14. Project Management</del>	<del>120</del>
<del>15. Office Management</del>	<del>80</del>

- ~~B.2.~~ An applicant shall successfully complete the professional architect examination designated by the Board and provided by the National Council of Architectural Registration Boards.

3. An applicant must demonstrate 96 months of architectural education and/or experience satisfactory to the Board prior to being granted registration.

**R4-30-271. ~~On-site~~ Onsite Supervisor Certification and Renewal**

A. An applicant for ~~on-site~~ onsite supervisor certification shall submit an original and one copy of a completed application package containing ~~that contains~~ the following:

1. Name, residence address, mailing address if different from residence address, and telephone number;
2. Date of birth and ~~social security~~ Social Security number of the applicant;
3. ~~Citizenship~~ Proof of citizenship or legal residence;
4. State or jurisdiction in which any other professional or occupational certification, registration, or license is held by the applicant, type of certification, registration, or license, number, and year granted;
5. ~~The name~~ Name of the state or jurisdiction, the type of professional or occupational certification, registration, or license the applicant is seeking, and the status of any professional or occupational certification, registration, or license application pending in any state or jurisdiction;
6. A detailed explanatory statement, regarding:
  - a. ~~Refusal~~ Denial of professional or occupational certification, registration, or license by any state or jurisdiction;
  - b. Any pending disciplinary action in any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant;
  - c. Any alias or other name used by the applicant;
  - d. Any conviction for a felony or misdemeanor, other than a minor traffic violation; and
  - e. Any disciplinary action taken by any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant in any state or jurisdiction.
7. Certification that the information provided to the Board is accurate, true, and complete;
8. A copy of a current 40-hour HAZWOPER training certificate or a copy of a current ~~8-hour~~ eight-hour HAZWOPER refresher certificate and a copy of a 40-hour HAZWOPER training certificate;
9. Documentation of 12 months or more of ~~on-site~~ onsite experience in hazardous chemical decontamination projects and a copy of a HAZWOPER certificate that shows the applicant held valid HAZWOPER certification during the 12 months of experience;
10. Documentation of current AHERA contractor or supervisor certification or a copy of a current AHERA refresher certificate and a copy of an AHERA contractor or supervisor training certificate;
11. Documentation of successful completion of a lead training course that meets the requirements of 29 CFR 1926.62(l), 63 FR 1296, originally published by the Government Printing Office in Washington, D.C. and effective January 8, 1998, ~~the~~ The provisions of this rule which are incorporated by reference and ~~on file with the Secretary of State,~~ copies of which are available at the office of the Board of Technical Registration;

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12. Documentation of successful completion of an eight-hour training course approved by the Board that encompasses the following:
    - a. Clandestine drug laboratory site remediation best standards and practices contained in R4-30-305;
    - b. Chemical and physical hazards of a clandestine drug laboratory;
    - c. Typical manufacturing methods for methamphetamine, LSD, and ecstasy;
    - d. Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;
    - e. Potential sharps and biohazards at a clandestine drug laboratory;
    - f. Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and
    - g. Other potential hazards or dangers that can be associated with a clandestine drug laboratory;
  13. Documentation of successful completion of an eight-hour training course approved by the Board that encompasses the following:
    - a. Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site;
    - b. Assessing residual contamination;
    - c. Preparing the work plans for remediation of a clandestine drug laboratory;
    - d. Assessing structural stability for safe entry into a clandestine drug laboratory site;
    - e. Characterizing waste from the remediation of a clandestine drug laboratory; and
    - f. Preparing final reports on the remediation of the clandestine drug laboratory;
- ~~12-14.~~ A signed release authorizing the Board to investigate the applicant's education, experience, and good moral character and repute; and
- ~~13-15.~~ The applicable fee.
- B. Beginning September 30, 2003, an An applicant for renewal of ~~on-site~~ onsite supervisor certification shall submit an application package that contains:**
1. A completed renewal application form provided by the Board, signed and dated by the registrant that provides the information contained in subsections (A)(1), (2), (6), and (7);
  2. A copy of the registrant's current ~~8-hour~~ eight-hour HAZWOPER refresher certificate;
  3. A copy of the registrant's current AHERA refresher certificate;
  4. ~~For the first annual renewal, documentation of successful completion of an 8 hour training course approved by the Board that encompasses the following:~~
    - a. ~~Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;~~
    - b. ~~Chemical and physical hazards of a clandestine drug laboratory;~~
    - c. ~~Typical manufacturing methods for methamphetamine, LSD, and ecstasy;~~
    - d. ~~Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;~~
    - e. ~~Potential sharps and biohazards at a clandestine drug laboratory;~~
    - f. ~~Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and~~
    - g. ~~Other potential hazards or dangers that can be associated with a clandestine drug laboratory;~~
  5. ~~For the first annual renewal, documentation of successful completion of an 8 hour training course approved by the Board that encompasses the following:~~
    - a. ~~Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site;~~
    - b. ~~Assessment of residual contamination;~~
    - c. ~~Preparation of the work plans for remediation of a clandestine drug laboratory;~~
    - d. ~~Assessment of the structural stability for safe entry into a clandestine drug laboratory site;~~
    - e. ~~Characterizing waste from the remediation of a clandestine drug laboratory; and~~
    - f. ~~Preparing final reports on the remediation of the clandestine drug laboratory;~~
  - 6.4. ~~For the second and all subsequent annual renewals, documentation~~ Documentation of successful completion of a ~~2-hour~~ two-hour refresher training course approved by the Board that encompasses the following:
    - a. ~~Clandestine Drug Laboratory Site Remediation Best Standards and Practices~~ drug laboratory site remediation best standards and practices contained in R4-30-305<sub>;</sub>
    - b. Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site<sub>;</sub>
    - c. Preparation of the work ~~plans~~ plan for remediation of a clandestine drug laboratory<sub>;</sub>
    - d. Assessment of the structural stability for safe entry into a clandestine drug laboratory site<sub>;</sub>
    - e. Characterizing waste from the remediation of a clandestine drug laboratory<sub>;</sub> and
    - f. Preparing ~~the final reports~~ report on the remediation of the clandestine drug laboratory;
- ~~7-5.~~ The applicable fee.
- C.** The Board staff shall review all applications and, if necessary, refer completed applications to the Environmental Remediation Rules and Standards Committee for evaluation. If the application is complete and in the proper form, and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible in all other aspects to be certified, the Board staff or committee shall recommend that the Board certify the applicant. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require a an applicant to submit additional oral or written information if the applicant

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has not furnished satisfactory evidence of qualifications for certification.

**R4-30-272. On-Site Onsite Worker Certification and Renewal**

- A. An applicant for ~~on-site onsite~~ worker certification shall submit an original and one copy of a completed application package ~~containing that contains~~ the following:
1. Name, residence address, mailing address if different from residence address, and telephone number;
  2. Date of birth and ~~social security~~ Social Security number of the applicant;
  3. ~~Citizenship~~ Proof of citizenship or legal residence;
  4. State or jurisdiction in which any professional or occupational certification, registration, or license is held by the applicant, type of certification, registration, or license, number, and year granted;
  5. Name of the state or jurisdiction, the type of professional or occupational certification, registration, or license the applicant is seeking, and the status of any professional or occupational application pending in any state or jurisdiction;
  6. A detailed explanatory statement regarding:
    - a. Any ~~refusal denial~~ of professional or occupational certification, registration, or license by any state or jurisdiction;
    - b. Any pending disciplinary action in any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant;
    - c. Any alias or other name used by the applicant;
    - d. Any conviction for a felony or misdemeanor, other than a minor traffic violation; and
    - e. Any disciplinary action taken by any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant in any state or jurisdiction;
  7. Certification that the information provided to the Board is accurate, true, and complete;
  8. Copy of a current 40-hour HAZWOPER training certificate or copy of a current ~~8-hour~~ eight-hour HAZWOPER refresher certificate and a copy of a 40-hour HAZWOPER training certificate;
  9. Documentation of successful completion of an eight-hour training course approved by the Board that encompasses the following:
    - a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;
    - b. Chemical and physical hazards of a clandestine drug laboratory;
    - c. Typical manufacturing methods for methamphetamine, LSD, and ecstasy;
    - d. Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;
    - e. Potential sharps and biohazards at a clandestine drug laboratory;
    - f. Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and
    - g. Other potential hazards or dangers that can be associated with a clandestine drug laboratory;
  - ~~9-10.~~ A signed release authorizing the Board to investigate the applicant's education, experience, and moral character and repute; and
  - ~~10-11.~~ The applicable fee.
- B. ~~Effective September 30, 2003;~~ An applicant for renewal of ~~on-site onsite~~ worker registration certification shall submit an application package that contains:
1. A completed renewal application form provided by the Board, signed and dated by the applicant that provides the information contained in subsections (A)(1), (2), (6) and (7);
  2. A copy of the applicant's current ~~8-hour~~ eight-hour HAZWOPER refresher certificate;
  3. ~~For the first annual renewal, documentation of successful completion of an 8 hour training course approved by the Board that encompasses the following:~~
    - a. ~~Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;~~
    - b. ~~Chemical and physical hazards of a clandestine drug laboratory;~~
    - e. ~~Typical manufacturing methods for methamphetamine, LSD, and ecstasy;~~
    - d. ~~Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;~~
    - e. ~~Potential sharps and biohazards at a clandestine drug laboratory;~~
    - f. ~~Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and~~
    - g. ~~Other potential hazards or dangers that can be associated with a clandestine drug laboratory;~~
  - 4-3. The applicable fee.
- C. The Board staff shall review all applications and, if necessary, refer completed applications to the Environmental Remediation Rules and Standards Committee for evaluation. If the application is complete and in the proper form, and the Board staff or committee is satisfied that all statements on the application are true and the applicant is eligible in all other respects to be certified, the Board staff or committee shall recommend that the Board certify the applicant. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require an applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for certification.

**ARTICLE 3. REGULATORY PROVISIONS**

**R4-30-301. Rules of Professional Conduct**

All registrants shall comply with the following rules of professional conduct:

1. A registrant shall not submit any materially false statements or fail to disclose any material facts requested in connection with an application for registration or certification, or in response to a subpoena.
2. A registrant shall not engage in fraud, deceit, misrepresentation or concealment of material facts in advertising, soliciting, or providing professional services to members of the public.
3. A registrant shall not commit bribery of a public servant as proscribed in A.R.S. § 13-2602, commit commercial bribery as proscribed in A.R.S. § 13-2605, or violate any federal statute concerning bribery.
4. A registrant shall comply with state, municipal, and county laws, codes, ordinances, and regulations pertaining to the registrant's area of practice.
5. A registrant shall not violate any state or federal criminal statute involving dishonesty, fraud, misrepresentation, embezzlement, theft, forgery, perjury, bribery, or breach of fiduciary duty, if the violation is reasonably related to the registrant's area of practice.
6. A registrant shall apply the technical knowledge and skill that would be applied by other qualified registrants who practice the same profession in the same area and at the same time.
7. A registrant shall not accept an engagement if the duty to a client or the public would conflict with the registrant's personal interest or the interest of another client without making a full written disclosure of all material facts of the conflict to each person who might be related to or affected by the engagement.
8. A registrant shall not accept compensation for services related to the same engagement from more than one party without making a full written disclosure of all material facts to all parties and obtaining the express written consent of all parties involved.
9. A registrant shall make full disclosure to all parties concerning:
  - a. Any transaction involving payments to any person for the purpose of securing a contract, assignment, or engagement, except payments for actual and substantial technical assistance in preparing the proposal; or
  - b. Any monetary, financial, or beneficial interest the registrant holds in a contracting firm or other entity providing goods or services, other than the registrant's professional services, to a project or engagement.
10. A registrant shall not solicit, receive, or accept compensation from material, equipment, or other product or services suppliers for specifying or endorsing their products, goods or services to any client or other person without full written disclosure to all parties.
11. If a registrant's professional judgment is overruled or not adhered to under circumstances where a serious threat to the public health, safety, or welfare may result, the registrant shall immediately notify the responsible party, appropriate building official, or agency, and the Board of the specific nature of the public threat.
12. If called upon or employed as an arbitrator to interpret contracts, to judge contract performance, or to perform any other arbitration duties, the registrant shall render decisions impartially and without bias to any party.
13. To the extent applicable to the professional engagement, a registrant shall conduct a land survey engagement in accordance with the April 12, 2001 Arizona Professional Land Surveyors Association (APLS) Arizona Boundary Survey Minimum Standards, published in Phoenix, AZ, as adopted by the The Board of Technical Registration adopted them on June 15, 2001, the provisions of which are and incorporated them in into this subsection by reference ~~and on file with the Office of the Secretary of State~~. This incorporation by reference does not include any later amendments or editions and is available at the ~~Board's office~~ of the Board of Technical Registration and APLS at [www.aia.org](http://www.aia.org).
14. A registrant shall comply with any subpoena issued by the Board or its designated administrative law judge.
15. A registrant shall update the registrant's address and telephone number of record with the Board within 30 days of the date of any change.
16. A registrant shall not sign, stamp, or seal any professional documents not prepared by the registrant or a bona fide employee of the registrant.
17. Except as provided below and in subsections (18) and (19), a registrant shall not accept any professional engagement or assignment outside the registrant's professional registration category unless:
  - a. The registrant is qualified by education, technical knowledge, or experience to perform the work; and
  - b. The work is exempt under A.R.S. § 32-143.
18. A registered professional engineer may accept professional engagements or assignments in branches of engineering other than that branch in which the registrant has demonstrated proficiency by registration but only if the registrant has the education, technical knowledge, or experience to perform such engagements or assignments.
19. Except as otherwise provided by law, a registrant may act as the prime professional for a given project and select collaborating professionals; however, the registrant shall perform only those professional services for which the registrant is qualified by registration to perform and shall seal and sign only the work prepared by the registrant or by the registrant's bona fide employee.
20. A registrant who is designated as a responsible registrant shall be responsible for the firm or corporation. The Board may impose disciplinary action on the responsible registrant for any violation of Board statutes or rules that is com-

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mitted by a non-registrant employee, firm, or corporation.

21. A registrant shall not enter into a contract for expert witness services on a contingency fee basis or any other arrangement in a disputed matter where the registrant's fee is directly related to the outcome of the dispute.

**R4-30-305. Drug Laboratory Site Remediation Best Standards and Practices**

**A. Preliminary procedures.**

1. The onsite supervisor shall determine the nature and extent of damage and contamination of the residually contaminated portion of the real property ~~shall be determined.~~
2. The ~~on-site onsite~~ supervisor shall request a copy of any document copies of from a any law enforcement agency, state agency, or other ~~report reporting~~ agency regarding the nature and extent of illegal drug activity, evidence of what materials were removed from the real property, ~~and the location from which they were removed,~~ and the area posted by the notice of removal.
3. The ~~on-site onsite~~ supervisor shall:
  - a. Evaluate all information obtained regarding the nature and extent of damage and contamination;
  - b. Develop procedures to safely enter the residually contaminated portion of the real property in order to conduct a visual assessment;
  - c. Wear the appropriate personal protective equipment for ~~the all~~ condition(s) assessed;
  - d. Visually inspect the residually contaminated portion of the real property; and
  - e. Be assisted by at least one ~~on-site onsite~~ worker during the initial entry into the residually contaminated portion of the real property.
4. The ~~on-site onsite~~ supervisor shall conduct and document appropriate testing for corrosive, flammable, combustible, and toxic atmospheres during the initial entry in the residually contaminated portion of the real property, such as using a LEL/O2 meter, pH paper, PID, FID, or equivalent equipment.
5. If the notice of removal posting is no longer present at the time of the initial entry by the drug laboratory site remediation firm, then the entire house, mobile home, recreational vehicle, detached garage or shed, hotel room, motel room or apartment unit shall be considered the residually contaminated portion of the real property.
- 5-6. If there was a fire or explosion in the residually contaminated portion of the real property ~~which that~~ appears to have compromised its structural integrity, the drug laboratory site remediation firm shall obtain a structural assessment of the residually contaminated portion of the real property.
7. The owner may retain a drug laboratory site remediation firm to demolish and/or dispose of the residually contaminated portion of the real property rather than perform the remediation described in subsection (B).
- 6-8. The drug laboratory site remediation firm shall prepare a written work plan that contains:
  - a. Complete identifying information of the real property, such as:
    - i. ~~street~~ Street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home or recreational vehicle;
    - ii. ~~registration~~ Registration number of the drug laboratory site remediation firm, name and certification number of the ~~on-site onsite~~ supervisor and ~~on-site onsite~~ workers ~~that who~~ will be performing remediation services on the residually contaminated portion of the real property;
  - b. Copies of the current certification of the ~~on-site onsite~~ supervisor and ~~on-site onsite~~ workers that will be performing remediation services on the residually contaminated portion of the real property;
  - c. Photographs or drawings, and a written description of the residually contaminated portion of the real property that depicts the location and type of any residual contamination;
  - d. A description of the personal protective equipment to be used at the residually contaminated portion of the real property;
  - e. The health and safety procedures that will be followed in performing the remediation of the residually contaminated portion of the real property;
  - f. A list of emergency contacts and telephone numbers;
  - g. The route and location of the nearest hospital with emergency service facilities;
  - h. A detailed summary of the work to be performed by the drug laboratory site remediation firm including:
    - i. Any pre-remediation sampling and testing of non-porous or porous materials;
    - ii. Any demolition work;
    - iii. Any and all materials or articles to be removed or cleaned;
    - iv. All procedures to be employed to remove the residual contamination;
    - v. All procedures to be employed to evaluate plumbing, septic, sewer, and soil;
    - vi. All procedures for decontamination or disposal of contaminated materials or demolition debris;
    - vii. All containment and negative pressure enclosure plans; and
    - viii. Personnel decontamination procedures to be used;
  - i. The shoring plan, if an assessment of the structural integrity was conducted and it was determined that shoring was necessary; and
  - j. A complete list of the proposed post-decontamination testing of the residually contaminated portion of the real

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property and the ~~name(s) name~~ of the ~~individual(s) each individual~~ conducting the sampling, ~~the independent Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer supervising the sampling,~~ and the ~~laboratory(ies) each laboratory~~ performing the analytical testing.

7-9. The written work plan shall be:

- a. Approved in writing by the owner of the real property or the owner's agent;
- b. Submitted to the ~~county health department of the county in which the property is located~~ State Board of Technical Registration; and
- c. Retained by the drug laboratory site remediation firm for a minimum of three years.

B. Remediation procedures for the residually contaminated portion of the real property.

1. All clandestine drug laboratory site remediation firms, ~~on-site onsite~~ supervisors, and ~~on-site onsite~~ workers shall comply with all applicable federal, state, municipal, and other local laws, rules, ordinances, and regulations during the remediation or demolition of the residually contaminated portion of the real property.
2. An ~~on-site onsite~~ supervisor shall be present on the residually contaminated portion of the real property during the performance of remedial or demolition services including any pre-remediation and post-remediation sampling and testing.
3. The ventilation system shall be turned off at the start of the remediation work and remain off until completion of the remediation work.
4. The remediation or demolition work shall be conducted in a manner so that no other areas or items are contaminated as a result of the work. Do not store new or cleaned items in any areas requiring remediation.
5. If the dwelling on the real property is connected to a septic system, then wash water from the remediation work shall not be disposed of in the septic system.
6. If the dwelling has an attic or crawl space, then the onsite supervisor shall assess the attic or crawl space. If the attic or crawl space was not used for the manufacturing of drugs, the storage of drugs or chemicals, or the ventilation of manufacturing areas, and these areas will not be occupied, then the attic or crawl space does not require remediation.
7. The residually contaminated portion of the real property shall be assessed for asbestos-containing materials prior to demolition. Any Freon-containing appliances, propane tanks, tires, or other hazardous materials shall be removed from the residually contaminated portion of the real property prior to any demolition activities. The preliminary procedures described in subsection (A) shall be followed prior to demolition activities to verify the removal of all chemicals from the residually contaminated portion of the real property and to assist with characterization of the demolition wastes. The procedures for evaluating plumbing, septic, sewer, and soil described in subsection (B)(14) shall be followed prior to demolition activities. Mobile homes, travel trailers, or other recreational vehicles may be transported to the landfill prior to demolition. The demolition work shall be conducted in a manner to prevent visible dust emissions from the work area that may impact persons on adjacent property. The demolition debris shall be properly characterized prior to disposal as required in subsection (B)(15). After demolition, any remaining building components shall be remediated as described in subsection (B).
- 3-8. ~~On-site Onsite~~ workers or ~~on-site onsite~~ supervisors shall conduct the removal of the contamination from the residually contaminated portion of the real property, except for porous materials from areas not highly suggestive of contamination that may be cleaned by a dry cleaning or laundry service.
9. If pre-remediation sampling and testing are performed, non-porous materials and/or areas shall be sampled and tested using the personnel and procedures described in subsection (C) prior to any remediation services. If the non-porous materials and/or areas meet the post-remediation clearance levels described in subsections (C)(2) and (4), then no removal or cleaning of these non-porous materials and/or areas is required. If pre-remediation sampling and testing are performed, porous materials and/or areas shall be sampled and tested using the personnel and procedures described in subsection (C) prior to any remediation services. If the porous materials and/or areas meet the post-remediation clearance levels described in subsections (C)(2) and (4), then no removal or cleaning of these porous materials and/or areas is required. If pre-remediation sampling and testing are performed to evaluate whether remediation is required, the pre-remediation sampling and testing shall include an evaluation of plumbing, septic, sewer, and soil described in subsection (B)(14).
- 4-10. Procedures for areas highly suggestive of contamination:
  - a. All porous materials, such as carpets, draperies, bedding, fabric covered furniture, drop ceilings, clothing, and related items; that were present in the area highly suggestive of contamination at the time of the initial notice of removal (A.R.S. § 12-1000) shall be removed and properly disposed of. All items to be removed and disposed of shall be defaced or destroyed to prevent future re-use of the items.
  - b. All porous materials such as carpets, draperies, bedding, fabric covered furniture, clothing, and related items, that were moved into the area highly suggestive of contamination after the time of the initial notice of removal (A.R.S. § 12-1000) shall be removed and properly disposed of, except porous drop ceilings, which shall be HEPA vacuumed and left in place. At the owner's discretion, all or some porous materials with no evidence of staining may be cleaned by HEPA vacuuming and one of the following methods:
    - i. Steam cleaning: Hot water and detergent shall be injected into the porous materials under pressure to agitate and loosen any contamination. The water and detergent solution shall then be extracted from the porous

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material by a wet vacuum.

ii. Chemical dry cleaning: Porous materials that cannot be washed with detergent and water shall be dry cleaned using a liquid solvent dry cleaning solution in a dry cleaning machine for at least 15 minutes.

iii. Detergent and water solution: Porous materials shall be washed with detergent and water for at least 15 minutes. The porous materials shall be rinsed with water.

iv. If any porous materials are removed from the real property for cleaning, the materials shall be HEPA vacuumed, and the cleaning facility shall be notified in writing, by the drug laboratory site remediation firm, that the materials being cleaned are from a clandestine drug laboratory.

b-c. All stained materials from the laboratory operations including wall board (sheet rock), wood furniture, wood flooring, and tile flooring shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~ (4) of this rule. If cleaned, the materials shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.

e-d. All non-porous surfaces, such as bathtubs, toilets, mirrors, windows, ~~tile flooring floors, walls, ceilings, doors, appliances,~~ counter-tops, and sinks, and non-fabric furniture may be cleaned to the point of stain removal and left in place or removed and properly disposed of. If cleaned, these surfaces shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.

d-e. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed, or may be removed and properly disposed of. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water; and

e-f. All appliances shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(4)~~ (4) of this rule. If cleaned, the appliances shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

5-11. Procedures for areas not highly suggestive of contamination.

a. All porous materials, such as carpets, draperies, bedding, fabric covered furniture, clothing, and related items shall be removed and properly disposed of, except for porous drop ceilings, which shall be HEPA vacuumed and left in place. At the owner's discretion, all or some porous materials with no evidence of staining may be cleaned by HEPA vacuuming and one of the following methods:

i. Steam cleaning: Hot water and detergent shall be injected into the porous materials under pressure to agitate and loosen any contamination. The water and detergent solution shall then be extracted from the porous material by a wet vacuum.

ii. Chemical dry cleaning: Porous materials that cannot be washed with detergent and water shall be dry cleaned using a liquid solvent dry cleaning solution in a dry cleaning machine for at least 15 minutes.

iii. Detergent and water solution: Porous materials shall be washed with detergent and water for at least 15 minutes. The porous materials shall be rinsed with water.

iv. If any porous materials are removed from the real property for cleaning, the materials shall be HEPA vacuumed, and the cleaning facility shall be notified in writing, by the drug laboratory site remediation firm, that the materials being cleaned are from a clandestine drug laboratory.

b. All non-porous surfaces, such as bathtubs, toilets, floors, countertops, sinks, walls, ceilings, mirrors, windows, doors, appliances, and non-fabric furniture, shall be thoroughly HEPA vacuumed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using a new detergent solution and rinse water.

c. Doors or other openings to areas with no visible contamination shall be cordoned off from all other areas with at least 4-mil plastic sheeting after being cleaned, to avoid re-contamination during further remediation of the residually contaminated portion of the real property.

d. Spray-on acoustical ceilings shall be left undisturbed, and shall be sampled and tested for asbestos, and for residual contamination to determine whether ceilings meet the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~ (4). If the post-remediation clearance levels are exceeded, these materials shall be properly removed and properly disposed of.

e. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

6-12. Structural Integrity and Security Procedures. If, as a result of the remediation, the structural integrity or security of the real property is compromised, the drug laboratory site remediation firm shall contact a qualified, registered professional to conduct a structural assessment and recommend appropriate corrective action for take measures to remedy the structural integrity or security of the real property.

7-13. Ventilation Cleaning Procedures.

a. The ventilation system shall be turned off at the start of the remediation work and remain off until completion of

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the remediation work.

- a-b. Air registers shall be removed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.
- b-c. Temporary filter media shall be attached to air register openings.
- e-d. A fan-powered HEPA filter collection machine shall be connected to the ductwork to develop negative air pressure in the ductwork.
- d-e. Air lances, mechanical agitators, or rotary brushes shall be inserted into the ducts through the air register openings to loosen all dirt, dust and other loose materials.
- e-f. The air handler unit, including the return air housing, coils, ~~fan(s)~~, each fan, system(s) each system, and each drip pan, shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.
- f-g. All porous linings or filters in the ventilation system shall be removed and properly disposed of.
- g-h. The ventilation system shall be sealed off at all openings with at least 4-mil plastic sheeting to prevent recontamination until the residually contaminated portion of the real property meets the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~ (4).

8-14. Procedures for Plumbing, Septic, Sewer, and Soil.

- a. All plumbing inlets to the ~~septic~~ or sewer system, including but not limited to sinks, floor drains, ~~bath tubs~~ bath-tubs, showers, and toilets, shall be visually assessed for any staining or other visible residual contamination. All plumbing traps shall be assessed for VOC concentrations with a PID or FID, and for mercury vapors, ~~by~~ using a mercury vapor analyzer. If VOC concentrations or mercury vapor concentrations exceed the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~ (4), the accessible plumbing and traps where the excess levels are found shall be removed and properly disposed of, or shall be cleaned and tested to meet the post-remediation clearance levels contained in R4-30-305(C)(2) and ~~(C)(3)~~ (4).
- b. The ~~on-site~~ onsite supervisor shall determine ~~if~~ whether the dwelling is connected to a local sewer system or to an ~~on-site~~ onsite septic system. If the dwelling is connected to an ~~on-site~~ onsite septic system, wash water from the remediation work shall not be disposed of in the septic system, and a sample of the septic tank liquids shall be obtained and tested for VOC concentrations.
  - i. If VOCs are not found in the septic tank sample or are found at concentrations less than AWQS or less than 700 micrograms per liter (mg/l) for acetone, no additional work is required in the septic system area, unless requested by the owner of the real property.
  - ii. If VOCs are found in the septic tank at concentrations exceeding the AWQS or exceeding 700 mg/l for acetone, the following shall apply:
    - (1) The discharge area, such as the leach field, seepage pit, ~~and~~ or evaporation mounds, shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer;
    - (2) The septic system discharge area shall be investigated for VOCs and, unless there is ~~clear~~ evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD or ecstasy at the clandestine drug laboratory, the septic system discharge area shall also be investigated for mercury and lead;
    - (3) The vertical extent of any VOCs, mercury, and lead detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations, and the horizontal extent of ~~the~~ any VOCs, mercury, and lead shall be delineated to concentrations below each compound's SRL;
    - (4) If any ~~of the~~ VOCs, mercury, ~~and~~ or lead used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall ~~also~~ be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer and the vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations below the AWQS or below 700 mg/l for acetone; and
    - (5) After complete characterization of ~~the~~ a release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS or below 700 mg/l for acetone.
- c. The ~~on-site~~ onsite supervisor shall observe the real property for evidence of burn areas, burn or trash pits, debris piles or stained areas. The ~~on-site~~ onsite supervisor shall test any burn areas, burn or trash pits, debris piles or stained areas with appropriate testing equipment, such as; a LEL/O2 meter, pH paper, PID, FID, mercury vapor analyzer or equivalent equipment.
  - i. If the burn areas, burn or trash pits, debris piles, or stained areas are not part of the residually contaminated portion of the real property, the drug laboratory site remediation firm shall recommend to the owner of the real property that these areas be investigated. If the owner advises the drug laboratory site remediation firm not to investigate these areas, the drug laboratory site remediation firm shall take appropriate action pursuant to ~~R4-30-301~~ R4-30-301(11).
  - ii. If the burn areas, burn or trash pits, debris piles or stained areas are part of the residually contaminated portion of the real property, these areas shall be investigated and remediated by the drug laboratory site remedi-



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ation firm.

- (1) Any wastes remaining from the operation of the clandestine drug laboratory or other wastes impacted by compounds used by the clandestine drug laboratory shall be characterized, removed, and properly disposed of.
- (2) Any potentially impacted soil ~~and/or~~ or groundwater shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer.
- (3) The burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for the VOCs used by the drug laboratory. Unless there is ~~clear~~ evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, the burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for lead and mercury.
- (4) The vertical extent of any VOCs, lead, or mercury detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations. The horizontal extent of these compounds shall be delineated to concentrations below each compound's SRL.
- (5) If any of the compounds used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall ~~also~~ be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer. The vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations below the AWQS and below 700 mg/l for acetone.
- (6) After complete characterization of ~~the~~ a release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS and below 700 mg/l for acetone.

9-15. Waste Characterization and Disposal Procedures.

- a. All items removed from the clandestine drug laboratory remediation site, and waste generated during the remediation or demolition work, shall be ~~properly~~ characterized and ~~properly~~ disposed of. All items to be removed and disposed of shall be defaced or destroyed to prevent future re-use of the items.
- b. All suspect asbestos-containing building materials shall be properly sampled and tested for asbestos prior to disturbance or removal.
- c. All waste shall be ~~properly~~ characterized by sampling and testing, or the waste shall be considered hazardous waste and ~~properly~~ disposed of pursuant to ~~the~~ applicable law, except the waste shall not be deemed to be household hazardous waste.
- d. The drug laboratory site remediation firm shall comply with all federal, state, municipal, county laws, codes, ordinances and regulations pertaining to waste transportation and disposal.

C. Pre-remediation and Post-Remediation Post-remediation Testing Procedures.

1. ~~Post-remediation~~ Remediation sampling shall be conducted under the direct supervision of ~~a~~ an independent Certified Industrial Hygienist, ~~a~~ Certified Safety Professional, Arizona-registered geologist or ~~an~~ Arizona-registered engineer. The individual taking the samples and the Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer directing the sampling shall have experience with ~~the~~ remediation of hazardous substances, ~~with~~ confirmation sampling of remedial projects, and ~~with evaluating~~ evaluation of health risks and exposures to chemicals. All sampling used to verify that no additional removal or cleaning is required shall be conducted under the direct supervision of a Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or ~~an~~ Arizona-registered engineer. The drug laboratory site remediation firm and its employees shall not conduct the sampling and testing. All sample locations shall be photographed for documentation purposes, and these photographs shall be included in the final report.
2. ~~The drug laboratory site remediation firm shall conduct sampling~~ Sampling and testing shall be conducted for all of the compounds listed below. All ~~remediated~~ areas and materials shall meet the following remediation clearance levels:

<b>Compound</b>	<b>Remediation Standard</b>
Red Phosphorus	Removal of stained material or cleaned pursuant to these standards
Iodine Crystals	Removal of stained material or cleaned pursuant to these standards
Methamphetamine	<del>0.1</del> <u>1.5</u> µg Methamphetamine/100 cm <sup>2</sup>
Ephedrine	<del>0.1</del> <u>0.1</u> µg Ephedrine/100 cm <sup>2</sup>
Pseudoephedrine	<del>0.1</del> <u>0.1</u> µg Pseudoephedrine/100 cm <sup>2</sup>
VOCs in Air	VOC air monitoring < 1 ppm
Corrosives	Surface pH of 6 to 8
LSD	0.1 µg LSD/100 cm <sup>2</sup>
Ecstasy	0.1 µg Ecstasy/100 cm <sup>2</sup>

3. If methamphetamine, ecstasy, or LSD is detected in the pre-remediation sampling and testing of porous materials and surfaces, then the porous materials shall be disposed of or cleaned as described in subsection (B).

- 3-4. The drug laboratory site remediation firm shall conduct sampling and testing for all of the metals listed below in all cases except where there is ~~clear~~ evidence that these metals were not used in the manufacturing of methamphetamine,

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LSD, or ecstasy at the drug laboratory:

<b>Compound</b>	<b>Remediation Standard</b>
Lead	4.3 µg Lead/100 cm <sup>2</sup>
Mercury	3.0 µg Mercury/m <sup>3</sup> air

- 4-5. All sampling and testing shall be conducted in accordance with the following procedures:
- a. All sample locations shall be photographed, and the photographs shall be included in the final report.
  - b. All sample locations shall also be shown on a floor plan of the residually contaminated portion of the real property, and the floor plan shall be included in the final report.
  - c. All samples shall be obtained from areas representative of the materials or surfaces being tested. All samples shall be obtained, preserved, and handled in accordance with industry standards for the types of samples and analytical testing to be conducted and maintained under chain-of-custody protocol.
  - d. The individual conducting the sampling shall wear a new pair of gloves to obtain each sample.
  - e. All reusable sampling equipment shall be decontaminated prior to sampling.
  - f. All testing equipment shall be properly equipped and calibrated for the types of compounds to be analyzed.
  - g. Methamphetamine, ephedrine, pseudoephedrine, ecstasy, and/or or LSD sampling and testing of non-porous materials and surfaces:
    - i. Whatman 40 ashless filter paper or an equivalent shall be used for all wipe sampling. The filter paper shall be wetted with analytical grade methanol or deionized water for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area, and the three filter papers combined for analytical testing.
    - ii. Three 10 cm x 10 cm areas (100 cm<sup>2</sup>) shall be wipe sampled from each room of the residually contaminated portion of the real property. The three samples shall be obtained from the non-porous floor, one wall, and the ceiling in each room.
    - iii. Three 10 cm x 10 cm areas (100 cm<sup>2</sup>) shall be wipe sampled from different areas of the ventilation system.
    - iv. If there is a kitchen in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm<sup>2</sup>) shall be wipe sampled from a combination of the counter top, sink, or stove top, and from the floor in front of the stove top.
    - v. If there is a bathroom in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100cm<sup>2</sup>) shall be wipe sampled from a combination of the counter top, sink, toilet, and ~~the any shower-~~ or bath tub bathtub.
    - vi. If there are any cleaned appliances in the residually contaminated portion of the real property, one 10 cm x 10 cm area (100 cm<sup>2</sup>) shall be wipe sampled from the exposed portion of each appliance. If multiple appliances are present, each wipe sample may be a composite of up to three 100 cm<sup>2</sup> areas on three separate appliances.
    - vii. After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an analytical laboratory licensed in any state in the United States to perform GC/MS testing. The sample shall be analyzed for methamphetamine, ~~ephedrine, pseudoephedrine,~~ LSD, ~~and/or or~~ ecstasy, depending upon the type of clandestine drug laboratory, using a GC/MS instrument, or equivalent.
  - h. Methamphetamine, ecstasy, and/or or LSD sampling and testing of porous materials and surfaces:
    - i. Microvacuum sampling shall be conducted using a 37 mm microvac cassette equipped with a glass fiber filter and backup pad, a short piece of tygon tubing (1 to 2 inches) with one end cut at a 45 degree angle to be used as the "vacuum hose," and flexible tygon tubing to connect the pump to the filter. Connect the cassette with tygon tubing to a high volume sampling pump and calibrate the sampling pump, with a primary calibration standard, to a flow rate from 15 to 20 liters per minute.
    - ii. Select sampling areas of 10 cm x 10 cm (100 cm<sup>2</sup>). In general, visibly soiled, dusty, or heavily used areas are good choices for sampling. Three 10 cm x 10 cm areas (100 cm<sup>2</sup>) of carpet shall be microvacuum sampled from each room of the residually contaminated portion of the real property.
    - iii. If there are porous furniture, lamp shades, or other fixtures in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm<sup>2</sup>) of these materials shall be microvacuum sampled from each room where present. If multiple porous furnishings are present, the three sampled areas shall be taken from three separate furnishings.
    - iv. If there are porous wall coverings, curtains, shades, or paintings in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm<sup>2</sup>) of these materials shall be microvacuum sampled from each room where present. If multiple porous wall coverings are present, the three sampled areas shall be taken from three separate wall coverings.
    - v. If there are clothes, linens, or other porous materials in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm<sup>2</sup>) of these materials shall be microvacuum sampled from each room

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- where present. If multiple other porous materials are present, the three sampled areas shall be taken from three separate items.
- vi. Perform the first vacuuming, one direction, side to side, from top to bottom. Use a slow sweeping motion. During the sampling of softer materials, press the angled tubing nozzle firmly onto the sampling surface to agitate particles. Perform a second vacuuming, one direction, top to bottom from side to side across the entire area. Use a slow sweeping motion. During the sampling of softer materials, press the angled tubing nozzle firmly onto the sampling surface to agitate particles. The same filter may be used for up to three vacuum areas, or a new filter may be used for each area, and the three filters combined for analytical testing.
  - vii. After sampling, immediately turn off the pump and remove the filter cassette from the inlet and outlet tubing sections, replace the cassette plugs and place the sample into a labeled, resealable plastic bag.
  - viii. If additional samples are being collected, remove and discard the short vacuum nozzle tubing. Place a clean vacuum nozzle on a new filter cassette to collect additional samples.
  - ix. After all sampling has been completed, the pump exterior should be decontaminated (wiped with a 10% bleach solution or equivalent). The collection tubing should also be discarded.
  - x. All sample cassette bags shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The samples shall be submitted to an analytical laboratory licensed in any state in the United States to perform GC/MS testing. The samples shall be analyzed for methamphetamine, LSD, and/or ecstasy, depending on the type of clandestine drug laboratory using a GC/MS instrument or equivalent.
- h.i. VOC sampling and testing procedures:
- i. A properly calibrated PID or FID capable of detecting VOCs shall be used for testing. The background concentration of VOCs shall be obtained by testing three exterior areas outside the limits of the residually contaminated portion of the real property and in areas with no known or suspected sources of VOCs. All VOC readings shall be recorded for each sample location.
  - ii. At least three locations in each room of the residually contaminated portion of the real property shall be tested for VOC readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading; and
  - iii. All accessible plumbing traps shall be tested for VOCs by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.
- i.j. pH testing procedures:
- i. Surface pH measurements shall be made using deionized water and pH test strips with a visual indication for a pH between ~~6~~ six and ~~8~~ eight. The pH reading shall be recorded for each sample location.
  - ii. For horizontal surfaces, deionized water shall be applied to the surface and allowed to stand for at least three minutes. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.
  - iii. For vertical surfaces, a Whatman 40 ashless filter paper or equivalent filter paper shall be wetted with deionized water and wiped over a 10 cm x 10 cm area at least five times in two perpendicular directions. The filter paper shall then be placed into a clean sample container and covered with enough deionized water to cover the filter paper. The filter and water shall stand for at least three minutes prior to testing. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.
  - iv. pH testing shall be conducted on at least three locations in each room within the areas with visible contamination and within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property.
- j.k. Lead Sampling and Testing Procedures:
- i. Unless there is ~~clear~~ evidence that lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, lead sampling shall be conducted as follows:
    - (1) Whatman 40 ashless filter paper or an equivalent shall be used for wipe sampling. The filter paper shall be wetted with analytical grade 3% nanograde nitric acid for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area and the three filter papers combined for analytical testing;
    - (2) Three 10 cm x 10 cm areas (100 cm<sup>2</sup>) shall be sampled in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property; and
    - (3) After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory.
  - ii. The sample shall be analyzed for lead using EPA Method 6010B or equivalent.
- k.l. Mercury Sampling and Testing Procedures:
- i. A properly calibrated mercury vapor analyzer shall be used for evaluating the remediated areas for the pres-

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- ence of mercury. All mercury readings shall be recorded for each sample location.
- ii. At least three locations in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property shall be tested for mercury vapor readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading.
- iii. All accessible plumbing traps shall be tested for mercury by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.

~~l.m.~~ Septic Tank Sampling and Testing Procedures:

- i. The liquid in the septic tank shall be sampled with a new clean bailer or similar equipment.
- ii. The liquid shall be decanted or poured with minimal turbulence into three new VOA vials ~~properly~~ prepared by the laboratory.
- iii. The VOA vials shall be filled so that there are no air bubbles in the sealed container. If air bubbles are present, the vial must be emptied and refilled;
  - (1) The sample vials shall be properly labeled with at least the date, time, and sample location;
  - (2) The sample vials shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory; and
  - (3) The sample shall be analyzed for acetone and methanol using EPA Method 8015B or an equivalent method.

**D. Final report.**

- 1. A final report shall be:
  - a. Prepared by the drug laboratory site remediation firm;
  - b. Submitted to the owner of the remediated property and the ~~county health department of the county in which the property is located;~~ Board within 30 days after completion of the remediation services, and
  - c. Retained by the firm for a minimum of three years.
- 2. The final report shall include the following information and documentation:
  - a. Complete identifying information of the real property, such as street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home or recreational vehicle, registration number of the drug laboratory site remediation firm, name and certification number of the ~~on-site onsite~~ supervisor, and name and certification numbers of the ~~on-site onsite~~ workers that performed the remediation services on the residually contaminated portion of the real property;
  - b. A summary of any pre-remediation sampling and testing and all post-remediation sampling and testing including the name and certification, registration, or license number of the Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer supervising the sampling and testing;
  - ~~b.c.~~ A summary of the remediation and demolition services completed on the residually contaminated portion of the real property, with any deviations from the approved work plan, including a list of the rooms, surfaces, materials, and articles cleaned, a list of the materials and articles removed and disposed of, and the procedures used to evaluate the plumbing, septic, sewer, and soil and to document the extent of the remediation services and any deviations from the approved work plan;
  - ~~e.d.~~ Photographs documenting the remediation services and showing each of the sample locations, and a drawing or sketch of the residually contaminated areas that depict the sample locations;
  - ~~d.e.~~ A copy of the sampling and testing results for VOCs and mercury, a copy of any asbestos sampling and testing results, a copy of the laboratory test results on all samples, and a copy of the chain-of-custody protocol documents for all samples from the residually contaminated portion of the real property;
  - ~~e.f.~~ A summary of the waste characterization work, and copies of any waste sampling and testing results; and transportation and disposal documents, including but not limited to, bills of lading, weight tickets, and manifests for all materials removed from the real property;
  - ~~f.g.~~ A summary of the ~~on-site onsite~~ supervisor's observation and testing of the real property for evidence of burn areas, burn or trash pits, debris piles, or stained areas;
  - ~~g.h.~~ A copy of any reports provided to the drug laboratory site remediation firm; ~~or~~
    - i. Including a copy of any report prepared by the Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer; and
    - ii. A signed statement confirming that the sampling was conducted under direct supervision;
  - ~~h.i.~~ A statement that the residually contaminated portion of the real property has been remediated in accordance with R4-30-305 these standards; and
  - j. The total cost of any pre-remediation sampling and testing as described in subsection (B)(9), the total cost of all post-remediation sampling and testing as described in subsection (C) and the total cost of the remediation decontamination services as described in subsections (B)(9), (10), (12), (13), and (14);
- 3. Within 24 hours after the final report described in subsection ~~(D)(1) of this Article (D)~~ has been prepared, the drug laboratory site remediation firm shall deliver, or send by certified mail, a copy of the complete and final report to ~~those individuals and entities identified in A.R.S. § 12-1000(A)(2);~~ the State Board of Technical Registration. The

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drug laboratory site remediation firm shall also deliver or send a separate document to all other individuals and entities stating that the residually contaminated portion of the real property has been remediated pursuant to A.R.S. § 12-1000(D).