The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah State Government. The Department of Administrative Services, Division of Administrative Rules produces the *Bulletin* under authority of Section 63G-3-402.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3764. Additional rulemaking information, and electronic versions of all administrative rule publications are available at: http://www.rules.utah.gov/

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)*. The Digest is available by E-mail or over the Internet. Visit http://www.rules.utah.gov/publicat/digest.htm for additional information.
TABLE OF CONTENTS

SPECIAL NOTICES

Health
  Health Care Financing, Coverage and Reimbursement Policy
  Notice for April 2013 Medicaid Rate Changes ................................................................. 1
  Psychologist Services ........................................................................................................... 1
  Inclusion of San Juan County in the Prepaid Mental Health Plan ........................................ 1

NOTICES OF PROPOSED RULES

Alcoholic Beverage Control
  Administration
  No. 37363 (Amendment): R81-1-31 Duties of Commission Subcommittees .......................... 4
  No. 37365 (Amendment): R81-2-12 Store Site Selection .................................................... 5
  No. 37367 (Amendment): R81-4A-2 Application ................................................................ 5
  No. 37368 (Amendment): R81-4B-2 Application .................................................................. 6
  No. 37369 (Amendment): R81-4C-2 Application .................................................................. 7
  No. 37370 (Amendment): R81-4D-2 Application ................................................................. 8
  No. 37371 (Amendment): R81-4E-2 Application ................................................................ 9
  No. 37372 (Amendment): R81-4F-2 Application ................................................................ 10
  No. 37373 (Amendment): R81-5-2 Application ................................................................ 11
  No. 37377 (Amendment): R81-9-1 Application ................................................................ 12
  No. 37374 (Amendment): R81-10A-3 Application ................................................................. 13
  No. 37375 (Amendment): R81-10C-2 Application ................................................................. 14
  No. 37376 (Amendment): R81-10D-2 Application ................................................................. 15
  No. 37378 (Amendment): R81-11-1 Application .................................................................. 16

Commerce
  Occupational and Professional Licensing
  No. 37364 (Amendment): R156-55a Utah Construction Trades Licensing Act Rule .......... 17

Crime Victim Reparations
  Administration
  No. 37380 (Amendment): R270-1 Award and Reparation Standards .................................... 25

Education
  Administration
  No. 37355 (Amendment): R277-101 Utah State Board of Education Procedures ................. 26
  No. 37356 (New Rule): R277-113 LEA Fiscal Policies and Accountability ......................... 28

Environmental Quality
  Water Quality
  No. 37366 (Amendment): R317-1-1 Definitions .................................................................. 32
  No. 37361 (Amendment): R317-2 Standards of Quality for Waters of the State ............... 34
  No. 37362 (New Rule): R317-15 Water Quality Certification ............................................ 44

Insurance
  Administration
  No. 37379 (Amendment): R590-102-17 Dedicated Fees .................................................... 47

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Administrative Services
  Facilities Construction and Management
  No. 37357: R23-13 State of Utah Parking Rules for Facilities Managed by the Division of
  Facilities and Construction and Management ....................................................................... 49
  No. 37358: R23-22 General Procedures for Acquisition and Selling of Real Property ......... 49

Environmental Quality
  Administration
  No. 37360: R305-2 Electronic Meeting ............................................................................. 50
TABLE OF CONTENTS

NOTICES OF RULE EFFECTIVE DATES..............................51

RULES INDEX
BY AGENCY (CODE NUMBER)
AND
BY KEYWORD (SUBJECT)...........................................53
Health Care Financing, Coverage and Reimbursement Policy

Notice for April 2013 Medicaid Rate Changes

Effective April 1, 2013, Utah Medicaid will adjust its rates consistent with approved methodologies. Rate adjustments include new codes priced consistent with approved Medicaid methodologies, potential adjustments to existing codes, and nursing home rate changes to case mix components consistent with adopted payment methodology. All rate changes are posted to the web and can be viewed at: http://health.utah.gov/medicaid/stplan/bcrp.htm

Psychologist Services

The Division of Medicaid and Health Financing (DMHF) will submit a change to the Utah Medicaid State Plan to clarify the provision of psychology services.

DMHF will submit SPA 13-008-UT Psychologist Services, which specifies services available to Medicaid recipients who meet the criteria set forth in this amendment. These services include psychological evaluation and testing for individuals who exhibit intellectual disabilities, developmental disabilities or related conditions, and psychological evaluation for individuals with a condition that requires chronic pain management services.

DMHF does not anticipate any increase in total annual expenditures as a result of this change.

This change is pending Centers for Medicare and Medicaid Services approval.

A copy of the change may be obtained from Craig Devashrayee (801-538-6641), or by writing the Technical Writing Unit, Utah Department of Health, PO Box 143102, Salt Lake City, UT 84114-3102. Comments are welcome at the same address. Copies of the change are also available at local county health department offices.

Inclusion of San Juan County in the Prepaid Mental Health Plan

At the request of the San Juan Counseling Center and to be consistent in how mental health services are delivered throughout the state, the Division of Medicaid and Health Financing (DMHF) will submit an amendment to the Prepaid Mental Health Plan Waiver for mental health services to include San Juan County.

This means that Medicaid recipients of San Juan County will be required to obtain inpatient and outpatient mental health services through the San Juan Counseling Center. This change, however, does not apply to Medicaid recipients who are American Indians and receive these services from Indian health care providers.

By moving mental health services in San Juan County from fee-for-service to capitation, the Department estimates that total annual expenditures under the waiver amendment will be about $538,482.
The proposed effective date of this change is July 1, 2013, and it is pending Centers for Medicare and Medicaid Services approval.

A copy of the change may be obtained from Craig Devashrayee (801-538-6641), or by writing the Technical Writing Unit, Utah Department of Health, PO Box 143102, Salt Lake City, UT 84114-3102. Comments are welcome at the same address. Copies of the change are also available at local county health department offices.

End of the Special Notices Section
NOTICES OF PROPOSED RULES

A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between February 16, 2013, 12:00 a.m., and March 01, 2013, 11:59 p.m., are included in this, the March 15, 2013 issue of the Utah State Bulletin.

In this publication, each PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the PROPOSED RULE is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [example]). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (........) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not printed. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of each rule that is too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the Utah State Bulletin until at least April 15, 2013. The agency may accept comment beyond this date and will indicate the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency hold a hearing on a specific PROPOSED RULE. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through July 13, 2013, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the Utah State Bulletin. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE lapses and the agency must start the process over.

The public, interest groups, and governmental agencies are invited to review and comment on PROPOSED RULES. Comment may be directed to the contact person identified on the Rule Analysis for each rule.

PROPOSED RULES are governed by Section 63G-3-301; Rule R15-2; and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page
NOTICE OF PROPOSED RULE

R81-1-31
Duties of Commission Subcommittees

NOTICE OF PROPOSED RULE
(-Amendment)
DAR FILE NO.: 37363
FILED: 02/26/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to implement S.B. 66 passed by the Legislature in the 2012 General Session. S.B. 66 created commission subcommittees with duties to be defined by rule. See Subsection 32B-2-201(5).

SUMMARY OF THE RULE OR CHANGE: The proposed section R81-1-31 defines the duties of the two commission subcommittees -- the Compliance, Licensing and Enforcement Subcommittee and the Operations and Procurement Subcommittee.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Section 32B-2-201(5)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.
♦ LOCAL GOVERNMENTS: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.
♦ SMALL BUSINESSES: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.

KEY: alcoholic beverages

Date of Enactment or Last Substantive Amendment: [July 31, 2012]2013

Notice of Continuation: May 10, 2011

Authorizing, and Implemented or Interpreted Law: 32B-2- 201(10); 32B-2-202; 32B-3-203(3)(c); 32B-1-305; 32B-1-306; 32B-1-307; 32B-1-607; 32B-1-304(1)(a); 32B-6-702; 32B-6-805(3); 32B-9-204(4); 32B-4-414(1)(b) and (c)

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director
Alcoholic Beverage Control, Administration

R81-2-12

Store Site Selection

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37365
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: It is necessary for the commission to write rules to comply with Subsection 32B-2-202(1)(c)(ii), which requires a rule for state store site selection.

SUMMARY OF THE RULE OR CHANGE: This rule establishes criteria and procedures for determining the location of a state store.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-2-202(1)(c)(ii)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply makes the Department of Alcoholic Beverage Control (DABC) rules consistent with the new statute.
♦ LOCAL GOVERNMENTS: None--This rule filing simply makes DABC rules consistent with the new statute.
♦ SMALL BUSINESSES: None--This rule filing simply makes DABC rules consistent with the new statute.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply makes DABC rules consistent with the new statute.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply makes DABC rules consistent with the new statute.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:
None--This rule filing simply makes DABC rules consistent with the new statute.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-2-12. Store Site Selection.
This rule is promulgated pursuant to Section 32B-2-202(1)(c)(ii) which requires that criteria and procedures be established for determining the location of a state store. Prior to the commission establishing a new state store, the Operations and Procurement Subcommittee will determine the feasibility of a new site, weigh options and consider the investigation and recommendation of the department as outlined in 32B-2-502, then make its recommendation to the commission.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [October 1, 2011]
2013
Notice of Continuation: May 10, 2011
Authorizing, and Implemented or Interpreted Law: 32B-1-607; 32B-2-202

Alcoholic Beverage Control, Administration

R81-4A-2

Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37367
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

Alcoholic Beverage Control, Administration
NOTICES OF PROPOSED RULES

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-4A. Restaurant Liquor Licenses.
(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a restaurant license until:
(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204, and 32B-6-204 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [a] copy of [a] current local business license(s) necessary for operation of a full service restaurant, evidence of proximity to certain community locations, a bond, a floor plan, and public liability and liquor liability insurance); and
(b) the department has inspected the restaurant premise.
(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.
(b) An incomplete application will be returned to the applicant.
(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.
(3) Subsection (1)(a) does not preclude the commission from considering an application for a conditional restaurant license under the terms and conditions of 32B-5-205.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [May 22, 2013]
Notice of Continuation: May 10, 2011
Authorizing, and Implemented or Interpreted Law: 32-1-607; 32B-2-202; 32B-5-303(3); 32B-6-202

Alcoholic Beverage Control, Administration
R81-4B-2
Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37368
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)
ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

---

**Alcoholic Beverage Control, Administration**

**R81-4C-2**

**Application**

**NOTICE OF PROPOSED RULE**
(Amendment)

**DAR FILE NO.: 37369**

**FILED: 02/28/2013**

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

**NOTICE OF PROPOSED RULE**

**DAR FILE NO.: 37368**

**FILED: 02/28/2013**

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

**ANTICIPATED COST OR SAVINGS TO:**
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
NOTICES OF PROPOSED RULES

♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-4C. Limited Restaurant Licenses.
R81-4C-2. Application.
(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a limited restaurant license until:
(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204 and 32B-6-304 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [a]-copy of [a]-current local business license(s) necessary for operation of a limited restaurant license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability and liquor liability insurance); and
(b) the department has inspected the limited restaurant premise.
(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.
(b) An incomplete application will be returned to the applicant.
(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.
(3) Subsection (1)(a) does not preclude the commission from considering an application for a conditional limited restaurant license under the terms and conditions of 32B-5-205.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [May 22, 2012]2013
Notice of Continuation: July 31, 2008
Authorizing, and Implemented or Interpreted Law: [32B-5-303(3); 32B-6-207;] 32-1-607; 32B-2-202; 32B-5; 32B-6-301 through 305.1

Alcoholic Beverage Control, Administration
R81-4D-2
Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37370
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-4D. On-Premise Banquet License.

(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of an on-premise banquet license until:

(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204 and 32B-6-604 (submission of a completed application, payment of application and licensing fees, written consent of local authority, a copy of a current local business license(s) necessary for operation of an on-premise banquet catering license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability and liquor liability insurance); and

(b) the department has inspected the on-premise banquet premise.

(2) The application shall include a floor plan showing the locations of function space in or on the applicant's business premises that may be reserved for private banquet functions where alcoholic beverages may be stored, sold or served, and consumed. Hotels shall also indicate the number of sleeping rooms where room service will be provided and include a sample floor plan of a guest room level. No application will be accepted that merely designates

the entire hotel, resort, sports center or convention center facility as the proposed licensed premises.

(3)(a) All application requirements of Subsection (1)(a) and (2) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.

(b) An incomplete application will be returned to the applicant.

(c) A completed application filed after the deadline in Subsection (3)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

(4) Pursuant to 32B-6-604(6) after an on-premise banquet license has been issued, the licensee may apply to the department for approval of additional locations in or on the premises of the hotel, resort, sports center or convention center that were not included in the licensee's original application. The additional locations must:

(i) be clearly defined;

(ii) be configured to ensure separation between any private banquet function and other areas of the facility that are open to the general public; and

(iii) be configured to ensure compliance with all operational restrictions with respect to the sale, storage, and consumption of alcoholic beverages required by 32B-5-301 to -308 and 32B-6-605.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [May 22, 2012]
Notice of Continuation: July 31, 2008
Authorizing, and Implemented or Interpreted Law: 32-1-607; 32B-2-202; 32B-5; 32B-6-601 through 605

Alcoholic Beverage Control, Administration
R81-4E-2
Application
NOTICE OF PROPOSED RULE
( Amendment )
DAR FILE NO.: 37371
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsections 32B-5-201(2)(e) and 32B-8-202(1)(a) require that an applicant submit a business license as part of their application for a resort license. This rule clarifies the meaning of a "business license".
SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e) and Subsection 32B-8-202(1)(a)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-4E. Resort Licenses.

(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204 and 32B-6-204 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [→]copy of [→]current local business license(s) necessary for operation of a resort license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability and liquor liability insurance); and

(b) the department has inspected the resort premise.

(2) Pursuant to 32B-5-203 and 32B-8-204, each sublicense of a resort license is not required to:

(a) submit an application or renewal application that is separate from the resort license application;
(b) carry public liability or dramshop insurance coverage that is separate from that carried by the resort licensee; or
(c) post a bond that is separate from the bond posted by the resort licensee if the aggregate of any bonds posted by the resort licensee covers each sublicense under the resort license.

(3) Pursuant to 32B-8-302, a resort spa sublicense is not required to file a separate application from the application for the resort license unless the resort spa sublicense is being sought after the resort license has already been granted. If a resort licensee seeks to add a resort spa sublicense after its resort license is granted, the application shall comply with 32B-8-204(3)(b), and this rule.

(4)(a) All application requirements of Subsections (1)(a) and (3) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th of the month.

(b) An incomplete application will be returned to the applicant.

(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [May 22, 2012]
Authorizing, and Implemented or Interpreted Law: [32A-1-407][32-1-607]; 32B-2-202; 32B-5; 32B-8

Alcoholic Beverage Control, Administration
R81-4F-2
Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37372
FILED: 02/28/2013
RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license”.

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director


Alcoholic Beverage Control, Administration
R81-4F. Reception Center Licenses.

(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a reception center license until:
(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204, and 32B-6-804 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [a]-copy of [a]-current local business license(s) necessary for operation of a reception center license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability and liquor liability insurance); and
(b) the department has inspected the reception center premise.

(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th of the month.
(b) An incomplete application will be returned to the applicant.
(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [July 1, 2013] Authorizing, and Implemented or Interpreted Law: 32-1-607; 32B-2-202; 32B-5; 32B-6-801 through -805[4]
SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-5. Club Licenses.
   (1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a club license until:

(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204, and 32B-6-405 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [a] copy of [a] current local business license(s) necessary for operation as the type of club license requested on the application, evidence of proximity to certain community locations, evidence that the applicant meets the requirements for the type of club license for which the person is applying, evidence that a variety of food is prepared and served in connection with dining accommodations, a bond, a floor plan, public liability and liquor liability insurance, and if an equity or fraternal club a copy of the club's bylaws or house rules and any amendment to those records); and

(b) the department has inspected the club premise.

(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.

(b) An incomplete application will be returned to the applicant.

(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: 05/22/2013
Notice of Continuation: May 10, 2011
Authorizing, and Implemented or Interpreted Law: 32-1-607; 32B-2-202; 32B-5; 32B-6-401 through -409(3)

Alcoholic Beverage Control, Administration
R81-9-1
Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37377
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-12-202(5) requires that an applicant submit a business license as part of their application for a liquor warehousing license. This rule clarifies the meaning of a "business license".
SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-12-201(5)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director
NOTICES OF PROPOSED RULES

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

Alcoholic Beverage Control, Administration
R81-10C-2
Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37375
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires an applicant to submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This rule clarifies what is necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.

(b) the department has inspected the recreational amenity on-premise beer retailer premise.

(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month’s commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.

(b) An incomplete application will be returned to the applicant.

(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: May 22, 2013
Notice of Continuation: November 3, 2010
Authorizing, and Implemented or Interpreted Law: 32-1-607; 32B-2-202; [32B-6-702]32B-5; 32B-6-701 through 708

R81. Alcoholic Beverage Control, Administration.
R81-10A. Recreational Amenity On-Premise Beer Retailer Licenses.

(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a recreational amenity on-premise beer retailer license until:

(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204, and 32B-6-705 (submission of completed application, payment of application and licensing fees, written consent of local authority, current local business license(s) necessary for operation as a recreational amenity on-premise beer retailer license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability insurance and liquor liability insurance if the retailer sells more than $5000 of beer annually); and
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-10C. Beer-Only Restaurant Licenses.
R81-10C-2. Application.
(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a beer only restaurant license until:
(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204, and 32B-6-904 (submission of a completed application, payment of application and licensing fees, written consent of local authority, a copy of current local business license(s) necessary for operation of a beer-only restaurant license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability and liquor liability insurance); and
(b) The department has inspected the beer-only restaurant premise.

(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.
(b) An incomplete application will be returned to the applicant.
(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

KEY: alcoholic beverages
Date of Enactment or Last Substantive Amendment: [May 22, 2013]
Authorizing, and Implemented or Interpreted Law: 32-1-607; 32B-2-202; 32B-5; 32B-6-901 through 905

Alcoholic Beverage Control, Administration
R81-10D-2
Application

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37376
FILED: 02/28/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 32B-5-201(2)(e) requires that an applicant submit a business license as part of their application for a retail license. This rule clarifies the meaning of a "business license".

SUMMARY OF THE RULE OR CHANGE: This updates the rule to include the requirement that a "business license" means the necessary local license(s) necessary for operation of the license type in which the applicant applied.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 32B-1-607 and Subsection 32B-5-201(2)(e)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: None--This rule filing simply clarifies the application requirements for a retail license.
♦ LOCAL GOVERNMENTS: None--This rule filing simply clarifies the application requirements for a retail license.
♦ SMALL BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: None--This rule filing simply clarifies the application requirements for a retail license.
NOTICES OF PROPOSED RULES

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--This rule filing simply clarifies the application requirements for a retail license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--This rule filing simply clarifies the application requirements for a retail license.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ALCOHOLIC BEVERAGE CONTROL ADMINISTRATION
1625 S 900 W
SALT LAKE CITY, UT 84104-1630
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Nina McDermott by phone at 801-977-6805, by FAX at 801-977-6888, or by Internet E-mail at nmcdermott@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Sal Petilos, Executive Director

R81. Alcoholic Beverage Control, Administration.
R81-10D. Tavern Beer Licenses.
(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a tavern license until:
(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-5-201, -204, and 32B-6-703 and -705 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [a-copy of [a-current local business license(s) necessary for operation as a tavern beer license, evidence of proximity to certain community locations, a bond, a floor plan, and public liability insurance and liquor liability insurance if the tavern sells more than $5000 of beer annually); and
(b) the department has inspected the tavern premise.
(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.
(b) An incomplete application will be returned to the applicant.
(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.
R81. Alcoholic Beverage Control, Administration.


R81-11-1. Application.

(1) No license application will be included on the agenda of a monthly commission meeting for consideration for issuance of a beer wholesaler license until:

(a) The applicant has first met all requirements of Sections 32B-1-304 (qualifications to hold the license), and 32B-13-202, -204 and -206 (submission of a completed application, payment of application and licensing fees, written consent of local authority, [σ]-copy of [σ]-current local business license(s) necessary for operation as a beer wholesaler license, a bond, a statement of the brands of beer the applicant is authorized to sell and distribute, statement of the territories in which the applicant is authorized to sell and distribute beer under an agreement required by 32B-11-201 or 32B-11-503, and public liability insurance); and

(b) the department has inspected the beer wholesaler premise.

(2)(a) All application requirements of Subsection (1)(a) must be filed with the department no later than the 10th day of the month in order for the application to be included on that month's commission meeting agenda unless the 10th day of the month is a Saturday, Sunday, or state or federal holiday, in which case all application requirements of Subsection (1)(a) must be filed on the next business day after the 10th day of the month.

(b) An incomplete application will be returned to the applicant.

(c) A completed application filed after the deadline in Subsection (2)(a) will not be considered by the commission that month, but will be included on the agenda of the commission meeting the following month.

KEY: alcoholic beverages

Date of Enactment or Last Substantive Amendment: [May 22, 2013]

Notice of Continuation: May 10, 2011

Authorizing, and Implemented or Interpreted Law: 32-1-[407;607; 32B-2-202; 32B-13]
DURING REGULAR BUSINESS HOURS, AT: 

♦ LOCAL GOVERNMENTS: The proposed amendments only apply to licensed contractors and applicants for licensure in that classification. As a result, the proposed amendments do not apply to local governments.
♦ SMALL BUSINESSES: The proposed amendments only apply to licensed contractors and applicants for licensure in that classification. Licensees and applicants for licensure may work in a small business or may own a small business. The proposed change in the experience requirement will reduce the burden for certain qualifiers to meet the experience requirements. It may also result in a company saving the cost to pay another person to be the qualifier in order to qualify for a contractor license. It is impossible to estimate the amount of savings that will result or the number of businesses/persons that will be impacted by this rule. The cost of the two required examinations is $144. This cost would be offset by the savings.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The proposed amendments only apply to licensed contractors and applicants for licensure in that classification. The proposed change in the experience requirement will reduce the burden for certain qualifiers to meet the experience requirements. It may also result in a company saving the cost to pay another person to be the qualifier in order to qualify for a contractor license. It is impossible to estimate the amount of savings that will result or the number of businesses/persons that will be impacted by this rule. The cost of the two required examinations is $144. This cost would be offset by the savings.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendments only apply to licensed contractors and applicants for licensure in that classification. The proposed change in the experience requirement will reduce the burden for certain qualifiers to meet the experience requirements. It may also result in a company saving the cost to pay another person to be the qualifier in order to qualify for a contractor license. It is impossible to estimate the amount of savings that will result or the number of businesses/persons that will be impacted by this rule. The cost of the two required examinations is $144. This cost would be offset by the savings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: As stated in the rule analysis, these proposed amendments allow an individual who has previously been approved by the Division as a qualifier for certain construction trades licenses to re-qualify past experience after a lapse of time. This change might allow a business to obtain a license and begin work in a more efficient manner. Otherwise, no fiscal impact to businesses is anticipated from this amendment or from other technical corrections included in the filing.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT: COMMERCE

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The proposed amendments only apply to licensed contractors and applicants for licensure in that classification. The proposed change in the experience requirement will reduce the burden for certain qualifiers to meet the experience requirements. This may result in a company savings. The cost of the two required examinations is $144. This cost would be offset by the savings.
B200 - Modular Unit Installation Contractor. Set up or installation of modular units as defined in Subsection [58-56-315A-1-302(8)] and constructed in accordance with Section [58-56-13][5A-1-304]. The scope of the work permitted under this classification includes construction of the permanent or temporary foundations, placement of the modular unit on a permanent or temporary foundation, securing the units together if required and securing the modular units to the foundations. Work excluded from this classification includes installation of factory built housing and connection of required utilities.

R100 - Residential and Small Commercial Contractor. A Residential and Small Commercial contractor is a contractor licensed to perform work as defined in Subsection 58-55-102(32) and pursuant to Subsection 58-55-102(32) is clarified as follows:

(a) The Residential and Small Commercial Contractor scope of practice does not include activities described in this Subsection under specialty classification S202 - Solar Photovoltaic Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the North American Board of Certified Energy Practitioners.

(b) The Residential and Small Commercial Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

R101 - Residential and Small Commercial Non Structural Remodeling and Repair. Remodeling and repair to any existing structure built for support, shelter and enclosure of persons, animals, chattels or movable property of any kind with the restriction that no change is made to the bearing portions of the existing structure, including footings, foundation and weight bearing walls; and the entire project is less than $50,000 in total cost.

R200 - Factory Built Housing Contractor. Disconnection, setup, installation or removal of manufactured housing on a temporary or permanent basis. The scope of the work permitted under this classification includes placement of the manufactured housing on a permanent or temporary foundation, securing the units together if required, securing the manufactured housing to the foundation, and connection of the utilities from the near proximity, such as a meter, to the manufactured housing unit and construction of foundations of less than four feet six inches in height. Work excluded from this classification includes site preparation or finishing, excavation of the ground in the area where a foundation is to be constructed, back filling and grading around the foundation, construction of foundations of more than four feet six inches in height and construction of utility services from the utility source to and including the meter or meters if required or if not required to the near proximity of the manufactured housing unit from which they are connected to the unit.

I101 - General Engineering Trades Instruction Facility. A General Engineering Trades Instruction Facility is a construction trades instruction facility authorized to teach the construction trades and is subject to the scope of practice defined in Subsection 58-55-102(22).

1102 - General Building Trades Instruction Facility. A General Building Trades Instruction Facility is a construction trades instruction facility authorized to teach the construction trades and is subject to the scope of practice defined in Subsections 58-55-102(21) or 58-55-102(32).

1103 - Electrical Trades Instruction Facility. An Electrical Trades Instruction Facility is a construction trades instruction facility authorized to teach the electrical trades and subject to the scope of practice defined in Subsection R156-55a-301(S200).

1104 - Plumbing Trades Instruction Facility. A Plumbing Trades Instruction Facility is a construction trades instruction facility authorized to teach the plumbing trades and subject to the scope of practice defined in Subsection R156-55a-301(S210).

1105 - Mechanical Trades Instruction Facility. A Mechanical Trades Instruction Facility is a construction trades instruction facility authorized to teach the mechanical trades and subject to the scope of practice defined in Subsection R156-55a-301(S350).

S200 - General Electrical Contractor. Fabrication, construction, and/or installation of generators, transformers, conduits, raceways, panels, switch gear, electrical wires, fixtures, appliances, or apparatus which utilizes electrical energy. The General Electrical Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

S201 - Residential Electrical Contractor. Fabrication, construction, and/or installation of services, disconnecting means, grounding devices, panels, conductors, load centers, lighting and plug circuits, appliances and fixtures in any residential unit, normally requiring non-metallic sheathed cable, including multiple units up to and including a four-plex, but excluding any work generally recognized in the industry as commercial or industrial.

S202 - Solar Photovoltaic Contractor. Fabrication, construction, installation, and replacement of photovoltaic cell panels and related components. Wiring, connections and wire methods as governed in the National Electrical Code and Subsection R156-55b-102(1) shall only be performed by an S200 General Electrical Contractor or S201 Residential Electrical Contractor. This classification is not required to install stand alone solar systems that do not tie into premises wiring or into the electrical utility, such as signage or street or parking lighting.

S210 - General Plumbing Contractor. Fabrication and/or installation of material and fixtures to create and maintain sanitary conditions in buildings, by providing a permanent means for a supply of safe and pure water, a means for the timely and complete removal from the premises of all used or contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life and the occupation of such premises, and provision of a safe and adequate supply of gases for lighting, heating, and industrial purposes. Work permitted under this classification shall include the furnishing of materials, fixtures and labor to extend service from a building out to the main water, sewer or gas pipeline. The General Plumbing Contractor scope of practice does not include activities
described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

**S211 - Boiler Installation Contractor. Fabrication and/or installation of fire-tube and water-tube power boilers and hot water heating boilers, including all fittings and piping, valves, gauges, pumps, radiators, converters, fuel oil tanks, fuel lines, chimney flues, heat insulation and all other devices, apparatus, and equipment related thereto.**

**S212 - Irrigation Sprinkling Contractor. Layout, fabrication, and/or installation of water distribution system for artificial watering or irrigation.**

**S213 - Industrial Piping Contractor. Fabrication and/or installation of pipes and piping for the conveyance or transmission of steam, gases, chemicals, and other substances including excavating, trenching, and back-filling related to such work. This classification includes the above work for geo thermal systems.**

**S214 - Water Conditioning Equipment Contractor. Fabrication and/or installation of water conditioning equipment and only such pipe and fittings as are necessary for connecting the water conditioning equipment to the water supply system within the premises.**

**S215 - Solar Thermal Systems Contractor. Construction, repair and/or installation of solar thermal systems up to the system shut off valve or where the system interfaces with any other plumbing system.**

**S216 - Residential Sewer Connection and Septic Tank Contractor. Construction of residential sewer lines including connection to the public sewer line, and excavation and grading related thereto. Excavation, installation and grading of residential septic tanks and their drainage.**

**S217 - Residential Plumbing Contractor. Fabrication and/or installation of material and fixtures to create and maintain sanitary conditions in residential building, including multiple units up to and including a four-plex by providing a permanent means for a supply of safe and pure water, a means for the timely and complete removal from the premises of all used or contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life and the occupation of such premises, and provision of a safe and adequate supply of gases for lighting and heating purposes. Work permitted under this classification shall include the furnishing of materials, fixtures and labor to extend service from a residential building out to the main water, sewer or gas pipeline. Excluded is any new construction and service work generally recognized in the industry as commercial or industrial.**

**S220 - Carpenter Contractor. Fabrication for structural and finish purposes in a structure or building using wood, wood products, metal studs, vinyl materials, or other wood/plastic/metal composites as is by custom and usage accepted in the building industry as carpentry. Incidental work includes the installation of tub liners and wall systems.**

**S221 - Cabinet, Millwork and Countertop Installation Contractor. On-site construction and/or installation of milled wood products or countertops.**

**S222 - Overhead and Garage Door Contractor. The installation of overhead and garage doors and door openers.**

**S230 - Siding Contractor. Fabrication, construction, and/or installation of siding.**

**S231 - Raingutter Installation Contractor. On-site fabrication and/or installation of rain gutters and drains, roof flashings, gravel stops and metal ridges.**

**S240 - Glass and Glazing Contractor. Fabrication, construction, installation, and/or removal of all types and sizes of glass, mirrors, substitutes for glass, glass-holding members, frames, hardware, and other incidental related work.**

**S250 - Insulation Contractor. Installation of any insulating media in buildings and structures for the sole purpose of temperature control, sound control or fireproofing, but shall not include mechanical insulation of pipes, ducts or conduits.**

**S260 - General Concrete Contractor. Fabrication, construction, mixing, batching, and/or installation of concrete and related concrete products along with the placing and setting of screeds for pavement for flatwork, the construction of forms, placing and erection of steel bars for reinforcing and application of plaster and other cement-related products.**

**S261 - Concrete Form Setting and Shoring Contractor. Fabrication, construction, and/or installation of forms and shoring material; but, does not include the placement of concrete, finishing of concrete or embedded items such as metal reinforcement bars or mesh.**

**S262 - Gunite and Pressure Grouting Contractor. Installation of a concrete product either injected or sprayed under pressure.**

**S263 - Cementitious Coating Systems Resurfacing and Sealing Contractor. Fabrication, construction, mixing, batching and installation of cementitious coating systems or sealants limited to the resurfacing or sealing of existing surfaces, including the preparation or patching of the surface to be covered or sealed.**

**S270 - General Drywall and Plastering Contractor. Fabrication, construction, and installation of drywall, gypsum, wallboard panels and assemblies. Preparation of drywall or plaster surfaces for suitable painting or finishing. Application to surfaces of coatings made of plaster, including the preparation of the surface and the provision of a base. This does not include applying stucco to lathe, plaster and other surfaces. Exempted is the plastering of foundations.**

**S272 - Ceiling Grid Systems, Ceiling Tile and Panel Systems Contractor. Fabrication and/or installation of wood, mineral, fiber, and other types of ceiling tile and panels and the grid systems required for placement.**

**S273 - Light-weight Metal and Non-bearing Wall Partitions Contractor. Fabrication and/or installation of light-weight metal and other non-bearing wall partitions.**

**S280 - General Roofing Contractor. Application and/or installation of asphalt, pitch, tar, felt, flax, shakes, shingles, roof tile, slate, and any other material or materials, or any combination of any thereof which use and custom has established as usable for, or which are now used as, water-proof, weatherproof, or watertight seal or membranes for roofs and surfaces; and roof conversion. Incidental work includes the installation of roof clamp ring to the roof drain.**

**S290 - General Masonry Contractor. Construction by cutting, and/or laying of all of the following brick, block, or forms: architectural, industrial, and refractory brick, all brick substitutes, architectural, industrial, and refractory brick, all brick substitutes, architectural, industrial, and refractory brick, all brick substitutes,
clay and concrete blocks, terra-cotta, thin set or structural quarry tile, glazed structural tile, gypsum tile, glass block, clay tile, copings, natural stone, plastic refractories, and castables and any incidental works, including the installation of shower pans, as required in construction of the masonry work.

S291 - Stone Masonry Contractor. Construction using natural or artificial stone, either rough or cut and dressed, laid at random, with or without mortar. Incidental work includes the installation of shower pans.

S292 - Terrazzo Contractor. Construction by fabrication, grinding, and polishing of terrazzo by the setting of chips of marble, stone, or other material in an irregular pattern with the use of cement, polyester, epoxy or other common binders. Incidental work includes the installation of shower pans.

S293 - Marble, Tile and Ceramic Contractor. Preparation, fabrication, construction, and installation of artificial marble, burned clay tile, ceramic, encaustic, faience, quarry, semi-vitreous, and other tile, excluding hollow or structural partition tile. Incidental work includes the installation of shower pans.

S294 - Cultured Marble Contractor. Preparation, fabrication and installation of slab and sheet manmade synthetic products including cultured marble, onyx, granite, onice, corian, and corian type products. Incidental work includes the installation of shower pans.

S300 - General Painting Contractor. Preparation of surface and/or the application of all paints, varnishes, shellacs, stains, waxes and other coatings or pigments.

S310 - Excavation and Grading Contractor. Moving of the earth's surface or placing earthen materials on the earth's surface, by use of hand or power machinery and tools, including explosives, in any operation of cut, fill, excavation, grading, trenching, backfilling, or combination thereof as they are generally practiced in the construction trade.

S320 - Steel Erection Contractor. Construction by fabrication, placing, and tying or welding of steel reinforcing bars or erecting structural steel shapes, plates of any profile, perimeter or cross-section that are used to reinforce concrete or as structural members, including riveting, welding, and rigging.

S321 - Steel Reinforcing Contractor. Fabricating, placing, tying, or mechanically welding of reinforcing bars of any profile that are used to reinforce concrete buildings or structures.

S322 - Metal Building Erection Contractor. Erection of pre-fabricated metal structures including concrete foundation and footings, grading, and surface preparation.

S323 - Structural Stud Erection Contractor. Fabrication and installation of metal structural studs and bearing walls.

S330 - Landscaping Contractor.
  (a) grading and preparing land for architectural, horticultural, or decorative treatment;
  (b) arrangement, and planting of gardens, lawns, shrubs, vines, bushes, trees, or other decorative vegetation;
  (c) construction of small decorative pools, tanks, fountains, hothouses, greenhouses, fences, walks, garden lighting of 50 volts or less, or sprinkler systems;
  (d) construction of retaining walls except retaining walls which are intended to hold vehicles, structures, equipment or other non natural fill materials within the area located within a 45 degree angle from the base of the retaining wall to the level of where the additional weight bearing vehicles, structures, equipment or other non natural fill materials are located; or
  (e) patio areas except that:
    (i) no deckings designed to support humans or structures shall be included; and
    (ii) no concrete work designed to support structures to be placed upon the patio shall be included.
  (f) This classification does not include running electrical or gas lines to any appliance.

S340 - Sheet Metal Contractor. Layout, fabrication, and installation of complete warm air heating and air conditioning systems, and complete ventilating systems. The HVAC Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NRRA-NRPP).

S341 - Refrigerated Air Conditioning Contractor. Fabrication and installation of air conditioning ventilating systems to control air temperatures below 50 degrees.

S342 - Evaporative Cooling Contractor. Fabrication and installation of devices, machinery, and units to cool the air temperature employing evaporation of liquid.

S343 - Warm Air Heating Contractor. Layout, fabrication, and installation of such sheet metal, gas piping, and furnace equipment as necessary for a complete warm air heating and ventilating system.

S354 - Radon Mitigation Contractor. Layout, fabrication, and installation of a radon mitigation system. This classification does not include work on heat recovery ventilation or makeup air components which must be performed by an HVAC Contractor and does not include electrical wiring which must be performed by an Electrical Contractor.

S360 - Refrigeration Contractor. Construction and/or installation of refrigeration equipment including, but not limited to, built-in refrigerators, refrigerated rooms, insulated refrigerated spaces and equipment related thereto; but, the scope of permitted work does not include the installation of gas fuel or electric power services other than connection of electrical devices to a junction box provided for that device and electrical control circuitry not exceeding 50 volts.

S370 - Fire Suppression Systems Contractor. Layout, fabrication, and installation of fire protection systems using water, steam, gas, or chemicals. When a potable sanitary water supply system is used as the source of supply, connection to the water system must be accomplished by a licensed journeyman plumber. Included from this classification are persons engaged in the installation of fire suppression systems in hoods above cooking appliances.

S380 - Swimming Pool and Spa Contractor. On-site fabrication, construction and installation of swimming pools, prefabricated pools, spas, and tubs.
S390 - Sewer and Waste Water Pipeline Contractor. Construction of sewer lines, sewage disposal and sewage drain facilities including excavation and grading with respect thereto, and the construction of sewage disposal plants and appurtenances thereto.

S400 - Asphalt Paving Contractor. Construction of asphalt highways, roads, driveways, parking lots or other asphalt surfaces, which will include but will not be limited to, asphalt overlay, chip seal, fog seal and rejuvenation, microsurfacing, plant mix sealcoat, slurry seal, and the removal of asphalt surfaces by milling. Also included is the excavation, grading, compacting and laying of fill or base-related thereto. Also included in painting on asphalt surfaces including striping, directional and other types of symbols or words.

S410 - Pipeline and Conduit Contractor. Fabrication, construction, and installation of pipes, conduit or cables for the conveyance and transmission from one station to another of such products as water, steam, gases, chemicals, slurries, data or communications. Included are the excavation, cabling, horizontal boring, grading, and backfilling necessary for construction of the system.

S420 - General Fencing, Ornamental Iron and Guardrail Contractor. Fabrication, construction, and installation of fences, guardrails, handrails, and barriers.

S421 - Residential Fencing Contractor. Fabrication and installation of residential fencing up to and including a height of six feet.

S430 - Metal Firebox and Fuel Burning Stove Installer. Fabrication, construction, and installation of metal fireboxes, fireplaces, and wood or coal-burning stoves, including the installation of venting and exhaust systems, provided the individual performing the installation is RMGA certified.

S440 - Sign Installation Contractor. Installation of signs and graphic displays which require installation permits or permission as issued by state or local governmental jurisdictions. Signs and graphic displays shall include signs of all types, both lighted and unlighted, permanent highway marker signs, illuminated awnings, electronic message centers, sculptures or graphic representations including logos and trademarks intended to identify or advertise the user or his product, building trim or lighting with neon or decorative fixtures, or any other animated, moving or stationary device used for advertising or identification purposes. Signs and graphic displays must be fabricated, installed and erected in accordance with professionally engineered specifications and wiring in accordance with the National Electrical Code.

S441 - Non Electrical Outdoor Advertising Sign Contractor. Installation of signs and graphic displays which require installation permits or permission as issued by state and local governmental jurisdictions. Signs and graphics shall include outdoor advertising signs which do not have electrical lighting or other electrical requirements, and in accordance with professionally engineered specifications.

S450 - Mechanical Insulation Contractor. Fabrication, application and installation of insulation materials to pipes, ducts and conduits.

S460 - Wrecking and Demolition Contractor. The raising, cribbing, underpinning, moving, and removal of building and structures.

S470 - Petroleum Systems Contractor. Installation of above and below ground petroleum and petro-chemical storage tanks, piping, dispensing equipment, monitoring equipment and associated petroleum and petro-chemical equipment including excavation, backfilling, concrete and asphalt.

S480 - Piers and Foundations Contractor. The excavation, drilling, compacting, pumping, sealing and other work necessary to construct, alter or repair piers, piles, footings and foundations placed in the earth's subsurface to prevent structural settling and to provide an adequate capacity to sustain or transmit the structural load to the soil or rock below.

S490 - Wood Flooring Contractor. Installation of wood flooring including prefinished and unfinished material, sanding, staining and finishing of new and existing wood flooring. Underlayments, non-structural subfloors and other incidental related work.

S491 - Laminate Floor Installation Contractor. Installation of laminate floors including underlayments, non-structural subfloors and other incidental related work, but does not include the installation of solid wood flooring.

S500 - Sports and Athletic Courts, Running Tracks, and Playground Installation Contractor. Installation of sports and athletic courts including but not limited to tennis courts, racquetball courts, handball courts, basketball courts, running tracks, playgrounds, or any combination. Includes nonstructural floor subsurfaces, nonstructural wall surfaces, perimeter walls and perimeter fencing. Includes the installation and attachment of equipment such as poles, basketball standards or other equipment.

S510 - Elevator Contractor. Erecting, constructing, installing, altering, servicing, repairing or maintaining an elevator.

S600 - General Stucco Contractor. Applying stucco to lathe, plaster and other surfaces.

S700 - Specialty License Contractor.

(a) A specialty license is a license that confines the scope of the allowable contracting work to a specialized area of construction which the Division grants on a case-by-case basis.

(b) When applying for a specialty license, an applicant, if requested, shall submit to the Division the following:

(i) a detailed statement of the type and scope of contracting work that the applicant proposes to perform; and

(ii) any brochures, catalogs, photographs, diagrams, or other material to further clarify the scope of the work that the applicant proposes to perform.

(c) A contractor issued a specialty license shall confine the contractor's activities to the field and scope of operations as outlined by the Division.

(3) The scope of practice for the following primary classifications includes the scope of practice stated in the descriptions for the following subclassifications:

<table>
<thead>
<tr>
<th>Primary Classification</th>
<th>Included subclassifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>S200</td>
<td>S201, S202, S210, S211, S212, S213, S214, S215, S216, S217</td>
</tr>
<tr>
<td>S220</td>
<td>S221, S222</td>
</tr>
<tr>
<td>S230</td>
<td>S231</td>
</tr>
<tr>
<td>S260</td>
<td>S261, S262, S263</td>
</tr>
<tr>
<td>S270</td>
<td>S272, S273</td>
</tr>
<tr>
<td>S290</td>
<td>S291, S292, S293, S294</td>
</tr>
<tr>
<td>S320</td>
<td>S321, S322, S323</td>
</tr>
</tbody>
</table>
(4) The following activities are determined to not significantly impact the public health, safety and welfare and therefore do not require a contractor's license:

(a) sandblasting;
(b) pumping services;
(c) tree stump or tree removal;
(d) installation within a building of communication cables including phone and cable television;
(e) installation of low voltage electrical as described in R156-55b-102(1);
(f) construction of utility sheds, gazebos or other similar items which are personal property and not attached;
(g) building and window washing, including power washing;
(h) central vacuum systems installation;
(i) concrete cutting;
(j) interior decorating;
(k) wall paper hanging;
(l) drapery and blind installation;
(m) welding on personal property which is not attached;
(n) chimney sweepers other than repairing masonry;
(o) carpet and vinyl floor installation; and
(p) artificial turf installation.

(5) The following activities are determined to not significantly impact the public health, safety and welfare beyond the regulations by other agencies and therefore do not require a contractor's license:

(a) lead removal regulated by the Department of Environmental Quality;
(b) asbestos removal regulated by the Department of Environmental Quality; and
(c) fire alarm installation regulated by the Fire Marshal.


(1) In accordance with Subsection 58-55-302(1)(c), the qualifier for an applicant for licensure as a contractor or the qualifier for an applicant for licensure as a construction trades instruction facility shall pass the following examinations:

(a) the Utah Contractor Business - Law Examination; and
(b) an approved trade classification specific examination, where required in Subsection (2).

(2) An approved trade classification specific examination is required for the following contractor license classifications:

- E100 - General Engineering Contractor
- B100 - General Building Contractor
- B200 - Modular Unit Installation Contractor
- R100 - Residential and Small Commercial Contractor
- R101 - Residential and Small Commercial Non Structural Remodeling and Repair Contractor
- I101 - General Engineering Trades Instruction Facility
- I102 - General Building Trades Instruction Facility
- I105 - Mechanical Trades Instruction Facility
- S212 - Irrigation Sprinkling Contractor
- S213 - Industrial Piping Contractor

S215 - Solar Thermal Systems Contractor
S216 - Residential Sewer Connection and Septic Tank Contractor
S220 - Carpentry Contractor
S222 - Overhead and Garage Door Contractor
S230 - Siding Contractor
S240 - Glass and Glazing Contractor
S250 - Insulation Contractor
S260 - General Concrete Contractor
S270 - General Drywall and Plastering Contractor
S280 - General Roofing Contractor
S290 - General Masonry Contractor
S293 - Marble, Tile and Ceramic Contractor
S300 - General Painting Contractor
S310 - Excavation and Grading Contractor
S320 - Steel Erection Contractor
S321 - Steel Reinforcing Contractor
S330 - Landscaping Contractor
S340 - Sheet Metal Contractor
S350 - HVAC Contractor
S351 - Refrigerated Air Conditioning Contractor
S353 - Warm Air Heating Contractor
S354 - Refrigeration Contractor
S370 - Fire Suppression Systems Contractor
S380 - Swimming Pool and Spa Contractor
S390 - Sewer and Waste Water Pipeline Contractor
S410 - Pipeline and Conduit Contractor
S440 - Sign Installation Contractor
S450 - Mechanical Insulation Contractor
S490 - Wood Flooring Contractor
S491 - Sewer and Waste Water Pipeline Contractor
S500 - General Stucco Contractor
S560 - General Painting Contractor

NOTICES OF PROPOSED RULES

(3) The passing score for each examination is 70%.

(4) Qualifications to sit for examination.

(a) An applicant applying to take any examination specified in this Section must sign an affidavit verifying that an applicant has completed the experience required under Subsection R156-55a-302b.

(5) "Approved trade classification specific examination" means a trade classification specific examination:

(a) given, currently or in the past, by the Division's contractor examination provider; or
(b) given by another state if the Division has determined the examination to be substantially equivalent.

(6) An applicant for licensure who fails an examination may retake the failed examination as follows:

(a) no sooner than 30 days following any failure up to three failures; and
(b) no sooner than six months following any failure thereafter.


In accordance with Subsection 58-55-302(1)(e)(ii), the minimum experience requirements are established as follows:

(1) Requirements for all license classifications:

(a) Unless otherwise provided in this rule, all experience shall be lawfully performed under the general supervision of a contractor licensed in the classification applied for or a substantially equivalent classification, and shall be subject to the following:
In addition to the requirements of paragraph (1), an applicant shall have within the past 10 years a minimum of four years experience. The qualifier for an applicant for an S220, S280, S290, S320, S350, S360 and S370 license shall demonstrate the following experience:

(a) a minimum of four years experience within the past 10 years; or
(b) if the applicant's qualifier has previously been approved as a qualifier in the state of Utah, a passing score on the trade examination and the laws and rules examination taken within one year of the date of application to requalify the qualifier’s experience.

(4) Requirements for I101 General Engineering Trades Instruction Facility, I102 General Building Trades Instruction Facility, I103 Electrical Trades Instruction Facility, I104 Plumbing Trades Instruction Facility, I1105 Mechanical Trades Instruction Facility license classifications: An applicant for construction trades instruction facility license shall have the same experience that is required for the license classifications for the construction trade they will instruct.

(5) Requirements for other license classifications: Except as set forth in Subsections (6) and (7), in addition to the requirements of paragraph (1), an applicant for contractor license classification not listed above shall have within the past 10 years a minimum of two years of experience demonstrate the following experience:

(a) a minimum of two years experience within the past 10 years; or
(b) if the applicant's qualifier has previously been approved as a qualifier in the state of Utah, a passing score on the trade examination and the laws and rules examination taken within one year of the date of application to requalify the qualifier’s experience.

(6) Requirements for S202 Solar Photovoltaic Contractor. In addition to the requirements of Subsections (1) and (5), an applicant shall hold a current certificate by the North American Board of Certified Energy Practitioners.

(7) Requirements for S354 Radon Mitigation Contractor. In addition to the requirements of Subsections (1) and (5), an applicant shall hold a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP). Experience completed prior to the effective date of this rule does not need to be performed under the supervision of a licensed contractor. Experience completed after the effective date of this rule must be performed under the supervision of a licensed contractor who has authority to practice radon mitigation.

KEY: contractors, occupational licensing, licensing
Date of Enactment or Last Substantive Amendment: [July 9, 2013]
Notice of Continuation: October 4, 2011
Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-55-101; 58-55-308(1)(a); 58-55-102(39)(a)
Crime Victim Reparations, Administration

R270-1

Award and Reparation Standards

NOTICE OF PROPOSED RULE
(Amendment)

DAR FILE NO.: 37380
FILED: 03/01/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section R270-1-15 is amended to authorize agency director minimal latitude in negotiating recovery settlements when such settlements appear to be in the best interest of the agency. This amendment allows the agency to collect settlements in a more timely fashion while also providing for the consideration of a proportionate amount of the attorney fees for obtaining the settlements. This amendment places into rule a practice policy the Board has already been using. Section R270-1-20 is amended to require that agency staff do not apply a "misconduct" ruling to scenarios wherein a victim may have been coerced or threatened to participate in any behavior which could otherwise be perceived as misconduct or to any crime of a sexual nature. This amendment is very "victim friendly" and promotes sensitivity toward the nature of sex crimes. The practice, which this amendment makes a rule, has been a matter of policy for the past several years. The Board chose to make it a rule to preserve the practice.

SUMMARY OF THE RULE OR CHANGE: Section R270-1-15 is amended to authorize agency director minimal latitude in negotiating recovery settlements when such settlements appear to be in the best interest of the agency. This amendment allows the agency to collect settlements in a more timely fashion while also providing for the consideration of a proportionate amount of the attorney fees for obtaining the settlements. The current method often requires the delay of the settlement while waiting for the next quarterly board meeting for the board to review and approve the settlement. Section R270-1-20 is amended to require that agency staff do not apply a "misconduct" ruling to scenarios wherein a victim may have been coerced or threatened to participate in any behavior which could otherwise be perceived as misconduct or to any crime of a sexual nature. This amendment is very "victim friendly" and promotes sensitivity toward the nature of sex crimes.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 63M-7-506(1)(c) and Subsection 63M-7-515(1)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The change in Section R270-1-15 is anticipated to increase the amounts recovered by assuring personal injury law firms that they will receive a standard proportionate fee for securing settlements to which the agency has a recovery right. The change in Section R270-1-20 is not expected to have any effect on cost or savings as it has been a matter of policy for the past several years.
♦ LOCAL GOVERNMENTS: Neither of these amendments should have any effect on local government due to the fact that these rules affect only the interaction and association of the agency with individual crime victims and/or those representing them. Local governments do not interact with the agency, agency's clients, or client representatives on these matters and therefore it is not foreseeable that local governments could be impacted.
♦ SMALL BUSINESSES: Both of these amendments should have positive effects on small business by: 1) standardizing settlement negotiations with personal injury attorneys and creating more reliable and equitable payments to them; and 2) creating an environment that motivates the approval of claims under which more victims can receive service and or treatment for their crime related needs and service providers can receive payment from the agency for services they have provided to victims.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: More victims of violent crimes will remain eligible for agency benefits and more victims may be able to recover expenses the agency can not cover through personal injury suits brought by attorneys more confident they will be paid.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The only compliance costs associated with both of these amendments are placed upon the agency in complying with the rules as amended, which as previously mentioned, will not have a measurable affect.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Both of these amendments should have positive effects on small business by: 1) standardizing settlement negotiations with personal injury attorneys and creating more reliable and equitable payments to them; and 2) creating an environment that motivates the approval of claims under which more victims can receive service and or treatment for their crime related needs and service providers can receive payment from the agency for services they have provided to victims.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
CRIME VICTIM REPARATIONS
ADMINISTRATION
ROOM 200
350 E 500 S
SALT LAKE CITY, UT 84111-3347
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Gary Scheller by phone at 801-238-2362, by FAX at 801-533-4127, or by Internet E-mail at garys@utah.gov
NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37355
FILED: 02/16/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is amended to change the definition of "Board leadership" to make it consistent with the Board bylaws and a statement under public participation is removed because the Board meeting is a public meeting making the statement unnecessary.

SUMMARY OF THE RULE OR CHANGE: The definition of "Board leadership" is changed and a statement is removed in Section R277-101-3 of the rule.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 52-4-1 and Subsection 53A-1-401(3)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: There is no anticipated cost or savings to the state budget. The changes to the rule are procedural and no cost or savings are associated with the changes.
♦ LOCAL GOVERNMENTS: There is no anticipated cost or savings to local government. The changes to this rule apply to State Board of Education procedures and do not affect local government.
♦ SMALL BUSINESSES: There is no anticipated cost or savings to small businesses. The changes to this rule apply to State Board of Education procedures and do not affect small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no anticipated cost or savings to persons other than small businesses, businesses, or local government entities. The changes to this rule apply to State Board of Education procedures and do not affect individuals.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. The changes to the rule are procedural and no compliance costs are associated with the changes.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule and I see no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.
DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.
A. "Board" means the Utah State Board of Education.
B. "Board leadership" means the duly elected Utah State Board of Education Chair and Vice chair Leadership Committee as defined in the Board Bylaws.
C. "Chair" means duly elected Chairperson of the Board, Vice-chair, or Chair of a Board standing committee.
D. "Conflict of interest" means a business, family, monetary or relationship concern that may cause a reasonable person to be unduly influenced or that creates the appearance of undue influence.
E. "Health, safety, and welfare of students" means such concerns as adequate and safe buildings and facilities and transportation vehicles, required immunizations and health screenings, required criminal background checks and reviews on potential teachers and employees, required curriculum that allows for complete transferability of credit and other similar standards and protections.
F. "LEA" means a local education agency, including local school boards/public school districts, charter schools, and, for purposes of this rule, the Utah Schools for the Deaf and the Blind.
G. "Official action" taken by local education agency (LEA) boards means action taken in appropriately advertised board meetings, where votes and minutes are recorded and available for public review.
H. "State or federal law or regulations" means federal law and regulations including Department of Agriculture regulations that govern the Child Nutrition Program as it operates in Utah public schools, the Individuals with Disability Education Act (IDEA), including federal and state implementing regulations and state administrative rules.
I. "USOE" means the Utah State Office of Education.

A. This rule is authorized under Utah Constitution, Article X, Section 3 which vests general control and supervision of public education in the Board, Section 52-4-1 which directs that the actions of the Board be taken openly and that its deliberations be conducted openly and by Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.
B. The purpose of this rule is to describe procedures to be followed by the Board in its conduct of the public's business in order to:
(1) hear from those who desire to be heard on public education matters in the state;
(2) effectively and efficiently utilize the time of the Board;
(3) enable staff to provide timely and essential information; and
(4) balance desire for public information with other demands on the Board's time.

A. Citizens may attend meetings of the Board. The Board welcomes public participation during Board meetings.
B. Citizens may speak to the Board when acknowledged and recognized by the Board Chair:
(i) to issues not on the agenda during the time designated for public comment.
(ii) No action shall be taken by the Board during the public comment portion of the meeting.
(iii) At the Board's discretion, a Board member may request that an item raised during public comment be placed on a future agenda for possible action.
(iv) The Chair may limit the time available for individual comments; number of comments and time limits shall be stated prior to the public comment portion of the agenda.
(v) The Chair may request groups to designate a spokesperson.

(b) to items on the agenda during the time designated for public comment, or at the discretion of and as invited by the Chair, when the item is properly before the Board or committee. The Chair may request that public comments be provided in writing.
C. All presentations to the Board or one of its committees shall exemplify courteous behavior and appropriate language.

D. Following any presentation to the Board or one of its committees, individuals and groups may remain as spectators at the meeting.

Additional comments to the Board or committees may only be made as recognized and invited by the Board Chair during a meeting.

A. The Board has discretion to reconsider any decision it has made.
B. A motion to reconsider shall be made in a meeting of the Board that satisfies requirements of Section 52-4 by a Board member who voted on the prevailing side of the previous Board vote.
C. A motion to reconsider requires a second.
D. A motion to reconsider a previous Board decision shall be ruled in order by the Board Chair only with adequate time for Board members to receive information and discuss the issue, as determined by the presiding Board officer.
E. The Board Chair shall determine the procedures for the reconsideration discussion; for instance:
(1) The Board Chair shall determine if the Board shall accept public testimony and how long the discussion shall continue;
(2) The Board Chair shall determine if the reconsideration vote may take place at the next regularly scheduled Board meeting if such meeting allows time for adequately providing information to Board members;

(3) The Board Chair shall determine if more information is necessary prior to a vote, even if the Board vote is to be held at the same Board meeting.

F. The Board shall consider and hear available evidence, including documentation of detrimental or positive consequences specifically to LEAs or other entities, that may occur if the Board reverses a previous decision.

G. The motion to reconsider shall pass if two-thirds of the total membership of the Board votes in favor of the motion.

H. If a motion to reconsider fails, the Board shall not consider a motion on the same or substantially similar motion to reconsider in the same meeting.

I. A Board vote upon reconsideration of the same or substantially similar issue is the administrative decision by the Board.


A. Criteria for waiver of Board Rules:

(1) The Board shall consider waiver requests consistent with its constitutional responsibility for general control and supervision of the public education system.

(2) Prior to waiver, the Board shall consider whether a local board's or local charter governing board's request could be accomplished through means other than waiver of Board rules.

(3) The Board shall waive rules only following a thorough review of available data and shall make data driven decisions.

(4) The Board shall not waive rules:

(a) that are required by and adopt criteria from federal or state law or regulations;

(b) that negatively affect the health, safety or welfare of public education students;

(c) if the waiver could reasonably result in discrimination or harassment of public school students or employees;

(d) that benefit one element or segment of the public education system to the detriment of another.

(5) Waivers shall always include an effective time period for the waiver, public review and accountability provisions and a sunset date.

(6) Prior to consideration by the Board, waivers requested by charter schools shall be presented to and considered by the State Charter School Board. Information and documentation of this action shall be available to the Board.

(7) All Board evaluations, considerations, and decisions shall be made in the Board's sole discretion.

B. Procedures for waiver of Board rules:

(1) A local board of education or a charter school governing board may request a waiver from Board rule(s) in writing consistent with USOE timelines and on forms available from the USOE by submitting to the Board a written request showing a vote by the local board requesting the waiver in an open board meeting.

(2) Complete waiver requests shall be reviewed first by a Board Committee during a regularly scheduled Board meeting.

(3) The Board Committee designated by Board leadership shall review the request, solicit additional information or testimony, if helpful, and make a recommendation for consideration by the full Board of Education.

(4) Board leadership or a Board Committee shall make a reasonable determination of the time or Committee meetings necessary for careful review of request(s) for waiver of Board rules; Board leadership may consolidate consideration of duplicate or similar requests.

(5) At a minimum, the following shall be required from LEAs seeking a waiver of Board rules:

(a) student achievement data that support the requested waiver;

(b) data demonstrating the cost effectiveness, without sacrificing student achievement, of the waiver request;

(c) a draft proposed agreement that outlines USOE and local board responsibilities, data gathering and reporting timelines if a waiver is granted by the Board.

(6) Upon direction by the Board, an LEA shall make a presentation to an assigned Board Committee.

(7) Board leadership shall notify the local board of a proposed timeline for the Board to consider the request for waiver and provide a written decision, including an agreement between the Board and the local governing board, to the local board.

C. Public process and documents:

(1) Materials presented to the Board by the local board shall be public documents.

(2) Materials and draft agreements between the Board and the local board shall be protected draft documents.

(3) Final agreements between the Board and local governing boards shall be public documents and available for review by the public upon request consistent with the provisions of Title 63G, Chapter 2.

(4) Any breach of confidentiality while the discussion of agreements is in progress may compromise the fairness of the Board decision and may delay the discussion or Board decision or both.

KEY: school boards, open government

Date of Enactment or Last Substantive Amendment: [September 21, 2012]
Notice of Continuation: August 1, 2012
Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 52-4-1; 53A-1-401(3)
SUMMARY OF THE RULE OR CHANGE: The new rule provides Utah State Board of Education (Board) and local education agency (LEA) responsibilities, requirements for LEA fiscal and financial policies, and compliance requirements for LEAs.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-401(3) and Subsection 53A-1-402(1)(e)

ANTICIPATED COST OR SAVINGS TO:
- THE STATE BUDGET: There is no anticipated cost or savings to the state budget. Training and informational materials and model policies will be developed by existing staff at the Utah State Office of Education (USOE) within existing budgets.
- LOCAL GOVERNMENTS: LEAs will develop policies and provide training consistent with the requirements of this rule. It is presumed that policies, materials, training and other resources will be developed and implemented by existing LEA staff and within existing LEA budgets.
- SMALL BUSINESSES: There is no anticipated cost or savings to small business. This new rule applies to public education and does not affect businesses.
- PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no anticipated cost or savings to persons other than small businesses, businesses, or local government entities. This rule and the requirements under this rule apply to LEAs.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. The USOE and LEAs will develop policies and provide materials and training consistent with this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule and I see no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
EDUCATION ADMINISTRATION
250 E 500 S
SALT LAKE CITY, UT 84111-3272
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
- Carol Lear by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.
R277-113-1. Definitions.
A. "Arm's length transaction" means a transaction between two unrelated, independent and unaffiliated parties or a transaction between two parties acting in their own self interest that is conducted as if the parties were strangers so that no conflict of interest exists.
B. "Board" means the Utah State Board of Education.
C. "Exclusive contract or arrangement" means an agreement requiring a buyer to purchase or exchange all needed goods or services from one seller.
D. "Internal controls" are procedures designed to safeguard assets, detect errors and misappropriations, produce timely and accurate financial reports, and ensure compliance with laws and rules.
E. "LEA" means a local education agency, including local school boards/public school districts, charter schools, and for purposes of this rule, the Utah Schools for the Deaf and the Blind.
F. "Management" means an LEA superintendent or director, deputy or associate, business administrator or manager, or other educational administrator or designated staff.
G. "Public funds" (Utah Code Section 51-7-3(25)) means money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions including LEAs or other public bodies.
H. "School sponsored" means an activity, fundraising event, club, camp, clinic or other event or activity that is authorized by a specific LEA or public school which supports the LEA or authorized school club, activity, sport, class or program, that also satisfies at least one of the following conditions:
   1. it is managed or supervised by an LEA or public school, or LEA or public school employee;
   2. it uses the LEA or public school's facilities, equipment, or other school resources; or
   3. it is supported or subsidized, more than inconsequentially, by public funds, including the public school's activity funds or minimum school program dollars.
I. "Utah Public Officers' and Employees' Ethics Act" (Utah Code Sections 67-16-1 through 15) means an Act that provides standards of conduct for officers and employees of the state of Utah and its political subdivisions in areas where there are actual or potential conflicts of interest between their public duties and their private interests.

R277-113-2. Authority and Purpose.
A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, by Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities, and by Section 53A-1-402(1)(e) which directs the Board to establish rules and minimum standards for school productivity and cost effectiveness measures.
B. The purpose of this rule is to (1) require LEAs to formally adopt and implement policies regarding the management and use of public funds; (2) provide minimum standards, procedures and definitions for LEA policies; (3) direct that LEAs make policies, procedures and training materials available to the public and readily accessible on LEA or public school websites, to the extent of resources available; (4) require LEAs to train employees in appropriate financial practices, necessary accounting procedures and ethical financial practices; and (5) provide for consistency among LEAs regarding fiscal policies, procedures and accountability practices.


A. The Board shall provide training and informational materials and model policies for use by LEAs in developing LEA and public school-specific financial policies about the use and management of public funds before March 31, 2013.

B. The Board shall provide online training and resources for LEAs regarding the use and management of public funds and ethical practices for licensed Utah educators who manage, control, participate in fundraising, or expend public funds before March 31, 2013.

C. The Board may provide and establish a cycle for state review of LEA fiscal policies and standards.

D. The Board shall work with and provide information upon request to the Utah State Auditors Office, the Legislative Fiscal Auditors and other state agencies with the right to information from the Utah State Office of Education.

R277-113-4. LEA Responsibilities.

A. LEAs shall develop, have approved by local/charter boards and implement the fiscal policies required in R277-113-5 before September 15, 2013. These policies shall be in writing.

B. LEAs shall also develop a plan for training LEA and public school employees, at least annually, on policies enacted by the LEA specific to job function.

(1) These policies shall be available at each LEA main office, at individual public schools, and on the LEA’s website.

(2) The LEA fiscal policies and training may have different components, specificity, and levels of complexity for public elementary and secondary schools.

(3) LEAs may have one policy or more than one satisfying the minimum requirements of this rule.

(4) An LEA policy shall address how often the policy shall be reviewed, including periodic updates or training and resource manuals.

(5) An LEA policy may reference specific training manuals or other resources that provide detailed descriptions of business practices which are too lengthy or detailed to include in the LEA policy.

C. An LEA shall designate board members to serve on an audit or finance committee. The LEA audit or finance committee has the following responsibilities:

(1) ensuring that management properly develops and adheres to a sound system of internal controls consistent with the requirements of R277-113-5;

(2) receiving a report of the risk assessment process undertaken by management in developing the system of internal controls;

(3) developing a process to review financial information, financial statements, and LEA and individual school records on a regular basis;

(4) ensuring that management conducts a competitive RFP process to hire external auditors and other professional services and making a recommendation to the LEA board on the results of the RFP process consistent with the State Procurement Code;

(5) receiving communication from or meeting with the external auditors annually and receiving a direct report of the audit findings, exceptions, and other matters noted by the auditor;

(6) reporting the annual audit reports and findings or other matters communicated by the external auditor or other regulatory bodies to the LEA board in a public meeting;

(7) ensuring that matters reported by external audits, internal audits, or other regulatory bodies are resolved in a timely manner.

D. The definition of school sponsored and requirements of R277-113-4F do not apply to activities, fundraising events, clinics, clubs, camps, or activities organized by a third party which have not been designated by the LEA as school sponsored. All transactions pertaining to nonschool sponsored events shall be conducted at arm’s length; revenues and expenditures shall not be commingled with public funds.

E. For nonschool sponsored events, funds may be managed or held by a public school employee, only consistent with R277-107.

F. LEAs and individual public schools shall comply with the following regarding school and nonschool sponsored activities:

(1) may enter into contractual agreements to allow for fundraising and use of LEA facilities. An agreement shall take into consideration the LEA’s fiduciary responsibility for the management and use of public funds. LEAs should consult with the LEA insurer or legal counsel, or both, to ensure risks are adequately considered and managed.

(2) shall annually review fundraising activities that support or subsidize LEA or public school-authorized clubs, activities, sports, classes or programs to determine if the activities are school sponsored consistent within R277-113-1H;

(3) shall ensure that revenues raised from school sponsored activities and funds expended from the proceeds are considered public funds consistent with R277-113-1G;

(4) shall maintain adequate records to ensure that funds collected from or during school sponsored activities are in compliance with LEA cash handling policies as required by R277-113-5;

(5) shall maintain adequate records to show that expenditures made to support activities from LEA or public school funds are in compliance with LEA expenditure of funds policies as required by R277-113-5;

(6) shall make records of activities available to parents, students, and donors and shall maintain the records in sufficient detail to track individual contributions and expenditures as well as overall financial outcome. Records may be private or protected consistent with Sections 63G-2-302, 303, 305, and the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Section 1232g;

G. Public Education Foundations established by LEAs shall follow the requirements provided in Section 53A-4-205.
A. The following fiscal policies shall be required in each LEA. LEAs shall ensure that each policy addresses the specific Utah Code references or Board Rules in each section. The required items are minimum requirements. LEAs may include other related items, provide LEA specific policy and guidance, and set polices that are more restrictive and inclusive than the minimum provisions established by the Board.

B. LEAs shall ensure that policies address applicable elements from the Utah Public Officers’ and Employees’ Ethics Act, Utah Educator Standards (R277-515), and the definition of public funds.

C. LEA fiscal policies shall address the following:
   (1) Cash Handling: The LEA cash handling policy shall address cash receipts (cash, checks, credit cards, and other items) collected at the LEA and individual public schools through school sponsored activities and shall include:
      (a) establishment of internal controls and procedures over the collection, deposit, and reconciliation of cash receipts received;
      (b) compliance with Utah Code 51-4-2(2) regarding deposits;
   (2) Expenditure of Public Funds: The LEA expenditure policy shall address expenditures made by checks, electronic transfers and credit/debit cards that are made by the LEA and individual public schools through school sponsored activities and shall include:
      (a) establishment of internal controls and procedures over the initiation, approval and monitoring of expenditures, credit or debit card transactions, employee reimbursements, travel, and payroll;
      (b) directives regarding the appropriate use of the LEA tax exempt status number;
      (c) compliance with Section 63G-6a-1204(7) regarding length of multi-year contracts;
      (d) compliance with Section 63G-6-201 et seq. procurement state law and Board rule regarding construction and improvements, and compliance with Title IX; and
      (e) procedures and documentation maintained by the LEA if the LEA chooses to enter into exclusive contracts or arrangements consistent with state procurement law and the LEA procurement policy;
   (3) Fundraising: The LEA fundraising policy shall establish procedures for LEA and public school fundraising in general, establish an approval process for fundraising activities, school sponsored activities, provide for compliance with school fee and fee waiver provisions, and shall include:
      (a) specific designation of employees by title or job description who are authorized to approve fundraising, school sponsored activities, and grant fee waivers with appropriate attention to student and family confidentiality;
      (b) establishment of internal controls and procedures over the approval of fundraising and school sponsored activities and compliance with associated cash handling and expenditure policies;
      (c) directives regarding the appropriate use of the LEA tax exempt status number, and issuance of charitable donation receipts;
      (d) procedures governing LEA or public school employee interaction with parents, donors, and nonschool sponsored organizations;
      (e) disclosure requirements for LEA and public school employees approving or otherwise managing or overseeing fundraising activities who also have a financial or controlling interest or access to bank accounts in the fundraising organization or company;
      (f) This policy shall be in harmony with Article X of the Utah Constitution establishing a free public education system, with R277-407 regarding school fees, and compliance with Title IX.
      (g) The LEA may include procedures governing student participation and incentives offered to students, allowable types of fundraising activities, and participation in school sponsored activities by volunteer or outside organizations;
   (4) Donations and Gifts: The LEA donation and gift policy shall establish acceptance and approval process for monetary donations, donations and gifts with donor restrictions, donations of gifts, goods, materials or equipment, and funds or items designated for construction or improvements of facilities, and shall include:
      (a) establishment of internal controls and procedures over the acceptance and approval of donations and gifts and compliance with associated cash handling and expenditure policies;
      (b) directives regarding the appropriate use of the LEA tax exempt status number, and issuance of charitable donation receipts;
      (c) procedures regarding the objective valuation of donations or gifts if advertising or other services are offered to the donor in exchange for a donation or gift;
      (d) procedures governing LEA or public school employee conduct with parents, donors, and nonschool sponsored organizations;
      (e) procedures establishing provisions to direct donations or gifts to the LEA or LEA programs, individual public school or public school programs, and restricting donations from being directed at specific LEA employees, individual students, vendors, or brand name goods or services;
      (f) compliance with Title 63G, Chapter 6 regarding the procurement code, state law and Board rule regarding construction and improvements, IRS regulations and tax deductible directives, and compliance with Title IX;
      (g) The LEA may include procedures for accepting donations and gifts through an LEA’s legally organized foundation, if applicable, or procedures for recognition of donors, or granting naming rights.


A. LEAs are responsible to ensure that policies comply with the following state laws and Board Rules:
   (1) Utah Constitution Article X, Section 3;
   (2) Utah Code 63G-6a, Utah Procurement Code;
   (3) Utah Code 51-4, Deposit of Funds Due State;
   (4) Utah Code 67-16, Utah Public Officers’ and Employees’ Ethics Act;
   (5) 20 U.S.C. Section 1232g, Family Educational Rights and Privacy Act;
   (6) Utah Code 63G-2, Government Records Access and Management Act;
   (7) Utah Code Section 53A-12, Fees and Textbooks;
   (8) Utah Code Section 53A-4-205, Public Education Foundations.
NOTICES OF PROPOSED RULES

(9) R277-407, School Fees;
(10) R277-107, Educational Services Outside of Educator’s Regular Employment;
(11) R277-515, Utah Educator Standards.

B. In establishing policies and providing staff training, LEAs shall consider requirements of Title IX, including:
(1) Fundraising shall equitably benefit boys and girls;
(2) Boys and girls shall have reasonably equal access to facilities, fields and equipment;
(3) School sponsored activities shall be reasonably equal for boys and girls.

KEY: school sponsored activities, public funds, fiscal policies and procedures, audit committee
Date of Enactment or Last Substantive Amendment:  2013
Authorizing, and Implemented or Interpreted Law:  Art X, Sec 3; 53A-1-401(3); 53A-1-402(1)(e)

Environmental Quality, Water Quality
R317-1-1
Definitions

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.:  37366
FILED:  02/29/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Four definitions were added to support the concurrent changes related to biological water quality assessment criteria at Section R317-2-7. The numbering for the individual definitions was deleted to avoid having to change references throughout the water quality rules when a definition is added or deleted.

SUMMARY OF THE RULE OR CHANGE: Definitions were added for biological assessment, biological criteria, human-induced stressor, and use attainability analysis. The numbers for each definition in the section were deleted.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Federal Clean Water Act Chapter 26 Sec. 1251, 1311 and Section 19-5-105 and Section 19-5-110

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: No impact to state budget is anticipated. The proposed amendments add four definitions that do not add any requirements or cause actions that would affect the state budget.
♦ LOCAL GOVERNMENTS: No impact to local government is anticipated. The proposed amendments add four definitions that do not add any requirements or cause actions that would affect local governments.
♦ SMALL BUSINESSES: No impacts to small businesses are anticipated. The proposed amendments add four definitions that do not add any requirements or cause actions that would affect small businesses.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: No impacts to other persons are anticipated. The proposed amendments add four definitions that do not add any requirements or cause actions that would affect other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendments add four definitions that do not add any requirements or cause actions that would affect compliance costs for affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Four definitions were added to support the concurrent changes related to biological water quality assessment criteria at Section R317-2-7. The proposed amendments do not add any requirements or cause actions that would have a fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
WATER QUALITY
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Dave Wham by phone at 801-536-4337, by FAX at 801-536-4301, or by Internet E-mail at dwham@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:
♦ 04/03/2013 06:00 PM, Multi-State Office Building, 195 N 1950 W, Room 1015, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Walter Baker, Director

R317-1. Definitions and General Requirements.
R317-1-1. Definitions.

"Assimilative Capacity" means the difference between the numeric criteria and the concentration in the waterbody of interest where the concentration is less than the criterion.

"Biological assessment" means an evaluation of the biological condition of a water body using biological surveys and other direct measurements of composition or condition of the resident living organisms.
"Biological criteria" means numeric values or narrative descriptions that are established to protect the biological condition of the aquatic life inhabiting waters that have been given a certain, designated aquatic life use.

[1.2] "Board" means the Utah Water Quality Board.
[1.3] "BOD" means 5-day, 20 degrees C. biochemical oxygen demand.
[1.4] "Body Politic" means the State or its agencies or any political subdivision of the State to include a county, city, town, improvement district, taxing district or any other governmental subdivision or public corporation of the State.
[1.5] "Building sewer" means the pipe which carries wastewater from the building drain to a public sewer, a wastewater disposal system or other point of disposal. It is synonymous with "house sewer".
[1.6] "CBOD" means 5-day, 20 degrees C., carbonaceous biochemical oxygen demand.
[1.7] "COD" means chemical oxygen demand.
[1.8] "Deep well" means a drinking water supply source which complies with all the applicable provisions of the State of Utah Public Drinking Water Regulations.
[1.9] "Digested sludge" means sludge in which the volatile solids content has been reduced to about 50% by a suitable biological treatment process.
[1.10] "Division" means the Utah State Division of Water Quality.
[1.11] "Domestic wastewater" means a combination of the liquid or water-carried wastes from residences, business buildings, institutions, and other establishments with installed plumbing facilities, together with those from industrial establishments, and with such ground water, surface water, and storm water as may be present. It is synonymous with the term "sewage".
[1.12] "Effluent" means the liquid discharge from any unit of a wastewater treatment works, including a septic tank.
[1.13] "Existing Uses" means those uses actually attained in a water body on or after November 28, 1975, whether or not they are included in the water quality standards.
[1.14] "Human-induced stressor" means perturbations directly or indirectly caused by humans that alter the components, patterns, and/or processes of an ecosystem.
[1.15] "Human pathogens" means specific causative agents of disease in humans such as bacteria or viruses.
[1.16] "Industrial wastes" means the liquid wastes from industrial processes as distinct from wastes derived principally from dwellings, business buildings, institutions and the like. It is synonymous with the term "industrial wastewater".
[1.17] "Influent" means the total wastewater flow entering a wastewater treatment works.
[1.18] "Great Salt Lake impounded wetland" means wetland ponds which have been formed by dikes or berms to control and retain the flow of freshwater sources in the immediate proximity of Great Salt Lake.
[1.19] "Large underground wastewater disposal system" means the same type of device as an onsite wastewater system except that it is designed to handle more than 5,000 gallons per day of domestic wastewater, or wastewater that originates in multiple dwellings, commercial establishments, recreational facilities, schools, or any other underground wastewater disposal system not covered under the definition of an onsite wastewater system. The Board controls the installation of such systems.
[1.20] "Onsite wastewater system" means an underground wastewater disposal system for domestic wastewater which is designed for a capacity of 5,000 gallons per day or less and is not designed to serve multiple dwelling units which are owned by separate owners except condominiums and twin homes. It usually consists of a building sewer, a septic tank and an absorption system.
[1.21] "Operating Permit" is a State issued permit issued to any wastewater treatment works covered under Rules R317-3 or R317-5 with the following exceptions:
A. Any wastewater treatment permitted under Ground Water Quality Protection R317-6.
C. Any wastewater treatment permitted under Utah Pollutant Discharge Elimination System (UPDES) R317-8.
E. Any wastewater treatment permitted by a Local Health Department under Onsite Wastewater Systems R317-4.
F. "Person" means any individual, corporation, partnership, association, company, or body politic, including any agency or instrumentality of the United States government (Section 19-1-103).
[1.22] "Point source" means any discernible, confined and discrete conveyance including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, concentrated animal feeding operation, or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flow from irrigated agriculture.
[1.23] "Pollution" means such contamination, or other alteration of the physical, chemical, or biological properties of any waters of the state, or such discharge of any liquid, gaseous or solid substance into any waters of the state as will create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.
[1.24] "Sewage" is synonymous with the term "domestic wastewater".
[1.25] "Shallow well" means a well providing a source of drinking water which does not meet the requirements of a "deep well".
[1.26] "Sludge" means the accumulation of solids which have settled from wastewater. As initially accumulated, and prior to treatment, it is known as "raw sludge".
[1.27] "SS" means suspended solids.
[1.28] Total Maximum Daily Load (TMDL) means the maximum amount of a particular pollutant that a waterbody can receive and still meet state water quality standards, and an allocation of that amount to the pollutant's sources.
[1.29] "Treatment works" means any plant, disposal field, lagoon, dam, pumping station, incinerator, or other works used for the purpose of treating, stabilizing or holding wastes. (Section 19-5-102).
[1.30] "TSS" means total suspended solids.
[1.31] "Underground Wastewater Disposal System" means a system for underground disposal of domestic wastewater. It includes onsite wastewater systems and large underground wastewater disposal systems.
"Use Attainability Analysis" means a structured scientific assessment of the factors affecting the attainment of the uses specified in Section 101(a) (2) of the Clean Water Act. The factors to be considered in such an analysis include the physical, chemical, biological, and economic use removal criteria as described in 40 CFR 131.10(g) (1-6).

"Wastes" means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water. (Section 19-5-102).

"Wastewater" means sewage, industrial waste or other liquid substances which might cause pollution of waters of the state. Intercepted ground water which is uncontaminated by wastes is not included.

"Waters of the state" means all streams, lakes, ponds, marshes, water-courses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be "waters of the state" under this definition (Section 19-5-102).

KEY: water pollution, waste disposal, industrial waste, effluent standards
Date of Enactment or Last Substantive Amendment: [September 26, 2013]
Notice of Continuation: October 2, 2012
Authorizing, and Implemented or Interpreted Law: 19-5

Environmental Quality, Water Quality
R317-2
Standards of Quality for Waters of the State
NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 37361
FILED: 02/26/2013

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: A new Biological Water Quality Assessment and Criteria is proposed as Subsection R317-2-7(7.3). The Division of Water Quality (DWQ) has been collecting biological data since early after the inception of the Division. DWQ began incorporating biological data to assess water quality throughout the state starting in 2008. To officially formalize the biological assessment process and to avoid litigation in light of recent court rulings concerning water quality assessments as de-facto standards (Florida Impaired Waters Rule case), DWQ invited and assembled stakeholders from various disciplines to form a Biological Standards Subworkgroup in September 2011. DWQ’s goal was to draft a biological criterion that is consistent with the current DWQ biological assessment process while being sensitive to language that may have unintentional consequences to our stakeholders. After a little more than a year of language refinement and addressing the concerns expressed by workgroup members, the biological criterion received the approval from the Water Quality Standards Workgroup and preliminary approval from EPA in December 2012. With the adoption of the biological criterion, DWQ will have the legal standing to confidently continue the biological assessment process and enhance the program to benefit the other sectors of DWQ. DWQ intends to continue meeting with the Biological Standards Subworkgroup to address proposed amendments to the rule and as new opportunities are explored to improve the effectiveness of the biological assessment program. In Section R317-2-3, specifics to state certification that water quality will be protected under the Clean Water Act Section 401 are proposed for deletion. The deleted requirements are either being moved or revised in the concurrently proposed new rule R317-15. The name of the inlet creek to Mona Reservoir is proposed to be changed from Burriston Creek to Currant Creek. USGS maps and "Utah’s Priority Lakes and Reservoirs" describe the inlet and outlet stream as Currant Creek. Subsection R317-2-13(13.5)(c) currently lists the outlet stream as Currant Creek. This change would not change any of the designated uses. The purpose of this change is to eliminate the confusion regarding the name of the inlet creek. (DAR NOTE: The proposed new rule R317-15 is under DAR No. 37362 in this issue, March 15, 2013, of the Bulletin.)

SUMMARY OF THE RULE OR CHANGE: A new Subsection R317-2-7(7.3), Biological Water Quality Assessment and Criteria, is proposed. Additional revisions were made to Subsections R317-2-7(7.1) and R317-2-7(7.2) to accommodate the new Subsection R317-2-7(7.3). Section R317-2-3 was revised to delete the requirements for Clean Water Act Section 401 water quality certifications because these requirements are replaced or revised by the new proposed rule R317-15. Other clarifications to the wording in Section R317-1-3 were made to avoid confusion. The name of Burriston Creek in Subsection R317-2-13(13.5)(c) is proposed to be changed to Currant Creek.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 33 U.S.C. 1251 et seq. and Section 19-5-105 and Section 19-5-110

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The new Subsection R317-2-7(7.3) codifies procedures already being implemented by the DWQ. These procedures will continue to be conducted with existing resources and no new costs or savings are anticipated. The deleted requirements in Section R317-2-3 are being moved to new rule R317-15 resulting in no net change in requirements. Therefore, no additional costs or savings are anticipated. The
name change from Burrston Creek to Currant Creek will not result in additional costs or savings.

♦ LOCAL GOVERNMENTS: The changes put no additional resource burdens on local governments. The additions to Section R317-2-7 are used as a tool primarily by DWQ to assess water quality and support of the designated uses. Local governments may however elect to conduct optional biological assessments to support site-specific standards that could result in savings if unnecessary effluent treatment is avoided. The deletions to Section R317-2-3 do not change requirements because they are being moved to the new rule R317-15. The Burrston Creek name change is housekeeping.

♦ SMALL BUSINESSES: The changes put no additional resource burdens on small businesses. The additions to Section R317-2-7 are used as a tool primarily by DWQ to assess water quality and support of the designated uses. Small businesses may however elect to conduct optional biological assessments to support site-specific standards that could result in savings if unnecessary effluent treatment is avoided. The deletions to Section R317-2-3 do not change requirements because they are being moved to the new rule R317-15. The Burrston Creek name change is housekeeping.

♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The changes put no additional resource burdens on other persons. The additions to Section R317-2-7 are used primarily by DWQ as a method to assess water quality and support of the designated uses. Other persons may however elect to conduct optional biological assessments to support site-specific standards that could result in savings if unnecessary effluent treatment is avoided. The deletions to Section R317-2-3 do not change requirements because they are being moved to the new rule R317-15. The Burrston Creek name change is housekeeping.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed additions to Section R317-2-7 will not incur compliance costs because the proposed biological standard is a tool used primarily by DWQ as a method to assess if water quality is sufficient to support the designated uses in accordance with the requirements of Subsection R317-2-7(7.1). The deletions do not have associated compliance costs. The name change for Burrston Creek is a housekeeping change that does not affect the existing standards associated with this creek.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: These changes are not anticipated to result in fiscal impacts on businesses because the additions to Section R317-2-7 are used primarily by DWQ as a method to assess water quality and support of the designated uses in accordance with the requirements of Subsection R317-2-7(7.1). The deletions to Section R317-2-3 do not change requirements because they are being moved to the new rule R317-15. The Burrston Creek name change is housekeeping.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
WATER QUALITY
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Judy Etherington by phone at 801-536-4344, by FAX at 801-536-4301, or by Internet E-mail at jetherington@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:
♦ 04/03/2013 06:00 PM, Multi-State Office Building, 195 N 1950 W, Room 1015, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 05/15/2013

AUTHORIZED BY: Walter Baker, Director

R317-2. Standards of Quality for Waters of the State.

3.1 Maintenance of Water Quality
Waters whose existing quality is better than the established standards for the designated uses will be maintained at high quality unless it is determined by the Board, after appropriate intergovernmental coordination and public participation in concert with the Utah continuing planning process, allowing lower water quality is necessary to accommodate important economic or social development in the area in which the waters are located. However, existing instream water uses shall be maintained and protected. No water quality degradation is allowable which would interfere with or become injurious to existing instream water uses.

In those cases where potential water quality impairment associated with a thermal discharge is involved, the antidegradation policy and implementing method shall be consistent with Section 316 of the Federal Clean Water Act.

3.2 Category 1 Waters
Waters which have been determined by the Board to be of exceptional recreational or ecological significance or have been determined to be a State or National resource requiring protection, shall be maintained at existing high quality through designation, by the Board after public hearing, as Category 1 Waters. New point source discharges of wastewater, treated or otherwise, are prohibited in such segments after the effective date of designation. Protection of such segments from pathogens in diffuse, underground sources is covered in R317-5 and R317-7 and the Regulations for Individual Wastewater Disposal Systems (R317-501 through R317-515). Other diffuse sources (nonpoint sources) of wastes shall be controlled to the extent
feasible through implementation of best management practices or regulatory programs.

Discharges may be allowed where pollution will be temporary and limited after consideration of the factors in R317-2-3.5.b., and where best management practices will be employed to minimize pollution effects.

Waters of the state designated as Category 1 Waters are listed in R317-2-12.1.  

3.3 Category 2 Waters  

Category 2 Waters are designated surface water segments which are treated as Category 1 Waters except that a point source discharge may be permitted provided that the discharge does not degrade existing water quality. Discharges may be allowed where pollution will be temporary and limited after consideration of the factors in R317-2-3.5.b., and where best management practices will be employed to minimize pollution effects. Waters of the state designated as Category 2 Waters are listed in R317-2-12.2.  

3.4 Category 3 Waters  

For all other waters of the state, point source discharges are allowed and degradation may occur, pursuant to the conditions and review procedures outlined in Section 3.5.

3.5 Antidegradation Review (ADR)  

An antidegradation review will determine whether the proposed activity complies with the applicable antidegradation requirements for receiving waters that may be affected.  

An antidegradation review (ADR) may consist of two parts or levels. A Level I review is conducted to insure that existing uses will be maintained and protected.  

Both Level I and Level II reviews will be conducted on a parameter-by-parameter basis. A decision to move to a Level II review for one parameter does not require a Level II review for other parameters. Discussion of parameters of concern is those expected to be affected by the proposed activity.  

Antidegradation reviews shall include opportunities for public participation, as described in Section 3.5e.  

a. Activities Subject to Antidegradation Review (ADR)  

1. For all State waters, antidegradation reviews will be conducted for proposed federally regulated activities, such as those under Clean Water Act Sections 401 (FERC and other Federal actions), 402 (UPDES permits), and 404 (Army Corps of Engineers permits). The Executive Secretary may conduct an ADR on any projects with the potential for major impact on the quality of waters of the state. The review will determine whether the proposed activity complies with the applicable antidegradation requirements for the particular receiving waters that may be affected.  

2. For Category 1 Waters and Category 2 Waters, reviews shall be consistent with the requirement established in Sections 3.2 and 3.3, respectively.  

3. For Category 3 Waters, reviews shall be consistent with the requirements established in this section  

b. An Anti-degradation Level II review is not required where any of the following conditions apply:  

1. Water quality will not be lowered by the proposed activity or for existing permitted facilities, water quality will not be further lowered by the proposed activity, examples include situations where:  

(a) the proposed concentration-based effluent limit is less than or equal to the ambient concentration in the receiving water during critical conditions; or  

(b) a UPDES permit is being renewed and the proposed effluent concentration and loading limits are equal to or less than the concentration and loading limits in the previous permit; or  

(c) a UPDES permit is being renewed and new effluent limits are to be added to the permit, but the new effluent limits are based on maintaining or improving upon effluent concentrations and loads that have been observed, including variability; or  

2. Assimilative capacity (based upon concentration) is not available or has previously been allocated, as indicated by water quality monitoring or modeling information. This includes situations where:  

(a) the water body is included on the current 303(d) list for the parameter of concern; or  

(b) existing water quality for the parameter of concern does not satisfy applicable numeric or narrative water quality criteria; or  

(c) discharge limits are established in an approved TMDL that is consistent with the current water quality standards for the receiving water (i.e., where TMDLs are established, and changes in effluent limits that are consistent with the existing load allocation would not trigger an antidegradation review).  

Under conditions (a) or (b) the effluent limit in an UPDES permit may be equal to the water quality numeric criterion for the parameter of concern.  

3. Water quality impacts will be temporary and related only to sediment or turbidity and fish spawning will not be impaired.  

4. The water quality effects of the proposed activity are expected to be temporary and limited. As general guidance, CWA Section 402 general discharge permits, CWA Section 404 [nationally and]-general permits, or activities of short duration, will be deemed to have a temporary and limited effect on water quality where there is a reasonable factual basis to support such a conclusion. [The 404 nationwide permits decision will be made at the time of permit issuance, as part of the Division's water quality certification under CWA Section 401.—Where it is determined that the category of activities result in temporary and limited effects, subsequent individual activities authorized under such permits will not be subject to further antidegradation review.—]Factors to be considered in determining whether water quality effects will be temporary and limited may include the following:

(a) Length of time during which water quality will be lowered.  

(b) Percent change in ambient concentrations of pollutants of concern  

(c) Pollutants affected  

(d) Likelihood for long-term water quality benefits to the segment (e.g., dredging of contaminated sediments)  

(e) Potential for any residual long-term influences on existing uses.  

(f) Impairment of the fish spawning, survival and development of aquatic fauna excluding fish removal efforts.  

c. Anti-degradation Review Process  

For all activities requiring a Level II review, the Division will notify affected agencies and the public with regards to the requested proposed activity and discussions with stakeholders may be held. In the case of Section 402 discharge permits, if it is determined that a discharge will be allowed, the Division of Water Quality will develop any needed UPDES permits for public notice following the normal permit issuance process.
The ADR will cover the following requirements or determinations:

1. Will all Statutory and regulatory requirements be met?

  The Executive Secretary will review to determine that there will be achieved all statutory and regulatory requirements for all new and existing point sources and all required cost-effective and reasonable best management practices for nonpoint source control in the area of the discharge. If point sources exist in the area that have not achieved all statutory and regulatory requirements, the Executive Secretary will consider whether schedules of compliance or other plans have been established when evaluating whether compliance has been assured. Generally, the “area of the discharge” will be determined based on the parameters of concern associated with the proposed activity and the portion of the receiving water that would be affected.

2. Are there any reasonable less-degrading alternatives?

  There will be an evaluation of whether there are any reasonable non-degrading or less degrading alternatives for the proposed activity. This question will be addressed by the Division based on information provided by the project proponent. Control alternatives for a proposed activity will be evaluated in an effort to avoid or minimize degradation of the receiving water. Alternatives to be considered, evaluated, and implemented to the extent feasible, could include pollutant trading, water conservation, water recycling and reuse, land application, total containment, etc.

For proposed UPDES permitted discharges, the following list of alternatives should be considered, evaluated and implemented to the extent feasible:

- Innovative or alternative treatment options
- More effective treatment options or higher treatment levels
- Connection to other wastewater treatment facilities
- Process changes or product or raw material substitution
- Seasonal or controlled discharge options to minimize discharging during critical water quality periods
- Pollutant trading
- Water conservation
- Water recycle and reuse
- Alternative discharge locations or alternative receiving waters
- Land application
- Total containment
- Improved operation and maintenance of existing treatment systems
- Other appropriate alternatives

An option more costly than the cheapest alternative may have to be implemented if a substantial benefit to the stream can be realized. Alternatives would generally be considered feasible where the costs are no more than 20% higher than the cost of the discharging alternative, and (for POTWs) where the projected per connection service fees are not greater than 1.4% of MAGHI (median adjusted gross household income), the current affordability criterion now being used by the Water Quality Board in the wastewater revolving loan program. Alternatives within these cost ranges should be carefully considered by the discharger. Where State financing is appropriate, a financial assistance package may be influenced by this evaluation, i.e., a less polluting alternative may receive a more favorable funding arrangement in order to make it a more financially attractive alternative.

It must also be recognized in relationship to evaluating options that would avoid or reduce discharges to the stream, that in some situations it may be more beneficial to leave the water in the stream for instream flow purposes than to remove the discharge to the stream.

3. Special Procedures for 404 Permits

   For 404 permitted activities, all appropriate alternatives to avoid and minimize degradation should be evaluated. Activities involving a discharge of dredged or fill materials that are considered to have more than minor adverse affects on the aquatic environment are regulated by individual CWA Section 404 permits. The decision-making process relative to the 404 permitting program is contained in the 404(b)(1) guidelines (40 CFR Part 230). Prior to issuing a permit under the 404(b)(1) guidelines, the Corps of Engineers:

   (a) makes a determination that the proposed activity discharges are unavoidable (i.e., necessary);

   (b) examines alternatives to the proposed activity and authorize only the least damaging practicable alternative; and

   (c) requires mitigation for all impacts associated with the activity. A 404(b)(1) finding document is produced as a result of this procedure and is the basis for the permit decision. Public participation is provided for in the process. Because the 404(b)(1) guidelines contain an alternatives analysis, the executive secretary will not require development of a separate alternatives analysis for the anti-degradation review. The division will use the analysis in the 404(b)(1) finding document in completing its anti-degradation review and 404 certification.

4.3. Does the proposed activity have economic and social importance?

   Although it is recognized that any activity resulting in a discharge to surface waters will have positive and negative aspects, information must be submitted by the applicant that any discharge or increased discharge will be of economic or social importance in the area.

   The factors addressed in such a demonstration may include, but are not limited to, the following:

   (a) employment (i.e., increasing, maintaining, or avoiding a reduction in employment);

   (b) increased production;

   (c) improved community tax base;

   (d) housing;

   (e) correction of an environmental or public health problem; and

   (f) other information that may be necessary to determine the social and economic importance of the proposed surface water discharge.

5.4. The applicant may submit a proposal to mitigate any adverse environmental effects of the proposed activity (e.g., instream habitat improvement, bank stabilization). Such mitigation plans should describe the proposed mitigation measures and the costs of such mitigation. Mitigation plans will not have any effect on effluent limits or conditions included in a permit except possibly where a previously completed mitigation project has resulted in an improvement in background water quality that affects a water quality-based limit. Such mitigation plans will be developed and implemented by the applicant as a means to further minimize the environmental effects of the proposed activity and to increase its socio-economic importance.
An effective mitigation plan may, in some cases, allow the Executive Secretary to authorize proposed activities that would otherwise not be authorized.

5.15. Will water quality standards be violated by the discharge? Proposed activities that will affect the quality of waters of the state will be allowed only where the proposed activity will not violate water quality standards.

5.16. Will existing uses be maintained and protected? Proposed activities can only be allowed if "existing uses" will be maintained and protected. No UPDES permit will be allowed which will permit numeric water quality standards to be exceeded in a receiving water outside the mixing zone. In the case of nonpoint pollution sources, the non-regulatory Section 319 program now in place will address these sources through application of best management practices to ensure that numeric water quality standards are not exceeded.

5.17. If a situation is found where there is an existing use which is a higher use (i.e., more stringent protection requirements) than that current designated use, the Division will apply the water quality standards and anti-degradation policy to protect the existing use. Narrative criteria may be used as a basis to protect existing uses for parameters where numeric criteria have not been adopted. Procedures to change the stream use designation to recognize the existing use as the designated use would be initiated.

d. Special Procedures for Drinking Water Sources
An Antidegradation Level II Review will be required by the Executive Secretary for discharges to waters with a Class 1C drinking water use assigned.

Depending upon the locations of the discharge and its proximity to downstream drinking water diversions, additional treatment or more stringent effluent limits or additional monitoring, beyond that which may otherwise be required to meet minimum technology standards or in stream water quality standards, may be required by the Executive Secretary in order to adequately protect public health and the environment. Such additional treatment may include additional disinfection, suspended solids removal to make the disinfection process more effective, removal of any specific contaminants for which drinking water maximum contaminant levels (MCLs) exists, and/or nutrient removal to reduce the organic content of raw water used as a source for domestic water systems.

Additional monitoring may include analyses for viruses, Giardia, Cryptosporidium, other pathogenic organisms, and/or any contaminant for which drinking water MCLs exist. Depending on the results of such monitoring, more stringent treatment may then be required.

The additional treatment/effluent limits/monitoring which may be required will be determined by the Executive Secretary after consultation with the Division of Drinking Water and the downstream drinking water users.

e. Public Notice
The public will be provided notice and an opportunity to comment on the conclusions of all completed antidegradation reviews. [Where]When possible, public notice on the antidegradation review conclusions will be combined with the public notice on the proposed permitting or certifying action. In the case of UPDES permits, public notice will be provided through the normal permitting process, as all draft permits are public noticed for 30 days, and public comment solicited, before being issued as a final permit. The Statement of Basis for the draft UPDES permit will contain information on how the ADR was addressed including results of the Level I and Level II reviews. In the case of Section 404 permits from the Corps of Engineers, the Division of Water Quality will develop any needed 401 Certifications and the public notice [may] may be published in conjunction with the US Corps of Engineers public notice procedures. Other permits requiring a Level II review will receive a separate public notice according to the normal State public notice procedures.

f. Implementation Procedures
The Executive Secretary shall establish reasonable protocols and guidelines (1) for completing technical, social, and economic need demonstrations, (2) for review and determination of adequacy of Level II ADRs and (3) for determination of additional treatment requirements. Protocols and guidelines will consider federal guidance and will include input from local governments, the regulated community, and the general public. The Executive Secretary will inform the Water Quality Board of any protocols or guidelines that are developed.

7.1 Application of Standards
The numeric criteria listed in R317-2-14 shall apply to each of the classes assigned to waters of the State as specified in R317-2-6. It shall be unlawful and a violation of these regulations for any person to discharge or place any wastes or other substances in such manner as may interfere with designated uses protected by assigned classes or to cause any of the applicable standards to be violated, except as provided in R317-1-3.1. At a minimum, assessment of the beneficial use support for waters of the state will be conducted biennially and available for a 30-day period of public comment and review. Monitoring locations and target indicators of water quality standards shall be prioritized and published yearly. For water quality assessment purposes, up to 10 percent of the representative samples may exceed the minimum or maximum criteria for dissolved oxygen, pH, E. coli, total dissolved solids, and temperature, including situations where such criteria have been adopted on a site-specific basis. Site-specific [criterion] standards may be adopted by rulemaking where biomonitoring data, bioassays, or other scientific analyses indicate that the statewide criterion is over or under protective of the designated uses or where natural or un-alterable conditions or other factors as defined in 40 CFR 131.10(g) prevent the attainment of the statewide [criterion] criteria as prescribed in Subsections R317-2-7.2, and R317-2-7.3, and Section R317-2-14.

7.2 Narrative Standards
It shall be unlawful, and a violation of these regulations, for any person to discharge or place any waste or other substance in such a way as will be or may become offensive such as unnatural deposits, floating debris, oil, scum or other nuisances such as color, odor or taste; or cause conditions which produce undesirable aquatic life or which produce objectionable tastes in edible aquatic organisms; or result in concentrations or combinations of substances which produce undesirable physiological responses in desirable resident fish, or other desirable aquatic life, or undesirable human health effects, as determined by bioassay or other tests performed in accordance with standard procedures; or determined by biological assessments in Subsection R317-2-7.3.

7.3 Biological Water Quality Assessment and Criteria
Waters of the State shall be free from human-induced stressors which will degrade the beneficial uses as prescribed by the
biological assessment processes and biological criteria set forth below:

a. Quantitative biological assessments may be used to assess whether the purposes and designated uses identified in R317-2-6 are supported.

b. The results of the quantitative biological assessments may be used for purposes of water quality assessment, including, but not limited to, those assessments required by 303(d) and 305(b) of the federal Clean Water Act (33 U.S.C. 1313(d) and 1315(b)).

c. Quantitative biological assessments shall use documented methods that have been subject to technical review and produce consistent, objective and repeatable results that account for methodological uncertainty and natural environmental variability.

d. If biological assessments reveal a biologically degraded water body, specific pollutants responsible for the degradation will not be formally published (i.e., Biennial Integrated Report, TMDL) until a thorough evaluation of potential causes, including nonchemical stressors (e.g., habitat degradation or hydrological modification or criteria described in 40 CFR 131.10 (p)(1 - 6) as defined by the Use Attainability Analysis process), has been conducted.

R317-2-13. Classification of Waters of the State (see R317-2-6).

a. Colorado River Drainage

13.1 Upper Colorado River Basin

<table>
<thead>
<tr>
<th>TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willard Creek, from Willard Bay Reservoir to headwaters</td>
</tr>
</tbody>
</table>

13.4 Weber River Drainage

<table>
<thead>
<tr>
<th>TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weber River, from Great Salt Lake to Slatterville diversion, except as listed below [except]</td>
</tr>
<tr>
<td>Four Mile Creek from I-15 to headwaters</td>
</tr>
<tr>
<td>Weber River and tributaries, from Slatterville diversion to Stoddard diversion, except as listed below</td>
</tr>
<tr>
<td>Ogden River and tributaries, from confluence with Weber River to Pineview Dam, except as listed below</td>
</tr>
<tr>
<td>Wheeler Creek from confluence with Ogden River to headwaters</td>
</tr>
<tr>
<td>All tributaries to Pineview Reservoir</td>
</tr>
<tr>
<td>Strongs Canyon Creek and Tributaries, from U.S. National Forest boundary to headwaters</td>
</tr>
<tr>
<td>Burch Creek and tributaries, from Harrison Boulevard in Ogden to Headwaters</td>
</tr>
</tbody>
</table>

13.5 Utah Lake-Jordan River Basin

<table>
<thead>
<tr>
<th>TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dry Creek and tributaries (above Alpine), from U.S. National Forest boundary to headwaters</td>
</tr>
</tbody>
</table>

American Fork Creek and tributaries, from diversion at mouth of American Fork Canyon to headwaters

<table>
<thead>
<tr>
<th>TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring Creek and tributaries, from Utah Lake near Lehi to headwaters</td>
</tr>
<tr>
<td>Lindon Hollow Creek and tributaries, from Utah Lake to headwaters</td>
</tr>
<tr>
<td>Rock Canyon Creek and tributaries (East of Provo) from U.S. National Forest boundary to headwaters</td>
</tr>
<tr>
<td>Mill Race (except from Interstate Highway 15 to the Provo City WWTP discharge) and tributaries from Utah Lake to headwaters</td>
</tr>
<tr>
<td>Mill Race from Interstate Highway 15 to the Provo City wastewater treatment plant discharge</td>
</tr>
<tr>
<td>Spring Creek and tributaries from Utah Lake (Provo Bay) to 50 feet upstream from the east boundary of the Industrial Parkway Road Right-of-way</td>
</tr>
<tr>
<td>Tributary to Spring Creek (Utah County) which receives the Springville City WWTP effluent from confluence with Spring Creek to headwaters</td>
</tr>
<tr>
<td>Spring Creek and tributaries from 50 feet upstream from the east boundary of the Industrial Parkway Road right-of-way to the headwaters</td>
</tr>
<tr>
<td>Ironon Canal from Utah Lake (Provo Bay) to the east boundary of the Denver and Rio Grande Western Railroad right-of-way</td>
</tr>
<tr>
<td>Ironon Canal from the east boundary of the Denver and Rio Grande Western Railroad right-of-way to the point</td>
</tr>
</tbody>
</table>
NOTICES OF PROPOSED RULES

of diversion from Spring Creek 2B 3A 4
Hobble Creek and tributaries, from Utah Lake to headwaters 2B 3A 4
Dry Creek and tributaries from Utah Lake (Provo Bay) to Highway-US 89 2B 3E 4
Dry Creek and tributaries from Highway-US 89 to headwaters 2B 3A 4
Spanish Fork River and tributaries, from Utah Lake to diversion at Moak Junction 2B 3B 3D 4
Spanish Fork River and tributaries, from diversion at Moak Junction to headwaters 2B 3A 4
Benjamin Slough and tributaries from Utah Lake to headwaters, except as listed below 2B 3B 4
Beer Creek (Utah County) from 40°50' West (in NE1/4NE1/4 sec. 36, T.88 S., R.1 E.) to headwaters 2B 3C 4
Salt Creek, from Nephi diversion to headwaters 2B 3A 4
Currant Creek, from mouth of Goshen Canyon to Mona Reservoir 2B 3A 4
[Transitional Creek] Currant Creek, from Mona Reservoir to headwaters 2B 3A 4
Peteetneet Creek and tributaries, from irrigation diversion above Maple Dell to headwaters 2B 3A 4
Summit Creek and tributaries (above Santaquin), from U.S. National Forest boundary to headwaters 2B 3A 4
All other permanent streams entering Utah Lake 2B 3B 4

13.11 National Wildlife Refuges and State Waterfowl Management Areas, and other Areas Associated with the Great Salt Lake

<table>
<thead>
<tr>
<th>TABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bear River National Wildlife Refuge, Box Elder County</td>
</tr>
<tr>
<td>Bear River Bay</td>
</tr>
<tr>
<td>Open Water below approximately 4,208 ft. 5C</td>
</tr>
<tr>
<td>Transitional Waters approximately 4,208 ft. to Open Water 5E</td>
</tr>
<tr>
<td>Open Water above approximately 4,208 ft. 2B 3B 3D</td>
</tr>
<tr>
<td>Brown's Park Waterfowl Management Area, Daggett County 2B 3A 3D</td>
</tr>
<tr>
<td>Clear Lake Waterfowl Management Area, Millard County 2B 3C 3D</td>
</tr>
<tr>
<td>Desert Lake Waterfowl Management Area, Emery County 2B 3C 3D</td>
</tr>
<tr>
<td>Farmington Bay Waterfowl Management Area, Davis and Salt Lake Counties 2B 3C 3D</td>
</tr>
<tr>
<td>Fish Springs National Wildlife Refuge, Juab County 2B 3C 3D</td>
</tr>
<tr>
<td>Harold Crane Waterfowl Management Area, Box Elder County 2B 3C 3D</td>
</tr>
<tr>
<td>Gilbert Bay</td>
</tr>
<tr>
<td>Open Water below approximately 4,208 ft. 5A</td>
</tr>
<tr>
<td>Transitional Waters approximately 4,208 ft. to Open Water 5E</td>
</tr>
<tr>
<td>Open Water above approximately 4,208 ft. 2B 3B 3D</td>
</tr>
<tr>
<td>Gunnison Bay</td>
</tr>
<tr>
<td>Open Water below approximately 4,208 ft. 5B</td>
</tr>
<tr>
<td>Transitional Waters approximately 4,208 ft. to Open Water 5E</td>
</tr>
<tr>
<td>Open Water above approximately 4,208 ft. 2B 3B 3D</td>
</tr>
<tr>
<td>Howard Slough Waterfowl Management Area, Weber County 2B 3C 3D</td>
</tr>
<tr>
<td>Locomotive Springs Waterfowl Management Area, Box Elder County 2B 3B 3D</td>
</tr>
<tr>
<td>Ogden Bay Waterfowl Management Area, Weber County 2B 3C 3D</td>
</tr>
<tr>
<td>Ouray National Wildlife Refuge, Uintah County 2B 3B 3D</td>
</tr>
<tr>
<td>Powell Slough Waterfowl Management Area, Utah County 2B 3C 3D</td>
</tr>
<tr>
<td>Public Shooting Grounds Waterfowl Management Area, Box Elder County 2B 3C 3D</td>
</tr>
<tr>
<td>Salt Creek Waterfowl Management Area, Box Elder County 2B 3C 3D</td>
</tr>
<tr>
<td>Stewart Lake Waterfowl Management Area, Uintah County 2B 3B 3D</td>
</tr>
<tr>
<td>Timpie Springs Waterfowl Management Area, Tooele County 2B 3B 3D</td>
</tr>
</tbody>
</table>


. . . . .
<table>
<thead>
<tr>
<th>Parameter</th>
<th>Numerical Criteria for Aquatic Wildlife (8)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PHYSICAL</strong></td>
<td></td>
</tr>
<tr>
<td>Total Dissolved Gases</td>
<td>1 (1)</td>
</tr>
<tr>
<td>Minimum Dissolved Oxygen (MGL) (2)</td>
<td></td>
</tr>
<tr>
<td>30 Day Average</td>
<td>6.5</td>
</tr>
<tr>
<td>7 Day Average</td>
<td>9.5</td>
</tr>
<tr>
<td>Minimum</td>
<td>8.0/4.0</td>
</tr>
<tr>
<td>Max. Temperature (C)(3)</td>
<td>20 27 27</td>
</tr>
<tr>
<td>Max. Temperature Change (C)(3)</td>
<td>2 4 4</td>
</tr>
<tr>
<td>pH (Range)(2a)</td>
<td>6.5-9.0</td>
</tr>
<tr>
<td>Turbidity Increase (NTU)</td>
<td>10 10 15 15</td>
</tr>
<tr>
<td><strong>METALS (4)</strong></td>
<td></td>
</tr>
<tr>
<td>Aluminum</td>
<td></td>
</tr>
<tr>
<td>4 Day Average (6)</td>
<td>87</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>750</td>
</tr>
<tr>
<td>Arsenic (Trivalent)</td>
<td>150</td>
</tr>
<tr>
<td>4 Day Average</td>
<td>340</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>340</td>
</tr>
<tr>
<td>Cadmium (7)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.25</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>2.0</td>
</tr>
<tr>
<td>Chromium (Hexavalent)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>11</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>16</td>
</tr>
<tr>
<td>Chromium (Trivalent) (7)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>74</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>570</td>
</tr>
<tr>
<td>Copper (7)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>9</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>13</td>
</tr>
<tr>
<td>Cyanide (Free)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>5.2</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>22</td>
</tr>
<tr>
<td>Iron (Maximum)</td>
<td>1000</td>
</tr>
<tr>
<td>Lead (7)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>2.5</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>65</td>
</tr>
<tr>
<td>Mercury</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.012</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.012</td>
</tr>
<tr>
<td>Nickel (7)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>52</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>468</td>
</tr>
<tr>
<td>Selenium</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>4.6</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>18.4</td>
</tr>
<tr>
<td>Selenium (14)</td>
<td>0.038</td>
</tr>
<tr>
<td>Gilbert Bay (Class 5A)</td>
<td>0.26</td>
</tr>
</tbody>
</table>

**Great Salt Lake**

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Numerical Criteria for Aquatic Wildlife (8)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GEOLOGICAL</strong></td>
<td></td>
</tr>
<tr>
<td>Zn</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>120</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>120</td>
</tr>
<tr>
<td><strong>ORGANIC</strong></td>
<td></td>
</tr>
<tr>
<td>Acrolein (Trivalent)</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>3.0</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>3.0</td>
</tr>
<tr>
<td>Aldrin</td>
<td></td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>1.5</td>
</tr>
<tr>
<td>Chlorodane</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.0043</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.083</td>
</tr>
<tr>
<td>Chlordane</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.041</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.083</td>
</tr>
<tr>
<td><strong>CHLOROPHYL</strong></td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.0010</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.055</td>
</tr>
<tr>
<td>Diazinon</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.17</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.17</td>
</tr>
<tr>
<td>Dieldrin</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.056</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.24</td>
</tr>
<tr>
<td>Alpha-Endosulfan</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.056</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.11</td>
</tr>
<tr>
<td>beta-Endosulfan</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.056</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.11</td>
</tr>
<tr>
<td>Endrin</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.036</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.086</td>
</tr>
<tr>
<td>Heptachlor</td>
<td></td>
</tr>
<tr>
<td>4 Day Average</td>
<td>0.0038</td>
</tr>
<tr>
<td>1 Hour Average</td>
<td>0.26</td>
</tr>
</tbody>
</table>
NOTICES OF PROPOSED RULES

42

Heptachlor epoxide
4 Day Average 0.0038 0.0038 0.0038 0.0038
1 Hour Average 0.26 0.26 0.26 0.26

Hexachlorocyclohexane
( Lindane )
4 Day Average 0.08 0.08 0.08 0.08
1 Hour Average 1.0 1.0 1.0 1.0

Methoxychlor
(Maximum) 0.03 0.03 0.03 0.03
Mirex (Maximum) 0.001 0.001 0.001

Nonylphenol
4 Day Average 6.6 6.6 6.6 6.6
1 Hour Average 28.0 28.0 28.0 28.0

Parathion
4 Day Average 0.013 0.013 0.013 0.013
1 Hour Average 0.066 0.066 0.066 0.066

PCB's
4 Day Average 0.014 0.014 0.014 0.014

Pentachlorophenol
4 Day Average 15 15 15 15
1 Hour Average 19 19 19 19

Toxaphene
4 Day Average 0.0002 0.0002 0.0002 0.0002
1 Hour Average 0.73 0.73 0.73 0.73

POLLUTION INDICATORS (11)
Cr(II) as Cr (MGL) 5 5 5 5
BOD (MGL) 5 5 5 5
Nitrate as N (MGL) 4 4 4
Total Phosphorus as P (MGL) (12) 0.05 0.05

FOOTNOTES:
(1) Not to exceed 110% of saturation.
(2) These limits are not applicable to lower water levels in deep impoundments. First number in column is for when early life stages are present, second number is for when all other life stages present.
(2a) These criteria are not applicable to Great Salt Lake impounded wetlands. Surface water in these wetlands shall be protected from changes in pH and dissolved oxygen that create significant adverse impacts to the existing beneficial uses. To ensure protection of uses, the Executive Secretary shall develop reasonable protocols and guidelines that quantify the physical, chemical, and biological integrity of these waters. These protocols and guidelines will include input from local governments, the regulated community, and the general public. The Executive Secretary will inform the Water Quality Board of any protocols or guidelines that are developed.
(3) Site Specific Standards for Temperature.
(3a) Site Specific Standards for Oxygen.
(4) Where criteria are listed as 4-day average and 1-hour average concentrations, these concentrations should not exceed more than once every three years on the average.
(5) The dissolved metals method involves filtration of the sample in the field, acification of the sample in the field, no digestion process in the laboratory, and analysis by EPA-approved laboratory methods for the required detection levels.
(6) The criterion for aluminum will be implemented as follows:
Where the pH is equal to or greater than 7.0 and the hardness is equal to or greater than 50 ppm as CaCO3 in the receiving water after mixing, the B7 ug/l chronic criterion (expressed as total recoverable) will not apply, and aluminum will be regulated based on compliance with the 750 ug/l acute aluminum criterion (expressed as total recoverable).
(7) Hardness dependent criteria. 100 mg/l used. Conversion factors for ratio of total recoverable metals to dissolved metals must also be applied. In waters with a hardness greater than 400 mg/l as CaCO3, calculations will assume a hardness of 400 mg/l as CaCO3. See Table 2.14.3 for complete equations for hardness and conversion factors.
(8) Reserved
(9) The following equations are used to calculate Ammonia criterion concentrations:
9a) The thirty-day average concentration of total ammonia nitrogen (in mg/l as N) does not exceed, more than once every three years on the average, the chronic criterion calculated using the following equations:
Fish Early Life Stages are Present:
mg/l as N (Chronic) = (0.0577(1+10^6.44-pH)) + (2.487(1+10^6.44-pH)) * MIN (2.85, 1.45*10^((pH-7.688)/3))
Fish Early Life Stages are Absent:
mg/l as N (Chronic) = ((0.0577(1+10^6.44-pH)) + (2.487(1+10^6.44-pH)))
9b) The one-hour average concentration of total ammonia nitrogen (in mg/l as N) does not exceed, more than once every three years on the average the acute criterion calculated using the following equations.
Class 3A:
mg/l as N (Acute) = (0.275(1+10^2.34-pH)) + (39.0(1+10^4.17-pH))
Class 3B, 3C, 3D:
mg/l as N (Acute) = (0.411(1+10^2.34-pH)) + (58.4(1+10^4.17-pH))
In addition, the highest four-day average within the 30-day period should not exceed 2.5 times the chronic criterion. The "Fish Early Life Stages are Present" 30-day average total ammonia criterion will be applied by default unless it is determined by the Division, on a site-specific basis, that it is appropriate to apply the "Fish Early Life Stages are Absent" 30-day average criteria for all or some portion of the year. At a minimum, the "Fish Early Life Stages are Present" criterion will apply from the beginning of spawning through the end of the early life stages. Early life stages include the pre-hatch embryonic stage, the post-hatch free embryo or yolk-sac fry stage, and the larval stage for the species of fish expected to occur at the site. The division will consult with the Division of Wildlife Resources in making such determinations. The Division will maintain information regarding the waterbodies and time periods where application of [italic]italic italic Early Life Stages are Absent" criterion is determined to be appropriate.
(10) Investigation should be conducted to develop more information where these levels are exceeded.
(11) pH dependent criteria. pH 7.8 used in table. See Table 2.14.4 for equation.
(12) Total Phosphorus as P (mg/l) as a pollution indicator for lakes and reservoirs shall be 0.05.
(13) Formula to convert dissolved sulfide to un-dissociated hydrogen sulfide is: H2S = Dissolved Sulfide * e^((-1.92 - pH) / 2.06)
(14) The selenium water quality standard of 12.5 mg/kg dry weight for Gilbert Bay is a tissue based standard using the complete egg/embryo of aquatic dependent birds using Gilbert Bay based upon a minimum of five samples over the nesting season. Assessment procedures are incorporated as a part of this standard as follows:
Egg Concentration Triggers: DWQ Responses
Below 5.0 mg/kg: Routine monitoring with sufficient intensity to determine if selenium concentrations within the Great Salt Lake ecosystem are increasing.
5.0 mg/kg: Increased monitoring to address data gaps, loadings, and areas of uncertainty identified from initial Great Salt Lake selenium studies.

UTAH STATE BULLETIN, March 15, 2013, Vol. 2013, No. 6

DAR File No. 37361
TABLE 2.14.6
LIST OF HUMAN HEALTH CRITERIA (CONSUMPTION)

<table>
<thead>
<tr>
<th>Chemical Parameter</th>
<th>Water and Organism Only (ug/L)</th>
<th>Organism Only (ug/L)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Class IC</td>
<td>Class A, B, C, D</td>
</tr>
<tr>
<td>Antimony</td>
<td>5.6</td>
<td>640</td>
</tr>
<tr>
<td>Arsenic</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Beryllium</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Cadmium</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Chromium III</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Chromium VI</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Copper</td>
<td>1,300</td>
<td></td>
</tr>
<tr>
<td>Lead</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Mercury</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Nickel</td>
<td>100 MCL</td>
<td>4,600</td>
</tr>
<tr>
<td>Selenium</td>
<td>A</td>
<td>4,200</td>
</tr>
<tr>
<td>Zinc</td>
<td>7,400</td>
<td>26,000</td>
</tr>
<tr>
<td>Cyanide</td>
<td>140</td>
<td>140</td>
</tr>
<tr>
<td>Asbestos</td>
<td>7 million</td>
<td>3 million</td>
</tr>
<tr>
<td>2,3,7,8-TCDD Dioxin</td>
<td>5.0E-9 B</td>
<td>5.1E-9 B</td>
</tr>
<tr>
<td>Acrolein</td>
<td>6.0</td>
<td>9.0</td>
</tr>
<tr>
<td>Acrylonitrile</td>
<td>0.051 B</td>
<td>0.25 B</td>
</tr>
<tr>
<td>Alachlor</td>
<td>2.0</td>
<td></td>
</tr>
<tr>
<td>Atrazine</td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td>Benzene</td>
<td>2.2 B</td>
<td>51 B</td>
</tr>
<tr>
<td>Bromofurane</td>
<td>4.3 B</td>
<td>140 B</td>
</tr>
<tr>
<td>Carbon Tetrachloride</td>
<td>0.23 B</td>
<td>1.6 B</td>
</tr>
<tr>
<td>Chlorobenzene</td>
<td>100 MCL</td>
<td>1,600</td>
</tr>
<tr>
<td>Chlorodibromomethane</td>
<td>0.40 B</td>
<td>13 B</td>
</tr>
<tr>
<td>Chloroethanol</td>
<td>5.7 B</td>
<td>470 B</td>
</tr>
<tr>
<td>Dalapon</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Di(Zethylhex)Adipate</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>Dibromochloropropane</td>
<td>0.2</td>
<td></td>
</tr>
<tr>
<td>Dichlorobromomethane</td>
<td>0.55 B</td>
<td>17 B</td>
</tr>
<tr>
<td>1,1-Dichloroethane</td>
<td>0.38 B</td>
<td>37 B</td>
</tr>
<tr>
<td>1,1-Dichloroethylene (cis-1,2)</td>
<td>7 MCL</td>
<td>7,100</td>
</tr>
<tr>
<td>Dinosef</td>
<td>7.0</td>
<td></td>
</tr>
<tr>
<td>Diquat</td>
<td>20</td>
<td></td>
</tr>
<tr>
<td>1,2-Dichloropropane</td>
<td>0.50 B</td>
<td>15 B</td>
</tr>
<tr>
<td>1,3-Dichloropropene</td>
<td>0.34</td>
<td>21</td>
</tr>
<tr>
<td>Ethanol</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Ethylbenzene</td>
<td>530</td>
<td>2,100</td>
</tr>
<tr>
<td>Ethylene Dibromide</td>
<td>0.05</td>
<td></td>
</tr>
<tr>
<td>Glyphosate</td>
<td>700</td>
<td></td>
</tr>
<tr>
<td>Halocetic acids</td>
<td>60 E</td>
<td></td>
</tr>
<tr>
<td>Methyl Bromide</td>
<td>47</td>
<td>1,500</td>
</tr>
<tr>
<td>Methyl Chloride</td>
<td>4.6 B</td>
<td>590 B</td>
</tr>
<tr>
<td>Octyl (vidate)</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Picloram</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>S-methoxizine</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Styrene</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>1,1,2,2-Tetrachloroethane</td>
<td>0.17 B</td>
<td>4.0 B</td>
</tr>
<tr>
<td>Tetrachloroethene</td>
<td>0.69 B</td>
<td>3.3 B</td>
</tr>
<tr>
<td>Toluene</td>
<td>1,000</td>
<td>15,000</td>
</tr>
<tr>
<td>1,2-Trans-Dichloroethylene</td>
<td>100 MCL</td>
<td>10,000</td>
</tr>
<tr>
<td>1,1,1-Trichloroethane</td>
<td>200 MCL</td>
<td>F</td>
</tr>
<tr>
<td>1,1,2-Trichloroethane</td>
<td>0.59 B</td>
<td>16 B</td>
</tr>
<tr>
<td>Trichloroethylene</td>
<td>2.5 B</td>
<td>30 B</td>
</tr>
<tr>
<td>Vinyl Chloride</td>
<td>0.025</td>
<td>2.4</td>
</tr>
<tr>
<td>Xylenes</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td>2-Chlorophenol</td>
<td>81</td>
<td>150</td>
</tr>
<tr>
<td>2,4-Dichlorophenol</td>
<td>77</td>
<td>290</td>
</tr>
<tr>
<td>2,4-Dimethylphenol</td>
<td>380</td>
<td>850</td>
</tr>
<tr>
<td>2-Methyl-4,6-Dinitrophenol</td>
<td>13.0</td>
<td>280</td>
</tr>
<tr>
<td>2,4-Dinitrophenol</td>
<td>69</td>
<td>5,300</td>
</tr>
<tr>
<td>2-Nitrophenol</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4-Nitrophenol</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3-Methyl-4-Florphenol</td>
<td>Penetachlorophenol</td>
<td>0.27 B</td>
</tr>
<tr>
<td>Phenol</td>
<td>10,000</td>
<td>860,000</td>
</tr>
<tr>
<td>2,4,6-Trichlorophenol</td>
<td>1.4 B</td>
<td>2.4 B</td>
</tr>
<tr>
<td>Acenaphthene</td>
<td>670</td>
<td>990</td>
</tr>
<tr>
<td>Acenaphthylene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anthracene</td>
<td>8,300</td>
<td>40,000</td>
</tr>
<tr>
<td>Benzoate</td>
<td>0.000008 B</td>
<td>0.00020 B</td>
</tr>
<tr>
<td>Benzoanthracene</td>
<td>0.0038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>BenzoPyrene</td>
<td>0.0038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>Benzofluoranthene</td>
<td>0.0038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>Benzohplpyrene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BenzoKfluoranthene</td>
<td>0.0038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>Bis2-ChloroethoxyMethane</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bis2-Chloroethyether</td>
<td>0.030 B</td>
<td>0.53 B</td>
</tr>
<tr>
<td>Bis2-Chloroiso-propylEther</td>
<td>1,400</td>
<td>65,000</td>
</tr>
<tr>
<td>Bis2-EthylhexylPhthalate</td>
<td>1.2 B</td>
<td>2.2 B</td>
</tr>
<tr>
<td>4-Bromophenyl Phenyl Ether</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Butylbenzyl Phthalate</td>
<td>1,500</td>
<td>1,900</td>
</tr>
<tr>
<td>2-Chloronaphthalene</td>
<td>1,000</td>
<td>1,600</td>
</tr>
<tr>
<td>4-Chlorophenyl Phenyl Ether</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cresol</td>
<td>0.038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>Dibenzoa,Anthracene</td>
<td>0.0038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>1,2-Dichlorobenzene</td>
<td>420</td>
<td>1,300</td>
</tr>
<tr>
<td>1,3-Dichlorobenzene</td>
<td>320</td>
<td>960</td>
</tr>
<tr>
<td>1,4-Dichlorobenzene</td>
<td>63</td>
<td>190</td>
</tr>
<tr>
<td>3,3-Dichlorobenzidine</td>
<td>0.021 B</td>
<td>0.028 B</td>
</tr>
<tr>
<td>Diethyl Phthalate</td>
<td>17,000</td>
<td>44,000</td>
</tr>
<tr>
<td>Dimethyl Phthalate</td>
<td>270,000</td>
<td>1,100,000</td>
</tr>
<tr>
<td>Di-n-Butyl Phthalate</td>
<td>2,000</td>
<td>4,500</td>
</tr>
<tr>
<td>2,4-Dinitrotoluene</td>
<td>0.11 B</td>
<td>3.4 B</td>
</tr>
<tr>
<td>2,6-Dinitrotoluene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Di-n-Octyl Phthalate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,2-Diphenylhydrazine</td>
<td>0.036 B</td>
<td>0.20 B</td>
</tr>
<tr>
<td>Fluoranthene</td>
<td>130</td>
<td>140</td>
</tr>
<tr>
<td>Fluorene</td>
<td>1,100</td>
<td>5,300</td>
</tr>
<tr>
<td>Hexachlorobenzene</td>
<td>0.000028 B</td>
<td>0.00029 B</td>
</tr>
<tr>
<td>Hexachlorobutadiene</td>
<td>0.44 B</td>
<td>18 B</td>
</tr>
<tr>
<td>Hexachloroethane</td>
<td>1.4 B</td>
<td>3.3 B</td>
</tr>
<tr>
<td>Hexachlorocyclopentadiene</td>
<td>40</td>
<td>1,100</td>
</tr>
<tr>
<td>Ideno 1,2,3-cdPyrene</td>
<td>0.0038 B</td>
<td>0.018 B</td>
</tr>
<tr>
<td>Isophorone</td>
<td>35 B</td>
<td>960 B</td>
</tr>
<tr>
<td>Naphthalene</td>
<td>17</td>
<td>690</td>
</tr>
<tr>
<td>Nitrobenzene</td>
<td>17</td>
<td>690</td>
</tr>
<tr>
<td>N-Nitrosodimethylamine</td>
<td>0.00069 B</td>
<td>3.0 B</td>
</tr>
<tr>
<td>N-Nitrosodi-n-Propanamine</td>
<td>0.005 B</td>
<td>0.51 B</td>
</tr>
<tr>
<td>N-Nitrosodiphenylene</td>
<td>3.3 B</td>
<td>6.0 B</td>
</tr>
<tr>
<td>Phenanthrene</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pyrene</td>
<td>830</td>
<td>4,000</td>
</tr>
<tr>
<td>1,2,4-Trichlorobenzene</td>
<td>35</td>
<td>70</td>
</tr>
<tr>
<td>Aldrin</td>
<td>0.000049 B</td>
<td>0.000050 B</td>
</tr>
<tr>
<td>alpha-BHC</td>
<td>0.0026 B</td>
<td>0.0049 B</td>
</tr>
<tr>
<td>beta-BHC</td>
<td>0.0091 B</td>
<td>0.017 B</td>
</tr>
<tr>
<td>gamma-BHC (Lindane)</td>
<td>0.2 MCL</td>
<td>1.8</td>
</tr>
<tr>
<td>delta-BHC</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NOTICES OF PROPOSED RULES
Environmental Quality, Water Quality  
R317-15  
Water Quality Certification  

NOTICE OF PROPOSED RULE  
(New Rule)  
DAR FILE NO.:  37362  
FILED:  02/26/2013  

RULE ANALYSIS  
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to ensure that federally permitted or licensed activities will be conducted in a manner that will comply with applicable discharge and water quality requirements in order to maintain the chemical, physical, and biological integrity of waters of the United States within Utah. These procedures are currently being followed but have not been documented and available in detailed rule format.

SUMMARY OF THE RULE OR CHANGE: This rule establishes procedures for applying for and processing State Water Quality Certification pursuant to Section 401 of the federal Clean Water Act, 33 U.S.C. Sections 1251 through 1387 and consistent with the Utah Water Quality Act, Title 19, Chapter 5. The procedures have not been changed, but are now being documented to allow for better transparency in the application and review process. This rule details the purpose, definitions, applicability, application provisions, public notice and public hearing requirements, director's decision process, enforcement, and transfer of certification.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 33 U.S.C. 1251-1387 and Title 19, Chapter 5

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: No additional costs or savings to state budget are anticipated because the proposed rule will be implemented using existing resources and makes the process more efficient.
♦ LOCAL GOVERNMENTS: No additional costs or savings to local governments' budgets are anticipated since the process is not changing, but is being defined and documented.
♦ SMALL BUSINESSES: No additional costs or savings to small businesses' budgets are anticipated because the requirements detailed in this rule are the same as those currently in force although they have not been documented in detail and readily available to the affected parties.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: No additional costs or savings to budgets of persons other than small businesses, businesses, or local government entities are anticipated. Each person who is affected by this rule will now have a written reference which provides more clear and consistent information to use when going through the certification process.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs are anticipated to remain the same for affected persons because no additional requirements have been added, nor have any been deleted. The certification process is now more transparent for all parties.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Utah Division of Water Quality has successfully executed a water quality certification process since the inception of the CWA in 1972. This rule will help ensure that Utah's water quality certification process is consistent and efficient by establishing procedures and criteria for the application and decision-making process. This rule will have no additional fiscal impacts to the affected persons or businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ENVIRONMENTAL QUALITY  
WATER QUALITY  
THIRD FLOOR  
195 N 1950 W  
SALT LAKE CITY, UT 84116  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Judy Etherington by phone at 801-536-4344, by FAX at 801-536-4301, or by Internet E-mail at jetherington@utah.gov  

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013


This rule establishes procedures for applying for and processing State Water Quality Certification pursuant to Section 401 of the federal Clean Water Act, 33 U.S.C. Sections 1251 through 1387 and consistent with the Utah Water Quality Act, Title 19, Chapter 5. The purpose of Certification is to ensure that the federally permitted or licensed activities will be conducted in a manner that will comply with applicable discharge and water quality requirements in order to maintain the chemical, physical, and biological integrity of waters of the United States within the State.


In addition to the general definitions in Section R317-1-1, the following definitions apply for purposes of this Rule R317-15 only:

"Applicable discharge and water quality requirements" means requirements in the Utah Water Quality Act, Utah Code Ann. Title 19, Chapter 5, and rules made thereunder that are equivalent to the requirements of 33 U.S.C. Sections 1311, 1312, 1313, 1316 and 1317 and regulations promulgated thereunder.

"Applicant" means a person who applies for a license or permit issued by an agency of the federal government to conduct an activity that is subject to Certification under Section 401.

"Blanket Certification" or "Blanket" means Certification of a group or class of similar activities that may contain conditions.

"Licensing or permit agency" means an agency of the federal government to which application is made for a license or permit that is subject to Certification.

"Section 401" means Section 401 of the federal Clean Water Act, 33 U.S.C. Sections 1251 to 1387.

"State Water Quality Certification" or "Certification" means Certification by the director under Section 401 that a proposed discharge will comply with applicable discharge and water quality requirements. A Certification may be a Blanket or individual Certification that may contain conditions.


3.1. Rule R317-15 applies to any applicant for a federal permit or license that is subject to the requirements of Section 401. Federal permits and licenses most frequently subject to Certification in Utah include the following:

A. permits from the United States Army Corps of Engineers (USACE) pursuant to Section 404 of the federal Clean Water Act, 33 U.S.C. Sections 1251 through 1387; and


This is not a complete list of federal permits or licenses requiring Certification.

3.2. Certification is required for activities under Section 404 of the federal Clean Water Act, 33 U.S.C. Section 1344, Sections 404 requires approval for the discharge of dredged or fill materials into water of the United States. However, there are certain activities that are ordinarily exempt from Section 404 requirements, and which will not therefore require Certification under this Rule R317-15. Those activities include the discharge of dredge or fill material: from normal farming and ranching activities; from the construction or maintenance of farm or stock ponds or irrigation ditches; from the maintenance of drainage ditches; and from the construction or maintenance of farm roads. See Section 404(f), 33 U.S.C. Section 1344(f) for a complete list of exempt activities.

3.3. A Certification will ordinarily include conditions necessary to comply with the requirements of the Utah Water Quality Act, Title 19, Chapter 5, and rules made under that Act. However, nothing in this rule or a Certification exempts a person from compliance with the Act, or rules made under that Act.


4.1. Unless otherwise determined by the director, the application for Certification shall include the following complete information and documentation:

A. application date;

B. name and address of the applicant;

C. signature of the applicant. A corporate application must be signed by an officer of the corporation. Any signature required for application for Certification shall be provided as described in 40 CFR Section 122.22(a);

D. name, address, email address and phone number of a contact for the application, e.g., the person to whom requests for additional information should be addressed;

E. list of names and address of landowners adjacent to the project site;

F. plan or drawings that include a plan view, cross section view, and elevation view;

G. associated existing or pending federal, state, and local permits, including land use permits, with corresponding file numbers;

H. for proposed discharges:

1. name(s) of the waters where the discharge may occur;

2. precise latitude and longitude of the discharge location(s) to 5th decimal place in decimal degrees and to the tenth of a degree in degrees-minutes-seconds notation;

3. beneficial use classifications of potentially affected surface waters (see Section R317-2-13); and

4. list any known causes of water impairment per Sections 303(d) and 314 of the federal Clean Water Act, 33 U.S.C. Sections 1251 through 1387 and the names of any associated local watershed management plans including TMDL studies;

I. a description of the overall project including the construction and operation of the facilities which may result in discharge. Characterize the physical, chemical, biological, thermal, and other pertinent properties of the discharge;

J. a description on how the discharges are compliant with water quality standards of the receiving water;

K. a description of the methods and means being used or proposed to monitor the quality and characteristics of the discharge and the operation of the equipment or facilities employed in control of the proposed discharge. Provide a map showing the location(s) of the monitoring point(s);

5.1. The director's draft Certification shall be subject to a public notice and comment period. The comment period shall ordinarily be 30 days, but may be lengthened or shortened for good cause. For example:

A. The period may be shortened if the application is of a type that is routinely granted;

B. The period may be shortened if the impacts of the proposed activity are minor;

C. The period may be shortened if the certification is shortened by the federal licensing or permitting agency;

D. The period may be lengthened for a major activity.

5.2. Every five years the USACE advertises the reevaluation of the general permits under Section 404 of the Clean Water Act for reissuance with a public notice in the Federal Register. At that time, the Division is given the opportunity to reevaluate State requirements for Certification application, conditions and notification as well as how and if the general permits will be recertified with a Blanket Certification. Any general permit denied Blanket Certification during this period would require individual application to the Division for a project by project Certification.

5.3. When practicable, the public notice and comment period and any public hearing for a draft Certification will ordinarily be held jointly with federal agencies that are licensing or permitting the proposed activity.

5.4. If the certification is not public noticed by the federal agency the Division will publish the public notice by one or more of the following methods:

A. Utah Department of Environmental Quality website;

B. Any other means selected by the director that will effectively solicit input from stakeholders representing State and federal agencies, interests groups, and the general public.

5.5. The director, at the director's discretion, may hold a public hearing to take oral comments.


6.1. Although the evaluation process may vary on a site-specific basis, the director, in determining whether a proposed discharge complies with applicable discharge and water quality requirements, will ordinarily consider in the evaluation process whether a proposed discharge:

A. Prevents or interferes with the attainment or maintenance of applicable water quality standards in Section R317-2 including:
   1. Impairs the designated beneficial use classifications (e.g., aquatic life, drinking water, recreation) in Section R317-2-6;
   2. Exceeds water quality criteria, either narrative or numeric, in Section R317-2-7;
   3. Fails to meet the antidegradation (ADR) requirements of Section R317-2-3;

B. Causes a violation of the Utah Water Quality Act, Title 19, Chapter 5;

C. Are inconsistent with wasteloads and permitted load allocations in listed TMDLs in Section R317-1-7;
D. causes an exceedence of effluent limitations or control regulations applicable under Rule R317-8; or  
E. otherwise causes a failure of compliance with applicable discharge and water quality requirements.

6.2. In considering whether there will be a discharge or whether any discharge will comply with applicable discharge and water quality requirements, the director may also consider whether the applicant is currently in significant noncompliance of the terms and conditions of any previously issued Certification for another project or activity, and may deny Certification based on the existence of any such outstanding significant noncompliance.

6.3. After review of the application for Certification the director will either:
A. issue a Certification;  
B. issue a Certification with specific conditions that must be met in order for the applicant to be in compliance with applicable law;  
C. deny the Certification and include reasons for denial;  
D. deny Certification and include reasons for denial;  
E. waive Certification if the director finds that the activity will:
1. cause minimal or no impacts to the quality of State waters; or  
2. have a temporary and limited effect on water quality, as provided in Subsection R317-2-3.5.b.4.

6.4. If a person who is required to obtain a Certification fails to do so, the director may, at his discretion, process an application for Certification after-the-fact. An application for an after-the-fact Certifications will be reviewed under the same standards as timely application for Certification. The director may require restoration, other actions, or both, as a condition of Certification. An after-the-fact applicant shall have the burden of proving what the original baseline conditions were, and a Certification may be denied in the absence of such proof. After-the-fact Certifications will not have retroactive effect. Enforcement action may be taken for failure to obtain a Certification even if a person obtains an after-the-fact permit or license from the federal agency.

6.5. A Certification is a Permit Order and may be challenged as provided in Section 19-1-301.5 and R305-7. A recipient of a Certification shall comply with all conditions of the Certification; any noncompliance is a violation of these rules and is grounds for enforcement action.


A Certification shall be considered an order under the Utah Water Quality Act.


8.1. The applicant shall give written notice to the director of any transfer of the Certification, within 30 days after the transfer.

8.2. The notice shall include a written agreement between the existing and new applicant establishing a specific date for transfer of Certification responsibility, coverage and liability.

KEY: Water Quality Certification, Section 401, 401 Certification, Clean Water Act

Date of Enactment or Last Substantive Amendment: 2013

Authorizing, and Implemented or Interpreted Law: 19-5, 33 U.S.C. 1251-1387

Insurance, Administration

R590-102-17

Dedicated Fees

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 37379

FILED: 02/28/2013

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule is being updated to implement a change in the fee made during the 2011 Legislative Session, S.B. 2.

SUMMARY OF THE RULE OR CHANGE: The rule is being changed to show the increase in the Bureau of Criminal Investigation (BCI) fee from $15 to $20. This change took place in the 2011 Legislative Session, S.B. 2. Making this change in the rule has been overlooked until now.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 31A-3-103(3)

ANTICIPATED COST OR SAVINGS TO:
♦ THE STATE BUDGET: The change in the above captioned rule will have no effect on the department's or state's budgets. The money collected for background checks goes to the Bureau of Criminal Investigation.
♦ LOCAL GOVERNMENTS: Local government will not be affected since they have no input in the department's licensing procedures.
♦ SMALL BUSINESSES: Small businesses who pay for the licensing fee of their employees will be affected by the $5 increase of the BCI fee. As of 05/01/2011, when the bill went into effect, 2,143 individuals were fingerprinted. In 2012, the FBI fingerprinting charge decreased by $2.25, offsetting the overall impact of BCI's increase. This affected 2,877 individuals who were licensed that year.
♦ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Individuals were charged an additional $5 to be fingerprinted. In 2011 when the bill went into effect, 2,143 individuals were licensed and fingerprinted. In 2012, the FBI fingerprinting charge decreased by $2.25, offsetting the overall impact of BCI's increase. This affected 2,877 individuals who were licensed that year.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Each Utah resident that applies for an insurance license is fingerprinted and a background check is done by both the BCI and the FBI. Between BCI's $5 increase and the FBI's
$2.25 decrease the fingerprinting fee has increased $2.75 overall. The applicant pays for the services of both the FBI and the BCI and that money goes directly to them. These fees do not go to the department or the general fund.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The fee change for fingerprinting of in-state producers will have no fiscal impact on the department or the state. All moneys for this process go directly to the BCI and FBI for the background checks they provide. The individual, or agency that pays for the individual's licensure, is now impacted by the overall increase of $2.75.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
INSURANCE ADMINISTRATION ROOM 3110 STATE OFFICE BLDG 450 N MAIN ST SALT LAKE CITY, UT 84114-1201
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Jilene Whitby by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/15/2013

THIS RULE MAY BECOME EFFECTIVE ON: 04/22/2013

AUTHORIZED BY: Todd Kiser, Commissioner

R590. Insurance, Administration.
R590-102. Insurance Department Fee Payment Rule.
R590-102-17. Dedicated Fees.

The following are fees dedicated to specific uses:

(1)(a) annual fraud assessment fee as calculated under Section 31A-31-108 and stated in the invoice - due by the due date on the invoice;
(b) late fee – due for any fraud assessment fee paid after the due date on the invoice: $50;
(2) annual title insurance regulation assessment fee as calculated under Section 31A-23a-415 and Rule R592-10 and stated in the invoice - due by the due date on the invoice;
(3) annual title assessment for the Title Recovery, Education, and Research Fund fee:
(a) individual title licensee applicant for initial license or renewal license - due with the initial application or the renewal application: $15;
(b) agency title licensee applicant - due with the initial application: $1,000;
(c) annual agency title licensee assessment based on annual written title insurance premium - due by the due date on the invoice:
(i) Band A: $0 to $1 million: $125;
(ii) Band B: more than $1 million to $10 million: $250;
(iii) Band C: more than $10 million to $20 million: $375;
(iv) Band D: more than $20 million: $500;
(4) relative value study book fee - due when book purchased or by invoice due date: $10;
(5) mailing fee for books - due if book is to be mailed to purchaser: $3;
(6) fingerprint fee - due with application for individual license:
(a) Bureau of Criminal Investigation (BCI): $15; and
(b) Federal Bureau of Investigation (FBI): $16.50;
(7) annual health insurance actuarial review assessment fee as calculated under Section 31A-30-115 and stated in the invoice due by the due-date on the invoice.

KEY: insurance fees
Date of Enactment or Last Substantive Amendment: [January 18, 2013]
Notice of Continuation: December 29, 2011
Authorizing, and Implemented or Interpreted Law: 31A-3-103

End of the Notices of Proposed Rules Section
FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule’s original enactment or last five-year review, the agency is required to review the rule. This review is intended to remove obsolete rules from the Utah Administrative Code. Upon reviewing a rule, an agency may: repeal the rule by filing a Proposed Rule; continue the rule as it is by filing a Notice of Review and Statement of Continuation (Notice); or amend the rule by filing a Proposed Rule and by filing a Notice. By filing a Notice, the agency indicates that the rule is still necessary.

Notices are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the Utah Administrative Code. The rule text may also be inspected at the agency or the Division of Administrative Rules. Notices are effective upon filing.

Notices are governed by Section 63G-3-305.

Administrative Services, Facilities Construction and Management
R23-13
State of Utah Parking Rules for Facilities Managed by the Division of Facilities and Construction and Management

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37357
FILED: 02/20/2013

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Section 63A-5-204, which authorizes the executive director of the Department of Administrative Services to adopt rules governing traffic flow and vehicle parking on state grounds surrounding facilities managed by the Division of Facilities Construction and Management (DFCM), and under Section 53-1-109, authorizing DFCM to enforce traffic rules.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no comments received either supporting or opposing the rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued because it establishes rules for parking at state facilities which are managed by DFCM.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ADMINISTRATIVE SERVICES FACILITIES CONSTRUCTION AND MANAGEMENT ROOM 4110 STATE OFFICE BLDG 450 N STATE ST SALT LAKE CITY, UT 84114-1201 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Alan Bachman by phone at 801-538-3105, by FAX at 801-538-3313, or by Internet E-mail at abachman@utah.gov
♦ Cecilia Niederhauser by phone at 801-538-3261, by FAX at 801-538-9694, or by Internet E-mail at cniederhauser@utah.gov
♦ Chiarina Gleed by phone at 801-538-3240, by FAX at 801-538-3313, or by Internet E-mail at cgleed@utah.gov

AUTHORIZED BY: D. Gregg Buxton, Director
EFFECTIVE: 02/20/2013

Administrative Services, Facilities Construction and Management
R23-22
General Procedures for Acquisition and Selling of Real Property

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37358
FILED: 02/20/2013
NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Subsection 63A-5-103(1)(e) which directs the Building Board to make rules necessary for the discharge of the duties of the Division of Facilities Construction and Management (hereinafter referred to as the "Division"). This rule is also authorized and intended to implement the requirements of Section 63A-5-401, as well as Subsection 63A-5-103(1)(e) (iii).

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no comments received either supporting or opposing the rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued because it defines the procedures of the Division of Facilities Construction and Management for acquisition and selling of real property.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

ADMINISTRATIVE SERVICES
FACILITIES CONSTRUCTION AND MANAGEMENT
ROOM 4110 STATE OFFICE BLDG
450 N STATE ST
SALT LAKE CITY, UT 84114-1201
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Alan Bachman by phone at 801-538-3105, by FAX at 801-538-3313, or by Internet E-mail at abachman@utah.gov
♦ Cecilia Niederhauser by phone at 801-538-3261, by FAX at 801-538-9694, or by Internet E-mail at cniederhauser@utah.gov
♦ Chiarina Gleed by phone at 801-538-3240, by FAX at 801-538-3313, or by Internet E-mail at cgleed@utah.gov

AUTHORIZED BY: D. Gregg Buxton, Director
EFFECTIVE: 02/20/2013

Environmental Quality, Administration

R305-2
Electronic Meeting

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 37360
FILED: 02/25/2013

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 52-4-207 of the Open and Public Meetings Act authorizes public bodies to make a rule governing electronic meetings, and requires them to do so before they may hold an electronic meeting.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department of Environmental Quality (DEQ) has never received a written comment on this rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule is required under Section 52-4-207 in order for the DEQ boards to hold electronic meetings. Since many members of these boards are from outside of the Salt Lake City area, it is critical that these members be allowed to participate electronically. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
ADMINISTRATION
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Debbie Oberndorfer by phone at 801-536-4402, by FAX at 801-536-0061, or by Internet E-mail at doberndorfer@utah.gov

AUTHORIZED BY: Amanda Smith, Executive Director
EFFECTIVE: 02/25/2013
NOTICES OF
RULE EFFECTIVE DATES

State law provides for agencies to make their rules effective and enforceable after publication in the Utah State Bulletin. In the case of Proposed Rules or Changes in Proposed Rules with a designated comment period, the law permits an agency to file a notice of effective date any time after the close of comment plus seven days. In the case of Changes in Proposed Rules with no designated comment period, the law permits an agency to file a notice of effective date on any date including or after the thirtieth day after the rule’s publication date. If an agency fails to file a Notice of Effective Date within 120 days from the publication of a Proposed Rule or a related Change in Proposed Rule the rule lapses and the agency must start the rulemaking process over.

Notices of Effective Date are governed by Subsection 63G-3-301(12), 63G-3-303, and Sections R15-4-5a and 5b.

Abbreviations
AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal & Reenact
REP = Repeal

Education
Administration
No. 37145 (AMD): R277-484. Data Standards
Published: 01/15/2013
Effective: 02/21/2013

No. 37144 (AMD): R277-487. Public School Student Confidentiality
Published: 01/15/2013
Effective: 02/21/2013

No. 37146 (AMD): R277-502. Educator Licensing and Data Retention
Published: 01/15/2013
Effective: 02/21/2013

No. 37147 (NEW): R277-517. Board and UPPAC Disciplinary Definitions and Actions
Published: 01/15/2013
Effective: 02/21/2013

Environmental Quality
Administration
No. 3776 (NEW): R305-9. Recusal of a Board Member for Conflict of Interest
Published: 10/01/2012
Effective: 02/22/2013

No. 3776 (CPR): R305-9. Recusal of a Board Member for Conflict of Interest
Published: 01/15/2013
Effective: 02/22/2013

Health
Disease Control and Prevention, Environmental Services
No. 37072 (AMD): R392-302-3. General Requirements
Published: 12/15/2012
Effective: 02/28/2013

No. 3722 (AMD): R414-1-5. Incorporations by Reference
Published: 01/15/2013
Effective: 03/01/2013

Human Services
Recovery Services
No. 37113 (AMD): R527-258. Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program
Published: 01/15/2013
Effective: 02/22/2013

Insurance
Administration
No. 37118 (AMD): R590-164. Uniform Health Billing Rule
Published: 01/15/2013
Effective: 02/25/2013

Labor Commission
Industrial Accidents
No. 37129 (REP): R612-1. Workers’ Compensation Rules - Procedures
Published: 01/15/2013
Effective: 02/25/2013

No. 37130 (REP): R612-2. Workers’ Compensation Rules - Health Care Providers
Published: 01/15/2013
Effective: 02/25/2013

Published: 01/15/2013
Effective: 02/25/2013

No. 37132 (REP): R612-4. Premium Rates
Published: 01/15/2013
Effective: 02/25/2013

No. 37133 (REP): R612-5. Employee Leasing Company Workers’ Compensation Insurance Policy Endorsements
Published: 01/15/2013
Effective: 02/25/2013
NOTICES OF RULE EFFECTIVE DATES

No. 37134  (REP): R612-6. Notification of Workers’ Compensation Insurance Coverage  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37135  (REP): R612-7. Impairment Ratings for Industrial Injuries and Diseases  
Published: 01/15/2013  
Effective: 02/25/2013

Published: 01/15/2013  
Effective: 02/25/2013

Published: 01/15/2013  
Effective: 02/25/2013

No. 37138  (REP): R612-10. HIV, Hepatitis B and C Testing and Reporting for Emergency Medical Services Providers  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37139  (REP): R612-11. Prohibition of Direct Payments by Insured Employer  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37140  (REP): R612-12. Workers’ Compensation Coverage Waivers  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37141  (REP): R612-13. Proceedings to Impose Non-Reporting Penalties Against Employers  
Published: 01/15/2013  
Effective: 02/25/2013

Published: 01/15/2013  
Effective: 02/25/2013

No. 37125  (NEW): R612-200. Workers’ Compensation Rules - Filing and Paying Claims  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37126  (NEW): R612-300. Workers’ Compensation Rules - Medical Care  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37127  (NEW): R612-400. Workers’ Compensation Insurance, Self-Insurance and Waivers  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37128  (NEW): R612-500. Procedural Guidelines for the Reemployment Act  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37117  (NEW): R704-2. Statewide Mutual Aid Act Activation  
Published: 01/15/2013  
Effective: 02/25/2013

No. 37116  (AMD): R746-313. Electric Service Reliability  
Published: 01/15/2013  
Effective: 02/21/2013

Published: 01/01/2013  
Effective: 02/21/2013

Published: 01/01/2013  
Effective: 02/21/2013

No. 37107  (AMD): R861-1A-46. Procedures for Purchaser Refund Requests Pursuant to Utah Code Ann. Sections 59-1-1410 and 59-12-110  
Published: 01/01/2013  
Effective: 02/21/2013

Published: 01/01/2013  
Effective: 02/21/2013

Published: 01/01/2013  
Effective: 02/21/2013

End of the Notices of Rule Effective Dates Section
RULES INDEX
BY AGENCY (CODE NUMBER)
AND
BY KEYWORD (SUBJECT)

The Rules Index is a cumulative index that reflects all effective changes to Utah’s administrative rules. The current Index lists changes made effective from January 2, 2013 through March 01, 2013. The Rules Index is published in the Utah State Bulletin and in the annual Utah Administrative Rules Index of Changes. Nonsubstantive changes, while not published in the Bulletin, do become part of the Utah Administrative Code (Code) and are included in this Index, as well as 120-Day (Emergency) rules that do not become part of the Code. The rules are indexed by Agency (Code Number) and Keyword (Subject).

Questions regarding the index and the information it contains should be addressed to Nancy Lancaster (801-538-3218), Mike Broschinsky (801-538-3003), or Kenneth A. Hansen (801-538-3777).

A copy of the Rules Index is available for public inspection at the Division of Administrative Rules (5110 State Office Building, Salt Lake City, UT), or may be viewed online at the Division’s web site (http://www.rules.utah.gov/).
## RULES INDEX

### ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMD</td>
<td>Amendment</td>
</tr>
<tr>
<td>CPR</td>
<td>Change in proposed rule</td>
</tr>
<tr>
<td>EMR</td>
<td>Emergency rule (120 day)</td>
</tr>
<tr>
<td>NEW</td>
<td>New rule</td>
</tr>
<tr>
<td>EXD</td>
<td>Expired</td>
</tr>
<tr>
<td>NSC</td>
<td>Nonsubstantive rule change</td>
</tr>
<tr>
<td>REP</td>
<td>Repeal</td>
</tr>
<tr>
<td>R&amp;R</td>
<td>Repeal and reenact</td>
</tr>
<tr>
<td>5YR</td>
<td>Five-Year Review</td>
</tr>
</tbody>
</table>

### CODE REFERENCE

<table>
<thead>
<tr>
<th>CODE REFERENCE</th>
<th>TITLE</th>
<th>FILE NUMBER</th>
<th>ACTION</th>
<th>EFFECTIVE DATE</th>
<th>BULLETIN ISSUE/PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADMINISTRATIVE SERVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facilities Construction and Management</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R23-13 State of Utah Parking Rules for Facilities Managed by the Division of Facilities and Construction and Management</td>
<td>37357</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R23-22 General Procedures for Acquisition and Selling of Real Property</td>
<td>37358</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>AGRICULTURE AND FOOD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal Industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R58-21 Trichomoniasis</td>
<td>36962</td>
<td>AMD</td>
<td>01/04/2013</td>
<td>2012-22/16</td>
<td></td>
</tr>
<tr>
<td>Plant Industry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R68-5 Grain Inspection</td>
<td>37249</td>
<td>5YR</td>
<td>02/05/2013</td>
<td>2013-5/189</td>
<td></td>
</tr>
<tr>
<td>Regulatory Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R70-310 Grade A Pasteurized Milk</td>
<td>37027</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-23/6</td>
<td></td>
</tr>
<tr>
<td>R70-320-18 Transport Tanks, Operators</td>
<td>36915</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-21/8</td>
<td></td>
</tr>
<tr>
<td>R70-330 Raw Milk for Retail</td>
<td>36914</td>
<td>AMD</td>
<td>01/29/2013</td>
<td>2012-21/9</td>
<td></td>
</tr>
<tr>
<td>CAPITOL PRESERVATION BOARD (STATE)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R131-2 Capitol Hill Complex Facility Use</td>
<td>37064</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/9</td>
<td></td>
</tr>
<tr>
<td>COMMERCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Occupational and Professional Licensing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R156-3a-102 Definitions</td>
<td>37073</td>
<td>AMD</td>
<td>01/24/2013</td>
<td>2012-24/6</td>
<td></td>
</tr>
<tr>
<td>R156-22 Professional Engineers and Professional Land Surveyors Licensing Act Rule</td>
<td>37074</td>
<td>AMD</td>
<td>01/24/2013</td>
<td>2012-24/7</td>
<td></td>
</tr>
<tr>
<td>R156-37 Utah Controlled Substances Act Rule</td>
<td>37040</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/18</td>
<td></td>
</tr>
<tr>
<td>R156-37-502 Unprofessional Conduct</td>
<td>37175</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>R156-37f Controlled Substance Database Act Rule</td>
<td>37039</td>
<td>NEW</td>
<td>01/08/2013</td>
<td>2012-23/21</td>
<td></td>
</tr>
<tr>
<td>R156-44a Nurse Midwife Practice Act Rules</td>
<td>37071</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-24/11</td>
<td></td>
</tr>
<tr>
<td>R156-49 Dietitian Certification Act Rule</td>
<td>37273</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/189</td>
<td></td>
</tr>
<tr>
<td>R156-53 Landscape Architects Licensing Act Rule</td>
<td>37274</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/190</td>
<td></td>
</tr>
<tr>
<td>R156-68 Utah Osteopathic Medical Practice Act Rule</td>
<td>37272</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/191</td>
<td></td>
</tr>
<tr>
<td>Real Estate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R162-2g Real Estate Appraiser Licensing and Certification Administrative Rules</td>
<td>36973</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
<td></td>
</tr>
<tr>
<td>Securities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>R164-31-1 Guidelines for the Assessment of Administrative Fines</td>
<td>37042</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/26</td>
<td></td>
</tr>
</tbody>
</table>
CRIME VICTIM REPARATIONS

R270-1  Award and Reparation Standards  37061  AMD  01/07/2013  2012-23/27
R270-1  Award and Reparation Standards  37166  NSC  01/30/2013  Not Printed
R270-2  Crime Victim Reparations Adjudicative Proceedings  37063  AMD  01/07/2013  2012-23/33
R270-2  Crime Victim Reparations Adjudicative Proceedings  37167  NSC  01/30/2013  Not Printed

EDUCATION

R277-484  Data Standards  37145  AMD  02/21/2013  2013-2/4
R277-487  Administrative Procedures  36554  REP  01/31/2013  2013-1/32
R277-502  Administrative Procedures  36553  NEW  01/31/2013  2013-1/32
R277-509  Licensure of Student Teachers and Interns  37059  AMD  01/07/2013  2012-23/39
R277-517  Board and UPPAC Disciplinary Definitions and Actions  37147  NEW  02/21/2013  2013-2/15
R277-709-3  Student Evaluation, Education Plans, and LEA Programs  37244  NSC  02/15/2013  Not Printed

ENVIRONMENTAL QUALITY

R305-2  Electronic Meeting  37360  5YR  02/25/2013  Not Printed
R305-6  Administrative Procedures  36554  REP  01/31/2013  2013-1/32
R305-7  Administrative Procedures  36553  NEW  01/31/2013  2013-1/32
R305-9  Recusal of a Board Member for Conflict of Interest  36776  5YR  02/01/2013  2012-19/29
R305-9  Recusal of a Board Member for Conflict of Interest  36776  5YR  02/22/2013  2013-2/94

Air Quality

R307-101-2  Definitions  36723  AMD  02/01/2013  2012-19/29
R307-101-2  Definitions  36723  CPR  02/01/2013  2013-1/38
R307-102  General Requirements: Broadly Applicable Requirements  37261  5YR  02/06/2013  2013-5/191
R307-115  General Conformity  37260  5YR  02/06/2013  2013-5/192
R307-170  Continuous Emission Monitoring Program  37259  5YR  02/06/2013  2013-5/192
R307-221  Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills  37257  5YR  02/06/2013  2013-5/194
R307-222  Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste  37256  5YR  02/06/2013  2013-5/194
R307-223  Emission Standards: Existing Small Municipal Waste Combustion Units  37255  5YR  02/06/2013  2013-5/195
R307-224  Mercury Emission Standards: Coal-Fired Electric Generating Units  37254  5YR  02/06/2013  2013-5/195
R307-250  Western Backstop Sulfur Dioxide Trading Program  37253  5YR  02/06/2013  2013-5/196
R307-307  Davis, Salt Lake, and Utah Counties: Road Salting and Sanding  36741  AMD  02/01/2013  2012-19/42
R307-307  Davis, Salt Lake, and Utah Counties: Road Salting and Sanding  36741  CPR  02/01/2013  2013-1/45
R307-307  Road Salting and Sanding  37234  NSC  02/15/2013  Not Printed
R307-312  Aggregate Processing Operations for PM2.5 Nonattainment Areas  36740  NEW  02/01/2013  2012-19/45
R307-312  Aggregate Processing Operations for PM2.5 Nonattainment Areas  36740  CPR  02/01/2013  2013-1/47
R307-340  Ozone Nonattainment and Maintenance Areas: Surface Coating Processes  36725  REP  02/01/2013  2012-19/49
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>R307-340</td>
<td>Ozone Nonattainment and Maintenance Areas: Surface Coating Processes</td>
<td>36725</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-344</td>
<td>Paper, Film, and Foil Coatings</td>
<td>36726</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-345</td>
<td>Fabric and Vinyl Coatings</td>
<td>36727</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-346</td>
<td>Metal Furniture Surface Coatings</td>
<td>36728</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-347</td>
<td>Large Appliance Surface Coatings</td>
<td>36728</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-348</td>
<td>Magnet Wire Coatings</td>
<td>36730</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-349</td>
<td>Flat Wood Panel Coatings</td>
<td>36731</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-350</td>
<td>Miscellaneous Metal Parts and Products</td>
<td>36732</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-351</td>
<td>Graphic Arts</td>
<td>36733</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-351-4</td>
<td>Standards for Rotogravure, Flexographic, and Specialty Printing Operations</td>
<td>37235</td>
<td>NSC</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-352</td>
<td>Metal Container, Closure, and Coil Coatings</td>
<td>36734</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-354</td>
<td>Automotive Refinishing Coatings</td>
<td>36736</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-355</td>
<td>Control of Emissions from Aerospace Manufacture and Rework Facilities</td>
<td>36737</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-355-5</td>
<td>Emission Standards</td>
<td>37237</td>
<td>NSC</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-401-15</td>
<td>Air Strippers and Soil Venting Projects</td>
<td>37037</td>
<td>AMD</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-401-15</td>
<td>Air Strippers and Soil Venting Projects</td>
<td>37236</td>
<td>NSC</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>R307-801</td>
<td>Utah Asbestos Rule</td>
<td>37252</td>
<td>5YR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>Drinking Water</td>
<td>Ground Water - Wells</td>
<td>36562</td>
<td>AMD</td>
<td>01/16/2013</td>
</tr>
<tr>
<td>R309-515-6</td>
<td>Ground Water - Wells</td>
<td>36562</td>
<td>CPR</td>
<td>01/16/2013</td>
</tr>
<tr>
<td>R313-18</td>
<td>General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines</td>
<td>37179</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-21</td>
<td>General Licenses</td>
<td>37181</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-25</td>
<td>License Requirements for Land Disposal of Radioactive Waste - General Provisions</td>
<td>37180</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-26</td>
<td>Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities</td>
<td>37182</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-28</td>
<td>Use of X-Rays in the Healing Arts</td>
<td>37183</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-32</td>
<td>Medical Use of Radioactive Material</td>
<td>37184</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-34</td>
<td>Requirements for Irradiators</td>
<td>37185</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-36</td>
<td>Special Requirements for Industrial Radiographic Operations</td>
<td>37186</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-38</td>
<td>Licenses and Radiation Safety Requirements for Well Logging</td>
<td>37187</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>R313-70</td>
<td>Payments, Categories and Types of Fees</td>
<td>37188</td>
<td>NSC</td>
<td>01/31/2013</td>
</tr>
<tr>
<td>Solid and Hazardous Waste</td>
<td>Solid Waste Authority, Definitions, and General Requirements</td>
<td>37282</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-303</td>
<td>Landfilling Standards</td>
<td>37284</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-304</td>
<td>Industrial Solid Waste Landfill Requirements</td>
<td>37285</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-305</td>
<td>Class IV and VI Landfill Requirements</td>
<td>37286</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>Rule Number</td>
<td>Title</td>
<td>Code</td>
<td>Year</td>
<td>Effective Date</td>
</tr>
<tr>
<td>------------</td>
<td>------------------------------------------------------</td>
<td>------</td>
<td>------</td>
<td>----------------</td>
</tr>
<tr>
<td>R315-306</td>
<td>Incinerator Standards</td>
<td>37287</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-307</td>
<td>Landtreatment Disposal Standards</td>
<td>37288</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-308</td>
<td>Ground Water Monitoring Requirements</td>
<td>37289</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-309</td>
<td>Financial Assurance</td>
<td>37290</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-310</td>
<td>Permit Requirements for Solid Waste Facilities</td>
<td>37291</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-312</td>
<td>Recycling and Composting Facility Standards</td>
<td>37293</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-313</td>
<td>Transfer Stations and Drop Box Facilities</td>
<td>37294</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-314</td>
<td>Facility Standards for Piles Used for Storage and Treatment</td>
<td>37295</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-315</td>
<td>Special Waste Requirements</td>
<td>37296</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-316</td>
<td>Infectious Waste Requirements</td>
<td>37297</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-317</td>
<td>Other Processes, Variances, Violations, and Petition for Rule Change</td>
<td>37298</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-318</td>
<td>Permit by Rule</td>
<td>37299</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
<tr>
<td>R315-320</td>
<td>Waste Tire Transporter and Recycler Requirements</td>
<td>37300</td>
<td>5YR</td>
<td>02/13/2013</td>
</tr>
</tbody>
</table>

**Water Quality**

- **R317-9** Administrative Procedures 37239 5YR 01/31/2013 2013-4/51
- **R317-13** Approvals and Permits for a Water Reuse Project 37240 5YR 01/31/2013 2013-4/51
- **R317-14** Approval in Change in Point of Discharge of POTW 37241 5YR 01/31/2013 2013-4/51

**GOVERNOR**

**Economic Development**

- **R357-2** Rural Broadband Service Fund 37206 EXT 01/16/2013 2013-4/63

**HEALTH**

**Disease Control and Prevention, Environmental Services**

- **R392-302-3** General Requirements 37072 AMD 02/28/2013 2012-24/26
- **R392-700** Indoor Tanning Bed Sanitation 37251 5YR 02/06/2013 2013-5/209

**Disease Control and Prevention, Health Promotion**

- **R384-201** School-Based Vision Screening for Students in Public Schools 37028 NEW 02/20/2013 2012-23/42

**Family Health and Preparedness, Licensing**


**Health Care Financing**

- **R410-14** Administrative Hearing Procedures 37045 AMD 01/09/2013 2012-23/44

**Health Care Financing, Coverage and Reimbursement Policy**

- **R414-1-5** Incorporations by Reference 37122 AMD 03/01/2013 2013-2/18
- **R414-302** Eligibility Requirements 37215 5YR 01/23/2013 2013-4/53
- **R414-303** Coverage Groups 37173 EMR 01/07/2013 2013-3/103
- **R414-305** Resources 37217 5YR 01/23/2013 2013-4/54
- **R414-306** Program Benefits and Date of Eligibility 37174 EMR 01/07/2013 2013-3/105
- **R414-306** Program Benefits and Date of Eligibility 37218 5YR 01/23/2013 2013-4/55
- **R414-308** Application, Eligibility Determinations and Improper Medical Assistance 37223 5YR 01/23/2013 2013-4/55

**HUMAN SERVICES**

**Aging and Adult Services**

### RULES INDEX

**Recovery Services**

- **R527-39** Applicant/Recipient Cooperation 37164 5YR 01/02/2013 2013-3/110
- **R527-56** In-kind Support 37165 5YR 01/02/2013 2013-3/110
- **R527-258** Enforcing Child Support When the Obligor is an Ex-Prisoner or in a Treatment Program 37113 AMD 02/22/2013 2013-2/20
- **R527-260** Driver License Suspension for Failure to Pay Support 37303 5YR 02/14/2013 2013-5/210
- **R527-301** Non-IV-D Income Withholding 37304 5YR 02/14/2013 2013-5/211
- **R527-302** Income Withholding Fees 37231 5YR 01/28/2013 2013-4/59
- **R527-305** High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases 37169 5YR 01/03/2013 2013-3/111

**Services for People with Disabilities**

- **R539-1** Eligibility 37110 AMD 02/13/2013 2013-1/2
- **R539-2** Service Coordination 37111 AMD 02/13/2013 2013-1/8

**Substance Abuse and Mental Health, State Hospital**

- **R525-2** Patient Rights 37211 5YR 01/23/2013 2013-4/56
- **R525-3** Medication Treatment of Patients 37224 5YR 01/24/2013 2013-4/56
- **R525-4** Visitors 37210 5YR 01/23/2013 2013-4/57
- **R525-5** Background Checks 37214 5YR 01/23/2013 2013-4/57
- **R525-6** Prohibited Items and Devices 37212 5YR 01/23/2013 2013-4/58
- **R525-7** Complaints/Suggestions/Concerns 37213 5YR 01/23/2013 2013-4/58

**INSURANCE**

**Administration**

- **R590-102** Insurance Department Fee Payment Rule 37018 AMD 01/18/2013 2012-22/131
- **R590-102-4** General Instructions 37220 NSC 02/15/2013 Not Printed
- **R590-157** Surplus Lines Insurance Premium Tax and Stamping Fee 37171 5YR 01/07/2013 2013-3/112
- **R590-164** Uniform Health Billing Rule 37118 AMD 02/25/2013 2013-2/24
- **R590-171** Surplus Lines Procedures Rule 36846 AMD 01/22/2013 2012-24/32
- **R590-171-3** Definitions 37230 NSC 02/15/2013 Not Printed
- **R590-218** Permitted Language for Reservation of Discretion Clauses 37176 5YR 01/09/2013 2013-3/113
- **R590-243** Commercial Motor Vehicle Insurance Coverage 37172 5YR 01/07/2013 2013-3/113

**LABOR COMMISSION**

**Industrial Accidents**

- **R612-1** Workers' Compensation Rules - Procedures 37129 REP 02/25/2013 2013-2/28
- **R612-3** Workers' Compensation Rules - Self-Insurance 37131 REP 02/25/2013 2013-2/43
- **R612-4** Premium Rates 37132 REP 02/25/2013 2013-2/46
- **R612-7** Impairment Ratings for Industrial Injuries and Diseases 37135 REP 02/25/2013 2013-2/49
- **R612-11** Prohibition of Direct Payments by Insured Employer 37139 REP 02/25/2013 2013-2/54
- **R612-12** Workers' Compensation Coverage Waivers 37140 REP 02/25/2013 2013-2/55
- **R612-13** Proceedings to Impose Non-Reporting Penalties Against Employers 37141 REP 02/25/2013 2013-2/57
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Code Type</th>
<th>Effective Date</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>R612-100</td>
<td>Workers' Compensation Rules - General Provisions</td>
<td>37124</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/58</td>
</tr>
<tr>
<td>R612-200</td>
<td>Workers' Compensation Rules - Filing and Paying Claims</td>
<td>37125</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/62</td>
</tr>
<tr>
<td>R612-300</td>
<td>Workers' Compensation Rules - Medical Care</td>
<td>37126</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/66</td>
</tr>
<tr>
<td>R612-400</td>
<td>Workers' Compensation Insurance, Self-Insurance and Waivers</td>
<td>37127</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/76</td>
</tr>
</tbody>
</table>

**NATURAL RESOURCES**

| Administration         | Americans With Disabilities Complaint Procedure                  | 37219| 5YR      | 01/23/2013     | 2013-4/59         |

**Oil, Gas and Mining; Oil and Gas**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Code Type</th>
<th>Effective Date</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>R649-3-36</td>
<td>Surface Owner Protection Act Provisions</td>
<td>36992</td>
<td>AMD</td>
<td>01/23/2013</td>
<td>2012-22/140</td>
</tr>
</tbody>
</table>

**Parks and Recreation**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Code Type</th>
<th>Effective Date</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>R651-408</td>
<td>Off-Highway Vehicle Education Curriculum Standards</td>
<td>36856</td>
<td>REP</td>
<td>01/15/2013</td>
<td>2012-20/77</td>
</tr>
</tbody>
</table>

**Wildlife Resources**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Code Type</th>
<th>Effective Date</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>R657-13</td>
<td>Taking Fish and Crayfish</td>
<td>37069</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-24/29</td>
</tr>
<tr>
<td>R657-37</td>
<td>Cooperative Wildlife Management Units for Big Game or Turkey</td>
<td>37097</td>
<td>AMD</td>
<td>02/07/2013</td>
<td>2013-1-11</td>
</tr>
<tr>
<td>R657-58</td>
<td>Fishing Contests and Clinics</td>
<td>37203</td>
<td>5YR</td>
<td>01/15/2013</td>
<td>2013-3-114</td>
</tr>
</tbody>
</table>

**PARDONS (BOARD OF)**

| Administration         | Commutation Hearings for Death Penalty Cases                        | 37341| 5YR      | 02/15/2013     | 2013-5/212        |

**PROFESSIONAL PRACTICES ADVISORY COMMISSION**

| Administration         | Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings | 37243| 5YR      | 02/01/2013     | 2013-4/60         |

**PUBLIC SAFETY**

**Criminal Investigations and Technical Services, Criminal Identification**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Code Type</th>
<th>Effective Date</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>R722-320</td>
<td>Undercover Identification</td>
<td>37226</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/61</td>
</tr>
<tr>
<td>R722-320</td>
<td>Undercover Identification</td>
<td>37227</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
</tbody>
</table>

**Homeland Security**

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Code</th>
<th>Code Type</th>
<th>Effective Date</th>
<th>Date of Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>R704-2</td>
<td>Statewide Mutual Aid Act Activation</td>
<td>37117</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/83</td>
</tr>
</tbody>
</table>
PUBLIC SERVICE COMMISSION

Administration
R746-313 Electric Service Reliability 37116 AMD 02/21/2013 2013-2/67
R746-320 Uniform Rules Governing Natural Gas Service 37041 AMD 01/07/2013 2012-23/48

TAX COMMISSION

Administration
R861-1A-26 Proceder for Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501 and 63G-4-204 through 63G-4-209 37104 AMD 02/21/2013 2013-1/15
R861-1A-46 Procedures for Purchaser Refund Requests Pursuant to Utah Code Ann. Sections 59-1-1410 and 59-12-110 37107 AMD 02/21/2013 2013-1/18

Auditing
R865-9I-46 Medical Savings Account Administration Pursuant to Utah Code Ann. Sections 31A-32a-106, 59-10-114, and 59-10-1021 37178 NSC 01/31/2013 Not Printed

Property Tax

TRANSPORTATION

Administration

WORKFORCE SERVICES

Employment Development
R986-700-710 Income Limits for ES CC 37025 AMD 01/02/2013 2012-22/146
R986-900-902 Options and Waivers 37067 AMD 01/08/2013 2012-23/50

Unemployment Insurance
R994-305 Collection of Contributions 37066 AMD 01/08/2013 2012-23/52
R994-305-1201 Offer in Compromise 37023 AMD 01/02/2013 2012-22/147
R994-406 Fraud, Fault and Nonfault Overpayments 37024 AMD 01/02/2013 2012-22/148
## RULES INDEX - BY KEYWORD (SUBJECT)

### ABBREVIATIONS

- **AMD** = Amendment
- **CPR** = Change in proposed rule
- **EMR** = Emergency rule (120 day)
- **NEW** = New rule
- **EXD** = Expired
- **NSC** = Nonsubstantive rule change
- **REP** = Repeal
- **R&R** = Repeal and reenact
- **5YR** = Five-Year Review

<table>
<thead>
<tr>
<th>KEYWORD</th>
<th>AGENCY</th>
<th>FILE NUMBER</th>
<th>CODE REFERENCE</th>
<th>ACTION</th>
<th>EFFECTIVE DATE</th>
<th>BULLETIN ISSUE/PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquit</td>
<td>Pardons (Board Of), Administration</td>
<td>37352</td>
<td>R671-519</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/217</td>
</tr>
<tr>
<td><strong>administrative</strong></td>
<td><strong>procedures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Administration</td>
<td>36554</td>
<td>R305-6</td>
<td>REP</td>
<td>01/31/2013</td>
<td>2012-16/28</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36555</td>
<td>R305-7</td>
<td>NEW</td>
<td>01/31/2013</td>
<td>2012-16/45</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36555</td>
<td>R305-7</td>
<td>CPR</td>
<td>01/31/2013</td>
<td>2013-1/32</td>
</tr>
<tr>
<td></td>
<td><strong>adequate</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>proceedings</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Water Quality</td>
<td>37239</td>
<td>R317-9</td>
<td>5YR</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
</tr>
<tr>
<td></td>
<td><strong>administrative</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>fines</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commerce, Securities</td>
<td></td>
<td>37042</td>
<td>R164-31-1</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/26</td>
</tr>
<tr>
<td></td>
<td><strong>adjudicative</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>procedures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Labor Commission, Industrial Accidents</td>
<td></td>
<td>37129</td>
<td>R612-100</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/58</td>
</tr>
<tr>
<td></td>
<td><strong>issues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>proceedings</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Water Quality</td>
<td>37239</td>
<td>R317-9</td>
<td>5YR</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
</tr>
<tr>
<td></td>
<td>Labor Commission, Industrial Accidents</td>
<td>37129</td>
<td>R612-100</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/58</td>
</tr>
<tr>
<td></td>
<td><strong>aerospace</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Air Quality</td>
<td>36737</td>
<td>R307-355</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/91</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36737</td>
<td>R307-355-5</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td><strong>aggregate</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Air Quality</td>
<td>36740</td>
<td>R307-312</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/45</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36740</td>
<td>R307-312</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/47</td>
</tr>
<tr>
<td></td>
<td><strong>air pollution</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Air Quality</td>
<td>36723</td>
<td>R307-101-2</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-19/29</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36723</td>
<td>R307-101-2</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/38</td>
</tr>
</tbody>
</table>

*UTAH STATE BULLETIN*, March 15, 2013, Vol. 2013, No. 6
<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
<th>Type</th>
<th>Date</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>37261</td>
<td>R307-102</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>37260</td>
<td>R307-115</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>37259</td>
<td>R307-170</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>37258</td>
<td>R307-220</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/193</td>
</tr>
<tr>
<td>37257</td>
<td>R307-221</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>37256</td>
<td>R307-222</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>37255</td>
<td>R307-223</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>37254</td>
<td>R307-224</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>37253</td>
<td>R307-250</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/196</td>
</tr>
<tr>
<td>36741</td>
<td>R307-307</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-19/42</td>
</tr>
<tr>
<td>36741</td>
<td>R307-307</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/45</td>
</tr>
<tr>
<td>37234</td>
<td>R307-307</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>36740</td>
<td>R307-312</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/69</td>
</tr>
<tr>
<td>36740</td>
<td>R307-312</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/54</td>
</tr>
<tr>
<td>36728</td>
<td>R307-346</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/69</td>
</tr>
<tr>
<td>36728</td>
<td>R307-346</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/57</td>
</tr>
<tr>
<td>36729</td>
<td>R307-347</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/71</td>
</tr>
<tr>
<td>36729</td>
<td>R307-347</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/59</td>
</tr>
<tr>
<td>36730</td>
<td>R307-348</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/73</td>
</tr>
<tr>
<td>36730</td>
<td>R307-348</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/61</td>
</tr>
<tr>
<td>36731</td>
<td>R307-349</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/74</td>
</tr>
<tr>
<td>36731</td>
<td>R307-349</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/63</td>
</tr>
<tr>
<td>36732</td>
<td>R307-350</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/76</td>
</tr>
<tr>
<td>36732</td>
<td>R307-350</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/65</td>
</tr>
<tr>
<td>36733</td>
<td>R307-351</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/80</td>
</tr>
<tr>
<td>36733</td>
<td>R307-351</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/69</td>
</tr>
<tr>
<td>37235</td>
<td>R307-351-4</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>36734</td>
<td>R307-352</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/84</td>
</tr>
<tr>
<td>36734</td>
<td>R307-352</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/73</td>
</tr>
<tr>
<td>36736</td>
<td>R307-354</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/88</td>
</tr>
<tr>
<td>36736</td>
<td>R307-354</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/79</td>
</tr>
<tr>
<td>36737</td>
<td>R307-355</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/91</td>
</tr>
<tr>
<td>36737</td>
<td>R307-355</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/82</td>
</tr>
<tr>
<td>37237</td>
<td>R307-355-5</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>37037</td>
<td>R307-401-15</td>
<td>AMD</td>
<td>02/07/2013</td>
<td>2012-23/40</td>
</tr>
<tr>
<td>37236</td>
<td>R307-401-15</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>37252</td>
<td>R307-801</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/197</td>
</tr>
</tbody>
</table>

allegations
Pardons (Board Of), Administration

appellate procedures
Crime Victim Reparations, Administration

applications
Health, Health Care Financing, Coverage and Reimbursement Policy

appraisals
Tax Commission, Property Tax

approval orders
Environmental Quality, Air Quality

architects
Commerce, Occupational and Professional Licensing

asbestos
Environmental Quality, Air Quality
<table>
<thead>
<tr>
<th>Topic</th>
<th>Category</th>
<th>Rule Number</th>
<th>Type</th>
<th>Date</th>
<th>Publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>asbestos hazard emergency response</td>
<td>Environmental Quality, Air Quality</td>
<td>37252</td>
<td>R307-801</td>
<td>02/06/2013</td>
<td>2013-5/197</td>
</tr>
<tr>
<td>asphalt</td>
<td>Environmental Quality, Air Quality</td>
<td>36740</td>
<td>R307-312</td>
<td>02/01/2013</td>
<td>2012-19/45</td>
</tr>
<tr>
<td>automotive refinishing</td>
<td>Environmental Quality, Air Quality</td>
<td>36736</td>
<td>R307-354</td>
<td>02/01/2013</td>
<td>2012-19/88</td>
</tr>
<tr>
<td>background checks</td>
<td>Environmental Quality, Air Quality</td>
<td>37214</td>
<td>R525-5</td>
<td>01/23/2013</td>
<td>2013-4/57</td>
</tr>
<tr>
<td>beam limitation</td>
<td>Environmental Quality, Radiation Control</td>
<td>37183</td>
<td>R313-28</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>benefits</td>
<td>Labor Commission, Industrial Accidents</td>
<td>37131</td>
<td>R612-3</td>
<td>02/25/2013</td>
<td>2013-2/43</td>
</tr>
<tr>
<td>board meetings</td>
<td>Environmental Quality, Administration</td>
<td>37360</td>
<td>R305-2</td>
<td>02/25/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>board member recusal</td>
<td>Environmental Quality, Administration</td>
<td>36776</td>
<td>R305-9</td>
<td>02/22/2013</td>
<td>2013-2/94</td>
</tr>
<tr>
<td>brachytherapy</td>
<td>Environmental Quality, Radiation Control</td>
<td>37184</td>
<td>R313-32</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>broadband</td>
<td>Governor, Economic Development</td>
<td>37206</td>
<td>R357-2</td>
<td>01/16/2013</td>
<td>2013-4/63</td>
</tr>
<tr>
<td>bulls</td>
<td>Agriculture and Food, Animal Industry</td>
<td>36962</td>
<td>R58-21</td>
<td>01/04/2013</td>
<td>2012-22/16</td>
</tr>
<tr>
<td>capital punishment</td>
<td>Pardons (Board Of), Administration</td>
<td>37341</td>
<td>R671-312</td>
<td>02/15/2013</td>
<td>2013-5/212</td>
</tr>
<tr>
<td>cattle</td>
<td>Agriculture and Food, Animal Industry</td>
<td>36962</td>
<td>R58-21</td>
<td>01/04/2013</td>
<td>2012-22/16</td>
</tr>
<tr>
<td>certified nurse midwife</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37071</td>
<td>R156-44a</td>
<td>01/22/2013</td>
<td>2012-24/11</td>
</tr>
<tr>
<td>child care</td>
<td>Workforce Services, Employment Development</td>
<td>37025</td>
<td>R986-700-710</td>
<td>01/02/2013</td>
<td>2012-22/146</td>
</tr>
<tr>
<td>child support</td>
<td>Human Services, Recovery Services</td>
<td>37164</td>
<td>R527-39</td>
<td>01/02/2013</td>
<td>2013-3/110</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37165</td>
<td>R527-56</td>
<td>01/02/2013</td>
<td>2013-3/110</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37113</td>
<td>R527-258</td>
<td>02/22/2013</td>
<td>2013-2/20</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37303</td>
<td>R527-260</td>
<td>02/14/2013</td>
<td>2013-5/210</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37304</td>
<td>R527-301</td>
<td>02/14/2013</td>
<td>2013-5/211</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37231</td>
<td>R527-302</td>
<td>01/28/2013</td>
<td>2013-4/59</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37168</td>
<td>R527-305</td>
<td>01/03/2013</td>
<td>2013-3/111</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37169</td>
<td>R527-430</td>
<td>01/03/2013</td>
<td>2013-3/111</td>
</tr>
<tr>
<td>civil rights</td>
<td>Natural Resources, Administration</td>
<td>37219</td>
<td>R634-1</td>
<td>01/23/2013</td>
<td>2013-4/59</td>
</tr>
<tr>
<td>Subject</td>
<td>Code</td>
<td>Number</td>
<td>Frequency</td>
<td>Date</td>
<td>Year</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------</td>
<td>--------------</td>
<td>-----------</td>
<td>--------------</td>
<td>------------</td>
</tr>
<tr>
<td>client rights</td>
<td>37221</td>
<td>R414-301</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/52</td>
</tr>
<tr>
<td>coating</td>
<td>36731</td>
<td>R307-349</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/63</td>
</tr>
<tr>
<td>coating</td>
<td>36737</td>
<td>R307-355</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/82</td>
</tr>
<tr>
<td>coating</td>
<td>37237</td>
<td>R307-355-5</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>coatings</td>
<td>36731</td>
<td>R307-349</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/74</td>
</tr>
<tr>
<td>coatings</td>
<td>36732</td>
<td>R307-350</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/76</td>
</tr>
<tr>
<td>coatings</td>
<td>36732</td>
<td>R307-350</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/65</td>
</tr>
<tr>
<td>coatings</td>
<td>36736</td>
<td>R307-354</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/88</td>
</tr>
<tr>
<td>coatings</td>
<td>36736</td>
<td>R307-354</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/79</td>
</tr>
<tr>
<td>coil coatings</td>
<td>36734</td>
<td>R307-352</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/84</td>
</tr>
<tr>
<td>coil coatings</td>
<td>36734</td>
<td>R307-352</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/73</td>
</tr>
<tr>
<td>commercial motor vehicle insurance</td>
<td>37172</td>
<td>R590-243</td>
<td>5YR</td>
<td>01/07/2013</td>
<td>2013-3/113</td>
</tr>
<tr>
<td>complaints</td>
<td>37213</td>
<td>R525-7</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
</tr>
<tr>
<td>concerns</td>
<td>37213</td>
<td>R525-7</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/58</td>
</tr>
<tr>
<td>concrete</td>
<td>36740</td>
<td>R307-312</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/45</td>
</tr>
<tr>
<td>conduct</td>
<td>37243</td>
<td>R686-100</td>
<td>5YR</td>
<td>02/01/2013</td>
<td>2013-4/60</td>
</tr>
<tr>
<td>confidential testimony</td>
<td>37353</td>
<td>R671-520</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/217</td>
</tr>
<tr>
<td>confidentiality</td>
<td>37144</td>
<td>R277-487</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/7</td>
</tr>
<tr>
<td>confidentiality of information</td>
<td>37261</td>
<td>R307-102</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>conflict of interest</td>
<td>36776</td>
<td>R305-9</td>
<td>NEW</td>
<td>02/22/2013</td>
<td>2012-19/28</td>
</tr>
<tr>
<td>conflict of interest</td>
<td>36776</td>
<td>R305-9</td>
<td>CPR</td>
<td>02/22/2013</td>
<td>2013-2/94</td>
</tr>
<tr>
<td>continuing</td>
<td>37354</td>
<td>R671-522</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/218</td>
</tr>
<tr>
<td>continuous monitoring</td>
<td>37259</td>
<td>R307-170</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>controlled substance database</td>
<td>37039</td>
<td>R156-37f</td>
<td>NEW</td>
<td>01/08/2013</td>
<td>2012-23/21</td>
</tr>
<tr>
<td>controlled substances</td>
<td>37040</td>
<td>R156-37</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/18</td>
</tr>
<tr>
<td>controlled substances</td>
<td>37175</td>
<td>R156-37-502</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>conviction</td>
<td>37351</td>
<td>R671-518</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/216</td>
</tr>
<tr>
<td>Topic</td>
<td>Agency</td>
<td>Rule No.</td>
<td>Date</td>
<td>Effective Date</td>
<td></td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>------------------------------------------------</td>
<td>----------</td>
<td>----------</td>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>cooperative wildlife management unit</strong></td>
<td>Natural Resources, Wildlife Resources</td>
<td>37097</td>
<td>R657-37</td>
<td>02/07/2013</td>
</tr>
<tr>
<td></td>
<td><strong>coverage groups</strong></td>
<td>Health, Health Care Financing, Coverage and Reimbursement Policy</td>
<td>37173</td>
<td>R414-303</td>
<td>01/07/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37216</td>
<td>R414-303</td>
<td>01/23/2013</td>
</tr>
<tr>
<td></td>
<td><strong>criminal charges</strong></td>
<td>Pardons (Board Of), Administration</td>
<td>37351</td>
<td>R671-518</td>
<td>02/15/2013</td>
</tr>
<tr>
<td></td>
<td><strong>criminal investigation</strong></td>
<td>Public Safety, Criminal Investigations and Technical Services, Criminal Identification</td>
<td>37226</td>
<td>R722-320</td>
<td>01/24/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37227</td>
<td>R722-320</td>
<td>02/15/2013</td>
</tr>
<tr>
<td></td>
<td><strong>dairy inspections</strong></td>
<td>Agriculture and Food, Regulatory Services</td>
<td>37027</td>
<td>R70-310</td>
<td>01/29/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>36915</td>
<td>R70-320-18</td>
<td>01/29/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>36914</td>
<td>R70-330</td>
<td>01/29/2013</td>
</tr>
<tr>
<td></td>
<td><strong>data standards</strong></td>
<td>Education, Administration</td>
<td>37145</td>
<td>R277-484</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td><strong>deadlines</strong></td>
<td>Education, Administration</td>
<td>37145</td>
<td>R277-484</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td><strong>definitions</strong></td>
<td>Environmental Quality, Air Quality</td>
<td>36723</td>
<td>R307-101-2</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>36723</td>
<td>R307-101-2</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td><strong>degreasing</strong></td>
<td>Environmental Quality, Air Quality</td>
<td>36737</td>
<td>R307-355</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td><strong>dental</strong></td>
<td>Environmental Quality, Radiation Control</td>
<td>37183</td>
<td>R313-28</td>
<td>01/31/2013</td>
</tr>
<tr>
<td></td>
<td><strong>depleted uranium</strong></td>
<td>Environmental Quality, Radiation Control</td>
<td>37180</td>
<td>R313-25</td>
<td>01/31/2013</td>
</tr>
<tr>
<td></td>
<td><strong>developmental disabilities</strong></td>
<td>Tax Commission, Administration</td>
<td>36991</td>
<td>R861-1A-12</td>
<td>01/10/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37104</td>
<td>R861-1A-26</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37106</td>
<td>R861-1A-37</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37107</td>
<td>R861-1A-46</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td><strong>dietitians</strong></td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37273</td>
<td>R156-49</td>
<td>02/07/2013</td>
</tr>
<tr>
<td></td>
<td><strong>disabilities</strong></td>
<td>Human Services, Services for People with Disabilities</td>
<td>37110</td>
<td>R539-1</td>
<td>02/13/2013</td>
</tr>
<tr>
<td></td>
<td><strong>disabled</strong></td>
<td>Human Services, Aging and Adult Services</td>
<td>37277</td>
<td>R510-105</td>
<td>02/08/2013</td>
</tr>
<tr>
<td></td>
<td><strong>discharge</strong></td>
<td>Environmental Quality, Water Quality</td>
<td>37241</td>
<td>R317-14</td>
<td>01/31/2013</td>
</tr>
<tr>
<td></td>
<td><strong>disclosure requirements</strong></td>
<td>Tax Commission, Administration</td>
<td>36991</td>
<td>R861-1A-12</td>
<td>01/10/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37104</td>
<td>R861-1A-26</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37106</td>
<td>R861-1A-37</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>37107</td>
<td>R861-1A-46</td>
<td>02/21/2013</td>
</tr>
<tr>
<td></td>
<td><strong>discretion clauses</strong></td>
<td>Insurance, Administration</td>
<td>37176</td>
<td>R590-218</td>
<td>01/09/2013</td>
</tr>
</tbody>
</table>

*UTAH STATE BULLETIN*, March 15, 2013, Vol. 2013, No. 6
<table>
<thead>
<tr>
<th>Topic</th>
<th>Code</th>
<th>Type</th>
<th>Amendment Code</th>
<th>Effective Date</th>
<th>Start Date</th>
<th>End Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>disease control</td>
<td>36962</td>
<td></td>
<td>R58-21</td>
<td>01/04/2013</td>
<td>2012-22/16</td>
<td></td>
</tr>
<tr>
<td>Agriculture and Food, Animal Industry</td>
<td>36562</td>
<td></td>
<td>R309-515-6</td>
<td>01/16/2013</td>
<td>2012-16/66</td>
<td></td>
</tr>
<tr>
<td>drinking water</td>
<td>36562</td>
<td></td>
<td>R309-515-6</td>
<td>01/16/2013</td>
<td>2012-23/70</td>
<td></td>
</tr>
<tr>
<td>driver license</td>
<td>3703</td>
<td>AMD</td>
<td>R527-260</td>
<td>02/14/2013</td>
<td>2013-5/210</td>
<td></td>
</tr>
<tr>
<td>education</td>
<td>37244</td>
<td></td>
<td>R277-709-3</td>
<td>02/15/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>educator licensing</td>
<td>37058</td>
<td>AMD</td>
<td>R277-502</td>
<td>01/07/2013</td>
<td>2012-23/34</td>
<td></td>
</tr>
<tr>
<td>educators</td>
<td>37146</td>
<td></td>
<td>R277-502</td>
<td>02/21/2013</td>
<td>2013-2/10</td>
<td></td>
</tr>
<tr>
<td>effective date</td>
<td>37174</td>
<td>EMR</td>
<td>R414-306</td>
<td>01/07/2013</td>
<td>2013-3/105</td>
<td></td>
</tr>
<tr>
<td>effluent standards</td>
<td>37240</td>
<td>5YR</td>
<td>R317-13</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
<td></td>
</tr>
<tr>
<td>electric generating unit</td>
<td>37254</td>
<td>5YR</td>
<td>R307-224</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
<td></td>
</tr>
<tr>
<td>electric generating units</td>
<td>37258</td>
<td>5YR</td>
<td>R307-220</td>
<td>02/06/2013</td>
<td>2013-5/193</td>
<td></td>
</tr>
<tr>
<td>electronic meetings</td>
<td>37360</td>
<td>5YR</td>
<td>R305-2</td>
<td>02/25/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
<tr>
<td>eligibility</td>
<td>37215</td>
<td>5YR</td>
<td>R414-302</td>
<td>01/23/2013</td>
<td>2013-4/53</td>
<td></td>
</tr>
<tr>
<td>emission controls</td>
<td>36725</td>
<td>REP</td>
<td>R307-340</td>
<td>02/01/2013</td>
<td>2012-1/49</td>
<td></td>
</tr>
<tr>
<td>employers</td>
<td>37133</td>
<td>REP</td>
<td>R612-5</td>
<td>02/25/2013</td>
<td>2013-2/46</td>
<td></td>
</tr>
<tr>
<td>enterprise zones</td>
<td>37108</td>
<td>AMD</td>
<td>R865-9I-13</td>
<td>02/21/2013</td>
<td>2013-1/20</td>
<td></td>
</tr>
<tr>
<td>Tax Commission, Auditing</td>
<td>37178</td>
<td>NSC</td>
<td>R865-9I-46</td>
<td>01/31/2013</td>
<td>Not Printed</td>
<td></td>
</tr>
</tbody>
</table>
### Environmental Protection

**Environmental Quality, Air Quality**
- **Rule**: R307-115
- **Date**: 02/06/2013
- **Number**: 2013-5/192

### Evidence

**Pardons (Board Of), Administration**
- **Rule**: R671-517
- **Date**: 02/15/2013
- **Number**: 2013-5/216

### Eye Exams

**Health, Disease Control and Prevention, Health Promotion**
- **Rule**: R384-201
- **Date**: 02/20/2013
- **Number**: 2012-23/42

### Fabric Coating

**Environmental Quality, Air Quality**
- **Rule**: R307-345
- **Date**: 02/01/2013
- **Number**: 2012-19/67

### Facilities Use

**Capitol Preservation Board (State), Administration**
- **Rule**: R131-2
- **Date**: 01/07/2013
- **Number**: 2012-23/9

### Fees

**Environmental Quality, Radiation Control**
- **Rule**: R313-21
- **Date**: 01/31/2013
- **Number**: Not Printed

### Filing Deadlines

**Labor Commission, Industrial Accidents**
- **Rule**: R612-1
- **Date**: 02/25/2013
- **Number**: 2013-2/28

### Film Coating

**Environmental Quality, Air Quality**
- **Rule**: R307-344
- **Date**: 02/01/2013
- **Number**: 2012-19/65

### Financial Disclosures

**Health, Health Care Financing, Coverage and Reimbursement Policy**
- **Rule**: R414-304
- **Date**: 01/23/2013
- **Number**: 2013-4/54

### Fish

**Natural Resources, Wildlife Resources**
- **Rule**: R657-13
- **Date**: 02/22/2013
- **Number**: 2012-24/29

### Fishing

**Natural Resources, Wildlife Resources**
- **Rule**: R657-13
- **Date**: 02/22/2013
- **Number**: 2012-24/29

### Flat Wood Paneling

**Environmental Quality, Air Quality**
- **Rule**: R307-349
- **Date**: 02/01/2013
- **Number**: 2012-19/74

### Foil Coating

**Environmental Quality, Air Quality**
- **Rule**: R307-344
- **Date**: 02/01/2013
- **Number**: 2013-1/63

### Food Stamps

**Workforce Services, Employment Development**
- **Rule**: R986-900-902
- **Date**: 01/08/2013
- **Number**: 2012-23/50

### General Conformity

**Environmental Quality, Air Quality**
- **Rule**: R307-115
- **Date**: 02/06/2013
- **Number**: 2013-5/192

### General Licenses

**Environmental Quality, Radiation Control**
- **Rule**: R313-21
- **Date**: 01/31/2013
- **Number**: Not Printed

### Good Cause

**Pardons (Board Of), Administration**
- **Rule**: R671-515
- **Date**: 02/15/2013
- **Number**: 2013-5/215

### Graphic Arts

**Environmental Quality, Air Quality**
- **Rule**: R307-351
- **Date**: 02/01/2013
- **Number**: 2012-19/80

- **Rule**: R307-351
- **Date**: 02/01/2013
- **Number**: 2013-1/69

- **Rule**: R307-351-4
- **Date**: 02/15/2013
- **Number**: Not Printed
greenhouse gases
Environmental Quality, Air Quality
37037 R307-401-15 AMD 02/07/2013 2012-23/40
37236 R307-401-15 NSC 02/15/2013 Not Printed

grievance procedures
Tax Commission, Administration
36991 R861-1A-12 AMD 01/10/2013 2012-22/144
37104 R861-1A-26 AMD 02/21/2013 2013-1/15
37106 R861-1A-37 AMD 02/21/2013 2013-1/17
37107 R861-1A-46 AMD 02/21/2013 2013-1/18

health care facilities
Health, Family Health and Preparedness, Licensing
37281 R432-16 5YR 02/11/2013 2013-5/209

hearings
Environmental Quality, Administration
36554 R305-6 REP 01/31/2013 2012-16/28
36554 R305-6 CPR 01/31/2013 2013-1/32
36553 R305-7 NEW 01/31/2013 2012-16/45

Environmental Quality, Water Quality
37229 R317-9 5YR 01/31/2013 2013-4/51
Health, Health Care Financing, Coverage and Reimbursement Policy
37221 R414-301 5YR 01/23/2013 2013-4/52

Pardons (Board Of), Administration
37346 R671-513 5YR 02/15/2013 2013-5/214
37349 R671-516 5YR 02/15/2013 2013-5/215
37350 R671-517 5YR 02/15/2013 2013-5/216
37352 R671-519 5YR 02/15/2013 2013-5/217
37353 R671-520 5YR 02/15/2013 2013-5/217
37354 R671-522 5YR 02/15/2013 2013-5/218

Professional Practices Advisory Commission, Administration
37243 R686-100 5YR 02/01/2013 2013-4/60

historic preservation
Tax Commission, Auditing
37108 R865-9I-13 AMD 02/21/2013 2013-1/20
37178 R865-9I-46 NSC 01/31/2013 Not Printed

historical significance
Administrative Services, Facilities Construction and Management
37358 R23-22 5YR 02/20/2013 Not Printed

hospitals
Environmental Quality, Air Quality
37256 R307-222 5YR 02/06/2013 2013-5/194

human services
Human Services, Services for People with Disabilities
37110 R539-1 AMD 02/13/2013 2013-1/2

IEEE 1366
Public Service Commission, Administration
37116 R746-313 AMD 02/21/2013 2013-2/87

impairment ratings
Labor Commission, Industrial Accidents
37135 R612-7 REP 02/25/2013 2013-2/49

incidents
Pardons (Board Of), Administration
37342 R671-509 5YR 02/15/2013 2013-5/212

inicators
Environmental Quality, Air Quality
37258 R307-220 5YR 02/06/2013 2013-5/193

income
Health, Health Care Financing, Coverage and Reimbursement Policy
37173 R414-303 EMR 01/07/2013 2013-3/103
37216 R414-303 5YR 01/23/2013 2013-4/53
37217 R414-304 5YR 01/23/2013 2013-4/54

income tax
Tax Commission, Auditing
37108 R865-9I-13 AMD 02/21/2013 2013-1/20
37178 R865-9I-46 NSC 01/31/2013 Not Printed
<table>
<thead>
<tr>
<th><strong>income withholding fees</strong></th>
<th>Human Services, Recovery Services</th>
<th>37231</th>
<th>R527-302</th>
<th>5YR</th>
<th>01/28/2013</th>
<th>2013-4/59</th>
</tr>
</thead>
<tbody>
<tr>
<td>industrial waste</td>
<td>Environmental Quality, Water Quality</td>
<td>37240</td>
<td>R317-13</td>
<td>5YR</td>
<td>01/31/2013</td>
<td>2013-4/51</td>
</tr>
<tr>
<td>industry</td>
<td>Environmental Quality, Radiation Control</td>
<td>37186</td>
<td>R313-36</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>infectious waste</td>
<td>Environmental Quality, Air Quality</td>
<td>37256</td>
<td>R307-222</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>informal adjudicative proceedings</td>
<td>Labor Commission, Industrial Accidents</td>
<td>37137</td>
<td>R612-9</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/52</td>
</tr>
<tr>
<td>inspections</td>
<td>Agriculture and Food, Plant Industry</td>
<td>37249</td>
<td>R68-5</td>
<td>5YR</td>
<td>02/05/2013</td>
<td>2013-5/189</td>
</tr>
<tr>
<td>inspections</td>
<td>Environmental Quality, Radiation Control</td>
<td>37179</td>
<td>R313-16</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>insurance</td>
<td>Insurance, Administration</td>
<td>36846</td>
<td>R590-171</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-20/74</td>
</tr>
<tr>
<td>insurance fees</td>
<td>Insurance, Administration</td>
<td>36846</td>
<td>R590-171</td>
<td>CPR</td>
<td>01/22/2013</td>
<td>2012-24/32</td>
</tr>
<tr>
<td>insurance fees</td>
<td>Insurance, Administration</td>
<td>37230</td>
<td>R590-171-3</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>insurance fees</td>
<td>Insurance, Administration</td>
<td>37176</td>
<td>R590-218</td>
<td>5YR</td>
<td>01/09/2013</td>
<td>2013-3/113</td>
</tr>
<tr>
<td>insurance law</td>
<td>Insurance, Administration</td>
<td>37133</td>
<td>R612-5</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/46</td>
</tr>
<tr>
<td>insurance law</td>
<td>Insurance, Administration</td>
<td>37127</td>
<td>R612-400</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/76</td>
</tr>
<tr>
<td>intern</td>
<td>Education, Administration</td>
<td>37171</td>
<td>R590-157</td>
<td>5YR</td>
<td>01/07/2013</td>
<td>2013-3/112</td>
</tr>
<tr>
<td>interstate</td>
<td>Human Services, Recovery Services</td>
<td>37168</td>
<td>R527-305</td>
<td>5YR</td>
<td>01/03/2013</td>
<td>2013-3/111</td>
</tr>
<tr>
<td>interstate system</td>
<td>Transportation, Administration</td>
<td>37049</td>
<td>R907-64</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
<td>2013-1/23</td>
</tr>
<tr>
<td>irradiator</td>
<td>Environmental Quality, Radiation Control</td>
<td>37185</td>
<td>R313-34</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>job creation</td>
<td>Governor, Economic Development</td>
<td>37206</td>
<td>R357-2</td>
<td>EXT</td>
<td>01/16/2013</td>
<td>2013-4/63</td>
</tr>
<tr>
<td>juvenile courts</td>
<td>Education, Administration</td>
<td>37244</td>
<td>R277-709-3</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>landfills</td>
<td>Environmental Quality, Air Quality</td>
<td>37258</td>
<td>R307-220</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/193</td>
</tr>
<tr>
<td>landscape architects</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37274</td>
<td>R156-53</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/190</td>
</tr>
<tr>
<td>Type</td>
<td>Category</td>
<td>Title</td>
<td>Number</td>
<td>Code</td>
<td>Status</td>
<td>Date</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------</td>
<td>-------------</td>
<td>--------</td>
<td>--------</td>
<td>----------</td>
</tr>
<tr>
<td>large appliance</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-347</td>
<td>36729</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/71</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R307-347</td>
<td>36729</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/59</td>
</tr>
<tr>
<td>law enforcement</td>
<td>Public Safety, Criminal Investigations and Technical Services, Criminal Identification</td>
<td>R722-320</td>
<td>37226</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/61</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R722-320</td>
<td>37227</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>liberties</td>
<td>Natural Resources, Administration</td>
<td>R634-1</td>
<td>37219</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/59</td>
</tr>
<tr>
<td>licensing</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>R156-3a-102</td>
<td>37073</td>
<td>AMD</td>
<td>01/24/2013</td>
<td>2012-24/6</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-37</td>
<td>37040</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-37-502</td>
<td>37175</td>
<td>NSC</td>
<td>01/30/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-37f</td>
<td>37039</td>
<td>NEW</td>
<td>01/08/2013</td>
<td>2012-23/21</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-44a</td>
<td>37071</td>
<td>NSC</td>
<td>01/22/2013</td>
<td>2012-24/11</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-49</td>
<td>37273</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/199</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-53</td>
<td>37274</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/199</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R156-68</td>
<td>37272</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/199</td>
</tr>
<tr>
<td></td>
<td>Environmental Quality, Radiation Control</td>
<td>R313-36</td>
<td>37186</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>licensing and certification</td>
<td>Commerce, Real Estate</td>
<td>R162-2g</td>
<td>36973</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
</tr>
<tr>
<td>longitudinal access</td>
<td>Transportation, Administration</td>
<td>R907-64</td>
<td>37094</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
<td>2013-1/23</td>
</tr>
<tr>
<td>magnet wire</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-348</td>
<td>36730</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/73</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R307-348</td>
<td>36730</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/61</td>
</tr>
<tr>
<td>major event</td>
<td>Public Service Commission, Administration</td>
<td>R746-313</td>
<td>37116</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/87</td>
</tr>
<tr>
<td>mammography</td>
<td>Environmental Quality, Radiation Control</td>
<td>R313-28</td>
<td>37183</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>market trading program</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-250</td>
<td>37253</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/196</td>
</tr>
<tr>
<td>Medicaid</td>
<td>Health, Health Care Financing</td>
<td>R410-14</td>
<td>37045</td>
<td>AMD</td>
<td>01/09/2013</td>
<td>2012-23/44</td>
</tr>
<tr>
<td></td>
<td>Health, Health Care Financing, Coverage and Reimbursement Policy</td>
<td>R414-1-5</td>
<td>37122</td>
<td>AMD</td>
<td>03/01/2013</td>
<td>2013-2/18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-27</td>
<td>37177</td>
<td>5YR</td>
<td>01/09/2013</td>
<td>2013-3/109</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-301</td>
<td>37221</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/52</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-302</td>
<td>37215</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/53</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-305</td>
<td>37222</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-308</td>
<td>37223</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
</tr>
<tr>
<td>medical incinerators</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-222</td>
<td>37256</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R612-300</td>
<td>37126</td>
<td>NEW</td>
<td>02/25/2013</td>
<td>2013-2/66</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R414-306</td>
<td>37218</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
</tr>
<tr>
<td>medication treatment</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>R525-3</td>
<td>37224</td>
<td>5YR</td>
<td>01/24/2013</td>
<td>2013-4/56</td>
</tr>
<tr>
<td>Term</td>
<td>Description</td>
<td>Section</td>
<td>Code</td>
<td>Type</td>
<td>Date</td>
<td>Page</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------</td>
<td>---------</td>
<td>--------</td>
<td>-------</td>
<td>----------</td>
<td>------</td>
</tr>
<tr>
<td>mercury</td>
<td>Environmental Quality, Air Quality</td>
<td>37254</td>
<td>R307-224</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>metal containers</td>
<td>Environmental Quality, Air Quality</td>
<td>36734</td>
<td>R307-352</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/84</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36734</td>
<td>R307-352</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/73</td>
</tr>
<tr>
<td>metal furniture</td>
<td>Environmental Quality, Air Quality</td>
<td>36728</td>
<td>R307-346</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/69</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36728</td>
<td>R307-346</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/57</td>
</tr>
<tr>
<td>midwifery</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37071</td>
<td>R156-44a</td>
<td>AMD</td>
<td>01/22/2013</td>
<td>2012-24/11</td>
</tr>
<tr>
<td>miscellaneous metal parts</td>
<td>Environmental Quality, Air Quality</td>
<td>36732</td>
<td>R307-350</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/76</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36732</td>
<td>R307-350</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/65</td>
</tr>
<tr>
<td>monitoring</td>
<td>Environmental Quality, Air Quality</td>
<td>37259</td>
<td>R307-170</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/192</td>
</tr>
<tr>
<td>municipal landfills</td>
<td>Environmental Quality, Air Quality</td>
<td>37257</td>
<td>R307-221</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/194</td>
</tr>
<tr>
<td>municipal waste incinerator</td>
<td>Environmental Quality, Air Quality</td>
<td>37255</td>
<td>R307-223</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/195</td>
</tr>
<tr>
<td>nuclear medicine</td>
<td>Environmental Quality, Radiation Control</td>
<td>37184</td>
<td>R313-32</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>off-highway vehicles</td>
<td>Natural Resources, Parks and Recreation</td>
<td>36856</td>
<td>R651-408</td>
<td>REP</td>
<td>01/15/2013</td>
<td>2012-20/77</td>
</tr>
<tr>
<td>oil and gas law</td>
<td>Natural Resources, Oil, Gas and Mining; Oil and Gas</td>
<td>36992</td>
<td>R649-3-38</td>
<td>AMD</td>
<td>01/23/2013</td>
<td>2012-22/140</td>
</tr>
<tr>
<td>osteopathic physician</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37272</td>
<td>R156-68</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>osteopaths</td>
<td>Commerce, Occupational and Professional Licensing</td>
<td>37272</td>
<td>R156-68</td>
<td>5YR</td>
<td>02/07/2013</td>
<td>2013-5/191</td>
</tr>
<tr>
<td>overpayments</td>
<td>Workforce Services, Unemployment Insurance</td>
<td>37066</td>
<td>R994-305</td>
<td>AMD</td>
<td>01/08/2013</td>
<td>2012-23/52</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37023</td>
<td>R994-305-1201</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/147</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37024</td>
<td>R994-406</td>
<td>AMD</td>
<td>01/02/2013</td>
<td>2012-22/148</td>
</tr>
<tr>
<td>ozone</td>
<td>Environmental Quality, Air Quality</td>
<td>36725</td>
<td>R307-340</td>
<td>REP</td>
<td>02/01/2013</td>
<td>2012-19/49</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36725</td>
<td>R307-340</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/48</td>
</tr>
<tr>
<td>paper coating</td>
<td>Environmental Quality, Air Quality</td>
<td>36726</td>
<td>R307-344</td>
<td>NEW</td>
<td>02/01/2013</td>
<td>2012-19/65</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36726</td>
<td>R307-344</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/52</td>
</tr>
<tr>
<td>parking facilities</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37357</td>
<td>R23-13</td>
<td>5YR</td>
<td>02/20/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>parole</td>
<td>Pardons (Board Of), Administration</td>
<td>37342</td>
<td>R671-509</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/212</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37343</td>
<td>R671-510</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/212</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37344</td>
<td>R671-512</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/213</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37346</td>
<td>R671-513</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/214</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37347</td>
<td>R671-514</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/214</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37348</td>
<td>R671-515</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/215</td>
</tr>
<tr>
<td>Rule Number</td>
<td>Rule Title</td>
<td>Agency</td>
<td>Action</td>
<td>Date</td>
<td>Effective Date</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------------------------------------------------------</td>
<td>--------</td>
<td>--------</td>
<td>------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>37349</td>
<td>particulates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37350</td>
<td>particulates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37351</td>
<td>particulates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37352</td>
<td>particulates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37353</td>
<td>particulates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37354</td>
<td>particulates</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36741</td>
<td>penalties</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36741</td>
<td>penalties</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37234</td>
<td>penalties</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37211</td>
<td>people with disabilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37111</td>
<td>people with disabilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37037</td>
<td>permits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37236</td>
<td>permits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37109</td>
<td>personal property</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37347</td>
<td>pleas</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37072</td>
<td>pools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37241</td>
<td>POTW</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36733</td>
<td>probable cause</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37343</td>
<td>probable cause</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37147</td>
<td>professional</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37058</td>
<td>professional</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37146</td>
<td>professional</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37074</td>
<td>professional engineers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37074</td>
<td>professional land surveyors</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37074</td>
<td>professional structural engineers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37174</td>
<td>program benefits</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**RULES INDEX**

*UTAH STATE BULLETIN, March 15, 2013, Vol. 2013, No. 6*
<table>
<thead>
<tr>
<th>Topic</th>
<th>Agency</th>
<th>Code</th>
<th>Type</th>
<th>Date</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>prohibited items and devices</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>37218</td>
<td>R414-306</td>
<td>01/23/2013</td>
<td>2013-4/55</td>
</tr>
<tr>
<td>property tax</td>
<td>Tax Commission, Property Tax</td>
<td>37109</td>
<td>R884-24P-67</td>
<td>02/21/2013</td>
<td>2013-1/22</td>
</tr>
<tr>
<td>property transactions</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37358</td>
<td>R23-22</td>
<td>02/20/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>public assistance</td>
<td>Workforce Services, Employment Development</td>
<td>37067</td>
<td>R986-900-902</td>
<td>01/08/2013</td>
<td>2012-23/50</td>
</tr>
<tr>
<td>public buildings</td>
<td>Capitol Preservation Board (State), Administration</td>
<td>37064</td>
<td>R131-2</td>
<td>01/07/2013</td>
<td>2012-23/9</td>
</tr>
<tr>
<td>public utilities</td>
<td>Public Service Commission, Administration</td>
<td>37041</td>
<td>R746-320</td>
<td>01/07/2013</td>
<td>2012-23/48</td>
</tr>
<tr>
<td>radiation</td>
<td>Environmental Quality, Radiation Control</td>
<td>37180</td>
<td>R313-25</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>radiation safety</td>
<td>Environmental Quality, Radiation Control</td>
<td>37185</td>
<td>R313-34</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>radioactive materials</td>
<td>Environmental Quality, Radiation Control</td>
<td>37181</td>
<td>R313-21</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>radioactive waste disposal</td>
<td>Environmental Quality, Radiation Control</td>
<td>37180</td>
<td>R313-25</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>radioactive waste generator permit</td>
<td>Environmental Quality, Radiation Control</td>
<td>37182</td>
<td>R313-26</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>radiopharmaceutical</td>
<td>Environmental Quality, Radiation Control</td>
<td>37184</td>
<td>R313-32</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37127</td>
<td>R612-400</td>
<td>02/25/2013</td>
<td>2013-2/76</td>
</tr>
<tr>
<td>raw milk</td>
<td>Agriculture and Food, Regulatory Services</td>
<td>36915</td>
<td>R70-320-18</td>
<td>01/29/2013</td>
<td>2012-21/8</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36914</td>
<td>R70-330</td>
<td>01/29/2013</td>
<td>2012-21/9</td>
</tr>
<tr>
<td>real estate</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37358</td>
<td>R23-22</td>
<td>02/20/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>real estate appraisals</td>
<td>Commerce, Real Estate</td>
<td>36973</td>
<td>R162-2g</td>
<td>01/02/2013</td>
<td>2012-22/19</td>
</tr>
<tr>
<td>records</td>
<td>Education, Administration</td>
<td>37144</td>
<td>R277-487</td>
<td>02/21/2013</td>
<td>2013-2/7</td>
</tr>
<tr>
<td>Topic</td>
<td>Agency</td>
<td>Rule Number</td>
<td>Type</td>
<td>Issue Date</td>
<td>Page Date - Year</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------------------------------------------</td>
<td>-------------</td>
<td>-------</td>
<td>-----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>recusal</td>
<td>Environmental Quality, Administration</td>
<td>R305-9</td>
<td>NEW</td>
<td>02/22/2013</td>
<td>2012-19/28</td>
</tr>
<tr>
<td>reemployment workers'</td>
<td>Labor Commission, Industrial Accidents</td>
<td>R612-8</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/50</td>
</tr>
<tr>
<td>compensation guidelines</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>registration</td>
<td>Environmental Quality, Radiation Control</td>
<td>R313-70</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>reliability</td>
<td>Public Service Commission, Administration</td>
<td>R746-313</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/87</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R612-11</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/54</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R612-12</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/55</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R612-13</td>
<td>REP</td>
<td>02/25/2013</td>
<td>2013-2/57</td>
</tr>
<tr>
<td>reports</td>
<td>Education, Administration</td>
<td>R277-484</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/4</td>
</tr>
<tr>
<td>resources</td>
<td>Health, Health Care Financing, Coverage and</td>
<td>R414-305</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013-4/54</td>
</tr>
<tr>
<td></td>
<td>Reimbursement Policy</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>revocation</td>
<td>Pardons (Board Of), Administration</td>
<td>R671-516</td>
<td>5YR</td>
<td>02/15/2013</td>
<td>2013-5/215</td>
</tr>
<tr>
<td>right-of-way</td>
<td>Transportation, Administration</td>
<td>R907-64</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
<td>2013-1/23</td>
</tr>
<tr>
<td>roads</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-307</td>
<td>AMD</td>
<td>02/01/2013</td>
<td>2012-19/42</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R307-307</td>
<td>CPR</td>
<td>02/01/2013</td>
<td>2013-1/45</td>
</tr>
<tr>
<td></td>
<td></td>
<td>R307-307</td>
<td>NSC</td>
<td>02/15/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>rules and procedures</td>
<td>Public Service Commission, Administration</td>
<td>R746-320</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012-23/48</td>
</tr>
<tr>
<td>Rural Broadband Service Fund</td>
<td>Governor, Economic Development</td>
<td>R357-2</td>
<td>EXT</td>
<td>01/16/2013</td>
<td>2013-4/63</td>
</tr>
<tr>
<td>rural economic development</td>
<td>Governor, Economic Development</td>
<td>R357-2</td>
<td>EXT</td>
<td>01/16/2013</td>
<td>2013-4/63</td>
</tr>
<tr>
<td>SAIDI/SAIFI</td>
<td>Public Service Commission, Administration</td>
<td>R746-313</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013-2/87</td>
</tr>
<tr>
<td>salons</td>
<td>Health, Disease Control and Prevention</td>
<td>R392-700</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/209</td>
</tr>
<tr>
<td>sanitation</td>
<td>Health, Disease Control and Prevention</td>
<td>R392-700</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/209</td>
</tr>
<tr>
<td>school vision</td>
<td>Health, Disease Control and Prevention</td>
<td>R384-201</td>
<td>NEW</td>
<td>02/20/2013</td>
<td>2012-23/42</td>
</tr>
<tr>
<td></td>
<td>Health, Disease Control and Prevention,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Health Promotion</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>schools</td>
<td>Environmental Quality, Air Quality</td>
<td>R307-801</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013-5/197</td>
</tr>
</tbody>
</table>
secure areas
Human Services, Substance Abuse and Mental Health, State Hospital 37212 R525-6 5YR 01/23/2013 2013-4/58

securities
Commerce, Securities 37042 R164-31-1 AMD 01/08/2013 2012-23/26

securities regulations
Commerce, Securities 37042 R164-31-1 AMD 01/08/2013 2012-23/26

self insurance plans
Labor Commission, Industrial Accidents 37131 R612-3 REP 02/25/2013 2013-2/43

seniors
Human Services, Aging and Adult Services 37277 R510-105 5YR 02/08/2013 2013-5/210

services
Human Services, Services for People with Disabilities 37111 R539-2 AMD 02/13/2013 2013-1/8

settlements
37139 R612-11 REP 02/25/2013 2013-2/54
37140 R612-12 REP 02/25/2013 2013-2/55

social security numbers
Human Services, Services for People with Disabilities 37110 R539-1 AMD 02/13/2013 2013-1/2

solid waste management
Environmental Quality, Solid and Hazardous Waste 37282 R315-301 5YR 02/13/2013 2013-5/198
37283 R315-302 5YR 02/13/2013 2013-5/198
37284 R315-303 5YR 02/13/2013 2013-5/199
37285 R315-304 5YR 02/13/2013 2013-5/200
37286 R315-305 5YR 02/13/2013 2013-5/200
37287 R315-306 5YR 02/13/2013 2013-5/201
37288 R315-307 5YR 02/13/2013 2013-5/201
37289 R315-308 5YR 02/13/2013 2013-5/201
37290 R315-309 5YR 02/13/2013 2013-5/202
37291 R315-310 5YR 02/13/2013 2013-5/203
37292 R315-311 5YR 02/13/2013 2013-5/204
37293 R315-312 5YR 02/13/2013 2013-5/204
37294 R315-313 5YR 02/13/2013 2013-5/205
37295 R315-314 5YR 02/13/2013 2013-5/205
37296 R315-315 5YR 02/13/2013 2013-5/206
37297 R315-316 5YR 02/13/2013 2013-5/206
37298 R315-317 5YR 02/13/2013 2013-5/207
37299 R315-318 5YR 02/13/2013 2013-5/208
37300 R315-320 5YR 02/13/2013 2013-5/208

solvent cleaning
Environmental Quality, Air Quality 36737 R307-355 NEW 02/01/2013 2012-19/91

source development
Environmental Quality, Drinking Water 36562 R309-515-6 AMD 01/16/2013 2012-16/66
36562 R309-515-6 CPR 01/16/2013 2012-23/70

source maintenance
Environmental Quality, Drinking Water 36562 R309-515-6 AMD 01/16/2013 2012-16/66
36562 R309-515-6 CPR 01/16/2013 2012-23/70

source materials
Environmental Quality, Radiation Control 37181 R313-21 NSC 01/31/2013 Not Printed

spas
Health, Disease Control and Prevention, Environmental Services 37072 R392-302-3 AMD 02/28/2013 2012-24/26
<table>
<thead>
<tr>
<th>Topic</th>
<th>Code</th>
<th>Code Information</th>
<th>Code</th>
<th>Date</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>standards Education, Administration</td>
<td>37147</td>
<td>R277-517</td>
<td>NEW</td>
<td>02/21/2013</td>
<td>2013</td>
</tr>
<tr>
<td>standards Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>37212</td>
<td>R525-6</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013</td>
</tr>
<tr>
<td>student teachers Education, Administration</td>
<td>37059</td>
<td>R277-509</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012</td>
</tr>
<tr>
<td>students Education, Administration</td>
<td>37144</td>
<td>R277-487</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013</td>
</tr>
<tr>
<td>subsurface tracer studies Environmental Quality, Radiation Control</td>
<td>37187</td>
<td>R313-38</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>suggestions Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>37213</td>
<td>R525-7</td>
<td>5YR</td>
<td>01/23/2013</td>
<td>2013</td>
</tr>
<tr>
<td>sulfur dioxide Environmental Quality, Air Quality</td>
<td>37253</td>
<td>R307-250</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013</td>
</tr>
<tr>
<td>surface coating Environmental Quality, Air Quality</td>
<td>36725</td>
<td>R307-340</td>
<td>REP</td>
<td>02/01/2013</td>
<td>2012</td>
</tr>
<tr>
<td>surveys Environmental Quality, Radiation Control</td>
<td>37185</td>
<td>R313-34</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>tanning beds Health, Disease Control and Prevention, Environmental Services</td>
<td>37251</td>
<td>R392-700</td>
<td>5YR</td>
<td>02/06/2013</td>
<td>2013</td>
</tr>
<tr>
<td>tax returns Tax Commission, Auditing</td>
<td>37108</td>
<td>R865-9I-13</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013</td>
</tr>
<tr>
<td>tax returns Tax Commission, Administration</td>
<td>37178</td>
<td>R865-9I-46</td>
<td>NSC</td>
<td>01/31/2013</td>
<td>Not Printed</td>
</tr>
<tr>
<td>taxation Tax Commission, Administration</td>
<td>36991</td>
<td>R861-1A-12</td>
<td>AMD</td>
<td>01/10/2013</td>
<td>2012</td>
</tr>
<tr>
<td>taxation Tax Commission, Administration</td>
<td>37104</td>
<td>R861-1A-26</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013</td>
</tr>
<tr>
<td>taxation Tax Commission, Administration</td>
<td>37106</td>
<td>R861-1A-37</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013</td>
</tr>
<tr>
<td>taxation Tax Commission, Property Tax</td>
<td>37109</td>
<td>R884-24P-67</td>
<td>AMD</td>
<td>02/21/2013</td>
<td>2013</td>
</tr>
<tr>
<td>taxes Insurance, Administration</td>
<td>37171</td>
<td>R590-157</td>
<td>5YR</td>
<td>01/07/2013</td>
<td>2013</td>
</tr>
<tr>
<td>teacher licensing Professional Practices Advisory Commission, Administration</td>
<td>37243</td>
<td>R686-100</td>
<td>5YR</td>
<td>02/01/2013</td>
<td>2013</td>
</tr>
<tr>
<td>teacher preparation programs Education, Administration</td>
<td>37059</td>
<td>R277-509</td>
<td>AMD</td>
<td>01/07/2013</td>
<td>2012</td>
</tr>
<tr>
<td>Topic</td>
<td>Agency</td>
<td>Act Number</td>
<td>Rule Number</td>
<td>Edition</td>
<td>Date</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------------------------------------</td>
<td>--------------</td>
<td>-------------</td>
<td>---------</td>
<td>------------</td>
</tr>
<tr>
<td>telecommunications</td>
<td>Transportation, Administration</td>
<td>37094</td>
<td>R907-64</td>
<td>R&amp;R</td>
<td>02/07/2013</td>
</tr>
<tr>
<td>time</td>
<td>Labor Commission, Industrial Accidents</td>
<td>37129</td>
<td>R612-1</td>
<td>REP</td>
<td>02/25/2013</td>
</tr>
<tr>
<td>timeliness</td>
<td></td>
<td>37125</td>
<td>R612-200</td>
<td>NEW</td>
<td>02/25/2013</td>
</tr>
<tr>
<td>timeliness</td>
<td>Pardons (Board Of), Administration</td>
<td>37348</td>
<td>R671-515</td>
<td>5YR</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>trainee registration</td>
<td>Commerce, Real Estate</td>
<td>36973</td>
<td>R162-2g</td>
<td>AMD</td>
<td>01/02/2013</td>
</tr>
<tr>
<td>transportation</td>
<td>Human Services, Aging and Adult Services</td>
<td>37277</td>
<td>R510-105</td>
<td>5YR</td>
<td>02/08/2013</td>
</tr>
<tr>
<td>transportation law</td>
<td>Administrative Services, Facilities Construction and Management</td>
<td>37357</td>
<td>R23-13</td>
<td>5YR</td>
<td>02/20/2013</td>
</tr>
<tr>
<td>trichomoniasis</td>
<td>Agriculture and Food, Animal Industry</td>
<td>36962</td>
<td>R58-21</td>
<td>AMD</td>
<td>01/04/2013</td>
</tr>
<tr>
<td>ultraviolet light safety</td>
<td>Health, Disease Control and Prevention, Environmental Services</td>
<td>37251</td>
<td>R392-700</td>
<td>5YR</td>
<td>02/06/2013</td>
</tr>
<tr>
<td>undercover identification</td>
<td>Public Safety, Criminal Investigations and Technical Services, Criminal Identification</td>
<td>37226</td>
<td>R722-320</td>
<td>5YR</td>
<td>01/24/2013</td>
</tr>
<tr>
<td>undercover identification</td>
<td></td>
<td>37227</td>
<td>R722-320</td>
<td>NSC</td>
<td>02/15/2013</td>
</tr>
<tr>
<td>unemployment compensation</td>
<td>Workforce Services, Unemployment Insurance</td>
<td>37066</td>
<td>R994-305</td>
<td>AMD</td>
<td>01/08/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37023</td>
<td>R994-305-1201</td>
<td>AMD</td>
<td>01/02/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37024</td>
<td>R994-406</td>
<td>AMD</td>
<td>01/02/2013</td>
</tr>
<tr>
<td>utility service shutoff</td>
<td>Public Service Commission, Administration</td>
<td>37041</td>
<td>R746-320</td>
<td>AMD</td>
<td>01/07/2013</td>
</tr>
<tr>
<td>variances</td>
<td>Environmental Quality, Air Quality</td>
<td>37261</td>
<td>R307-102</td>
<td>5YR</td>
<td>02/06/2013</td>
</tr>
<tr>
<td>victim compensation</td>
<td>Crime Victim Reparations, Administration</td>
<td>37061</td>
<td>R270-1</td>
<td>AMD</td>
<td>01/07/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37166</td>
<td>R270-1</td>
<td>NSC</td>
<td>01/30/2013</td>
</tr>
<tr>
<td>victims of crime</td>
<td>Crime Victim Reparations, Administration</td>
<td>37061</td>
<td>R270-1</td>
<td>AMD</td>
<td>01/07/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>37166</td>
<td>R270-1</td>
<td>NSC</td>
<td>01/30/2013</td>
</tr>
<tr>
<td>vinyl coating</td>
<td>Environmental Quality, Air Quality</td>
<td>36727</td>
<td>R307-345</td>
<td>NEW</td>
<td>02/01/2013</td>
</tr>
<tr>
<td></td>
<td></td>
<td>36727</td>
<td>R307-345</td>
<td>CPR</td>
<td>02/01/2013</td>
</tr>
<tr>
<td>vision evaluations</td>
<td>Health, Disease Control and Prevention, Health Promotion</td>
<td>37028</td>
<td>R384-201</td>
<td>NEW</td>
<td>02/20/2013</td>
</tr>
<tr>
<td>visitors</td>
<td>Human Services, Substance Abuse and Mental Health, State Hospital</td>
<td>37210</td>
<td>R525-4</td>
<td>5YR</td>
<td>01/23/2013</td>
</tr>
</tbody>
</table>
## RULES INDEX

### VOC

- **Environmental Quality, Air Quality**
  - 36733 R307-351 NEW 02/01/2013 2012-19/80
  - 36733 R307-351 CPR 02/01/2013 2013-1/69
  - 37235 R307-351-4 NSC 02/15/2013 Not Printed
  - 36736 R307-354 NEW 02/01/2013 2012-19/88
  - 36736 R307-354 CPR 02/01/2013 2013-1/79

### VOC emission

- **Environmental Quality, Air Quality**
  - 36726 R307-344 NEW 02/01/2013 2012-19/65
  - 36726 R307-344 CPR 02/01/2013 2013-1/52

### waivers

- **Labor Commission, Industrial Accidents**
  - 37127 R612-400 NEW 02/25/2013 2013-2/76

### warrants

- **Pardons (Board Of), Administration**
  - 37343 R671-510 5YR 02/15/2013 2013-5/212
  - 37344 R671-512 5YR 02/15/2013 2013-5/213
  - 37345 R671-513 5YR 02/15/2013 2013-5/214

### waste disposal

- **Environmental Quality, Solid and Hazardous Waste**
  - 37282 R315-301 5YR 02/13/2013 2013-5/198
  - 37283 R315-302 5YR 02/13/2013 2013-5/199
  - 37284 R315-303 5YR 02/13/2013 2013-5/200
  - 37285 R315-304 5YR 02/13/2013 2013-5/201
  - 37286 R315-305 5YR 02/13/2013 2013-5/202
  - 37287 R315-306 5YR 02/13/2013 2013-5/203
  - 37288 R315-307 5YR 02/13/2013 2013-5/204
  - 37289 R315-308 5YR 02/13/2013 2013-5/205
  - 37290 R315-309 5YR 02/13/2013 2013-5/206
  - 37291 R315-310 5YR 02/13/2013 2013-5/207
  - 37292 R315-311 5YR 02/13/2013 2013-5/208
  - 37293 R315-312 5YR 02/13/2013 2013-5/209
  - 37295 R315-314 5YR 02/13/2013 2013-5/210
  - 37296 R315-315 5YR 02/13/2013 2013-5/211
  - 37297 R315-316 5YR 02/13/2013 2013-5/212
  - 37298 R315-317 5YR 02/13/2013 2013-5/213
  - 37299 R315-318 5YR 02/13/2013 2013-5/214
  - 37300 R315-320 5YR 02/13/2013 2013-5/215
  - 37240 R317-13 5YR 01/31/2013 2013-4/51

### waste to energy plant

- **Environmental Quality, Air Quality**
  - 37255 R307-223 5YR 02/06/2013 2013-5/195

### wastewater

- **Environmental Quality, Water Quality**
  - 37241 R317-14 5YR 01/31/2013 2013-4/52

### water pollution

- **Environmental Quality, Water Quality**
  - 37240 R317-13 5YR 01/31/2013 2013-4/51

### water slides

- **Health, Disease Control and Prevention, Environmental Services**
  - 37072 R392-302-3 AMD 02/28/2013 2012-24/26

### weapons

- **Human Services, Substance Abuse and Mental Health, State Hospital**
  - 37212 R525-6 5YR 01/23/2013 2013-4/58

### well logging

- **Environmental Quality, Radiation Control**
  - 37187 R313-38 NSC 01/31/2013 Not Printed

### wildlife

- **Natural Resources, Wildlife Resources**
  - 37069 R657-13 AMD 01/22/2013 2012-24/29
  - 37097 R657-37 AMD 02/07/2013 2013-1/11
  - 37203 R657-58 5YR 01/15/2013 2013-3/114

### wildlife law

- **Natural Resources, Wildlife Resources**
  - 37069 R657-13 AMD 01/22/2013 2012-24/29
<table>
<thead>
<tr>
<th>Number</th>
<th>Rule Code</th>
<th>Committee</th>
<th>Date</th>
<th>Effective Date</th>
<th>Room Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>37203</td>
<td>R657-58</td>
<td></td>
<td>01/15/2013</td>
<td>2013-3/114</td>
<td></td>
</tr>
</tbody>
</table>

**workers’ compensation**

- Labor Commission, Industrial Accidents
  - 37129 R612-1 REP 02/25/2013 2013-2/28
  - 37130 R612-2 REP 02/25/2013 2013-2/35
  - 37131 R612-3 REP 02/25/2013 2013-2/43
  - 37132 R612-4 REP 02/25/2013 2013-2/46
  - 37133 R612-5 REP 02/25/2013 2013-2/46
  - 37134 R612-6 REP 02/25/2013 2013-2/48
  - 37135 R612-7 REP 02/25/2013 2013-2/49
  - 37137 R612-9 REP 02/25/2013 2013-2/52
  - 37138 R612-10 REP 02/25/2013 2013-2/53
  - 37139 R612-11 REP 02/25/2013 2013-2/54
  - 37140 R612-12 REP 02/25/2013 2013-2/55
  - 37141 R612-13 REP 02/25/2013 2013-2/57
  - 37124 R612-100 NEW 02/25/2013 2013-2/58
  - 37125 R612-200 NEW 02/25/2013 2013-2/62
  - 37126 R612-300 NEW 02/25/2013 2013-2/66
  - 37127 R612-400 NEW 02/25/2013 2013-2/76
  - 37128 R612-500 NEW 02/25/2013 2013-2/79

**x-rays**

- Environmental Quality, Radiation Control
  - 37179 R313-16 NSC 01/31/2013 Not Printed
  - 37183 R313-28 NSC 01/31/2013 Not Printed
  - 37188 R313-70 NSC 01/31/2013 Not Printed