

## ADEQ REGULATORY AGENDA FOR 2009

This table was produced by the Arizona Department of Environmental Quality to comply with A.R.S. § 41-1021.02. Pursuant to A.R.S. § 41-1021.02(D), ADEQ may undertake a rulemaking even if the rulemaking is not included on the annual regulatory agenda.

For the current status of ADEQ's rulemakings, or for contact information, please check the Department's [Rules web page](http://www.azdeq.gov/function/laws/rules.html):  
<http://www.azdeq.gov/function/laws/rules.html>.

### I. Rulemakings Expected to Be Underway in 2009<sup>1</sup>

Office of Administrative Counsel	Docket Opening <sup>2</sup>	NPRM <sup>3</sup>	NFRM <sup>4</sup>	Federal Funding <sup>5</sup>
Licensing Time Frames III (18 A.A.C. 1, Art. 5)	January 2009	May 2009	August 2009	No

Air Quality Division	Docket Opening <sup>2</sup>	NPRM <sup>3</sup>	NFRM <sup>4</sup>	Federal Funding <sup>5</sup>
NSPS/NESHAP/Acid Rain Incorporation by Reference as of 7/1/08 (18 A.A.C. 2, Art. 2, 3, 9, 11, and Appendix 2)	February 2009	May 2009	September 2009	Yes
Motor Vehicles Inspections: Area B biennial testing, snap idle test, exemptions and technical changes (18 A.A.C. 2, Art. 10)	September 2008	October 2008	January 2009	Yes
"Reasonable Precautions" Correction (18 A.A.C. 2, Art. 6 and 8)	May 2008	April 2009	July 2009	Yes
R18-2-602 Open Burn updates (18 A.A.C. 2, Art. 6)	May 2008	February 2009	May 2009	Yes
Emergency Episode Rule R18-2-220 (18 A.A.C. 2, Art. 2)	January 2009	March 2009	June 2009	Yes
2006 PM <sub>2.5</sub> and 2008 Ozone NAAQS Updates (18 A.A.C. 2, Art. 2)	June 2008	November 2008	March 2009	Yes
NSR SIP Gap and NSR Reform (18 A.A.C. 2, Art. 3 and 4)	April 2008	November 2008	April 2009	Yes

<b>Air Quality Division</b>	<b>Docket Opening<sup>2</sup></b>	<b>NPRM<sup>3</sup></b>	<b>NFRM<sup>4</sup></b>	<b>Federal Funding<sup>5</sup></b>
Greenhouse Gas Registry and Reporting (18 A.A.C. 2, Art. 12)	August 2008	June 2009	September 2009	No
Test Methods updates (18 A.A.C. 2, Articles 1, 2, 3 and Appendix 2)	January 2009	April 2009	July 2009	Yes
Mercury monitoring, recordkeeping and reporting (18 A.A.C. 2, Art. 18)	April 2008	March 2009	June 2009	No

<b>Tank Programs Division</b>	<b>Docket Opening<sup>2</sup></b>	<b>NPRM<sup>3</sup></b>	<b>NFRM<sup>4</sup></b>	<b>Federal Funding<sup>5</sup></b>
Energy Policy Act Rules (18 A.A.C. 12, Articles 1, 2 and 10)	May 2009	August 2009	December 2009	Yes

<b>Waste Programs Division</b>	<b>Docket Opening<sup>2</sup></b>	<b>NPRM<sup>3</sup></b>	<b>NFRM<sup>4</sup></b>	<b>Federal Funding<sup>5</sup></b>
Engineering Controls Financial Assurance (18 A.A.C. 7, Art. 7)	March 2008	January 2009	May 2009	No
Integrated Solid Waste Regulatory Framework (18 A.A.C. 13)	February 2008	January 2009	August 2009	No
Special Waste/Petroleum Contaminated Soil (18 A.A.C. 13, Art. 13 and Art. 16)	April 2008	July 2009	October 2009	No
WQARF Site Scoring (18 A.A.C. 16, Art. 2)	March 2008	July 2009	December 2009	No
Hazardous Waste Rule Amendments – 2007/2008 (18 A.A.C. 8, Art. 2)	March 2008	February 2009	September 2009	Yes
Refuse and Other Objectionable Wastes (18 A.A.C. 13, Art. 3)	January 2009	June 2009	December 2009	No

<b>Water Quality Division</b>	<b>Docket Opening<sup>2</sup></b>	<b>NPRM<sup>3</sup></b>	<b>NFRM<sup>4</sup></b>	<b>Federal Funding<sup>5</sup></b>
Minimum Design Criteria for Public Water Systems (18 A.A.C. 5, Art. 5)	April 2009	Sept 2009	December 2009	Yes

Biosolids (18 A.A.C. 9, Art. 10)	August 2008	February 2009	May 2009	Yes
Aquifer Water Quality Standards (18 A.A.C. 11, Art. 4)	August 2008	January 2009	June 2009	No

<sup>1</sup> 2009 dates are tentative (see footnotes below.)

<sup>2</sup> Anticipated date of publication of the Notice of Docket Opening in the *Arizona Administrative Register*.

<sup>3</sup> Anticipated date of publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*.

<sup>4</sup> Anticipated date of submission of the Notice of Final Rulemaking to the Governor's Regulatory Review Council.

<sup>5</sup> Some of ADEQ's rules implement federal laws such as the Clean Air Act, Clean Water Act, and Safe Drinking Water Act. ADEQ's related programs are partially funded by the U.S. Environmental Protection Agency, pursuant to a cooperative agreement under which ADEQ assumes responsibility for implementing the laws in Arizona.

## II. Reviews of Existing Rules Due in 2009

5-Year-Review Due	Rules Being Reviewed
May 2009	18 A.A.C. 2 - Art. 1 Definitions, Art. 2 Ambient Air Quality Standards, Art. 3 Permits and Permit Revisions, Art. 4 Permits for Major Sources and Major Modifications, Art. 5 General Permits
December 2009	18 A.A.C. 8 – Waste Management
December 2009	18 A.A.C. 13 – Solid Waste Management

## III. Rules Terminated in 2008

Rule	Notice of Termination of Rulemaking
None	None

## IV. Privatization Options and Other Nontraditional Regulatory Approaches Being Considered

Rule	Privatization Option or Other Nontraditional Regulatory Approach
	None determined at this time.