UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed June 2, 2001, 12:00 a.m. through June 15, 2001, 11:59 p.m.

Number 2001-13
July 1, 2001

Kenneth A. Hansen, Director
Nancy L. Lancaster, Editor

The *Utah State Bulletin (Bulletin)* is the 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 63-46a-10, *Utah Code Annotated* 1953.

Inquiries concerning administrative rules or other contents of the *Bulletin* may be addressed to the responsible agency or to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone (801) 538-3218, FAX (801) 538-1773. To view rules information, and on-line versions of the division's publications, visit: http://www.rules.state.ut.us/

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)*. The *Bulletin* and *Digest* are printed and distributed semi-monthly by Legislative Printing. Annual subscription rates (24 issues) are $174 for the *Bulletin* and $48 for the *Digest*. Inquiries concerning subscription, billing, or changes of address should be addressed to:

LEGISLATIVE PRINTING
PO BOX 140107
SALT LAKE CITY, UT 84114-0107
(801) 538-1103
FAX (801) 538-1728

ISSN 0882-4738

Division of Administrative Rules, Salt Lake City 84114

Printed in the United States of America

Library of congress Cataloging in Publication Data

Utah state bulletin.
Semimonthly.
1. Delegated legislation--Utah--Periodicals. 2. Administrative procedure--Utah--Periodicals.
I. Utah. Office of Administrative Rules.

KFU440.A73S7
348.792'025--DDC 85-643197

TABLE OF CONTENTS

1. SPECIAL NOTICES

2. NOTICES OF PROPOSED RULES

3. NOTICES OF CHANGES IN PROPOSED RULES

4. FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

SPECIAL NOTICES

SUPPLEMENTAL PROCLAMATION

PURSUANT to Item 3 of the Proclamation issued June 7, 2001, calling the Legislature into special session on June 20, 2001, I add the following items to the agenda for the special session:

1. To reconsider, together with any changes, the following legislation from the 2001 General Session:

A. HB 158, INDIVIDUAL INCOME TAX - ADDITION OF INTEREST TO FEDERAL TAXABLE INCOME;

B. HB 168, NOTICE BY SCHOOL TO CUSTODIAL AND NONCUSTODIAL PARENT;

C. HB 334, INDIVIDUAL INCOME TAX AND CORPORATE FRANCHISE AND INCOME TAX - ENERGY SAVING SYSTEMS CREDITS;

D. HCR 6, RESOLUTION APPROVING WASTE DISPOSAL; and

E. SB 222, NOTIFICATION BY FAMILY SERVICES OF NONCUSTODIAL PARENT OF CHILD'S REMOVAL.

2. To reauthorize certain existing fees for the Department of Commerce that were inadvertently left out of legislation authorizing agency fees passed in the 2001 General Session.

3. To consider making technical corrections to the Criminal Code, Code of Criminal Procedure, and Judicial Code, and giving the Board of Pardons and Parole increased discretion regarding the psychological examination of certain offenders.

4. To consider approving any negotiated settlement agreement requiring legislative approval under Title 63, Chapter 38b, State Settlement Agreements.

5. To consider the extent to which a property must be regularly rented as a public sleeping accommodation to become subject to certain taxes within the Sales and Use Tax Act.

6. To consider reenacting Section 78-51-25 dealing with unauthorized practice of law.

7. To consider changes to the requirements for registering motor vehicles that are provided by motor vehicle manufacturers for short-term use during certain public events in this state.

IN TESTIMONY WHEREOF, I have here unto set my hand and cause to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 13th day of June, 2001.

(STATE SEAL)

MICHAEL O. LEAVITT
Governor

OLENE S. WALKER
Lieutenant Governor

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
COMMUNITY DEVELOPMENT, LIBRARY

PUBLIC NOTICE OF AVAILABLE UTAH STATE PUBLICATIONS

The Utah State Library Division has made available Utah State Publications List No. 01-12, dated June 8, 2001 (http://www.state.lib.ut.us/01-12.html); and List No. 01-13, dated June 22, 2001 (http://www.state.lib.ut.us/01-13.html). For copies of the complete lists, contact the Utah State Library Division at: 1950 West 250 North, Suite A, Salt Lake City, UT 84116-7901; phone: (801) 715-6777; or the Division of Administrative Rules, PO Box 141007, Salt Lake City, UT 84114-1007; phone: (801) 538-3218; FAX: (801) 538-1773; or view them on the World Wide Web at the addresses above.

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 June 2, 2001, 12:00 a.m., and June 15, 2001, 11:59 p.m., are included in this, the July 1, 2001, 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 (• • • • • •) indicates that unaffected text was removed to conserve space. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are 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 July 31, 2001. The agency may accept comment beyond this date and will list 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 to hold a hearing on a specific PROPOSED RULE. Section 63-46a-5 (1987) requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through October 29, 2001, 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 31 days 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 filing 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 *Utah Code* Section 63-46a-4 (2001); and *Utah Administrative Code* 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.

Education, Administration
R277-451
The State School Building Program

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23850
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: 2001 legislation repealed the Emergency Building Needs Program, due to sunset in June 2001. The amendments remove the references to the Emergency Building Program. The provision was available to a limited number of school districts and the money will now be more widely available.

SUMMARY OF THE RULE OR CHANGE: The amendments delete references to the Emergency Building Needs Program.

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

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: No anticipated cost or savings to state budget. The funds remain in the State School Building Program.
❖LOCAL GOVERNMENTS: No anticipated cost or savings to local government. The funds remain in the State School Building Program.
❖OTHER PERSONS: No anticipated cost or savings to other persons. The funds remain in the State School Building Program.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs for affected persons. The funds remain in the State School Building Program.

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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law and Legislation

---

R277. Education, Administration.
R277-451. The State School Building Program.
R277-451-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "ADM" means Average Daily Membership of students.

C. "Capital Outlay Foundation Program" means a program that provides a minimum dollar generation guarantee, per ADM, for every district willing to levy a tax of[~~:~~] .0024 per dollar of taxable value on real property.[

~~D. "Emergency school building needs distribution " means a program that utilizes twenty percent of the money made available through the Public Education Capital Outlay Act pursuant to Sections 53A-21-101 through 53A-21-105.~~

~~E. "Students in alternative housing" means additional students other than those who can be appropriately accommodated in existing buildings and programs, who have been accommodated through year-round scheduling, extended day scheduling, double session scheduling, portable buildings, contracting out for additional space or busing to other districts.~~]

[~~F~~]D. "Assessed valuation" means the assessed value of real property certified by the State Tax Commission to the Board each year.

[~~G~~]E. "Derived assessed valuation" means current collections of tax levy (no prior year penalties or redemptions) divided by the same year tax rates.[

~~H. "Need" means growth and the number of students in alternative housing.~~

~~I. "Growth" means:~~

~~(1) a district's percent increase of students annually from October 1 to October 1, in the past three years as compared to the total student increase of the state; and~~

~~(2) a district's percent increase of students compared to its own number of students.~~

~~J. "Effort" means:~~

~~(1) the prior three year average of total district tax levy, and~~

~~(2) the total funds used by a district to meet bond and interest payments as a percentage of the money raised during the prior three years from the .0024 tax rate levied for capital outlay and debt service.~~]

[~~K~~]F. "Foundation level" means the guaranteed pro-rated amount per ADM to the extent of funds available distributed to school districts by the Board.[

~~L. "Ability" means a school district's prior three year average derived assessed valuation per ADM.~~]

[~~M~~]G. "Loan" means a transaction which takes money from a Board account and places it in a school district account with the full legal intention by a school district that it be repaid to the account from which it was taken.

[~~N~~]H. "Accounts receivable" means any amount due the Board from a school district for which payment has not been received by the Board.

[~~O~~]I. "Fiscal year (FY)" means the twelve month period from July 1 through June 30 during which state funds are distributed.

[~~P~~]J. "Superintendent" means the State Superintendent of Public Instruction.

[~~Q~~]K. "USOE" means the Utah State Office of Education.

R277-451-2. 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, Sections 53A-19-101 through 105 which direct local school boards to develop budgets, provide for appropriate plans to be filed with the Superintendent and maintain reserves consistent with the law; Sections 53A-21-102 and 53A-21-104 which direct the Board to provide financial assistance to school districts to meet critical school building and debt service needs and provide standards toward that end, and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to specify the eligibility requirements and the procedures for distributing funds appropriated for the capital outlay foundation program[~~, the emergency school building needs program~~] and for providing short-term loans to districts for capital outlay projects in school building construction and renovation.

R277-451-3. Capital Outlay Foundation Program.

A. A district may receive state school building funds under the capital outlay foundation program established in Section 53A-21-102(1) if the amount raised by levying a tax rate of .0024 does not generate revenues above the foundation level established per ADM when the legislative appropriation is entered into the formula.

B. To qualify for capital outlay foundation funds, a school district shall levy a property tax rate up to 0.002400 designated specifically for capital outlay and debt service:

(1) school districts levying less than the full 0.002400 tax rate for capital outlay and debt service shall receive proportional funding under the capital foundation program based upon the percentage of the 0.002400 tax rate levied by the district;

(2) the amount of capital foundation funds to which a school district would otherwise be entitled under the Capital Outlay Foundation program may not be reduced as a consequence of changes in the certified tax rate under Section 59-2-924 due to changes in property valuation for a period of two tax years from the effective date of any such change in the certified tax rate.

C. The USOE shall support the foundation program to assist the qualifying district in reaching the foundation level.

[~~D. Eighty percent of the funds appropriated by the Legislature under Section 53A-21-105 shall be used in calculating the foundation level through fiscal year 2001.~~

~~E. In fiscal year 2002, 100 percent of the funds appropriated by the Legislature under Section 53A-21-105 shall be the foundation level.~~

~~**R277-451-4. Emergency School Building Needs Program.**~~

~~A. A district may receive state school building funds under the emergency school building needs program under Section 53A-21-103(4)(a) by meeting the qualifying criteria of need, effort and ability.~~

~~B. Calculation to determine a district's eligibility and the distribution amount for the emergency building needs program shall be made based on a statistical formula provided by the USOE Director of Finance or his designee.~~

~~C. Through fiscal year 2001, twenty percent of the funds appropriated by the Legislature in Section 53A-21-105 shall be the emergency school building needs program funds.~~

~~D. On June 30, 2001, this program shall cease to exist and all funds appropriated by the Legislature in Section 53A-21-105 shall be used in the capital outlay foundation program.~~]

R277-451-[~~5~~]4. Capital Outlay Loan Program.

A. A district may receive capital outlay loan program funds under Section 53A-21-102 which establishes a capital outlay loan program to provide short-term help to districts, for a period not to exceed five years, for school building construction and renovation.

B. To be a priority qualifier for the capital outlay loan program, a district shall meet all of the following requirements:

(1) demonstrate an ability and commitment as demonstrated by a local board vote to set the levy at the rate needed to repay the loan within the time period prescribed by the loan agreement; and

(2) levy a tax rate for capital outlay and debt service above the state average; and

(3) demonstrate a district need that is better met through the loan fund than through more traditional means for providing school building construction or renovation or both.

C. If a district does not meet the criteria for a priority qualifier and the needs of the priority qualifiers are met, the loan application of districts not meeting this criterion may be considered, if the district commits to levying at or above the state average for the next tax year. In the case of a natural disaster or other emergency, this requirement may be waived by the Superintendent.

D. A district applying for a short term loan under this rule shall make a formal application which includes:

(1) the emergency condition or the condition that exists that would be better met through the loan fund rather than through more traditional means for providing school building construction or renovation or both;

(2) the amount of loan sought;

(3) the proposed repayment schedule, not to exceed five years;

(4) the history of the last five years of loans or special supplementary funds received by the district from the USOE;

(5) minutes of the local board meeting recording the affirmative vote to levy the needed tax; and

(6) a signed agreement that if the district should default on a loan payment, the Superintendent may deduct the loan payment and added interest from the calculated per district state distribution after 90 days.

E. The loan request and repayment conditions shall be approved by the Superintendent or his designee.

KEY: educational facilities, education finance
[~~September 15, 1999~~]2001 **Art X Sec 3**
53A-19-101 through 105
53A-21-102
53A-21-104
53A-1-401(3)
59-2-924

◆ ◆

Education, Administration
R277-456
Funding Regional Service Centers

NOTICE OF PROPOSED RULE
(Repeal)
DAR FILE NO.: 23851
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is repealed and combined with two other similarly funded programs in Rule R277-479.
(**DAR Note:** The proposed new rule R277-479 is under DAR No. 23854 in this *Bulletin*.)

SUMMARY OF THE RULE OR CHANGE: This rule is repealed in its entirety.

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

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: No anticipated cost or savings to state budget. Funds will be provided to Regional Service Centers under Rule R277-479.
❖LOCAL GOVERNMENTS: No anticipated cost or savings to local government. Funds will be available to Regional Service Centers under Rule R277-479.
❖OTHER PERSONS: No anticipated cost or savings to other persons. Funds will be provided to Regional Service Centers under Rule R277-479.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs for affected persons. Regional Service Centers will receive funds under a new 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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law

R277. Education, Administration.
[~~**R277-456. Funding Regional Service Centers.**~~
~~**R277-456-1. Definitions.**~~
~~A. "Board" means the Utah State Board of Education.~~
~~B. "Regional Service Centers" means the four area centers designated to serve school districts in cooperative projects such as purchasing, media services, in-service, and special education. These centers service small and rural districts or both in the northeast, southeast, southwest, and central areas of Utah.~~

~~**R277-456-2. Authority and Purpose.**~~
~~This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board and by Section 53A-17a-130 which allocates funds to the four Regional Service Centers.~~

~~**R277-456-3. Allocation of Funds.**~~
~~A. Each Regional Service Center will receive an equal amount of the total funds allocated by the Legislature.~~
~~B. Funds will be distributed to an agent district designated by each Regional Service Center.~~
~~C. Regional Service Centers will follow accounting and reporting procedures established by the Board.~~

~~**KEY: educational expenditures, regional service centers***~~
~~**1989 Art X Sec 3**~~
~~**Notice of Continuation September 30, 1999 53A-17a-130**~~]

◆ ◆

Education, Administration
R277-470
Distribution of Funds for Charter Schools

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23852
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The amendments to this rule provide a timeline for the charter school application process, provide for State Board of Education sponsored charter schools per 2001 legislation (S.B. 169), and provide for remediation.
(**DAR Note:** S.B. 169 is a found at 2001 Utah Laws 259 and is effective as of July 1, 2001.)

SUMMARY OF THE RULE OR CHANGE: The amendments to the rule provide a timeline for charter school applications and make other minor changes required by 2001 legislation (S.B. 169).

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1a-513(1)(b)(i)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: No anticipated cost or savings to state budget. The State Board of Education will directly fund charter schools or provide the same weighted pupil unit (WPU) allocation to districts to provide funding to district-sponsored charter schools.
❖LOCAL GOVERNMENTS: No anticipated cost or savings to local government. School districts will receive WPU funds for district-sponsored charter schools.
❖OTHER PERSONS: No anticipated cost or savings to other persons. Individuals do not receive charter school funds.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs for affected persons. School districts will receive funds for and be responsibly for those schools sponsored by the district.

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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law and Legislation

---

R277. Education, Administration.
R277-470. Distribution of Funds for Charter Schools.
R277-470-1. Definitions.

A. "ADM" means average daily membership.

B. "Board" means the Utah State Board of Education.

C. "Charter schools" means schools approved by local boards of education under Section 53A-1a-515 and this rule or by the Board under Section 53A-1a-505.

D. "On-going funds" means funds that are appropriated annually with the expectation that the funds will continue to be appropriated annually.

E. "One-time funds" means funds that are appropriated with the expectation that they may not be appropriated in subsequent years.

F. "USOE" means the Utah State Office of Education.

G. "Weighted Pupil Unit (WPU)" means the unit of measure that is computed in accordance with the Minimum School Program Act for the purpose of [~~determining the costs of a program~~]distributing revenue on a uniform basis for each [~~district~~]pupil.

R277-470-2. Authority and Purpose.

A. This rule is authorized under Utah Constitution, Article X, Section 3 which vests general control and supervision over public education in the Board, Section 53A-1a-513(1)(b)(i) which directs the Board to adopt rules to provide a funding formula to pay school districts for charter school students, Section 53A-1a-513(2)(a) which directs the Board to adopt rules relating to the transportation of students to and from charter schools, Section 53A-1a-502 which directs the Board to provide a timeline allowing prospective charter schools to seek sponsorship first from local boards and then from the Board, and 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 establish procedures for authorizing and funding charter schools, to establish a timeline for the application process, and to establish a timeline for remedying charter school deficiencies and remediation procedures.

R277-470-3. Charter School Approval Timeline.

A. Applicants desiring to be recognized as charter schools under Section 53A-1a-502 et seq. shall first apply to the local school board in which the charter school will be located for approval.

B. For the 2001-2002 school year, prospective charter schools shall apply in writing to the local school board before July 1.

C. Upon receiving a completed application from a prospective charter school, a local board shall have 45 calendar days to provide written acceptance or rejection of the charter school application. A prospective charter school may submit a revised application consistent with Section 53A-1a-515(5)(b) and (c).

D. If a local board rejects a prospective charter school, the prospective charter school may make written application to the Board between July 1 and August 15.

E. The Board shall accept or reject the charter school application in writing as soon as possible after receipt of the application, but no later than September 15.

F. Local boards and the Board may take additional time to work with a prospective charter school to help the school meet outlined criteria and allow the school to begin operating in the 2001-2002 or 2002-2003 school year.

G. The timeline for prospective charter schools for the 2002-2003 school year shall vary from the 2001-2002 timelines as follows:

(1) Prospective charter schools may submit applications to a local board until April 1, 2002.

(2) A local board shall have 45 calendar days to provide written acceptance or rejection.

(3) If rejected, prospective charter schools may apply to the Board before May 15.

(4) The Board shall respond as soon as possible but no later than July 15.

R277-470-[~~3~~]4. Funding Through WPUs.

A. [~~All~~]State funding for Board sponsored charter school students shall be paid by the USOE to [~~school districts~~]charter schools directly.[

~~B. School districts shall receive funding for charter school students on the same basis that they receive funding for other students in the district.~~]

[~~C~~]B. School districts shall distribute to [~~eligible~~]local board sponsored charter schools, upon request and verification of data, [~~a proportional amount of~~]the WPU and other state funds for each eligible charter school student.[~~ for the following programs or funding sources:~~

~~(1) Regular WPU;~~

~~(2) Class Size Reduction;~~

~~(3) Local Programs;~~

~~(4) Gifted and Talented;~~

~~(5) At Risk Flow Through; and~~

~~(6) Professional Staff (if data is submitted as outlined in R277-470-8.~~

~~D. Upon application and approval, a school district shall distribute to charter schools funds from the following programs or funding sources:~~

~~(1) Special Education;~~

~~(2) Career Ladder;~~

~~(3) Applied Technology;~~

~~(4) Youth in Custody;~~

~~(5) Advanced Placement; and~~

~~(6) Concurrent Enrollment.~~]

[~~**R277-470-4. Distribution of Additional Funds.**~~

~~A. A charter school shall receive a dollar amount per student from the following on-going programs or sources or funding:~~

~~(1) Social Security and Retirement;~~

~~(2) Class Size Reduction (for 7th and 8th grade students only);~~

~~(3) Experimental Developmental; and~~

~~(4) Educational Technology Initiative~~

~~B. A charter school shall receive a dollar amount per student from one-time programs or sources of funding which are part of the Minimum School Program if those funds are distributed on a per student or per teacher basis.~~

~~C. A charter school shall receive funds from the Alternative Language Services Program, upon application, by the charter school.~~]

R277-470-5. Federal Funds.

If the school district receives funding and the charter school provides requisite services, then the charter school shall receive proportional funds for eligible students, upon application to the district, for the following programs:

(1) Individuals with Disabilities Act (students with IEP's only);

(2) Title I - Basic Grant (free and reduced lunch eligible students);

(3) Title II - Professional Development (total students and disadvantaged students);

(4) Impact Aid (students who qualify);

(5) Title VI (total number of students);

(6) Safe and Drug Free Schools (students who qualify);

(7) Bilingual Education - Subpart I (based on the number of students receiving services);

(8) School Dropout Demonstration Act; and

(9) Goals 2000.

R277-470-6. Start Up Funds.

[~~A charter school shall receive start up funds based upon available funds, total requests, number of students served, and needs as outlined in individual proposals submitted by each charter school~~]The Board may allocate start-up funds to eligible charter schools from monies appropriated by the Legislature or received from the federal government for that purpose.

R277-470-7. Residency for Funding Purposes.

A. For purposes of state and federal funding, a charter school student is considered a resident of the district in which the charter school is located if the school was chartered by a local board. Schools chartered by the Board shall receive WPU funds directly from the Board.

B. [~~For purposes of local funding, a district shall pay to an eligible charter school one-half of the original resident district's residual per student expenditure for each student properly registered in a charter school according to formula developed by the USOE.~~]The local per student portion is allocated as follows:

(1) For students who are residents of the district and attend schools chartered by the district, the district shall pay the local per student portion to the school.

(2) For students who are NOT residents of the district and attend a district-chartered school, the student's resident district shall pay 1/2 of the local per student portion; the state shall pay the remaining 1/2 of the local district per student portion to the charter school.

(3) For students who enroll in Board-chartered schools, the student's resident district shall pay 1/2 of the local per student portion to the charter school; the state shall pay the remaining 1/2 of the local per student portion directly to the charter school.

(4) Funds shall be paid by the Board to supplement the local per student portion to both district-chartered and Board-chartered schools to the extent of funds available.

R277-470-8. Ongoing Funds.

A. Ongoing funds shall be distributed to charter schools based on data submitted by the charter schools. Data shall include names of students, addresses, resident districts, grades, birth dates, immunization data, and special program applications, as necessary. [~~Districts~~]The Board shall distribute these funds [~~ten days after receiving the data from charter schools~~]consistent with distribution policies to school districts.

B. Distributions for September and October shall be made to charter schools based on data submitted to the [~~district~~]Board five school days after the beginning of the school year, as determined by

the [~~Board~~]approved charter. If school begins later than September, the distribution for the first two months will be based on data submitted for the first five days of school.

C. Charter schools that provide verification of appropriate professional staff as defined under Section 53A-1a-512(3) by November 14 shall receive designated professional staff funding.

D. The remaining distributions shall be made based on enrollment data as of the charter school's first school day of the preceding month.

E. [~~A monthly payment shall equal ten percent of a charter school's annual entitlement as determined at the first of each month~~]Charter schools shall receive their annual entitlement in 12 payments.

F. Monthly payments shall be adjusted entitling the charter school to the appropriate percentage of its eligible funding for the school year, based on projected ADM for the year.

G. Necessary final calculations and adjustments shall be made by June 30 of each year.

. . . . . .

R277-470-10. Remediation Procedures and Timelines.

A. The local board or the Board under which a school is chartered shall review a school's compliance with its charter and applicable state law and district policies.

B. Following the review process, the chartering board shall:

(1) provide written notice within 20 school days of the review to the charter school of operational inconsistencies with the school's charter or of evidence of noncompliance with state law, rules or district policies.

(2) allow the charter school 20 school days following notice of inconsistencies or violations to present documentation of an action plan to remedy the identified inconsistencies or violations.

C. If the same problem is identified in a second review, the school shall be notified that unless evidence of compliance is presented within 10 school days, the school shall be placed on probation until the next scheduled review.

D. If the problem exists at the next review, the charter school shall receive written notification that its charter will not be renewed for the next semester or school year, whichever is possible considering the need to reassign students and employees.

E. The chartering board shall provide whatever resources or assistance are possible to assist the charter school in remedying deficiencies and successfully serving students.

KEY: education, charter schools*
[~~November 3, 1998~~]2001

Art X, Sec 3
53A-1a-513(1)(b)(i)
53A-1a-513(2)(a)
53A-1a-502
53A-1-401(3)

Education, Administration
R277-478
Block Grant Funding

NOTICE OF PROPOSED RULE
(New)
DAR FILE NO.: 23853
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule establishes criteria and procedures for distributing block grant funds to school districts and provides for appropriate accountability to the State Board of Education and the Legislature.

SUMMARY OF THE RULE OR CHANGE: The rule defines local discretionary block grant programs and special populations block grant programs and provides for district funding for career ladders, professional development and hold harmless funds per direction from the 2001 Legislature.

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

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: No anticipated cost or savings to state budget except in ways impossible to anticipate that school districts may fund and monitor programs more/less efficiently than the State Board of Education.
❖LOCAL GOVERNMENTS: No anticipated cost or savings to local government except in ways impossible to anticipate that school districts may fund and monitor programs more/less efficiently than the State Board of Education.
❖OTHER PERSONS: No anticipated cost or savings to other persons. Persons are not affected by this rule.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs for affected persons. Districts will have greater autonomy in spending program funds.

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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law and Legislation

---

R277. Education, Administration.
R277-478. Block Grant Funding.
R277-478-1. Definitions.

A. "Adult basic education" means a program funded through the state using state and federal funds to provide instruction for adults whose inability to compute or speak, read, or write the English language below the ninth grade level substantially impairs their ability to find or retain employment commensurate with their real ability.

B. "Alternative Language Services (ALS)" means researched-based, instructional programs that are compatible with the Board's PRINCIPLES OF EQUITY FOR UTAH'S PUBLIC SCHOOLS and that meet the needs of children speaking a language other than English in the public school system. Programs shall be designed to enable students to achieve competence in English and to meet school grade-promotion and graduation requirements as determined by the Board and school districts.

C. "Alternative Middle School Program" means an educational placement outside of the traditional school setting for students ages 11-15 that integrates middle school characteristics outlined in Section 53A-11-909(5).

D. "Block grant funding formula" means a plan for the distribution of funds to school districts based upon a district's total WPUs in K-12, and the necessarily existent small schools portion of the Minimum School Basic program.

E. "Board" means the Utah State Board of Education.

F. "Character education" means any program or activity integrated into the Core Curriculum which is designed to teach students principles of character that will help them avoid high risk behaviors and learn to function as caring, productive citizens in society.

G. "Educational Technology Initiative" means a program as outlined in Section 53A-1-701.

H. "Experimental and Developmental Program" means a program that is in the testing, research or expansion stage that demonstrates the potential to improve education.

I. "Fiscal Year (FY)" means the twelve month period from July 1 through June 30 during which state funds are distributed.

J. "Highly Impacted Schools" means schools with identified risk-factors for student success including: high student mobility, high percentage of students eligible for free school lunch, high percentage of ethnically diverse students, high percentage of student with limited English proficiency, and large percentage of students from single parent families.

K. "Homeless student" means a student who meets the federal definition of homeless for purpose of funding under the McKinney Act, 42 USCA, Sections 11431 through 11434.

L. "Incentives for Excellence" is a program providing for programs, practices, learning materials, and equipment which have direct impact upon the instruction of students and which result in increased student performance in the Core Curriculum.

M. "Math, Engineering, Science Achievement program (MESA)" means a course or courses offered during the regular school day or a club held after school that involves identified students and addresses identified district objectives with designated minority and female students.

N. "Professional development" means activities approved under R277-501 for the purpose of satisfying requirements of Section 53A-6-104 for educator license renewal.

O. "Request for proposal (RFP)" means a competitive application process used to identify programs that best meet requirements established by the Board.

P. "USOE" means the Utah State Office of Education.

R277-478-2. Authority and Purpose.

A. This rule is authorized under Utah Constitution, Article X, Section 3, which vests general control and supervision of public education in the Board, and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to establish criteria and procedures for distributing discretionary block grant funds and to provide for appropriate monitoring, reporting, and accountability.

R277-478-3. Local Discretionary Block Grant Programs.

A. Districts may allocate any amount received for programs within this block to other programs within this block.

B. Districts shall adhere to identified law, rules or criteria for all programs for which the local board of education chooses to expend block grant funds.

C. Programs for which local discretionary block grant funds may be spent include:

(1) Truancy Intervention and Prevention as defined and outlined in R277-607;

(2) Character Education as defined and outlined in Section 53A-13-101(4) and R277-465. Additionally, monies shall be used to provide inservice training to teachers on the use and teaching of character education materials and to acquaint teachers with the requirements in the Utah Constitution and state statutes to teach qualities of character.

(3) Alternative Middle School programs as defined and outlined in Section 53A-11-909;

(4) Unrestricted Local Program - monies may be used for the following:

(a) maintenance and operation costs;

(b) capital outlay and debt service; or

(c) a combination of maintenance and operation costs and capital outlay and debt service.

(d) Expenditures shall meet criteria and accountability standards consistent with the purposes of this rule and

(e) be reported to the Board in annual budget and financial reports.

(5) Incentives for Excellence

(a) A school district shall use its allocation to promote a strong partnership between public education and private enterprise, to seek additional financial support from the business community, and to enhance its educational excellence; and

(b) School districts are encouraged under this program to develop projects that rely on matching private and public monies to promote educational excellence.

(6) Educational Technology Initiative as defined and outlined by Sections 53A-1-701 through 707;

(a) Monies may be used to maintain existing programs and for inservice programs required to implement the technology; and

(b) Each school district shall develop a comprehensive inservice plan and report expenditures for teacher training to the USOE.

(7) School Nurses as defined and outlined by Section 53A-11-204;

(8) Experimental and Developmental Programs as defined and outlined by Sections 53A-15-103, 53A-17a-132 and R277-416;

(9) Reading Initiative as defined and outlined in Section 53A-1-606.5;

(10) Local discretionary program; expenditures shall:

(a) meet criteria and accountability standards consistent with the purposes of this rule.

(b) be reported to the Board in annual budget and financial reports.

R277-478-4. Special Populations Block Grant Programs.

A. Except for programs for which funds are awarded through the RFP process, districts may allocate any amount received for Special Population Programs to other programs within the Special Population Programs' category. Funds may also be used to supplement RFP programs.

B. Districts shall adhere to identified law, rules or criteria for all programs for which the local board of education chooses to expend Special Population Program funding.

C. RFP programs include:

(1) FACT (Families, Agencies, and Communities Together);

(2) Gang Prevention and Intervention;

(3) Youth-in-custody - a district shall serve all populations identified in the law; and

(4) MESA (Math, Engineering, and Science Achievement).

D. Non-RFP programs include:

(1) Alternative language Services as defined and outlined in R277-716;

(2) Highly Impacted Schools as defined and outlined in Section 53A-15-701 and R277-464;

(3) Adult Education as defined and outlined in Sections 53A-15-401, 53A-17a-119 and R277-733;

(4) Regular At-risk as defined and outlined in Section 53A-17a-121 and R277-760;

(5) Homeless and Minority as defined and outlined in Section 53A-17a-121(4) and R277-616;

(6) Accelerated Learning programs (including Gifted and Talented, Advanced Placement, and Concurrent Enrollment) as defined and outlined in Section 53A-17a-120, R277-711, R277-712 and R277-713; and

(7) Pregnancy prevention - upon submission of a program consistent with Sections 53A-13-101, 76-7-321 through 325, R277-752 and this rule.

R277-478-5. Professional Development and Career Ladders.

A. The Board shall distribute funds for teacher professional development programs and teacher career ladders to school districts.

B. Career ladder programs shall be funded under and consistent with:

(1) Sections 53A-9-101 through 105,

(2) Section 53A-17a-124, and

(3) R277-526.

C. $10,000,000 of the professional development appropriation shall be distributed to school districts for teacher professional development days beyond the regular school year.

(1) For purposes of this appropriation, each district shall add two days designated for professional development to its annual calendar beginning with the 2001-2002 school year.

(2) Professional development days shall be scheduled by the district and approved by the local board of education.

(3) Funding for professional development days shall be used to implement and train educators for the Utah Performance Assessment System for Students consistent with Section 53A-3-701(5)(a)(i).

(4) Districts/schools are encouraged to use existing professional development models that are based on research and best practice to provide training for educators.

(5) Districts/schools are encouraged to work with other districts or schools that have common characteristics and goals to maximize resources and funding where possible.

(6) The funds received by a district from this appropriation shall be used to pay classroom teachers for the two additional days and may include other licensed employees as identified by the district.

R277-478-6. Hold Harmless Funds.

Districts shall spend hold harmless funds received under Section 53A-17a-131.16 for local discretionary block programs or consistent with professional development criteria.

KEY: educational expenditures, block grant funding*
2001 **Art X Sec 3**
53A-1-401(3)

◆ ◆

Education, Administration
R277-479
Expenditure of Appropriation for District Services

NOTICE OF PROPOSED RULE
(New)
DAR FILE NO.: 23854
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule reflects the block granting preference of the 2001 Legislature. It provides for funds for Regional Service Centers (previously in Rule R277-456), a contingency fund, reading improvement in Rule R277-476, and for staff development with emphasis on assessment training.
(**DAR Note:** The proposed repeal of R277-456 is under DAR No. 23851 in this *Bulletin*.)

SUMMARY OF THE RULE OR CHANGE: The rule provides criteria for providing funds to Regional Service Centers, for a contingency fund, for a reading improvement scholarship program, and for staff development.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-402(1)(f)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: There are no cost or savings to state budget because programs were previously funded with state funds.
❖LOCAL GOVERNMENTS: Costs or savings may occur as local entities have greater autonomy in spending designated funds. Costs or savings are speculative at this point.
❖OTHER PERSONS: There are no cost or savings to other persons. Funds will go to entities.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No additional compliance costs for entities or districts except as they may spend or manage the funds more/less efficiently than the State Board of Education previously.

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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law and Legislation

---

R277. Education Administration.
R277-479. Expenditure of Appropriation for District Services.
R277-479-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "District Services" means the following programs: Regional Service Centers, Contingency Fund, Reading Improvement Scholarship Program, and Board Staff Development Funding.

C. "Regional Service Centers" means the four area centers designated to serve school districts in cooperative projects such as purchasing, media services, in-service, and special education. These centers service small and rural districts or both in the northeast, southeast, southwest, and central areas of Utah.

D. "USOE" means the Utah State Office of Education.

R277-479-2. Authority and Purpose.

A. This rule is authorized by Article X, Section 3 of the Utah Constitution, which places general control and supervision of the public schools under the Board, Section 53A-1-402(1)(f) which directs the Board to adopt rules regarding the minimum school program, and 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 specify the amount of funds to be spent by the USOE for the programs designated as District Services.

R277-479-3. Regional Service Centers.

A. The USOE shall designate a sum from the amount appropriated for District Services for the Regional Service Centers.

B. Each Regional Service Center shall receive an equal amount of the total funds allocated by the USOE.

C. Funds shall be distributed to an agent district designated by each Regional Service Center.

D. Regional Service Centers shall follow accounting and reporting procedures established by the Board.

R277-479-4. Contingency Fund.

A. The USOE shall designate a sum from the amount appropriated for District Services as a contingency fund for any or all of the following:

(1) to stabilize the value of the weighted pupil unit;

(2) to maintain program levels in districts that may experience unanticipated and unforeseen losses of students;

(3) to equalize programs in districts where a strict application of the law provides inequity;

(4) to pay the added costs when Utah students attend school out of state;

(5) to assist in the operation of the laboratory school at Utah State University, through the allocation of monies for a teacher career ladder program at the school; or

(6) other uses as approved by the Board.

R277-479-5. Reading Improvement Scholarship Program.

The USOE shall designate a sum from the amount appropriated for District Services to implement the Reading Improvement Scholarship Program as outlined in R277-476, Incentives for Elementary Reading Program.

R277-479-6. Staff Development.

A. The USOE shall designate a sum from the amount appropriated for District Services for Staff Development for school teachers, including instruction in methods which incorporate the Core Curriculum, with emphasis on language arts/reading, mathematics, science, and other areas, the use of technology as an instructional tool, and the development of teacher skills in the use of new assessment tools that demonstrate student competency.

B. The office shall use the appropriation to improve access to schooling for all students by training teachers to provide a personalized education plan to meet the needs of each child.

KEY: educational expenditures, school district services*
2001 **Art X Sec 3**
53A-1-402(1)(f)
53A-1-401(3)

◆ ◆

Education, Administration
R277-526
Career Ladders in Education

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23855
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Statutory authority for Career Ladders was revised in the 2001 Legislative session. Additionally, the planning process and interaction between the Utah State Office of Education and school districts was in need of simplification.

SUMMARY OF THE RULE OR CHANGE: Repetition is eliminated. The detail in planning and reporting previously required from school districts is eliminated. Other streamlining changes.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-9-102(1)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: No anticipated cost or savings to state budget. The application process is streamlined.
❖LOCAL GOVERNMENTS: There may be minimal savings related to staff time for school districts because the application process is streamlined.
❖OTHER PERSONS: No anticipated cost or savings to other persons. The application process is streamlined.
COMPLIANCE COSTS FOR AFFECTED PERSONS: School districts may have some minimal savings as the Career Ladder application process is simplified.

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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law and Legislation

R277. Education, Administration.
R277-526. Career Ladders in Education.
R277-526-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "Career Ladder plan" means a compensation system developed by a school district, with [~~advice~~]cooperation from parents, educators, and school administrators of the district, which is designed to require, recognize and reward quality performance of educators. A Career Ladder plan may also further professional development for licensed educators.

C. "Career Ladder Levels" means a component of a Career Ladder consisting of multiple levels to which an educator is assigned. Assignment, compensation, and progress within the system are dependent upon individual qualifications.

D. "Career Ladder committee" means a group of citizens, parents, educators and administrators designated by a local board.

[~~D~~]E. "Educator" means a [~~certificated~~]licensed person who is paid on the teachers' salary schedule and whose primary function is to provide instructional or counseling services to students in the public schools.

[~~E~~]F. "Educator Evaluation System" means a procedure developed by a school district, with [~~advice~~]cooperation from parents, educators, and school administrators of the district, which provides a reasonably fair, consistent, and objective evaluation of educator performance.

[~~F~~]G. "Educator Performance" means the functional ability of an educator as determined by instructional competency, teaching effectiveness, or student progress.

[~~G~~]H. "Extended Contract Days" means an element of a Career Ladder which provides for additional paid, non-teaching days beyond the regular school year.

[~~H~~]I. "Individual Extended Contract" means the extension of an individual contract of an educator.

[~~I~~]J. "Job Enlargement/Extra Pay for Extra Work" means an element of a career ladder which provides additional compensation to individual educators or teams of educators for instruction and

curriculum-related responsibilities which are in addition to regular duties and address district or building goals.

[~~J~~]K. "LEAs" means [~~a~~]local education agenc[~~y and~~]ies, Utah Schools for the Deaf and the Blind, Edith Bowen Laboratory School and Applied Technology Centers.

[~~K~~]L. "Line of Evidence" means data used to verify educator performance. This may include peer reviews, student progress data, parent or student survey results, administrator evaluation, or other verification of performance.

[~~L~~]M. "Performance Bonus" means a component of a career ladder which provides compensation to educators who, through a formal evaluation process, are judged to be outstanding in regular classroom performance.

[~~M~~]N. "USOE" means the Utah State Office of Education.

[~~N~~]O. "Per diem" means payment for food and lodging as determined by the current district rate.

[~~O~~]P. "Daily stipend" means the educator's rate of pay as determined by the individual's per hour or per day salary schedule or a flat rate not to exceed the state maximum of $250.00 per day.

[~~P~~]Q. "Eligible [~~T~~]teacher trainer" means a licensed Utah educator [~~(as defined in Subsection D, above) ~~]designated [~~by the district~~]to provide training, mentoring or services to other school district employees using Career Ladder funds.

[~~Q~~]R. "Costs for eligible teacher trainers" means per diem and daily stipends[~~, as defined above~~].

S. "Induction program" means a program of guidance and evaluation for teachers during their provisional employment.

T. "Mentor" means a licensed teacher, trained to guide a new teacher during her probationary teaching period.

R277-526-2. Authority and Purpose.

A. This rule is authorized under Utah Constitution Article X Section 3 which vests general control and supervision of the public schools in the Board, [~~and was endorsed by the legislature in~~]Section 53A-1-401(3) which [~~affirms~~]allows the Board[~~'s power~~] to adopt rules in accordance with its responsibilities, and Section 53A-9-102(1) which directs the Board to adopt policies and guidelines about the Career Ladder program.[~~- Board responsibility for Career Ladder rules is addressed in Section 53A-17a-124 et seq].~~]

B. This rule defines standards and procedures by which [~~local~~]school districts may receive funds administered by the Board for Career Ladders. Career Ladder programs shall increase student performance by: (1) enhancing teacher job performance; (2) identifying and rewarding excellent classroom instruction; (3) enriching the learning climate, and; (4) restructuring the instructional process to enhance the organizational effectiveness at the school and district levels.

R277-526-3. Plan Approval, Application, [~~Eligibility, ~~]and Modification.

A. The Board shall grant final approval for funding to Career Ladder plans which meet all Board and statutory standards.

B. The State Superintendent of Public Instruction, or a designee, shall develop[~~s~~] forms and procedures, and establish[~~es~~] deadlines for administration of the Career Ladder Program. The Superintendent may, upon written request, waive deadlines for reasons consistent with law or the express purpose of this rule.[

~~C. A Career Ladder plan is not eligible for funding if it does not demonstrate how the funds will be used for educators in accordance with 53A-17a-124 et seq. and Board rules.~~]

[~~D~~]C. Funds may be used to pay the actual cost of substitutes for educators released to perform necessary Career Ladder tasks specified in the approved Career Ladder plan.[

~~E. Multi-year Career Ladder plans, not to exceed four years, are acceptable.~~

~~F. Approval of multi-year plans shall be based on the following criteria:~~

~~(1) The plan complies with the purposes of the Career Ladder expressed in R277-526-2B.~~

~~(2) The plan states the district's long range Career Ladder goals and delineates interim goals for each year for which plan approval is sought.~~

~~(3) The plan states the process(es) by which the district will attain yearly goals, including procedures for annual plan reviews and revisions by the internal school district reviewing body.~~

~~(4) The plan states anticipated outcomes toward successful goal attainment in each of the years for which funding is sought.~~]

[~~G~~]D. Any modification of a Board[~~-~~]approved Career Ladder plan shall be approved in writing by the Career Ladder [~~planning ~~]committee, the local board, and the Board.

R277-526-4. Career Ladder Committee.

A. Under the direction of the local board of education, each district shall establish a Career Ladder committee[~~- consisting of citizens, parents, educators, and school administrators~~].

B. A district shall establish a plan for selecting Career Ladder committee members and shall set terms of service for members.

[~~B~~]C. The committee shall develop, implement, and evaluate the district's Career Ladder plan.

[~~C~~]D. The Career Ladder plan shall include provisions for communication between the Career Ladder committee and educators, administrators, parents, and others.

[~~D~~]E. Applications for Career Ladder funds shall include documentation that the plan was developed with cooperative action among citizens, educators, school administrators, and the local board.

R277-526-5. Career Ladder Plan [~~Content: Distribution of Funds~~]Components.

A. A Career Ladder plan may provide for performance bonuses.[

~~B.~~] If an LEA chooses to use Career Ladder money for performance bonuses for teachers, the school district shall have or develop a plan that [~~meets the following performance bonus standards:~~

~~(1) The district plan shall describe qualification procedures;~~

~~(2) The district plan shall estimate the number of educators affected;~~

~~(3) The district plan shall include a remuneration schedule for performance bonuses;~~

~~(4) The district plan shall not include requirements of additional teaching duties, responsibilities, or minimum years of service;~~

(5) Plans may provide for teams of educators to develop and carry out a program and share performance bonuses based upon qualitative and quantifiable results.]describes qualification procedures and includes a remuneration schedule. Plans may provide for teams of educators to earn performance bonuses based on qualitative and quantitative assessment of student progress.

[~~C~~]B. Each plan shall present a Career Ladder level system with multiple levels beyond the basic [~~certificate~~]license. The plan shall include nomenclature, criteria for placement, job descriptions, and a remuneration schedule for Career Ladder levels[~~;~~].

(1) Advancement on Ladder levels is contingent upon effective teaching performance.

(2) Each plan shall describe how teaching performance shall be measured and how student progress shall be evaluated.

[~~D~~]C. [~~Each~~]A plan may include funds for Job Enlargement/Extra Pay for Extra Work. If this segment is included in the Career Ladder plan, the plan shall describe the procedures[~~; based upon a job description~~] and application process[;] for assigning [~~these~~]appropriate responsibilities[~~; and~~]. Job enlargement positions shall be related to the Core Curriculum and shall not be solely administrative or extracurricular in nature.

[~~E~~]D. The plan may include funds for extended non-teaching days for all eligible educators for instruction and curriculum related responsibilities which address district or school goals.[~~If this segment is included in the Career Ladder plan, the plan shall include a detailed explanation of the use of the Career Ladder funds for extended contract days.~~

~~F. In areas of teacher shortage, the plan may designate the use of Career Ladder funds for Individual Extended Contracts. No more than $1,000,000 of the total Career Ladder funds available to all local education agencies may be used for this purpose. This amount shall be shared on a prorated basis. A district that intends to use Career Ladder funds in this manner shall notify the USOE of its intent prior to negotiating the contract with the educator.~~]

[~~G~~]E. A district Career Ladder plan may designate funds for in-service to include per diem expenses, daily stipends and costs for eligible [~~teacher trainers as provided under 53A-17a-124(2)(b)(ii)~~]consultants and teacher trainers.

F. Plans may include a program of guidance and evaluation for teachers during their provisional employment periods. If a district chooses to include a teacher induction component, the plan may include provisions for training, mentoring, monitoring and evaluating provisional teacher effectiveness and for assessing student progress.

R277-526-6. Career Ladder [~~Plan Content:~~]Educator Evaluation System.

A. Each district shall use an educator evaluation system to evaluate its educators for placement, participation, and advancement on the Career Ladder. The educator evaluation system shall [~~comply~~]be consistent with Section 53A-10-101 through 111 which requires the [~~evaluation of educators in public schools~~]participation by classroom teachers and administrators in development of the evaluation program at the district level.

B. A written description of the system shall be available to educators and [~~shall include:~~

~~(1) evaluation criteria:~~

~~(a) participation by educators in the development and review of evaluation instruments;~~

~~(b) specific factors upon which an educator shall be evaluated; and~~

~~(c) a minimum of two lines of evidence for evaluation. The selected lines of evidence shall include a formal evaluation with student progress playing a significant role. Instruments used for an evaluation shall be specified.~~

~~(2) evaluation process:~~

~~(a) An educator shall be informed of the type and frequency of evaluation.~~

~~(b) An educator shall receive written notification of evaluation results on request.~~

~~(c) Review of an evaluation shall be provided for.~~

~~(d) Post-evaluation interviews shall be conducted with the educator.~~

~~C. The plan shall define the roles of administrators, educators, and the local board in implementing the system~~]the school community.

[~~**R277-526-7. Career Ladder Plan Content: Curricular Reform Requirements.**~~

~~Career Ladder plans shall describe how Career Ladders contribute to the implementation of curricular reform requirements established by the Board.~~]

R277-526-[~~8~~]7. Career Ladder Plan [~~Content:~~]Evaluation.

A. A Career Ladder plan[~~s~~] shall be reviewed [~~at least~~]and evaluated annually.[

~~B. Approved multi-year Career Ladder plans shall also be reviewed annually.~~

~~C. All Plans shall state the internal school district reviewing body, procedures, time schedules, and areas for review.~~]

[~~D~~]B. [~~Findings from internal a~~]Annual [~~reviews~~]evaluations shall [~~be documented~~]include documentation, shall account for funds expended, shall describe progress toward identified Career Ladder goals and shall be[~~ included in annual Career Ladder reports~~] sent to the State Superintendent.

[~~E~~]C. Career Ladder plans [~~and multi-year plans~~]shall be revised, [~~if~~]as necessary, to reflect changes in legislation.

R277-526-[~~9~~]8. Reports.

A. The Board shall require an annual report from each participating district due on June 30 of each year.[~~The report shall certify that all aspects of the plan have been implemented as approved and that funds have been distributed according to the plan. The report shall include the annual evaluation report and other information required by the State Superintendent or a designee.~~]

B. The report shall include the Career Ladder plan evaluation for the current school year ending June 30, a plan for the upcoming year and other information requested by the State Superintendent.

R277-526-[~~10~~]9. Negotiations.

A. Neither the Career Ladder appropriation to a school district nor the Board's Career Ladder standards are subject to negotiations between a local board and its employees.

B. [~~A local school district may only negotiate with its teachers under~~]District negotiations concerning Career Ladders shall be limited to and consistent with 53A-17a-124(2)(c).

KEY: education, faculty, professional competency
[~~1993~~]2001 **Art X Sec 3**
Notice of Continuation October 20, 1997 **53A-1-401(3)**
[~~53A-17a-124~~]53A-9-102(1)

Education, Administration
R277-717
Math, Engineering, Science Achievement (MESA)

NOTICE OF PROPOSED RULE

(New)
DAR FILE NO.: 23856
FILED: 06/15/2001, 18:32
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule provides criteria for school districts who receive MESA funds.

SUMMARY OF THE RULE OR CHANGE: The rule requires school districts to develop a plan to address MESA objectives, expenditures of program funds, and the application process.

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

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: No anticipated cost or savings to state budget. School districts received money for the MESA program in previous years.
❖LOCAL GOVERNMENTS: No anticipated cost or savings to local government. Districts will receive MESA funds but only if plans are consistent with the rule and not necessarily more or less than they have received in previous years.
❖OTHER PERSONS: No anticipated cost or savings to other persons. Funds are sent to school districts or schools, not to individuals.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs for affected persons. Funds will be provided from the Utah State Office of Education if programs meet criteria.

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. Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Carol B. Lear, Coordinator School Law and Legislation

R277. Education, Administration.
R277-717. Math, Engineering, Science Achievement (MESA).
R277-717-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "Designated Minority Students" means African American students, Asian students, Native American/Alaskan students, Hispanic/Latino students, or Pacific Islander students.

C. "District or School Plan" means a plan outlined in writing, including budget and evaluation components developed by each school district receiving MESA funding or, if so determined by the district, by each recipient school.

D. "Math, Engineering, Science Achievement (MESA)" program means a course or courses offered during the regular school day or a club held after school that involves identified students and addresses identified district objectives with designated minority and female students.

E. "MESA Public Education Committee" means a committee composed of the MESA coordinators in school districts that received MESA funds in the previous fiscal year.

F. "USOE" means the Utah State Office of Education.

R277-717-2. Authority and Purpose.

A. This rule is authorized Utah Constitution, Article X, Section 3, which vests general control and supervision of public education in the Board, Section 53A-4-202 which assigns to the Board the responsibility for developing standards and administering funds for a program promoting educational excellence, Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities, and Section 53A-17a-121 which appropriates funding for programs for at risk youth.

B. This rule establishes standards and procedures to direct recipient districts or schools to develop plans to encourage the participation of underrepresented minority and female students who traditionally have participated in math, engineering, and science classes disproportionately to white males.

R277-717-3. Plan Criteria.

A. District or school plans shall identify objectives and activities to address MESA objectives.

B. The objectives of the MESA organization are:

(1) to increase the number of minority and female students who pursue course work in mathematics, engineering, and science areas;

(2) to provide a program that will motivate students to take better advantage of existing educational opportunities;

(3) to increase graduation rates of underrepresented students from high school;

(4) to strengthen the self-image of minority and female students relating to their success in mathematics and science courses, and to enable them to become successful role models for other students;

(5) to provide students the opportunity to relate and associate with successful role models; and

(6) to coordinate the efforts of public schools, colleges and universities, the USOE, industries, professional and community groups, and others in the development and maintenance of academic support programs to increase the participation of minority and female students in the fields of mathematics and science.

C. Courses shall include secondary courses that place target students on a college preparation track for post high school opportunities in mathematics and science.

D. Examples of MESA activities include:

(1) regularly scheduled after-school meetings with advisors to hear guest presenters;

(2) tutoring sessions, including study aids;

(3) field trips;

(4) hands-on activities designed to introduce students to career possibilities, curriculum options or additional courses of study;

(5) career opportunities;

(6) community service designed to address school interest and attendance issues as well as to introduce minority and female students to math, science, engineering-related businesses/activities and opportunities for high school and the future; and

(7) internships or work experiences in identified areas which may be encouraged by student stipends or academic credit or both.

E. A MESA plan shall include an assessment or evaluation component which:

(1) may be funded and conducted by an outside evaluator.

(2) may be conducted internally.

(3) may request assistance from the USOE.

(4) shall include:

(a) an accounting for funds spent consistent with objectives identified in the plan;

(b) a program narrative; and

(c) specific numbers or examples of increased participation or success in math, science, engineering courses/activities by minority and female students.

R277-717-4. Budget.

A. Budget items shall be tied to objectives.

B. The budget may include payments to compensate schools for school fees directly related to successful participation by minority or female students in identified MESA courses or activities.

C. Districts or schools are encouraged to consider additional course alternatives for identified students including:

(1) ATC classes;

(2) community school classes;

(3) concurrent enrollment;

(4) advanced placement courses.

R277-717-5. Plan Applications.

A. Plan applications shall be submitted annually by school districts.

B. Plan applications shall be submitted to the USOE onforms provided by the USOE and consistent with USOE timelines.

C. State funding may require matching funding from local or federal sources. Applications may require identification of matching funds.

D. Districts shall submit applications consistent with this rule and compete for existing funds. Final funding decisions shall be made by the MESA Public Education Committee.

R277-717-6. Miscellaneous.

A. Continued funding shall be determined by USOE review of program evaluations.

B. Continued funding shall consider the persistence and regularity of efforts in conjunction with increased numbers of successful students in identified courses and activities.

C. MESA courses and activities shall be open to interested participants of both genders and all ethnicities. Continued or increased funding shall be based on successful participation of identified minority and female students.

D. Development of a MESA plan or resulting programs are appropriate career ladder projects under R277-526. District career ladder funding could be counted as matching local funding.

KEY: minority education, mathematics, engineering, science
2001 **Art X Sec 3**
53A-1-401(3)

◆ ◆

Environmental Quality, Air Quality
R307-220-4
Section III, Small Municipal Waste Combustion Units

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23835
FILED: 06/11/2001, 13:45
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Add a new Section, (R307-220-4, Section III, Small Municipal Waste Combustion Units) (see separate filing for R307-223). (**DAR Note:** The proposed new rule of R307-223 is found under DAR No. 23836 in this *Bulletin*.)

SUMMARY OF THE RULE OR CHANGE: The new section, R307-220-4, incorporates by reference the plan for state implementation of 40 CFR 60, Subpart BBBB published at 63 FR 76378 on December 6, 2000. Subpart BBBB requires

that states prepare and enforce plans to reduce emissions of dioxins, furans, lead, cadmium, mercury, particulate matter, oxides of nitrogen, and carbon monoxide from small municipal waste combustion units. Subpart BBBB sets requirements for operator training and certification, continuous emissions monitoring and reporting. The only known source in Utah subject to Subpart BBBB is Wasatch Energy Systems located in Layton. The plan requires compliance in general within one year after the effective date of EPA approval of the plan, (just in case any other source is identified in the future) but Wasatch Energy Systems is required to achieve compliance with the emission limits by October 6, 2002, as agreed in the Stipulation and Consent Agreement signed by Wasatch Energy Systems and the State of Utah on March 27, 2000.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-2-104(1)(a)
FEDERAL REQUIREMENT FOR THIS RULE: 42 U.S.C. Part 60, Subpart BBBB (63 FR 76378)

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Section III, Plan for Small Municipal Waste Combustion Units.

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: The Plan adds no additional costs to the state budget. The requirements of the Plan are included in the source's Operating Permit, and the costs of regulation are covered by the Operating Permit fee of $31.22 per ton of emissions.
❖LOCAL GOVERNMENTS: The affected local governments are those municipalities within Davis County that use Wasatch Energy Systems (WES) for disposal of municipal waste. Because WES began implementation of the new federal requirements following signing of the Stipulation and Consent Order in March 2000, it is not likely that any increases in fees will result from adoption of the state Plan.
❖OTHER PERSONS: The only affected businesses are those supplying and installing the equipment needed to achieve the new emission standards, and they will benefit.
COMPLIANCE COSTS FOR AFFECTED PERSONS: EPA estimates that national amortized capital and operating costs to implement the rule will be approximately $25 per ton of waste processed. WES, the only known source affected by this rule, is spending approximately $7,500,000 in capital costs and expects increased operating and maintenance fees to be about $2.50 per ton of waste processed, though precise costs will not be known until the new equipment is fully operational. Individual citizens in the municipalities in Davis County pay varying fees for collection and disposal of their garbage. Because WES began installation after signing the Stipulation and Consent Agreement in March 2000, costs to citizens are not expected to change as a result of this rule. The only affected businesses are those supplying and installing the equipment needed to achieve the new emissions standards, and they will benefit.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The only businesses affected by this rule are the suppliers and installers of the new equipment necessary to achieve the new emission standards, who will benefit. Dianne R. Nielson

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Air Quality
150 North 1950 West
PO Box 144820
Salt Lake City, UT 84114-4820, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jan Miller at the above address, by phone at (801) 536-4042, by FAX at (801) 536-4099, or by Internet E-mail at jmiller@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001; OR ATTENDING A PUBLIC HEARING SCHEDULED FOR 07/17/2001, 6:30 p.m., Layton City Hall, 447 N. Wasatch Dr, Layton, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 09/05/2001

AUTHORIZED BY: Cheryl Heying, Planning Branch Manager

R307. Environmental Quality, Air Quality.
R307-220. Emission Standards: Plan for Designated Facilities.
R307-220-4. Section III, Small Municipal Waste Combustion Units.

Section III, Small Municipal Waste Combustion Units, as most recently adopted by the Air Quality Board on September 5, 2001, pursuant to Section 19-2-104, is hereby incorporated by reference and made a part of these rules.

KEY: air pollution, landfills, environmental protection, incinerators*
[~~November 25, 1998~~]2001 19-2-104

◆ ◆

Environmental Quality, Air Quality
R307-223
Emission Standards: Existing Small Municipal Waste Combustion Units

NOTICE OF PROPOSED RULE
(New)
DAR FILE NO.: 23836
FILED: 06/11/2001, 13:45
RECEIVED BY: NL

RULE ANALYSIS
PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To implement the state Plan for Small Municipal Waste

Combustion Units, incorporated in Section R307-220-4 (see separate filing for Section R307-220-4).
(**DAR Note:** The proposed amemdment for R307-220-4 is under DAR No. 23835 in this *Bulletin*.)

SUMMARY OF THE RULE OR CHANGE: The rule incorporates by reference the federal model rule in 40 CFR Part 60, Subpart BBBB, published at 63 FR 76378 on December 6, 2000. Changes are made to bring the federal rule into alignment with state terms, and to indicate that the State of Utah does not intend to operate a training course for personnel operating small municipal waste combustion units. The compliance dates are fixed in the state Plan incorporated by reference in Section R307-220-4. The only known source in Utah subject to this rule is Wasatch Energy Systems in Davis County; its compliance date is October 6, 2002.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-2-104(1)(a)
FEDERAL REQUIREMENT FOR THIS RULE: 42 U.S.C. Part 60, Subpart BBBB (63 FR 76378)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: This rule adds no additional costs to the state budget. The requirements of the rule are included in the source's Operating Permit, and the costs of regulation are covered by the Operating Permit fee of $31.22 per ton of emissions.
❖LOCAL GOVERNMENTS: The affected local governments are those municipalities within Davis County that use Wasatch Energy Systems (WES) for disposal of municipal waste. Because WES began implementation of the new federal requirements following signing of the Stipulation and Consent Order in March 2000, it is not likely that any increases in fees will result from adoption of this rule.
❖OTHER PERSONS: The only affected businesses are those supplying and installing the equipment needed to achieve the new emission standards, and they will benefit.
COMPLIANCE COSTS FOR AFFECTED PERSONS: Environmental Protection Agency (EPA) estimates that national amortized capital and operating costs to implement the rule will be approximately $25 per ton of waste processed. WES, the only known source affected by this rule, is spending approximately $7,500,000 in capital costs and expects increased operating and maintenance fees to be about $2.50 per ton of waste processed, though precise costs will not be known until the new equipment is fully operational. Individual citizens in the municipalities in Davis County pay varying fees for collection and disposal of their garbage. Because WES began installation after signing the Stipulation and Consent Agreement in March 2000, costs to citizens are not expected to change as a result of this rule. The only affected businesses are those supplying and installing the equipment needed to achieve the new emissions standards, and they will benefit.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The only businesses involved with WES are the suppliers and installers of the new equipment necessary to achieve the new emission standards, who will benefit. Dianne R. Nielson

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Air Quality
150 North 1950 West
PO Box 144820
Salt Lake City, UT 84114-4820, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jan Miller at the above address, by phone at (801) 536-4042, by FAX at (801) 536-4099, or by Internet E-mail at jmiller@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001; OR ATTENDING A PUBLIC HEARING SCHEDULED FOR 07/17/2001, 6:30 p.m., Layton City Hall, 447 North Wasatch Dr, Layton, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 09/05/2001

AUTHORIZED BY: Cheryl Heying, Planning Branch Manager

R307. Environmental Quality, Air Quality.
R307-223. Emission Standards: Existing Small Municipal Waste Combustion Units.
R307-223-1. Purpose and Applicability.

(1) R307-223 regulates emissions from existing small municipal waste combustion units. The purpose of R307-223 is to reduce the emissions of particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead, cadmium, mercury, and dioxins and furans from small municipal waste combustion units. Reductions are required by 42 U.S.C. 7411(d) and 7429 and 40 CFR Part 60, subpart BBBB, published at 63 FR 76378, December 6, 2000, and by the Plan for Existing Small Municipal Waste Combustion Units that is incorporated by reference at R307-220-4.

(2) R307-223 applies to each existing small municipal waste combustion unit that has the capacity to combust at least 35 tons per day but no more than 250 tons per day of municipal solid waste or refuse-derived fuel and commenced construction on or before August 30, 1999. A list of facilities not subject to R307-223 is found in 40 CFR 60.1555(a) through (k), and is hereby adopted and incorporated by reference.

(3) If an owner or operator of a municipal waste combustion unit makes physical or operational changes to an existing municipal waste combustion unit primarily to comply with the Plan for Existing Small Municipal Waste Combustion Units that is incorporated by reference at R307-220-4, then R307-210 does not apply to that unit. Such changes do not constitute modifications or reconstructions under R307-210.

(4) The owner or operator of any source subject to R307-223 also is required to submit an application for an operating permit under R307-415 and must notify the executive secretary that the source is subject to CFR Part 60, Subpart BBBB no later than January 1, 2002.

R307-223-2. Definitions and Equations.

(1) The following definitions apply only to R307-223. Definitions found in 40 CFR 60.1940, effective February 5, 2001, and published at 65 FR 76378, are adopted and incorporated by reference, with the following substitutions.

(a) Substitute "executive secretary" for all federal regulation references to "Administrator" or "EPA Administrator."

(b) Substitute "State of Utah" for all federal regulation references to "State," "State agency" or "State regulatory agency."

(c) "State plan" means the Plan for Existing Small Municipal Waste Combustion Units that is incorporated by reference at R307-220-4.

(d) "You" means the owner or operator of a small municipal waste combustion unit.

(e) Substitute "Rule R307-223" for all references to "this subpart."

(f) Substitute "40 CFR Part 60" for all references to "this part."

(g) Substitute "40 CFR" for all references to "This title."

(2) Equations found in 40 CFR 60.1935, effective February 5, 2001, and published at 65 FR 76378, are adopted and incorporated by reference.

R307-223-3. Requirements.

(1) Each incinerator owner or operator subject to R307-223 must comply with the requirements of 40 CFR 60.1540 and 60.1585 through 60.1905, and with the requirements and schedules set forth in Tables 2 through 8 that are found following 40 CFR 60.1940 for operator training and certification, operating requirements, emission limits, continuous emission monitoring, stack testing, other monitoring requirements, record keeping, and reporting. These provisions and table are adopted and incorporated by reference with the exceptions listed below.

(a) In 40 CFR 60.1650(a), delete "or state."

(b) In 40 CFR 60.1675(a), delete "or a current provisional operator certification from your State certification program."

(c) In 40 CFR 1675 (c), change "three" to "two," and delete 40 CFR 1675(c)(3).

(2) Compliance dates. Each incinerator must be in compliance with the dates in Section III of the Plan.

KEY: air pollution, municipal waste incinerator*, waste to energy plant*
2001 **19-2-104**

◆ ◆

Environmental Quality, Drinking Water
R309-605
Source Protection: Drinking Water Source Protection for Surface Water Sources

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23845
FILED: 06/15/2001, 08:34
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Drinking Water Source Protection (DWSP) for Surface Water Sources rule was implemented on June 12, 2000. Since then, the Division of Drinking Water has produced reports for each affected drinking water system to assist the systems in complying with the rule. Each report shows the watershed area for the source, and identifies major potential contamination sources (PCSs). It became apparent that the requirements of the rule would be excessively burdensome for some smaller systems with large watersheds. The proposed changes provide a mechanism to simplify the assessment of PCSs, and allow systems to focus their efforts on managing the most risky PCSs, rather than requiring them to propose management strategies for all PCSs.

SUMMARY OF THE RULE OR CHANGE: The current version of the rule requires systems to assess the hazards associated with each individual PCS. The proposed revision allows systems to combine assessments for related or similar PCSs, such as mines in one mining district, or septic tanks in one residential development or community. The current version of the rule also requires systems to propose strategies to manage the risk associated with all individual PCSs. The proposed change allows systems to manage the three worst PCSs. The proposed change provides for requiring additional management for hazardous PCSs, if necessary, and also provides for future revisions of the list, which may require management of additional PCSs as the plan is revised and resubmitted. Plans are currently revised and resubmitted every six years. Other changes in the rule are clarifications and corrections that do not affect the scope of work.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-4-104(1)(a)(iv)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--No change in scope of work to Division of Drinking Water to other state entities
❖LOCAL GOVERNMENTS: $1,000 - $3,000 savings, due to decreased scope of work for associated public water systems
❖OTHER PERSONS: $1,000 - $3,000 savings, due to decreased scope of work scope of work for associated public water systems
COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no additional costs, since these changes will decrease the scope and work involved in complying with the rule. The program was designed to make it possible for systems to complete the plans themselves, without relying on technical assistance from the outside. Total cost per surface water source is estimated at $500 to $2,500, depending on whether a system hires outside assistance, and depending on the size of the watershed area contributing to the source.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Department of Environmental Quality believes that these changes will lead to more effective source protection, since the changes allow a system to focus their efforts on the riskiest PCSs, rather than diluting the systems efforts among many PCSs. The assessment process is simplified, and the overall effect is to ease compliance and reduce costs, while improving effectiveness. The overall commitment to source protection is one that will benefit systems and citizens through stable or lower treatment costs. Dianne R. Nielson, Ph.D., Executive Director

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

Environmental Quality
Drinking Water
Airport Building No. 1
150 North 1950 West
PO Box 144830
Salt Lake City, UT 84114-4830, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Kate Johnson at the above address, by phone at (801) 536-4206, by FAX at (801) 536-4211, or by Internet E-mail at kjohnson@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/15/2001

AUTHORIZED BY: Kevin W. Brown, Director

R309. Environmental Quality, Drinking Water.
R309-605. Source Protection: Drinking Water Source Protection for Surface Water Sources.
R309-605-1. Purpose.

Public Water Systems (PWSs) are responsible for protecting their sources of drinking water from contamination. R309-605 sets forth minimum requirements to establish a uniform, statewide program for implementation by PWSs to protect their surface water sources of drinking water. PWSs are encouraged to enact more stringent programs to protect their sources of drinking water if they decide [~~they~~]additional measures are necessary.

R309-605 applies to PWSs which obtain surface water prior to treatment and distribution[~~all surface sources of drinking water which are used by PWSs to supply their systems~~] and to PWSs obtaining water from ground-water sources which are under the direct influence of surface water. However, compliance with this rule is voluntary for[~~existing surface water sources of drinking water which are used by~~] public (transient) non-community water systems to the extent that they are using existing surface water sources of drinking water.

R309-605-2. Authority.

Under authority of Subsection 19-4-104(1)(a)(iv), the Drinking Water Board adopts this rule which governs the protection of surface sources of drinking water.

R309-605-3. Definitions.

(1) The following terms are defined for the purposes of this rule:

(a) "Controls" means the codes, ordinances, rules, and regulations [~~currently in effect to~~]that regulate a potential contamination source. "Controls" also means physical controls which may prevent contaminants from migrating off of a site and into surface or ground water.[~~, and~~] Controls also means negligible quantities of contaminants.

(b) "Division" means Division of Drinking Water.

(c) "DWSP Program" means the program and associated plans to protect drinking water sources[~~protection zones~~] from contaminants.[~~that may have an adverse effect on the health of persons.~~]

(d) "DWSP Zone" means the surface and subsurface area surrounding a surface source of drinking water supplying a PWS, over which or through which contaminants are reasonably likely to move toward and reach [~~such~~]the source.

(e) "Designated person" means the person appointed by a PWS to ensure that the requirements of R309-605 are met.

(f) "Executive Secretary" means the individual [~~authorized by the Drinking Water Board to conduct business on its behalf.~~]appointed pursuant to Section 19-4-106 of the Utah Safe Drinking Water Act.

(g) "Existing surface water source of drinking water" means a public supply surface water source for which plans and specifications were submitted to DDW on or before [~~the effective date of this rule~~]June 12, 2000.

(h) "Intake", for the purposes of surface water drinking water source protection, means the device used to divert surface water and also the conveyance to the point immediately preceding treatment, or, if no treatment is provided, at the entry point to the distribution system.

(i) "Land management strategies" means zoning and non-zoning controls which include, but are not limited to, the following: zoning and subdivision ordinances, site plan reviews, design and operating standards, source prohibitions, purchase of property and development rights, public education programs, ground-water monitoring, household hazardous waste collection programs, water conservation programs, memoranda of understanding, and written contracts and agreements.[~~, and so forth.~~]

~~(j) "Land use agreement" means a written memorandum or contract wherein the owner(s) agrees not to locate or allow the location of uncontrolled potential contamination sources or pollution sources within zone 1 of delineated surface water sources. This restriction must be binding on all heirs, successors, and assigns. Land use agreements must be recorded with the property description in the local county recorder's office.~~

~~Land use agreements for protection areas on publicly owned lands need not be recorded in the local county recorder office. However, a letter must be obtained from the Administrator of the land in question and meet the requirements described above.~~]

[~~(k)~~](j) "New surface water source of drinking water" means a public supply surface water source of drinking water for which plans and specifications are submitted to the [~~Division~~]Executive Secretary after [~~the effective date of this rule~~]June 12, 2000.

[~~(l)~~](k) "Nonpoint source" means any area or conveyance not meeting the definition of point source.

[~~(m)~~](l) "Point of diversion" (POD) is the location at which water from a surface source enters a piped conveyance, storage tank, or is otherwise removed from open exposure prior to treatment.

[~~(n)~~](m) "Point source" means any discernible, confined, and discrete location or conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, animal feeding operation with more than ten animal units, landfill, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

[~~(o)~~](n) "Pollution source" means point source discharges of contaminants to surface water or potential discharges of the liquid forms of "extremely hazardous substances" which are stored in containers in excess of "applicable threshold planning quantities" as specified in the Emergency Planning and Community Right-to-Know Act(EPCRA),42 U.S.C. 11001 et seq. (1986). Examples of possible pollution sources include, but are not limited to, the following: storage facilities that store the liquid forms of extremely hazardous substances, septic tanks, drain fields, class V underground injection wells, landfills, open dumps, land filling of sludge and septage, manure piles, salt piles, pit privies, drain lines, and animal feeding operations with more than ten animal units. The following definitions are part of R309-605 and clarify the meaning of "pollution source:"

(i) "Animal feeding operation" means a lot or facility where the following conditions are met: animals have been or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period, and crops, vegetation forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Two or more animal feeding operations under common ownership are considered to be a single feeding operation if they adjoin each other, if they use a common area, or if they use a common system for the disposal of wastes.

(ii) "Animal unit" means a unit of measurement for any animal feeding operation calculated by adding the following numbers; the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 55 pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.

(iii) "Extremely hazardous substances" means those substances which are identified in the Sec. 302(EHS) column of the "TITLE III LIST OF LISTS - Consolidated List of Chemicals Subject to Reporting Under SARA Title III," (EPA 550-B-96-015). A copy of this document may be obtained from: NCEPI, PO Box 42419, Cincinnati, OH 45202. Online ordering is also available at: http://www.epa.gov/ncepihom/orderpub.html.

[~~(p)~~](o) "Potential contamination source" means any facility or site which employs an activity or procedure or stores materials which may potentially contaminate ground-water or surface water. A pollution source is also a potential contamination source.

[~~(q)~~](p) "PWS" means a public water system affected by this rule, as described in R309-605-1.

[~~(r)~~](q) "Surface water" means all water which is open to the atmosphere and subject to surface runoff (see also R309-204-5(1)).

[~~(s)~~](r) "Susceptibility" means the potential for a PWS[~~(as determined at the point immediately preceding treatment, or, if no treatment is provided, at the entry point to the distribution system)~~] to draw water contaminated above a demonstrated background water quality concentration through any combination of the following pathways: geologic strata and overlying soil, direct discharge, overland flow, upgradient water, cracks/fissures in or open areas of the surface water intake and/or the pipe/conveyance between the intake and the water distribution system. Susceptibility is determined at the point immediately preceding treatment or, if no treatment is provided, at the entry point to the system.

[~~(t)~~](s) "Watershed" means the topographic boundary, up to the state's border, that is the perimeter of the catchment basin that provides water to the intake structure.

R309-605-4. Implementation.

(1) Existing Surface Water Sources - Each PWS shall submit a Drinking Water Source Protection (DWSP) Plan to the Division of Drinking Water (Division) in accordance with R309-605-7 for each of its existing surface water sources according to the following schedule.

TABLE

Schedule for DWSP Plan Submittal

Population served by PWS[~~ Percent of Sources~~]		DWSP Plans due by
Greater than 10,000	[~~100~~]	December 31, 2001
3,300 to 10,000	[~~100~~]	May 6, 2002
Fewer than[~~<~~]3,300[~~ and all assessments completed~~]	100	May 6, 2003[~~ May 6, 2003~~]

(2) New surface water sources - Each PWS shall submit a Preliminary Evaluation Report (PER) in accordance with R309-605-9 for each of its new surface water sources to the [~~Division~~]Executive Secretary.[

~~(3) PWSs shall maintain all land use agreements which were established under previous rules to protect their surface water sources of drinking water from contamination. Additionally, PWSs shall maintain land ownership and land-use agreements established under previous rules with new owners which prohibit these new owners from locating pollution sources within protection zones.~~]

• • • • • • • • • • •

R309-605-6. Designated Person.

(1) Each PWS shall designate a person responsible for demonstrating the PWS's compliance with these rules. A designated person shall be appointed and reported in writing to the Executive Secretary by each PWS within 180 days of the effective date of R309-605. The [~~designated person's~~]name, address and telephone number of the designated person shall be included in[~~ the written correspondence. Additionally, the above information must be included in~~] each DWSP Plan and PER that is submitted to the

[~~Division~~]Executive Secretary, and in all other correspondence with the Division.

(2) Each PWS shall notify the Executive Secretary in writing within 30 days of any changes in the appointment of a designated person.

R309-605-7. Drinking Water Source Protection (DWSP) for Surface Sources.

(1) DWSP Plans

(a) Each PWS shall develop, submit, and implement a DWSP Plan for each of its surface water sources of drinking water.

(i) Recognizing that more than one PWS may jointly use a source from the same or nearby diversions, the [~~Division~~]Executive Secretary encourages collaboration among such PWSs with joint use of a source in the development of a DWSP plan for that source. PWSs who jointly submit an acceptable DWSP plan per R309-605-7 for one surface water source above common point(s) of diversion, will be considered to have met the requirement of R309-605-7(1)(a).[~~ Such collaboration may be deemed to be an effective use of effort, funds and resources, and may lead to a more effective and comprehensive protection and prevention program.~~] The deadline from R309-605-4(1) that would apply to such a collaboration would be associated with the largest population served by the individual parties to the agreement.[~~, unless an extension is granted by the Division.~~]

(b) Required Sections for DWSP Plans - DWSP Plans should be developed in accordance with the "Standard Report Format for Surface Sources". This document may be obtained from the Division. DWSP Plans must include the following eight sections:

(i) DWSP Delineation Report - A DWSP Delineation Report in accordance with R309-605-7(3) is the first section of a DWSP Plan.

(ii) Susceptibility Analysis and Determination - A susceptibility analysis and determination in accordance with R309-605-7(4) is the second section of a DWSP report.

(iii) Management Program to Control Each Preexisting Potential Contamination Source - [~~a~~]Land management strategies[~~program~~] to control each not adequately controlled preexisting potential contamination source in accordance with R309-605-7(5) is the third section of a DWSP Plan.

(iv) Management Program to Control or Prohibit Future Potential Contamination Sources - [~~A plan~~]Land management strategies for controlling or prohibiting future potential contamination sources is the fourth section of a DWSP Plan. This must be in accordance with R309-605-7(6), must be consistent with the general provisions of this rule, and implemented to an extent allowed under the PWS's authority and jurisdiction.

(v) Implementation Schedule - The implementation schedule is the fifth section of a DWSP Plan. Each PWS shall develop a step-by-step implementation schedule which lists each of its proposed land management strategies with an implementation date for each strategy.

(vi) Resource Evaluation - The resource evaluation is the sixth section of a DWSP Plan. Each PWS shall assess the financial and other resources which may be required for it to implement each of its DWSP Plans and determine how these resources may be acquired.

(vii) Recordkeeping - Recordkeeping is the seventh section of a DWSP Plan. Each PWS shall document changes in each of its DWSP Plans as they are updated to show significant changes in conditions in the protection zones. As a DWSP Plan is executed, the PWS shall document any land management strategies that are implemented. These documents may include any of the following: ordinances, codes, permits, memoranda of understanding, public education programs, and so forth.

(viii) Public Notification - A method for, schedule for and example of the means for notifying the public water system's customers and consumers regarding the drinking water source water assessment and the results of that assessment is the last section of a DWSP plan. This must be in accordance with R309-605-7(7).

(ix) Existing watershed or resource management plans - In lieu of some or all of the report sections described in R309-605-7(1)(b), the PWS may submit watershed or resource management plans that in whole or in part meet the requirements of this rule. Such plans shall be submitted to the Executive Secretary with a cover letter that fully explains how they meet the requirements of the current DWSP rules. Any required section described in R309-605-7(1)(b) that is not covered by the watershed or resource management plan must be addressed and submitted jointly. The watershed or resource management plans will be subject to the same review and approval process as any other section of the DWSP plan.

(c) DWSP Plan Administration - DWSP Plans shall be submitted, corrected, retained, implemented, updated, and revised according to the following:

(i) Submitting DWSP Plans - Each PWS shall submit a DWSP Plan to the [~~Division~~]Executive Secretary in accordance with the schedule in R309-605-4(2) for each of its surface water sources of drinking water (a joint development and submittal of a DWSP plan is acceptable for PWSs with the joint use of a source, per R309-605-7(1)(a)(i).)

(ii) Correcting Deficiencies - Each PWS shall correct any deficiencies in a disapproved DWSP Plan and resubmit it to the [~~Division~~]Executive Secretary within 90 days of the disapproval date.

(iii) Retaining DWSP Plans - Each PWS shall retain on its premises a current copy of each of its DWSP Plans. DWSP Plans shall be made available to the public upon request.

(iv) Implementing DWSP Plans - Each PWS shall begin implementing each of its DWSP Plans in accordance with its schedule in R309-605-7(1)(b)(v), within 180 days after submittal if they are not disapproved by the [~~Division~~]Executive Secretary.

(v) Updating and Resubmitting DWSP Plans - Each PWS shall review and update its DWSP Plans as often as necessary to ensure that they show current conditions in the DWSP zones, but at least annually after the original due date (see R309-605-4(1)). Updated plans also document the implementation of land management strategies in the recordkeeping section. Updated DWSP Plans will be resubmitted to the [~~Division~~]Executive Secretary every six years from their original due date, which is described in R309-605-4.[~~ This applies even though a PWS may have been granted an extension beyond the original due date.~~]

(vi) Revising DWSP Plans - Each PWS shall submit a revised DWSP Plan to the [~~Division~~]Executive Secretary within 180 days after the reconstruction or redevelopment of any surface water source of drinking water which causes changes in source construction, source development, hydrogeology, delineation, potential contamination sources, or proposed land management strategies.

(2) DWSP Plan Review.

(a) The [~~Division~~]Executive Secretary shall review each DWSP Plan submitted by PWSs and "concur,"[~~, "concur with recommendations,"~~] "conditionally concur" or "disapprove" the plan.

(b) The [~~Division~~]Executive Secretary may "disapprove" DWSP Plans for good cause, including any of the following reasons:

(i) A DWSP Plan that is missing the delineation report or any of the information and data required in it (refer to R309-605-7(3));

(ii) An inaccurate Susceptibility Analysis or a DWSP Plan that is missing this report or any of the information required in it (refer to R309-605-7(4));[~~:~~]

(iii) An inaccurate Prioritized Inventory of Potential Contamination Sources or a DWSP Plan that is missing this report or any of the information required in it (refer to R309-605-7(4)(c));

(iv) An inaccurate assessment of current controls (refer to R309-605-7(4)(a)(iii)(B));

(v) A missing or incomplete Management Program to Control Each Preexisting Potential Contamination Source which has been assessed as "not adequately controlled" by the PWS (refer to R309-605-7(5));

(vi) A missing or incomplete Management Program to Control or Prohibit Future Potential Contamination Sources (refer to R309-605-7(6));

(vii) A missing Implementation Schedule, Resource Evaluation, Recordkeeping Section, or Contingency Plan (refer to R309-605-7(1)(b)(v-vii) and R309-605-9);[~~:~~]

(viii) A missing or incomplete Public Notification Section (refer to R309-605-7(7).[

~~(c) The Division may "concur with recommendations" when PWSs propose management programs to control preexisting potential contamination sources or management programs to control or prohibit future potential contamination sources for existing or new drinking water sources which appear inadequate or ineffective.~~]

[~~(d)~~](c) [~~The Division may "conditionally concur" with a DWSP Plan.~~]If the Executive Secretary conditionally concurs with a DWSP Plan, the[~~The~~] PWS must implement the conditions and report compliance the next time the DWSP Plan is due and submitted to the [~~Division~~]Executive Secretary.

(3) Delineation of Protection Zones

(a) The delineation section of the DWSP plan for surface water sources may be obtained from the Division upon request. A delineation section prepared and provided by the Division would become the first section of the submittal from the PWS. The delineation section provided by the Division will consist of a map or maps showing the limits of the zones described in R309-605-7(3)(b)(i-iv), and will [~~identify~~]include an inventory of potential contamination sources on record in the [~~state's~~]Division's Geographic Information System.

(b) Alternatively, the PWS may provide their own delineation report. Such a submittal must either describe the zones as defined in R309-605-7(3)(b)(i-iv), or must comply with the requirements and definitions of R309-605-7(3)(c). The delineation report must include a map or maps showing the extent of the zones.

(i) Zone 1:

(A) Streams, rivers and canals: zone 1 encompasses the area on both sides of the source, 1/2 mile on each side measured laterally from the high water mark of the source (bank full), and from 100 feet downstream of the POD to 15 miles upstream, or to the limits of the watershed or to the state line, whichever comes first. If a natural stream or river is diverted into an uncovered canal or aqueduct for the purpose of delivering water to a system or a water treatment facility, that entire canal will be considered to be part of zone 1, and the 15 mile measurement upstream will apply to the stream or river contributing water to the system from the diversion.

(B) Reservoirs or lakes: zone 1 is considered to be the area 1/2 mile from the high water mark of the source. Any stream or river contributing to the lake/reservoir will be included in zone 1 for a distance of 15 miles upstream, and 1/2 mile laterally on both sides of the source. If a reservoir is diverted into an uncovered canal or aqueduct for the purpose of delivering water to a system or a water treatment facility, that entire canal will be considered to be part of zone 1, and the 15 mile measurement upstream will apply to the reservoir and tributaries contributing water to the system.

(ii) Zone 2: Zone 2 is defined as the area from the end of zone 1, and an additional 50 miles upstream (or to the limits of the watershed or to the state line, whichever comes first), and 1000 feet on each side measured from the high water mark of the source.

(iii) Zone 3: Zone 3 is defined as the area from the end of zone 2 to the limits of the watershed or to the state line, whichever comes first, and 500 feet on each side measured from the high water mark of the source.

(iv) Zone 4: Zone 4 is defined as the remainder of the area of the watershed (up to the state line, if applicable) contributing to the source that does not fall within the boundaries of zones 1 through 3.

(v) Special case delineations:

(A) Basin Transfer PODs: Where water supplies are received from basin transfers, the water from the extraneous basin will be treated as a separate source, and will be subject to its own DWSP plan, starting from zone 1 at the secondary POD.

(c) If the PWS is able to demonstrate that a different zone configuration is more protective than those defined in R309-605-7(3)(b), that different configuration may be used upon prior review and approval by the [~~Division~~]Executive Secretary. An explanation of the method used to obtain and establish the dimensions of the zones must be provided. The delineation report must include a map or maps showing the extent of the zones. The entire watershed boundary contributing to a source must be included in the delineation.

(4) Susceptibility Analysis and Determination:

(a) Susceptibility Analysis:

(i) Structural integrity of the intake: The PWS will evaluate the structural integrity of the intake to ensure compliance with the existing source development rule (R309-204-5) on a pass or fail basis. The pass-fail rating will be determined by whether the intake meets minimum rule requirements, and whether the physical condition of the intake is adequate to protect the intake from contamination events. The integrity evaluation includes any portion of the conveyance from the point of diversion to the distribution systems that is open to the atmosphere or is otherwise vulnerable to contamination, including distribution canals, etc.

(ii) Sensitivity of Natural Setting: The PWS will evaluate the sensitivity of the source based on physiographic and/or hydrogeologic factors. Factors influencing sensitivity may include any natural or man-made feature that increases or decreases the likelihood of contamination. Sensitivity does not address the

question of whether contamination is present in the watershed or recharge area.

(iii) Assessment of management of potential contamination sources:

(A) Potential Contamination Source Inventory

(I) Each PWS shall identify and list all potential contamination sources within[~~each~~] DWSP zones 1, 2 and 3, as applicable for individual sources. The name and address of each non-residential potential contamination source is required, as well as a list of the chemical, biological, and/or radiological hazards associated with each potential contamination source. [~~Additional information should include the name and phone number of a contact person.~~]Additionally, each PWS shall identify each potential contamination source as to its location in zone one, two, or three[~~, or four~~] and plot it on the map required in R309-605-7(3)(a and b). The PWS may rely on the inventory provided by the Division for zone 4.

(II) List of Potential Contamination Sources - A List of Potential Contamination Sources[~~is found in the "Source Protection User's Guide." This document~~] may be obtained from the Division. This list may be used by PWSs as an [~~guide~~]introduction to inventorying potential contamination sources within their DWSP zones. The list is not intended to be all-inclusive.

(III) Refining, Expanding, Updating, and Verifying Potential Contamination Sources - Each PWS shall update its list of potential contamination sources to show current conditions within DWSP zones according to R309-605-7(1)(c)(v). This includes adding potential contamination sources which have moved into DWSP zones, deleting potential contamination sources which have moved out, improving available data about potential contamination sources, and all other appropriate refinements.

(B) Identification and Assessment of Controls: The PWS will identify and assess the hazards at each potential contamination source, including those in the inventory provided by the Division that are located in zone 4, as "adequately controlled" or "not adequately controlled".

(I) If controls are not identified, the potential contamination source will be considered "not adequately controlled." Additionally, if the hazards at a potential contamination source cannot be or are not identified, the potential contamination source must be assessed as "not adequately controlled."

(II) Types of controls: For each hazard deemed to be controlled, one of the following controls [~~should~~]shall be identified[~~(if applicable)~~]: regulatory, best management/pollution prevention, or physical controls. Negligible quantities of contaminants are also considered a control. The assessment of controls will not be considered complete unless the controls are completely evaluated and discussed in the DWSP report, using the following criteria:[~~described in this section.~~]

Regulatory Controls - Identify the enforcement agency and verify that the hazard is being regulated by them; cite and/or quote applicable references in the regulation, rule or ordinance which pertain to controlling the hazard; explain how the regulatory controls affect the potential for surface water contamination; assess the hazard; and set a date to reassess the hazard. For assistance in identifying regulatory controls, refer to the "Source Protection User's Guide" Appendix D for a list of government agencies and the programs they administer to control potential contamination sources. This guide may be obtained from the Division.

Best Management/Pollution Prevention Practice Controls - List the specific best management/pollution prevention practices which have been implemented by potential contamination source management to control the hazard and indicate that they are willing to continue the use of these practices; explain how these practices affect the potential for surface water contamination; assess the hazard; and set a date to reassess the hazard.

Physical Controls - Describe the physical control(s) which have been constructed to control the hazard; explain how these controls affect the potential for contamination; assess the hazard; and set a date to reassess the hazard.

Negligible Quantity Control - Identify the quantity of the hazard that is being used, disposed, stored, manufactured, and/or transported; explain why this amount is[~~should be considered~~] a negligible quantity; assess the hazard; and set a date to reassess the hazard.

(III) PWSs may assess controls on PCSs collectively, when the PCSs have similar characteristics, or when the PCSs are clustered geographically. Examples may include, but are not limited to, abandoned mines that are part of the same mining districts, underground storage tanks that are in the same zone, or leaking underground storage tanks in the same city. However, care should be taken to avoid collectively assessing PCSs to the extent that the assessments become meaningless. The Executive Secretary may require an individual assessment for a PCS if the Executive Secretary determines that the collective assessment does not adequately assess controls.

(C) [~~For the purpose of meeting the requirements of R309-605, the Division will consider a PWS's assessment that a~~]A potential contamination source which is covered by a permit or approval under one of the regulatory programs listed below [~~sufficient to demonstrate that the source is~~]shall be considered to be adequately controlled unless otherwise determined by the Executive Secretary. The PWS must provide documentation establishing that the PCS is covered by the regulatory program. For all other state regulatory programs, the PWS's assessment is subject to review by the Executive Secretary; as a result, a PWS's DWSP Plan may be disapproved if the [~~Division~~]Executive Secretary does not concur with its assessment(s).

(I) The Utah Ground-Water Quality Protection program established by Section 19-5-104 and Rule R317-6;

(II) Closure plans or Part B permits under authority of the Resource Conservation and Recovery Act (RCRA) of 1984 regarding the monitoring and treatment of ground-water;

(III) The Utah Pollutant Discharge Elimination System (UPDES) established by Section 19-5-104 and Rule R317-8; at the discretion of the PWS, this may include Confined Animal feeding Operations/Animal Feeding Operations (CAFO/AFO) assessed under the Utah DWQ CAFO/AFO Strategy.

(IV) The Underground Storage Tank Program established by Section 19-6-403 and Rules R311-200 through R311-208; and

(V) the Underground Injection Control (UIC) Program for classes I-IV established by Sections 19-5-104 and 40-6-5 and Rules R317-7 and R649-5.

(b) Susceptibility determination:

(i) The PWS will assess the drinking water source for its susceptibility relative to each potential contamination source. The

determination will be based on the following four factors: 1) the structural integrity of the intake, 2) the sensitivity of the natural setting, 3) whether a PCS is considered controlled or not, and 4) how the first three factors are interrelated. The PWS will provide an explanation of the method or judgement used to weigh the first three factors against each other to determine susceptibility.

(ii) Additionally, each drinking water source will be assessed by the PWS for its overall susceptibility to potential contamination events. [~~The determination~~]This will result in a qualitative assessment of the susceptibility of the drinking water source to contamination. This assessment of overall susceptibility allows the PWS and others to compare the susceptibility of one drinking water source to another.

(iii) Each surface water drinking water source in the state of Utah is initially considered to have a high susceptibility to contamination, due to the intrinsic unprotected nature of surface water sources. An assumption of high susceptibility will be used by the Executive Secretary unless[~~Each surface source will be considered to have a high susceptibility to contamination until~~] a PWS or a group of PWSs demonstrates otherwise, per R309-605, and receives concurrence from the [~~Division~~]Executive Secretary [~~per~~]under R309-605-7(2).

(c) Prioritized Potential Contamination Source Inventory: The PWS will prepare a prioritized inventory of potential contamination sources based on the susceptibility determinations in R309-605-7(4)(b)(i). The inventory will rank potential contamination sources based on the degree of threat posed to the drinking water source as determined in R309-605-7(4)(b)(i).

(5) Management Program to Control Each Preexisting Potential Contamination Source.

(a) PWSs are not required to plan and implement land management strategies for potential contamination source hazards that are assessed as "adequately controlled."

(b) With the first submittal of the DWSP Plan, PWSs shall include land management strategies to reduce the risk of contamination from, at a minimum, the three highest priority uncontrolled PCSs in the protection zones for the source. The Executive Secretary may require land management strategies for additional PCSs to assure adequate protection of the source. Management plans may be for an individual PCS (i.e., a sewage lagoon discharging into a stream), or for a group of similar or related PCSs (i.e., septic systems within one residential development). A group of such related PCSs would constitute one PCS in terms of the three required management strategies for not adequately controlled PCSs.

PWSs shall plan land management strategies to control[~~each~~] preexisting uncontrolled potential contamination sources in accordance with their existing authority and jurisdiction. Land management strategies must be consistent with the provisions of R309-605, designed to control or reduce the risk of potential contamination, and may be regulatory or non-regulatory. [~~Each potential contamination source listed on the inventory required in R309-605-7(4) and assessed as "not adequately controlled" must be addressed.~~]Land management strategies must be implemented according to the schedule required in R309-605-7(1)(b)(v).

(c) PWSs with overlapping protection zones may cooperate in controlling a particular preexisting potential contamination source if one PWS will agree to take the lead in planning and implementing land management strategies. The remaining PWS(s) will assess the preexisting potential contamination source as "adequately controlled."

(d) At each six year cycle for revising and resubmitting the DWSP Plan, under the schedule in R309-605-7(1)(c)(v), the PWS shall prioritize their inventory again, and shall propose a management program to control preexisting PCSs for the three highest priority PCSs, which may include uncontrolled PCSs not previously managed. The PWS shall also continue existing management programs, unless justification is provided that demonstrates that a PCS that was previously managed is now considered controlled.

(6) Management Program to Control or Prohibit Future Potential Contamination Sources for Existing Drinking Water Sources.

(a) PWSs shall plan land management strategies to control or prohibit future potential contamination sources within each of its DWSP zones consistent with the provisions of R309-605 and to the extent allowed under its authority and jurisdiction. Land management strategies must be designed to control or reduce the risk of potential contamination and may be regulatory or non-regulatory. Additionally land management strategies must be implemented according to the schedule required in R309-605-7(1)(b)(v).

(b) Protection areas may extend into neighboring cities, towns, and counties. Since it may not be possible for some PWSs to enact regulatory land management strategies outside of their jurisdiction, except for municipalities as described below, it is recommended that these PWSs contact their neighboring cities, towns, and counties to see if they are willing to implement protective ordinances to prevent surface water contamination under joint management agreements.

(c) Cities and towns have extraterritorial jurisdiction in accordance with Section 10-8-15 of the Utah Code Annotated to enact ordinances to protect a stream or "source" from which their water is taken... " for 15 miles above the point from which it is taken and for a distance of 300 feet on each side of such stream...."

(d) Zoning ordinances are an effective means to control potential contamination sources that may want to move into protection areas. They allow PWSs to prohibit facilities that would discharge contaminants directly to surface water. They also allow PWSs to review plans from potential contamination sources to ensure there will be adequate spill protection and waste disposal procedures, etc. If zoning ordinances are not used, PWSs must establish a plan to contact potential contamination sources individually as they move into protection areas, identify and assess their controls, and plan land management strategies if they are not adequately controlled.

(7) Public Notification:

Within their DWSP report, each PWS shall specify the method and schedule for notifying their customers and consumers that an assessment of their surface water source has been completed and what the results of that assessment are. Each PWS shall provide the proposed public notification material as an appendix to the DWSP report. The public notification material shall include a discussion of the general geologic and physical setting of the source, the sensitivity of the setting, general types of potential contamination sources in the area, how susceptible the drinking water source is to potential contamination and a map showing the location of the drinking water source and generalized areas of potential concern (it

is not mandatory to show the location of the intake itself). The public notification material will be in plain English. The purpose of this public notification is to advise the public regarding how susceptible their drinking water source is to potential contamination sources. Examples of means of notifying the public, and examples of acceptable public notification materials, are available from the Division. The public notification materials must be approved by the Executive Secretary prior to distribution.

. . . . . .

R309-605-9. New Surface Water Sources of Drinking Water.

(1) Prior to constructing a new surface water source of drinking water, each PWS shall develop a preliminary evaluation report (PER) which demonstrates that the source location has been chosen such that the number of uncontrolled sources in zones 1 and 2 is minimized. If the source water is not currently classified as Class 1C under UAC R317-2, the PWS must request such a classification from the[~~Division of~~] Water Quality Board for zones 1 and 2. The PWS must[~~should~~] also[~~consider~~] request[~~ing~~] that the source water be categorized as High Quality Waters - Category 1, 2 or 3 under UAC R317-2-3 (Antidegradation Policy), if applicable. Categorization of the source will reduce (Category 3) or eliminate (Category 1 and 2) the potential for source water degradation from new pollution sources. In addition, engineering information in accordance with R309-204-4 and R309-204-5 (general source development and surface water source development requirements) must be submitted to the [~~Division~~]Executive Secretary concurrent with the PER. A complete DWSP plan is required, one year after approval of the PER and after construction of the source intake, following the requirements of R309-605-7.

(2) Preliminary Evaluation Report (PER) for New Sources of Drinking Water - PERs shall cover all four zones. PERs should be developed in accordance with the "Standard Report Format for New Surface Sources." This document may be obtained from the Division. PWSs shall include the following four sections in each PER:

(a) Delineation Report for Estimated DWSP Zones - The same requirements apply as in R309-605-7(3).

(b) Susceptibility Analysis and determination (including inventory)- The same requirements apply as in R309-605-7(4).

(c) Land [~~Ownership~~]Use Map - A land [~~ownership~~]use map which includes all land within zones one and two and the primary use of the land (residential, commercial, industrial, recreational, crops, animal husbandry, etc). Existing maps or GIS data may be used to satisfy this requirement.[~~Additionally, include a list which identifies the land owners in zones one and two, the parcel(s) of land which they own, and the zone in which they own land. Small residential lots may be clustered as residential areas rather than identifying each residential parcel. A land ownership map and list are not required if ordinances are used to protect these areas. It is the responsibility of the PWS to cite, quote and document references and interpret~~] the zoning ordinance to substantiate any land use restrictions.

(d) Documentation of Division of Water Quality classification of source water - with reference to R317-2, provide documentation of the classification of the source waters by the Water Quality Board/Division of Water Quality (see also R309-605-9(1)), and of any associated petition for a change in classification.

(3) DWSP Plan for New Sources of Drinking Water - The PWS shall submit a DWSP Plan in accordance with R309-605-4 for any new surface water source of drinking water within one year after the date of the [~~Division~~]Executive Secretary's concurrence letter with the PER. In developing this DWSP Plan, PWSs shall refine the information in the PER by applying any new characteristics of the source.

R309-605-10. Contingency Plans.

PWSs shall submit a Contingency Plan which includes all sources of drinking water (groundwater and surface water) for their entire water system to the [~~Division~~]Executive Secretary concurrently with the submission of their first DWSP Plan. [~~Guidance for developing Contingency Plans may be found in the "Source Protection User's Guide." This document may be obtained from the Division.~~]The Contingency Plan shall address emergency response, rationing, water supply decontamination, and development of alternative sources.

KEY: drinking water, environmental health
[~~June 12, 2000~~]2001 **19-4-104(1)(a)(iv)**

◆ ◆

Environmental Quality, Radiation Control
R313-12
General Provisions

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23826
FILED: 06/07/2001, 08:48
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To address U.S. Nuclear Regulatory Commission items of compatibility.

SUMMARY OF THE RULE OR CHANGE: Minor corrections and clarifying changes were made to the definitions for "high radiation area" and "individual monitoring devices." The definition for "eye dose equivalent" was replaced with a corrected definition for "lens dose equivalent."

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--Minor corrections and clarifying changes were made to definitions only.
❖LOCAL GOVERNMENTS: None--This rule does not impact local government. Local government does not regulate radioactive material licensees.
❖OTHER PERSONS: None--Minor corrections and clarifying changes were made to definitions only.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Minor corrections and clarifying changes were made to definitions only.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact on Utah licensees. Minor corrections and clarifying changes were made to definitions only.

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

Environmental Quality
Radiation Control
State of Utah Office Park, Building 2
168 North 1950 West
PO Box 144850
Salt Lake City, UT 84114-4850, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gwyn Galloway at the above address, by phone at (801) 536-4250, by FAX at (801) 533-4097, or by Internet E-mail at ggallowa@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/10/2001

AUTHORIZED BY: William J. Sinclair, Executive Secretary

R313. Environmental Quality, Radiation Control.
R313-12. General Provisions.

• • • • • • • • • • •

R313-12-3. Definitions.

As used in these rules, these terms shall have the definitions set forth below. Additional definitions used only in a certain rule will be found in that rule.

• • • • • • • • • • •

"Extremity" means hand, elbow, arm below the elbow, foot, knee, and leg below the knee.[

~~"Eye dose equivalent" means the external dose equivalent to the lens of the eye at a tissue depth of 0.3 centimeter (300 mg/cm^2).~~]

"Facility" means the location within one building, vehicle, or under one roof and under the same administrative control

(a) at which the use, processing or storage of radioactive material is or was authorized; or

(b) at which one or more radiation-producing machines or radioactivity-inducing machines are installed or located.

"Former United States Atomic Energy Commission (AEC) or United States Nuclear Regulatory Commission (NRC) licensed facilities" means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

"Generally applicable environmental radiation standards" means standards issued by the U.S. Environmental Protection Agency under the authority of the Atomic Energy Act of 1954, as amended, that impose limits on radiation exposures or levels, or concentrations or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

"Gray" (Gy) means the SI unit of absorbed dose. One gray is equal to an absorbed dose of one joule per kilogram.

"Hazardous waste" means those wastes designated as hazardous by the U.S. Environmental Protection Agency rules in 40 CFR Part 261.

"Healing arts" means the disciplines of medicine, dentistry, osteopathy, chiropractic, and podiatry.

"High radiation area" means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving a dose equivalent in excess of one mSv (0.1 rem), in one hour at 30 centimeters from [~~a~~]the source of radiation or from a surface that the radiation penetrates. For purposes of these rules, rooms or areas in which diagnostic x-ray systems are used for healing arts purposes are not considered high radiation areas.

"Human use" means the intentional internal or external administration of radiation or radioactive material to human beings.

"Individual" means a human being.

"Individual monitoring" means the assessment of:

(a) dose equivalent, by the use of individual monitoring devices or, by the use of survey data; or

(b) committed effective dose equivalent by bioassay or by determination of the time weighted air concentrations to which an individual has been exposed, that is, DAC-hours.

"Individual monitoring devices" means devices [~~designated~~]designed to be worn by a single individual for the assessment of dose equivalent. For purposes of these rules, individual monitoring equipment and personnel monitoring equipment are equivalent terms. Examples of individual monitoring devices are film badges, [~~thermoluminescent~~]thermoluminescence dosimeters (TLD's), pocket ionization chambers, and personal air sampling devices.

"Inspection" means an official examination or observation including, but not limited to, tests, surveys, and monitoring to determine compliance with rules, orders, requirements and conditions applicable to radiation sources.

"Interlock" means a device arranged or connected requiring the occurrence of an event or condition before a second condition can occur or continue to occur.

"Internal dose" means that portion of the dose equivalent received from radioactive material taken into the body.

"Lens dose equivalent" (LDE) applies to the external exposure of the lens of the eye and is taken as the dose equivalent at a tissue depth of 0.3 centimeter (300 mg/cm^2).

"License" means a license issued by the Executive Secretary in accordance with the rules adopted by the Board.

"Licensee" means a person who is licensed by the Department in accordance with these rules and the Act.

"Licensed or registered material" means radioactive material, received, possessed, used or transferred or disposed of under a general or specific license issued by the Executive Secretary.

"Licensing state" means a state which has been provisionally or finally designated as such by the Conference of Radiation Control Program Directors, Inc., which reviews state regulations to establish equivalency with the Suggested State Regulations and ascertains whether a State has an effective program for control of natural occurring or accelerator produced radioactive material (NARM). The Conference will designate as Licensing States those states with regulations for control of radiation relating to, and an effective program for, the regulatory control of NARM.

"Limits". See "Dose limits".

"Lost or missing source of radiation" means licensed or registered sources of radiation whose location is unknown. This definition includes, but is not limited to, radioactive material that has been shipped but has not reached its planned destination and whose location cannot be readily traced in the transportation system.

. . . . . .

KEY: definitions, units, inspections, exemptions
2001 19-3-104
Notice of Continuation March 26, 1997 19-3-108

Environmental Quality, Radiation Control
R313-15
Standards for Protection Against Radiation

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23827
FILED: 06/07/2001, 08:48
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To address U.S. Nuclear Regulatory Commission items of compatibility.

SUMMARY OF THE RULE OR CHANGE: Changes to the rule include minor corrections, clarifying changes, and a minor technical conforming amendment regarding "Transfer for Disposal and Manifests." There are also major changes to the sections regarding "Respiratory Protection and Controls to Restrict Internal Exposure." These changes include definitions for various types of respiratory equipment and other terms related to the use of respiratory equipment; requirements for fit testing; provisions requiring the licensee to consider limitations appropriate to the mode and type of use; requirements for "standby rescue persons"; grade of air to be provided in atmosphere-supplying respirators; and how estimated doses are to be assessed. The proposed rule also allows for a licensee to apply for approval to exceed assigned protection factor limits and specifies what is required in the application. In addition, all references to the Code of Federal Regulations (CFR) were updated to reference the current version of the CFR's; however, these updates did not substantially change any requirements.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Appendix C, Appendix B, and Appendix G of 10 CFR 20.1001 through 2402 (2001 ed.); 10 CFR 20.1901(a) (2001 ed.); 49 CFR 172.403 (2000 ed.); 49 CFR 173.421 through 424 (2000 ed.); and 49 CFR 172.436 through 440 (2000 ed.)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--This rule change does not require the addition of additional personnel. The implementation of the proposed requirements will not significantly increase time spent by staff for licensing or inspection of radioactive material licensees.
❖LOCAL GOVERNMENTS: None--This rule does not impact local government. Local government does not regulate radioactive material licensees.
❖OTHER PERSONS: None--Only one licensee in the State of Utah uses a respiratory protection program. This licensee's respiratory protection program presently conforms to the proposed requirements; therefore, no significant additional costs are anticipated for other persons.
COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Only one licensee in the State of Utah uses a respiratory protection program. This licensee's respiratory protection program presently conforms to the proposed requirements; therefore, no significant additional costs are anticipated for other persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact on Utah licensees. The one licensee using a respiratory protection program presently conforms to the proposed requirements for the respiratory protection program. The additional changes to this rule are clarifications and minor corrections only.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Radiation Control
State of Utah Office Park, Building 2
168 North 1950 West
PO Box 144850
Salt Lake City, UT 84114-4850, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gwyn Galloway at the above address, by phone at (801) 536-4250, by FAX at (801) 533-4097, or by Internet E-mail at ggallowa@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/10/2001

AUTHORIZED BY: William J. Sinclair, Executive Secretary

R313. Environmental Quality, Radiation Control.
R313-15. Standards for Protection Against Radiation.

• • • • • • • • • • •

R313-15-2. Definitions.

"Annual limit on intake" (ALI) means the derived limit for the amount of radioactive material taken into the body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radionuclide in a year by the reference man that would result in a committed effective dose equivalent of 0.05 Sv (5 rem) or a committed dose equivalent of 0.5 Sv (50 rem) to any individual organ or tissue. ALI values for intake by ingestion and by inhalation of selected radionuclides are given in Table I, Columns 1 and 2, of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference.

"Air-purifying respirator" means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element.

"Assigned protection factor" (APF) means the expected workplace level of respiratory protection that would be provided by a properly functioning respirator or a class of respirators to properly fitted and trained users. Operationally, the inhaled concentration can be estimated by dividing the ambient airborne concentration by the APF.

"Atmosphere-supplying respirator" means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere, and includes supplied-air respirators (SARs) and self-contained breathing apparatus (SCBA) units.

"Class" means a classification scheme for inhaled material according to its rate of clearance from the pulmonary region of the lung. Materials are classified as D, W, or Y, which applies to a range of clearance half-times: for Class D, Days, of less than ten days, for Class W, Weeks, from ten to 100 days , and for Class Y, Years, of greater than 100 days. For purposes of these rules, "lung class" and "inhalation class" are equivalent terms.

"Constraint (dose constraint)" in accordance with 10 CFR 20.1003, 2001 ed., means a value above which specified licensee actions are required.

"Declared pregnant woman" means a woman who has voluntarily informed her employer, in writing, of her pregnancy and the estimated date of conception. The declaration remains in effect until the declared pregnant woman withdraws the declaration in writing or is no longer pregnant.

"Demand respirator" means an atmosphere-supplying respirator that admits breathing air to the facepiece only when a negative pressure is created inside the facepiece by inhalation.

"Derived air concentration" (DAC) means the concentration of a given radionuclide in air which, if breathed by the reference man for a working year of 2,000 hours under conditions of light work, results in an intake of one ALI. For purposes of these rules, the condition of light work is an inhalation rate of 1.2 cubic meters of air per hour for 2,000 hours in a year. DAC values are given in Table I, Column 3, of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference.

"Derived air concentration-hour" (DAC-hour) means the product of the concentration of radioactive material in air, expressed as a fraction or multiple of the derived air concentration for each radionuclide, and the time of exposure to that radionuclide, in hours. A licensee or registrant may take 2,000 DAC-hours to represent one ALI, equivalent to a committed effective dose equivalent of 0.05 Sv (5 rem).

"Disposable respirator" means a respirator for which maintenance is not intended and that is designed to be discarded after excessive breathing resistance, sorbent exhaustion, physical damage, or end-of-service-life renders it unsuitable for use. Examples of this type of respirator are a disposable half-mask respirator or a disposable escape-only self-contained breathing apparatus (SCBA).

"Dosimetry processor" means an individual or an organization that processes and evaluates individual monitoring devices in order to determine the radiation dose delivered to the monitoring devices.

"Filtering facepiece" (dust mask) means a negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium, not equipped with elastomeric sealing surfaces and adjustable straps.

"Fit factor" means a quantitative estimate of the fit of a particular respirator to a specific individual, and typically estimates the ratio of the concentration of a substance in ambient air to its concentration inside the respirator when worn.

"Fit test" means the use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

"Helmet" means a rigid respiratory inlet covering that also provides head protection against impact and penetration.

"Hood" means a respiratory inlet covering that completely covers the head and neck and may also cover portions of the shoulders and torso.

"Inhalation class", refer to "Class".

"Labeled package" means a package labeled with a Radioactive White I, Yellow II, or Yellow III label as specified in U.S. Department of Transportation regulations 49 CFR 172.403 and 49 CFR 172.436 through 440, [~~1997~~]2000 ed. Labeling of packages containing radioactive materials is required by the U.S. Department of Transportation if the amount and type of radioactive material exceeds the limits for an excepted quantity or article as defined and limited by U.S. Department of Transportation regulations 49 CFR 173.403(m) and (w) and 49 CFR 173.421 through 424, [~~1997~~]2000 ed.

"Loose-fitting facepiece" means a respiratory inlet covering that is designed to form a partial seal with the face.

"Lung class", refer to "Class".

"Negative pressure respirator" (tight fitting) means a respirator in which the air pressure inside the facepiece is negative during inhalation with respect to the ambient air pressure outside the respirator.

"Nonstochastic effect" means a health effect, the severity of which varies with the dose and for which a threshold is believed to exist. Radiation-induced cataract formation is an example of a nonstochastic effect. For purposes of these rules, "deterministic effect" is an equivalent term.

"Planned special exposure" means an infrequent exposure to radiation, separate from and in addition to the annual occupational dose limits.

"Positive pressure respirator" means a respirator in which the pressure inside the respiratory inlet covering exceeds the ambient air pressure outside the respirator.

"Powered air-purifying respirator" (PAPR) means an air-purifying respirator that uses a blower to force the ambient air through air-purifying elements to the inlet covering.

"Pressure demand respirator" means a positive pressure atmosphere-supplying respirator that admits breathing air to the facepiece when the positive pressure is reduced inside the facepiece by inhalation.

"Qualitative fit test" (QLFT) means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.

"Quantitative fit test" (QNFT) means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

"Quarter" means a period of time equal to one-fourth of the year observed by the licensee, approximately 13 consecutive weeks, providing that the beginning of the first quarter in a year coincides with the starting date of the year and that no day is omitted or duplicated in consecutive quarters.

"Reference Man" means a hypothetical aggregation of human physical and physiological characteristics determined by international consensus. These characteristics may be used by researchers and public health employees to standardize results of experiments and to relate biological insult to a common base. A description of the Reference Man is contained in the International Commission on Radiological Protection report, ICRP Publication 23, "Report of the Task Group on Reference Man."

"Respiratory protective equipment" means an apparatus, such as a respirator, used to reduce an individual's intake of airborne radioactive materials.

"Sanitary sewerage" means a system of public sewers for carrying off waste water and refuse, but excluding sewage treatment facilities, septic tanks, and leach fields owned or operated by the licensee or registrant.

"Self-contained breathing apparatus" (SCBA) means an atmosphere-supplying respirator for which the breathing air source is designed to be carried by the user.

"Stochastic effect" means a health effect that occurs randomly and for which the probability of the effect occurring, rather than its severity, is assumed to be a linear function of dose without threshold. Hereditary effects and cancer incidence are examples of stochastic effects. For purposes of these rules, "probabilistic effect" is an equivalent term.

"Supplied-air respirator" (SAR) or airline respirator means an atmosphere-supplying respirator for which the source of breathing air is not designed to be carried by the user.

"Tight-fitting facepiece" means a respiratory inlet covering that forms a complete seal with the face.

"User seal check" (fit check) means an action conducted by the respirator user to determine if the respirator is properly seated to the face. Examples include negative pressure check, positive pressure check, irritant smoke check, or isoamyl acetate check.

"Very high radiation area" means an area, accessible to individuals, in which radiation levels from radiation sources external to the body could result in an individual receiving an absorbed dose in excess of five Gy (500 rad) in one hour at one meter from a [~~source of~~]radiation source or one meter from any surface that the radiation penetrates.[~~At very high doses received at high dose rates, units of absorbed dose, gray and rad, are appropriate, rather than units of dose equivalent, sievert and rem.~~]

• • • • • • • • • • •

R313-15-101. Radiation Protection Programs.

(1) Each licensee or registrant shall develop, document, and implement a radiation protection program sufficient to ensure compliance with the provisions of Rule R313-15. See Section R313-15-1102 for recordkeeping requirements relating to these programs.

(2) The licensee or registrant shall use, to the extent practical, procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public[~~doses~~] that are as low as is reasonably achievable (ALARA).

(3) The licensee or registrant shall, at intervals not to exceed 12 months, review the radiation protection program content and implementation.

(4) To implement the ALARA requirements of Subsection R313-15-101(2), and notwithstanding the requirements in Section R313-15-301, a constraint on air emissions of radioactive material to the environment, excluding radon-222 and its decay products, shall be established by licensees or registrants such that the individual member of the public likely to receive the highest dose will not be expected to receive a total effective dose equivalent in excess of 0.1 mSv (0.01 rem) per year from these emissions. If a licensee or registrant subject to this requirement exceeds this dose constraint, the licensee or registrant shall report the exceedance as provided in Section R313-15-1203 and promptly take appropriate corrective action to ensure against recurrence.

R313-15-201. Occupational Dose Limits for Adults.

(1) The licensee or registrant shall control the occupational dose to individual adults, except for planned special exposures pursuant to Section R313-15-206, to the following dose limits:

(a) An annual limit, which is the more limiting of:

(i) The total effective dose equivalent being equal to 0.05 Sv (5 rem); or

(ii) The sum of the deep dose equivalent and the committed dose equivalent to any individual organ or tissue other than the lens of the eye being equal to 0.50 Sv (50 rem).

(b) The annual limits to the lens of the eye, to the skin, and to the extremities which are:

(i) A[~~An eye~~] lens dose equivalent of 0.15 Sv (15 rem), and

(ii) A shallow dose equivalent of 0.50 Sv (50 rem) to the skin or to any extremity.

(2) Doses received in excess of the annual limits, including doses received during accidents, emergencies, and planned special exposures, shall be subtracted from the limits for planned special exposures that the individual may receive during the current year and during the individual's lifetime. See Subsections R313-15-206(5)(a) and R313-15-206(5)(b).

(3) The assigned deep dose equivalent and shallow dose equivalent shall be for the [~~portion~~]part of the body receiving the highest exposure[~~determined as follows:~~].

(a) The deep dose equivalent, [~~eye~~]lens dose equivalent and shallow dose equivalent may be assessed from surveys or other radiation measurements for the purpose of demonstrating compliance with the occupational dose limits, if the individual monitoring device was not in the region of highest potential exposure, or the results of individual monitoring are unavailable; or

(b) When a protective apron is worn while working with medical fluoroscopic equipment and monitoring is conducted as specified in Subsection R313-15-502(1)(d), the effective dose equivalent for external radiation shall be determined as follows:

(i) When only one individual monitoring device is used and it is located at the neck outside the protective apron, and the reported dose exceeds 25 percent of the limit specified in Subsection R313-15-201(1), the reported deep dose equivalent value multiplied by 0.3 shall be the effective dose equivalent for external radiation; or

(ii) When individual monitoring devices are worn, both under the protective apron at the waist and outside the protective apron at the neck, the effective dose equivalent for external radiation shall be assigned the value of the sum of the deep dose equivalent reported for the individual monitoring device located at the waist under the protective apron multiplied by 1.5 and the deep dose equivalent reported for the individual monitoring device located at the neck outside the protective apron multiplied by 0.04.

(4) Derived air concentration (DAC) and annual limit on intake (ALI) values are specified in Table I of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, and may be used to determine the individual's dose and to demonstrate compliance with the occupational dose limits. See Section R313-15-1107.

(5) Notwithstanding the annual dose limits, the licensee shall limit the soluble uranium intake by an individual to ten milligrams in a week in consideration of chemical toxicity. See footnote 3, of Appendix B of 10 CFR 20.1001 to 20[~~-~~].2402, [~~1997~~]2001 ed., which is incorporated by reference.

(6) The licensee or registrant shall reduce the dose that an individual may be allowed to receive in the current year by the amount of occupational dose received while employed by any other person. See Subsection R313-15-205(5).

• • • • • • • • • • •

R313-15-203. Determination of External Dose from Airborne Radioactive Material.

(1) Licensees or registrants shall, when determining the dose from airborne radioactive material, include the contribution to the deep dose equivalent, [~~eye~~]lens dose equivalent, and shallow dose equivalent from external exposure to the radioactive cloud. See footnotes 1 and 2 of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference.

(2) Airborne radioactivity measurements and DAC values shall not be used as the primary means to assess the deep dose equivalent when the airborne radioactive material includes radionuclides other than noble gases or if the cloud of airborne radioactive material is not relatively uniform. The determination of the deep dose equivalent to an individual shall be based upon measurements using instruments or individual monitoring devices.

R313-15-204. Determination of Internal Exposure.

(1) For purposes of assessing dose used to determine compliance with occupational dose equivalent limits, the licensee or registrant shall, when required pursuant to Section R313-15-502, take suitable and timely measurements of:

(a) Concentrations of radioactive materials in air in work areas; or

(b) Quantities of radionuclides in the body; or

(c) Quantities of radionuclides excreted from the body; or

(d) Combinations of these measurements.

(2) Unless respiratory protective equipment is used, as provided in Section R313-15-703, or the assessment of intake is based on bioassays, the licensee or registrant shall assume that an individual inhales radioactive material at the airborne concentration in which the individual is present.

(3) When specific information on the physical and biochemical properties of the radionuclides taken into the body or the behavior of the material in an individual is known, the licensee or registrant may:

(a) Use that information to calculate the committed effective dose equivalent, and, if used, the licensee or registrant shall document that information in the individual's record; and

(b) Upon prior approval of the Executive Secretary, adjust the DAC or ALI values to reflect the actual physical and chemical characteristics of airborne radioactive material, for example, aerosol size distribution or density; and

(c) Separately assess the contribution of fractional intakes of Class D, W, or Y compounds of a given radionuclide to the committed effective dose equivalent. See Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference.

(4) If the licensee or registrant chooses to assess intakes of Class Y material using the measurements given in Subsections R313-15-204(1)(b) or R313-15-204(1)(c), the licensee or registrant may delay the recording and reporting of the assessments for periods up to seven months, unless otherwise required by Section R313-15-1202 or Section R313-15-1203. This delay permits the licensee or registrant to make additional measurements basic to the assessments.

(5) If the identity and concentration of each radionuclide in a mixture are known, the fraction of the DAC applicable to the mixture for use in calculating DAC-hours shall be either:

(a) The sum of the ratios of the concentration to the appropriate DAC value, that is, D, W, or Y, from Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, for each radionuclide in the mixture; or

(b) The ratio of the total concentration for all radionuclides in the mixture to the most restrictive DAC value for any radionuclide in the mixture.

(6) If the identity of each radionuclide in a mixture is known, but the concentration of one or more of the radionuclides in the

mixture is not known, the DAC for the mixture shall be the most restrictive DAC of any radionuclide in the mixture.

(7) When a mixture of radionuclides in air exists, a licensee or registrant may disregard certain radionuclides in the mixture if:

(a) The licensee or registrant uses the total activity of the mixture in demonstrating compliance with the dose limits in Section R313-15-201 and in complying with the monitoring requirements in Subsection R313-15-502(2), and

(b) The concentration of any radionuclide disregarded is less than ten percent of its DAC, and

(c) The sum of these percentages for all of the radionuclides disregarded in the mixture does not exceed 30 percent.

(8) When determining the committed effective dose equivalent, the following information may be considered:

(a) In order to calculate the committed effective dose equivalent, the licensee or registrant may assume that the inhalation of one ALI, or an exposure of 2,000 DAC-hours, results in a committed effective dose equivalent of 0.05 Sv (5 rem) for radionuclides that have their ALIs or DACs based on the committed effective dose equivalent.

(b) For an ALI and the associated DAC determined by the nonstochastic organ dose limit of 0.50 Sv (50 rem), the intake of radionuclides that would result in a committed effective dose equivalent of 0.05 Sv (5 rem), that is, the stochastic ALI, is listed in parentheses in Table I of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference. The licensee or registrant may, as a simplifying assumption, use the stochastic ALI to determine committed effective dose equivalent. However, if the licensee or registrant uses the stochastic ALI, the licensee or registrant shall also demonstrate that the limit in Subsection R313-15-201(1)(a)(ii) is met.

• • • • • • • • • • •

R313-15-206. Planned Special Exposures.

A licensee or registrant may authorize an adult worker to receive doses in addition to and accounted for separately from the doses received under the limits specified in Section R313-15-201 provided that each of the following conditions is satisfied:

(1) The licensee or registrant authorizes a planned special exposure only in an exceptional situation when alternatives that might avoid the [~~higher~~]dose estimated to result from the planned special exposure are unavailable or impractical.

(2) The licensee or registrant, and employer if the employer is not the licensee or registrant, specifically authorizes the planned special exposure, in writing, before the exposure occurs.

(3) Before a planned special exposure, the licensee or registrant ensures that each individual involved is:

(a) Informed of the purpose of the planned operation; and

(b) Informed of the estimated doses and associated potential risks and specific radiation levels or other conditions that might be involved in performing the task; and

(c) Instructed in the measures to be taken to keep the dose ALARA considering other risks that may be present.

(4) Prior to permitting an individual to participate in a planned special exposure, the licensee or registrant ascertains prior doses as required by Subsection R313-15-205(2) during the lifetime of the individual for each individual involved.

(5) Subject to Subsection R313-15-201(2), the licensee or registrant shall not authorize a planned special exposure that would cause an individual to receive a dose from all planned special exposures and all doses in excess of the limits to exceed:

(a) The numerical values of any of the dose limits in Subsection R313-15-201(1) in any year; and

(b) Five times the annual dose limits in Subsection R313-15-201(1) during the individual's lifetime.

(6) The licensee or registrant maintains records of the conduct of a planned special exposure in accordance with Section R313-15-1106 and submits a written report in accordance with Section R313-15-1204.

(7) The licensee or registrant records the best estimate of the dose resulting from the planned special exposure in the individual's record and informs the individual, in writing, of the dose within 30 days from the date of the planned special exposure. The dose from planned special exposures shall not be considered in controlling future occupational dose of the individual pursuant to Subsection R313-15-201(1) but shall be included in evaluations required by Subsections R313-15-206(4) and R313-15-206(5).

• • • • • • • • • • •

R313-15-208. Dose to an Embryo/Fetus.

(1) The licensee or registrant shall ensure that the dose equivalent to [~~an~~]the embryo/fetus during the entire pregnancy, due to occupational exposure of a declared pregnant woman, does not exceed five mSv (0.5 rem). See Section R313-15-1107 for recordkeeping requirements.

(2) The licensee or registrant shall make efforts to avoid substantial variation above a uniform monthly exposure rate to a declared pregnant woman so as to satisfy the limit in Subsection R313-15-208(1).

(3) The dose equivalent to an embryo/fetus [~~shall be taken as~~]is the sum of:

(a) The dose equivalent to the embryo/fetus resulting from radionuclides in the embryo/fetus and radionuclides in the declared pregnant woman; and

(b) The dose equivalent that is most representative of the dose equivalent to the embryo/fetus from external radiation, that is, in the mother's lower torso region.

(i) If multiple measurements have not been made, assignment of the highest deep dose equivalent for the declared pregnant woman shall be the dose equivalent to the embryo/fetus, in accordance with Subsection R313-15-201(3); or

(ii) If multiple measurements have been made, assignment of the deep dose equivalent for the declared pregnant woman from the individual monitoring device which is most representative of the dose equivalent to the embryo/fetus shall be the dose equivalent to the embryo fetus. Assignment of the highest deep dose equivalent for the declared pregnant woman to the embryo/fetus is not required unless that dose equivalent is also the most representative deep dose equivalent for the region of the embryo/fetus.

(4) If [~~by the time the woman declares pregnancy to the licensee or registrant,~~]the dose equivalent to the embryo/fetus [~~has~~]is found to have exceeded [~~4.5~~]five mSv (0.[~~4~~]5 rem) or is within 0.5 mSv (0.05 rem) of this dose by the time the woman

declares the pregnancy to the licensee or registrant, the licensee or registrant shall be deemed to be in compliance with Subsection R313-15-208(1) if the additional dose equivalent to the embryo/fetus does not exceed 0.50 mSv (0.05 rem) during the remainder of the pregnancy.

• • • • • • • • • • •

R313-15-302. Compliance with Dose Limits for Individual Members of the Public.

(1) The licensee or registrant shall make or cause to be made surveys of radiation levels in unrestricted and controlled areas and radioactive materials in effluents released to unrestricted and controlled areas to demonstrate compliance with the dose limits for individual members of the public in Section R313-15-301.

(2) A licensee or registrant shall show compliance with the annual dose limit in Section R313-15-301 by:

(a) Demonstrating by measurement or calculation that the total effective dose equivalent to the individual likely to receive the highest dose from the licensed or registered operation does not exceed the annual dose limit; or

(b) Demonstrating that:

(i) The annual average concentrations of radioactive material released in gaseous and liquid effluents at the boundary of the unrestricted area do not exceed the values specified in Table II of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference; and

(ii) If an individual were continuously present in an unrestricted area, the dose from external sources would not exceed 0.02 mSv (0.002 rem) in an hour and 0.50 mSv (0.05 rem) in a year.

(3) Upon approval from the Executive Secretary, the licensee or registrant may adjust the effluent concentration values in Appendix B, Table II of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, for members of the public, to take into account the actual physical and chemical characteristics of the effluents, such as, aerosol size distribution, solubility, density, radioactive decay equilibrium, and chemical form.

• • • • • • • • • • •

R313-15-501. Surveys and Monitoring - General.

(1) Each licensee or registrant shall make, or cause to be made, surveys that:

(a) Are necessary for the licensee or registrant to comply with Rule R313-15; and

(b) Are necessary under the circumstances to evaluate:

(i) The magnitude and the extent of r[~~R~~]adiation levels; and

(ii) Concentrations or quantities of radioactive material; and

(iii) The potential radiological hazards[~~ that could be present~~].

(2) The licensee or registrant shall ensure that instruments and equipment used for quantitative radiation measurements, for example, dose rate and effluent monitoring, are calibrated at intervals not to exceed 12 months for the radiation measured, except when a more frequent interval is specified in another applicable part of these rules or a license condition.

(3) All personnel dosimeters, except for direct and indirect reading pocket ionization chambers and those dosimeters used to measure the dose to any extremity, that require processing to determine the radiation dose and that are used by licensees and registrants to comply with Section R313-15-201, with other applicable provisions of these rules, or with conditions specified in a license or registration shall be processed and evaluated by a dosimetry processor:

(a) Holding current personnel dosimetry accreditation from the National Voluntary Laboratory Accreditation Program (NVLAP) of the National Institute of Standards and Technology; and

(b) Approved in this accreditation process for the type of radiation or radiations included in the NVLAP program that most closely approximates the type of radiation or radiations for which the individual wearing the dosimeter is monitored.

(4) The licensee or registrant shall ensure that adequate precautions are taken to prevent a deceptive exposure of an individual monitoring device.

R313-15-502. Conditions Requiring Individual Monitoring of External and Internal Occupational Dose.

Each licensee or registrant shall monitor exposures from sources of radiation at levels sufficient to demonstrate compliance with the occupational dose limits of Rule R313-15. As a minimum:

(1) Each licensee or registrant shall monitor occupational exposure to radiation from licensed, unlicensed, and registered radiation sources under the control of the licensee and shall supply and require the use of individual monitoring devices by:

(a) Adults likely to receive, in one year from sources external to the body, a dose in excess of ten percent of the limits in Subsection R313-15-201(1); and

(b) Minors [~~and declared pregnant women~~]likely to receive, in one year, from radiation sources external to the body, a deep dose equivalent in excess of [~~ten percent of any of the applicable limits in Sections R313-15-207 or R313-15-208~~]one mSv (0.1 rem), a lens dose equivalent in excess of 1.5 mSv (0.15 rem), or a shallow dose equivalent to the skin or to the extremities in excess of five mSv (0.5 rem); and

(c) Declared pregnant women likely to receive during the entire pregnancy, from radiation sources external to the body, a deep dose equivalent in excess of one mSv (0.1 rem); and

([~~c~~]d) Individuals entering a high or very high radiation area; and

([~~d~~]e) Individuals working with medical fluoroscopic equipment.

(i) An individual monitoring device used for the dose to an embryo/fetus of a declared pregnant woman, pursuant to Subsection R313-15-208(1), shall be located under the protective apron at the waist.

(A) If an individual monitoring device worn by a declared pregnant woman has a monthly reported dose equivalent value in excess of 0.5 mSv (50 mrem), the value to be used for determining the dose to the embryo/fetus, pursuant to Subsection R313-15-208(3)(a) for radiation from medical fluoroscopy, may be the value reported by the individual monitoring device worn at the waist underneath the protective apron which has been corrected for the potential overestimation of dose recorded by the monitoring device because of the overlying tissue of the pregnant individual. This correction shall be performed by a radiation safety officer of an institutional radiation safety committee, a qualified expert approved by the Board, or a representative of the Executive Secretary.

(ii) An individual monitoring device used for [~~eye~~]lens dose equivalent shall be located at the neck, or an unshielded location closer to the eye, outside the protective apron.

(iii) When only one individual monitoring device is used to determine the effective dose equivalent for external radiation pursuant to Subsection R313-15-201(3)(b), it shall be located at the neck outside the protective apron. When a second individual monitoring device is used, for the same purpose, it shall be located under the protective apron at the waist. Note: The second individual monitoring device is required for a declared pregnant woman.

(2) Each licensee or registrant shall monitor, to determine compliance with Section R313-15-204, the occupational intake of radioactive material by and assess the committed effective dose equivalent to:

(a) Adults likely to receive, in one year, an intake in excess of ten percent of the applicable ALI(s) in Table I, Columns 1 and 2, of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference; and

(b) Minors [~~and declared pregnant women~~]likely to receive, in one year, a committed effective dose equivalent in excess of [~~0.50 mSv (0.05 rem).~~]one mSv (0.1 rem); and

(c) Declared pregnant women likely to receive, during the entire pregnancy, a committed effective dose equivalent in excess of one mSv (0.1 rem).

Note: All of the occupational doses in Section R313-15-201 continue to be applicable to the declared pregnant worker as long as the embryo/fetus dose limit is not exceeded.

R313-15-503. Location of Individual Monitoring Devices.

Each licensee or registrant shall ensure that individuals who are required to monitor occupational doses in accordance with Subsection R313-15-502(1) wear individual monitoring devices as follows:

(1) An individual monitoring device used for monitoring the dose to the whole body shall be worn at the unshielded location of the whole body likely to receive the highest exposure. When a protective apron is worn, the location of the individual monitoring device is typically at the neck (collar).

(2) An individual monitoring device used for monitoring the dose to an embryo/fetus of a declared pregnant woman, pursuant to Subsection R313-15-208(1), shall be located at the waist under any protective apron being worn by the woman.

(3) An individual monitoring device used for monitoring the [~~eye~~]lens dose equivalent, to demonstrate compliance with Subsection R313-15-201(1)(b)(i), shall be located at the neck (collar), outside any protective apron being worn by the monitored individual, or at an unshielded location closer to the eye.

(4) An individual monitoring device used for monitoring the dose to the extremities, to demonstrate compliance with Subsection R313-15-201(1)(b)(ii), shall be worn on the extremity likely to receive the highest exposure. Each individual monitoring device shall be oriented to measure the highest dose to the extremity being monitored.

• • • • • • • • • • •

R313-15-701. Use of Process or Other Engineering Controls.

The licensee or registrant shall use, to the extent practical, process or other engineering controls, such as, containment, decontamination, or ventilation, to control the concentration[~~s~~] of radioactive material in air.

R313-15-702. Use of Other Controls.

(1) When it is not practical to apply process or other engineering controls to control the concentration[~~s~~] of radioactive material in the air to values below those that define an airborne radioactivity area, the licensee or registrant shall, consistent with maintaining the total effective dose equivalent ALARA, increase monitoring and limit intakes by one or more of the following means:

[~~(1)~~](a) Control of access; or

[~~(2)~~](b) Limitation of exposure times; or

[~~(3)~~](c) Use of respiratory protection equipment; or

[~~(4)~~](d) Other controls.

(2) If the licensee or registrant performs an ALARA analysis to determine whether or not respirators should be used, the licensee may consider safety factors other than radiological factors. The licensee or registrant should also consider the impact of respirator use on workers' industrial health and safety.

R313-15-703. Use of Individual Respiratory Protection Equipment.

[~~(1) ~~]If the licensee or registrant uses respiratory protection equipment to limit the intake[~~s pursuant to Section R313-15-702~~]of radioactive material:

[~~(a)~~](1) Except as provided in Subsection R313-15-703[~~(1)(b)~~](2), the licensee or registrant shall use only respiratory protection equipment that is tested and certified [~~or had certification extended~~]by the National Institute for Occupational Safety and Health[~~ and the Mine Safety and Health Administration~~].

[~~(b)~~](2) The licensee or registrant may use equipment that has not been tested or certified by the National Institute for Occupational Safety and Health[~~ and the Mine Safety and Health Administration, has not had certification extended by the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration,~~] or for which there is no schedule for testing or certification, provided the licensee or registrant has submitted to the Executive Secretary and the Executive Secretary has approved an application for authorized use of that equipment[~~, including~~]. The application must include a demonstration by testing, or a demonstration on the basis of reliable test information, that the material and performance characteristics of the equipment are capable of providing the proposed degree of protection under anticipated conditions of use.

[~~(c)~~](3) The licensee or registrant shall implement and maintain a respiratory protection program that includes:

[~~(i)~~](a) Air sampling sufficient to identify the potential hazard, permit proper equipment selection, and estimate [~~exposures~~]doses; and

[~~(ii)~~](b) Surveys and bioassays, as [~~appropriate~~]necessary, to evaluate actual intakes; and

[~~(iii)~~](c) Testing of respirators for operability, user seal check for face sealing devices and functional check for others, immediately prior to each use; and

[~~(iv)~~](d) Written procedures regarding[~~ selection, fitting, issuance, maintenance, and testing of respirators, including testing for operability immediately prior to each use; supervision and training of personnel; monitoring, including air sampling and bioassays; and recordkeeping~~]

(i) Monitoring, including air sampling and bioassays;

(ii) Supervision and training of respirator users;

(iii) Fit testing;

(iv) Respirator selection;

(v) Breathing air quality;

(vi) Inventory and control;

(vii) Storage, issuance, maintenance, repair, testing, and quality assurance of respiratory protection equipment;

(viii) Recordkeeping; and

(ix) Limitations on periods of respirator use and relief from respirator use; and

[~~(v)~~](e) Determination by a physician prior to initial fitting of respirators, before the first field use of non-face sealing respirators, and either every 12 months thereafter or periodically at a frequency determined by a physician, that the individual user is medically fit to use the respiratory protection equipment[~~.~~]; and

(f) Fit testing, with fit factor greater than or equal to ten times the APF for negative pressure devices, and a fit factor greater than or equal to 500 for positive pressure, continuous flow, and pressure-demand devices, before the first field use of tight fitting, face-sealing respirators and periodically thereafter at a frequency not to exceed one year. Fit testing must be performed with the facepiece operating in the negative pressure mode.

[~~(d) The licensee or registrant shall issue a written policy statement on respirator usage covering:~~

~~(i) The use of process or other engineering controls, instead of respirators; and~~

~~(ii) The routine, nonroutine, and emergency use of respirators; and~~

~~(iii) The length of periods of respirator use and relief from respirator use.~~

~~(e)~~](4) The licensee or registrant shall advise each respirator user that the user may leave the area at any time for relief from respirator use in the event of equipment malfunction, physical or psychological distress, procedural or communication failure, significant deterioration of operating conditions, or any other conditions that might require such relief.

(5) The licensee or registrant shall also consider limitations appropriate to the type and mode of use. When selecting respiratory devices the licensee shall provide for vision correction, adequate communication, low temperature work environments, and the concurrent use of other safety or radiological protection equipment. The licensee or registrant shall use equipment in such a way as not to interfere with the proper operation of the respirator.

(6) Standby rescue persons are required whenever one-piece atmosphere-supplying suits, or any combination of supplied air respiratory protection device and personnel protective equipment are used from which an unaided individual would have difficulty extricating himself or herself. The standby persons must be equipped with respiratory protection devices or other apparatus appropriate for the potential hazards. The standby rescue persons shall observe or otherwise maintain continuous communication with the workers (visual, voice, signal line, telephone, radio, or other suitable means), and be immediately available to assist them in case of a failure of the air supply or for any other reason that requires relief from distress. A sufficient number of standby rescue persons must be immediately available to assist all users of this type of equipment and to provide effective emergency rescue if needed.

(7) Atmosphere-supplying respirators must be supplied with respirable air of grade D quality or better as defined by the Compressed Gas Association in publication G-7.1, "Commodity Specification for Air," 1997 ed. and included in 29 CFR 1910.134(i)(1)(ii)(A) through (E), 2000 ed. Grade D quality air criteria include:

(a) Oxygen content (v/v) of 19.5 to 23.5%;

(b) Hydrocarbon (condensed) content of five milligrams per cubic meter of air or less;

(c) Carbon monoxide (CO) content of ten ppm or less;

(d) Carbon dioxide content of 1,000 ppm or less; and

(e) Lack of noticeable odor.

(8) The licensee shall ensure that no objects, materials or substances, such as facial hair, or any conditions that interfere with the face and facepiece seal or valve function, and that are under the control of the respirator wearer, are present between the skin of the wearer's face and the sealing surface of a tight-fitting respirator facepiece.

(9) In estimating the dose to individuals from intake of airborne radioactive materials, the concentration of radioactive material in the air that is inhaled when respirators are worn is initially assumed to be the ambient concentration in air without respiratory protection, divided by the assigned protection factor. If the dose is later found to be greater than the estimated dose, the corrected value must be used. If the dose is later found to be less than the estimated dose, the corrected value may be used.[~~(f) The licensee or registrant shall use respiratory protection equipment within the equipment manufacturer's expressed limitations for type and mode of use and shall provide proper visual, communication, and other special capabilities, such as adequate skin protection, when needed.~~

~~(2) When estimating exposure of individuals to airborne radioactive materials, the licensee or registrant may make allowance for respiratory protection equipment used to limit intakes pursuant to Section R313-15-702, provided that the following conditions, in addition to those in Subsection R313-15-703(1), are satisfied:~~

~~(a) The licensee or registrant selects respiratory protection equipment that provides a protection factor, specified in Appendix A of 10 CFR 20.1001 to 20.2402, 1997 ed., which is incorporated by reference, greater than the multiple by which peak concentrations of airborne radioactive materials in the working area are expected to exceed the values specified in Appendix B, Table I, Column 3 of 10 CFR 20.1001 to 20.2402, 1997 ed., which is incorporated by reference. However, if the selection of respiratory protection equipment with a protection factor greater than the multiple defined in the preceding sentence is inconsistent with the goal specified in Section R313-15-702 of keeping the total effective dose equivalent ALARA, the licensee or registrant may select respiratory protection equipment with a lower protection factor provided that such a selection would result in a total effective dose equivalent that is ALARA. The concentration of radioactive material in the air that is inhaled when respirators are worn may be initially estimated by~~

~~dividing the average concentration in air, during each period of uninterrupted use, by the protection factor. If the exposure is later found to be greater than initially estimated, the corrected value shall be used; if the exposure is later found to be less than initially estimated, the corrected value may be used.~~

~~(b) The licensee or registrant shall obtain authorization from the Executive Secretary before assigning respiratory protection factors in excess of those specified in Appendix A of 10 CFR 20.1001 to 20.2402, 1997 ed., which is incorporated by reference. The Executive Secretary may authorize a licensee or registrant to use higher protection factors on receipt of an application that:~~

~~(i) Describes the situation for which a need exists for higher protection factors, and~~

~~(ii) Demonstrates that the respiratory protection equipment provides these higher protection factors under the proposed conditions of use.~~

~~(3) In an emergency, the licensee or registrant shall use as emergency equipment only respiratory protection equipment that has been specifically certified or had certification extended for emergency use by the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration.~~

~~(4) The licensee or registrant shall notify the Executive Secretary in writing at least 30 days before the date that respiratory protection equipment is first used pursuant to either Subsections R313-15-703(1) or R313-15-703(2).~~]

R313-15-704 Further Restrictions on the Use of Respiratory Protection Equipment.

The Executive Secretary may impose restrictions in addition to the provisions of Section R313-15-702, Section R313-15-703, and Appendix A of 10 CFR 20.1001 to 20.2402, 2001 ed., which is incorporated by reference to:

(1) Ensure that the respiratory protection program of the licensee or registrant is adequate to limit doses to individuals from intakes of airborne radioactive materials consistent with maintaining total effective dose equivalent ALARA; and

(2) Limit the extent to which a licensee or registrant may use respiratory protection equipment instead of process or other engineering controls.

R313-15-705 Application for Use of Higher Assigned Protection Factors.

The licensee or registrant shall obtain authorization from the Executive Secretary before using assigned protection factors in excess of those specified in Appendix A of 10 CFR 20.1001 to 20.2402, 2001 ed., which is incorporated by reference. The Executive Secretary may authorize a licensee or registrant to use higher assigned protection factors on receipt of an application that:

(1) Describes the situation for which a need exists for higher protection factors; and

(2) Demonstrates that the respiratory protection equipment provides these higher protection factors under the proposed conditions of use.

• • • • • • • • • • •

R313-15-901. Caution Signs.

(1) Standard Radiation Symbol. Unless otherwise authorized by the Executive Secretary, the symbol prescribed by 10 CFR 20.1901, [~~1997~~]2001 ed., which is incorporated by reference, shall use the colors magenta, or purple, or black on yellow background. The symbol prescribed is the three-bladed design as follows:

(a) Cross-hatched area is to be magenta, or purple, or black, and

(b) The background is to be yellow.

(2) Exception to Color Requirements for Standard Radiation Symbol. Notwithstanding the requirements of 10 CFR 20.1901(a), [~~1997~~]2001 ed., which is incorporated by reference, licensees or registrants are authorized to label sources, source holders, or device components containing sources of radiation that are subjected to high temperatures, with conspicuously etched or stamped radiation caution symbols and without a color requirement.

(3) Additional Information on Signs and Labels. In addition to the contents of signs and labels prescribed in Rule R313-15, the licensee or registrant shall provide, on or near the required signs and labels, additional information, as appropriate, to make individuals aware of potential radiation exposures and to minimize the exposures.

R313-15-902. Posting Requirements.

(1) Posting of Radiation Areas. The licensee or registrant shall post each radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIATION AREA."

(2) Posting of High Radiation Areas. The licensee or registrant shall post each high radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, HIGH RADIATION AREA" or "DANGER, HIGH RADIATION AREA."

(3) Posting of Very High Radiation Areas. The licensee or registrant shall post each very high radiation area with a conspicuous sign or signs bearing the radiation symbol and words "GRAVE DANGER, VERY HIGH RADIATION AREA."

(4) Posting of Airborne Radioactivity Areas. The licensee or registrant shall post each airborne radioactivity area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, AIRBORNE RADIOACTIVITY AREA" or "DANGER, AIRBORNE RADIOACTIVITY AREA."

(5) Posting of Areas or Rooms in which Licensed or Registered Material is Used or Stored. The licensee or registrant shall post each area or room in which there is used or stored an amount of licensed or registered material exceeding ten times the quantity of such material specified in Appendix C of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL."

R313-15-903. Exceptions to Posting Requirements.

(1) A licensee or registrant is not required to post caution signs in areas or rooms containing sources of radiation for periods of less than eight hours, if each of the following conditions is met:

(a) The sources of radiation are constantly attended during these periods by an individual who takes the precautions necessary to prevent the exposure of individuals to sources of radiation in excess of the limits established in Rule R313-15; and

(b) The area or room is subject to the licensee's or registrant's control.

(2) Rooms or other areas in hospitals that are occupied by patients are not required to be posted with caution signs pursuant to Section R313-15-902 provided that the patient could be released from licensee control pursuant to Section R313-32-75.

(3) A room or area is not required to be posted with a caution sign because of the presence of a sealed source provided the radiation level at 30 centimeters from the surface of the sealed source container or housing does not exceed 0.05 mSv (0.005 rem) per hour.

(4) A room or area is not required to be posted with a caution sign because of the presence of radiation machines used solely for diagnosis in the healing arts.

(5) Rooms in hospitals or clinics that are used for teletherapy are exempt from the requirement to post caution signs under Section R313-15-902 if:

(a) Access to the room is controlled pursuant to Section R313-32-615; and

(b) Personnel in attendance take necessary precautions to prevent the inadvertent exposure of workers, other patients, and members of the public to radiation in excess of the limits established in Rule R313-15.

• • • • • • • • • • •

R313-15-905. Exemptions to Labeling Requirements.

A licensee or registrant is not required to label:

(1) Containers holding licensed or registered material in quantities less than the quantities listed in Appendix C of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference; or

(2) Containers holding licensed or registered material in concentrations less than those specified in Table III of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference; or

(3) Containers attended by an individual who takes the precautions necessary to prevent the exposure of individuals in excess of the limits established by Rule R313-15; or

(4) Containers when they are in transport and packaged and labeled in accordance with the rules of the U.S. Department of Transportation; or

(5) Containers that are accessible only to individuals authorized to handle or use them, or to work in the vicinity of the containers, if the contents are identified to these individuals by a readily available written record. Examples of containers of this type are containers in locations such as water-filled canals, storage vaults, or hot cells. The record shall be retained as long as the containers are in use for the purpose indicated on the record; or

(6) Installed manufacturing or process equipment, such as piping and tanks.

• • • • • • • • • • •

R313-15-1003. Disposal by Release into Sanitary Sewerage.

(1) A licensee or registrant may discharge licensed or registered material into sanitary sewerage if each of the following conditions is satisfied:

(a) The material is readily soluble, or is readily dispersible biological material, in water; and

(b) The quantity of licensed or registered radioactive material that the licensee or registrant releases into the sewer in one month divided by the average monthly volume of water released into the sewer by the licensee or registrant does not exceed the concentration listed in Table III of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference; and

(c) If more than one radionuclide is released, the following conditions shall also be satisfied:

(i) The licensee or registrant shall determine the fraction of the limit in Table III of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee or registrant into the sewer by the concentration of that radionuclide listed in Table III of Appendix B of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference; and

(ii) The sum of the fractions for each radionuclide required by Subsection R313-15-1003(1)(c)(i) does not exceed unity; and

(d) The total quantity of licensed or registered radioactive material that the licensee or registrant releases into the sanitary sewerage system in a year does not exceed 185 GBq (five Ci) of hydrogen-3, 37 GBq (one Ci) of carbon-14, and 37 GBq (one Ci) of all other radioactive materials combined.

(2) Excreta from individuals undergoing medical diagnosis or therapy with radioactive material are not subject to the limitations contained in Subsection R313-15-1003(1).

• • • • • • • • • • •

R313-15-1006. Transfer for Disposal and Manifests.

[~~(1) Requirements of Section R313-15-1006 and Appendix [F and]G of 10 CFR 20.1001 to 20.2402, 1997 ed.~~

~~(a)~~](1) The requirements of Section R313-15-1006 and Appendix [~~F and~~]G of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which are incorporated into these rules by reference, are designed to:

[~~(i)~~](a) control transfers of low-level radioactive waste by any waste generator, waste collector, or waste processor licensee, as defined in Appendix [~~F or~~]G in 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., who ships low-level waste either directly, or indirectly through a waste collector or waste processor, to a licensed low-level waste land disposal facility as defined in Section R313-25-2;

[~~(ii)~~](b) establish a manifest tracking system; and

[~~(iii)~~](c) supplement existing requirements concerning transfers and recordkeeping for those wastes.

[~~(b) Beginning March 1, 1998, all affected licensees must use Appendix G of 10 CFR 20.1001 to 20.2402, 1997 ed., which is incorporated into these rules by reference. Prior to March 1, 1998, a low-level waste disposal facility operator or its regulatory authority may require the shipper to use Appendix F or Appendix G of 10 CFR 20.1001 to 20.2402, 1997 ed. Licensees using Appendix F shall comply with Subsection R313-15-1006(2)(a). Licensees using Appendix G shall comply with Subsection R313-15-1006(2)(b).~~

~~(2) Shipment of Radioactive Waste.~~

~~(a) Each shipment of radioactive waste designated for disposal at a licensed low-level radioactive waste disposal facility shall be accompanied by a shipment manifest as specified in Section I of~~

~~Appendix F of 10 CFR 20.1001 to 20.2402, 1997 ed., which is incorporated by reference.~~

~~(b)~~](2) Any licensee shipping radioactive waste intended for ultimate disposal at a licensed land disposal facility must document the information required on the U.S. Nuclear Regulatory Commission's Uniform Low-Level Radioactive Waste Manifest and transfer this recorded manifest information to the intended consignee in accordance with Appendix G to 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated into these rules by reference.

(3) Each shipment manifest shall include a certification by the waste generator as specified in Section II of Appendix [~~F or~~]G[~~, as appropriate, of~~] to 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference.[~~See Subsection R313-15-1006(1)(b) to determine the appropriate Appendix.~~]

(4) Each person involved in the transfer of waste for disposal or in the disposal of waste, including the waste generator, waste collector, waste processor, and disposal facility operator, shall comply with the requirements specified in Section III of Appendix [~~F or~~]G[~~, as appropriate, of~~] to 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference.[~~See Subsection R313-15-1006(1)(b) to determine the appropriate Appendix.~~]

• • • • • • • • • • •

R313-15-1101. Records - General Provisions.

(1) Each licensee or registrant shall use the SI units becquerel, gray, sievert and coulomb per kilogram, or the special units, curie, rad, rem, and roentgen, including multiples and subdivisions, and shall clearly indicate the units of all quantities on records required by Rule R313-15.

(2) Notwithstanding the requirements of Subsection R313-15-1101(1), when recording information on shipment manifests, as required in Subsection R313-15-1006(2), information must be recorded in SI units or in SI units and the special units specified in Subsection R313-15-1101(1).

(3) The licensee or registrant shall make a clear distinction among the quantities entered on the records required by Rule R313-15, such as, total effective dose equivalent, total organ dose equivalent, shallow dose equivalent, [~~eye~~]lens dose equivalent, deep dose equivalent, or committed effective dose equivalent.

• • • • • • • • • • •

R313-15-1103. Records of Surveys.

(1) Each licensee or registrant shall maintain records showing the results of surveys and calibrations required by Section R313-15-501 and Subsection R313-15-906(2). The licensee or registrant shall retain these records for three years after the record is made.

(2) The licensee or registrant shall retain each of the following records until the Executive Secretary terminates each pertinent license or registration requiring the record:

(a) Records of the results of surveys to determine the dose from external sources of radiation used, in the absence of or in combination with individual monitoring data, in the assessment of individual dose equivalents; and

(b) Records of the results of measurements and calculations used to determine individual intakes of radioactive material and used in the assessment of internal dose; and

(c) Records showing the results of air sampling, surveys, and bioassays required pursuant to Subsections R313-15-703[~~(1)(c)(i)~~](3)(a) and R313-15-703[~~(1)(c)(ii)~~](3)(b); and

(d) Records of the results of measurements and calculations used to evaluate the release of radioactive effluents to the environment.

• • • • • • • • • • •

R313-15-1107. Records of Individual Monitoring Results.

(1) Recordkeeping Requirement. Each licensee or registrant shall maintain records of doses received by all individuals for whom monitoring was required pursuant to Section R313-15-502, and records of doses received during planned special exposures, accidents, and emergency conditions. Assessments of dose equivalent and records made using units in effect before January 1, 1994, need not be changed. These records shall include, when applicable:

(a) The deep dose equivalent to the whole body, [~~eye~~]lens dose equivalent, shallow dose equivalent to the skin, and shallow dose equivalent to the extremities; and

(b) The estimated intake of radionuclides, see Section R313-15-202; and

(c) The committed effective dose equivalent assigned to the intake of radionuclides; and

(d) The specific information used to calculate the committed effective dose equivalent pursuant to Subsections R313-15-204(1) and R313-15-204(3) and when required by Section R313-15-502; and

(e) The total effective dose equivalent when required by Section R313-15-202; and

(f) The total of the deep dose equivalent and the committed dose to the organ receiving the highest total dose.

(2) Recordkeeping Frequency. The licensee or registrant shall make entries of the records specified in Subsection R313-15-1107(1) at intervals not to exceed one year.

(3) Recordkeeping Format. The licensee or registrant shall maintain the records specified in Subsection R313-15-1107(1) on form DRC-06, in accordance with the instructions for form DRC-06, or in clear and legible records containing all the information required by form DRC-06.

(4) The licensee or registrant shall maintain the records of dose to an embryo/fetus with the records of dose to the declared pregnant woman. The declaration of pregnancy, including the estimated date of conception, shall also be kept on file, but may be maintained separately from the dose records.

(5) The licensee or registrant shall retain each required form or record until the Executive Secretary terminates each pertinent license or registration requiring the record.

• • • • • • • • • • •

R313-15-1201. Reports of Stolen, Lost, or Missing Licensed or Registered Sources of Radiation.

(1) Telephone Reports. Each licensee or registrant shall report to the Executive Secretary by telephone as follows:

(a) Immediately after its occurrence becomes known to the licensee or registrant, stolen, lost, or missing licensed or registered radioactive material in an aggregate quantity equal to or greater than 1,000 times the quantity specified in Appendix C of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, under such circumstances that it appears to the licensee or registrant that an exposure could result to individuals in unrestricted areas;

(b) Within 30 days after its occurrence becomes known to the licensee or registrant, lost, stolen, or missing licensed or registered radioactive material in an aggregate quantity greater than ten times the quantity specified in Appendix C of 10 CFR 20.1001 to 20.2402, [~~1997~~]2001 ed., which is incorporated by reference, that is still missing.

(c) Immediately after its occurrence becomes known to the registrant, a stolen, lost, or missing radiation machine.

(2) Written Reports. Each licensee or registrant required to make a report pursuant to Subsection R313-15-1201(1) shall, within 30 days after making the telephone report, make a written report to the Executive Secretary setting forth the following information:

(a) A description of the licensed or registered source of radiation involved, including, for radioactive material, the kind, quantity, and chemical and physical form; and, for radiation machines, the manufacturer, model and serial number, type and maximum energy of radiation emitted;

(b) A description of the circumstances under which the loss or theft occurred; and

(c) A statement of disposition, or probable disposition, of the licensed or registered source of radiation involved; and

(d) Exposures of individuals to radiation, circumstances under which the exposures occurred, and the possible total effective dose equivalent to persons in unrestricted areas; and

(e) Actions that have been taken, or will be taken, to recover the source of radiation; and

(f) Procedures or measures that have been, or will be, adopted to ensure against a recurrence of the loss or theft of licensed or registered sources of radiation.

(3) Subsequent to filing the written report, the licensee or registrant shall also report additional substantive information on the loss or theft within 30 days after the licensee or registrant learns of such information.

(4) The licensee or registrant shall prepare any report filed with the Executive Secretary pursuant to Section R313-15-1201 so that names of individuals who may have received exposure to radiation are stated in a separate and detachable portion of the report.

R313-15-1202. Notification of Incidents.

(1) Immediate Notification. Notwithstanding other requirements for notification, each licensee or registrant shall immediately report each event involving a source of radiation possessed by the licensee or registrant that may have caused or threatens to cause any of the following conditions:

(a) An individual to receive:

(i) A total effective dose equivalent of 0.25 Sv (25 rem) or more; or

(ii) A[~~n eye~~] lens dose equivalent of 0.75 Sv (75 rem) or more; or

(iii) A shallow dose equivalent to the skin or extremities or a total organ dose equivalent of 2.5 Gy (250 rad) or more; or

(b) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for 24 hours, the individual could have received an intake five times the occupational ALI. This provision does not apply to locations where personnel are not normally stationed during routine operations, such as hot-cells or process enclosures.

(2) Twenty-Four Hour Notification. Each licensee or registrant shall, within 24 hours of discovery of the event, report to the Executive Secretary each event involving loss of control of a licensed or registered source of radiation possessed by the licensee or registrant that may have caused, or threatens to cause, any of the following conditions:

(a) An individual to receive, in a period of 24 hours:

(i) A total effective dose equivalent exceeding 0.05 Sv (five rem); or

(ii) A[~~n eye~~] lens dose equivalent exceeding 0.15 Sv (15 rem); or

(iii) A shallow dose equivalent to the skin or extremities or a total organ dose equivalent exceeding 0.5 Sv (50 rem); or

(b) The release of radioactive material, inside or outside of a restricted area, so that, had an individual been present for 24 hours, the individual could have received an intake in excess of one occupational ALI. This provision does not apply to locations where personnel are not normally stationed during routine operations, such as hot-cells or process enclosures.

(3) The licensee or registrant shall prepare each report filed with the Executive Secretary pursuant to Section R313-15-1202 so that names of individuals who have received exposure to sources of radiation are stated in a separate and detachable portion of the report.

(4) Licensees or registrants shall make the reports required by Subsections R313-15-1202(1) and R313-15-1202(2) to the Executive Secretary by telephone, telegram, mailgram, or facsimile[~~ to the Executive Secretary~~].

(5) The provisions of Section R313-15-1202 do not apply to doses that result from planned special exposures, provided such doses are within the limits for planned special exposures and are reported pursuant to Section R313-15-1204.

. . . . . .

KEY: radioactive material, contamination, waste disposal, safety

[~~March 10, 2000~~]2001 **19-3-104**

Notice of Continuation April 30, 1998 **19-3-108**

◆ ◆

Environmental Quality, Radiation Control

R313-22

Specific Licenses

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23828
FILED: 06/07/2001, 08:48
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To address U.S. Nuclear Regulatory Commission items of compatibility.

SUMMARY OF THE RULE OR CHANGE: The change corrected a Code of Federal Regulations (CFR) reference from a non-existent CFR reference to the correct CFR reference regarding caution signs. The change to the CFR requirement was incorporated by reference in this rule; therefore, this rule was updated to reference the newest version of the CFR's. In addition, references to the newest version of the CFR's were updated throughout this Rule. These additional updates did not substantially change rule requirements.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: 10 CFR 32.210 (2001 ed.); 40 CFR 302 (2000 ed.); and Appendix B to 10 CFR 30.1 through 30.72 (2001 ed.)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--Minor corrections and clarifying changes were made.
❖LOCAL GOVERNMENTS: None--This rule does not impact local government. Local government does not regulate radioactive material licensees.
❖OTHER PERSONS: None--Minor corrections and clarifying changes were made.
COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Minor corrections and clarifying changes were made.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact on Utah licensees. Minor corrections and clarifying changes were made.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Radiation Control
State of Utah Office Park, Building 2
168 North 1950 West
PO Box 144850
Salt Lake City, UT 84114-4850, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gwyn Galloway at the above address, by phone at (801) 536-4250, by FAX at (801) 533-4097, or by Internet E-mail at ggallowa@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/10/2001

AUTHORIZED BY: William J. Sinclair, Executive Secretary

R313. Environmental Quality, Radiation Control.
R313-22. Specific Licenses.

• • • • • • • • • • •

R313-22-32. Filing Application for Specific Licenses.

(1) Applications for specific licenses shall be filed on a form prescribed by the Executive Secretary.

(2) The Executive Secretary may, after the filing of the original application, and before the expiration of the license, require further statements in order to enable the Executive Secretary to determine whether the application should be granted or denied or whether a license should be modified or revoked.

(3) Applications shall be signed by the applicant or licensee or a person duly authorized to act for and on the applicant's behalf.

(4) An application for a license may include a request for a license authorizing one or more activities.

(5) In the application, the applicant may incorporate by reference information contained in previous applications, statements, or reports filed with the Executive Secretary, provided the references are clear and specific.

(6) An application for a specific license to use radioactive material in the form of a sealed source or in a device that contains the sealed source shall identify the source or device by manufacturer and model number as registered with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210, [~~2000~~]2001 ed. or the equivalent regulations of an Agreement State.

(7) As provided by Section R313-22-35, certain applications for specific licenses filed under these rules shall contain a proposed decommissioning funding plan or a certification of financial assurance for decommissioning. In the case of renewal applications submitted before January 1, 1995, this submittal may follow the renewal application but shall be submitted on or before January 1, 1995.

(8)(a) Applications to possess radioactive materials in unsealed form, on foils or plated sources, or sealed in glass in excess of the quantities in Section R313-22-90, "Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release", shall contain either:

(i) An evaluation showing that the maximum dose to a individual off-site due to a release of radioactive materials would not exceed one rem effective dose equivalent or five rems to the thyroid; or

(ii) An emergency plan for responding to a release of radioactive material.

(b) One or more of the following factors may be used to support an evaluation submitted under Subsection R313-22-32(8)(a)(i):

(i) The radioactive material is physically separated so that only a portion could be involved in an accident;

(ii) All or part of the radioactive material is not subject to release during an accident because of the way it is stored or packaged;

(iii) The release fraction in the respirable size range would be lower than the release fraction shown in Section R313-22-90 due to the chemical or physical form of the material;

(iv) The solubility of the radioactive material would reduce the dose received;

(v) Facility design or engineered safety features in the facility would cause the release fraction to be lower than shown in Section R313-22-90;

(vi) Operating restrictions or procedures would prevent a release fraction as large as that shown in Section R313-22-90; or

(vii) Other factors appropriate for the specific facility.

(c) An emergency plan for responding to a release of radioactive material submitted under Subsection R313-22-32(8)(a)(ii) shall include the following information:

(i) Facility description. A brief description of the licensee's facility and area near the site.

(ii) Types of accidents. An identification of each type of radioactive materials accident for which protective actions may be needed.

(iii) Classification of accidents. A classification system for classifying accidents as alerts or site area emergencies.

(iv) Detection of accidents. Identification of the means of detecting each type of accident in a timely manner.

(v) Mitigation of consequences. A brief description of the means and equipment for mitigating the consequences of each type of accident, including those provided to protect workers on-site, and a description of the program for maintaining equipment.

(vi) Assessment of releases. A brief description of the methods and equipment to assess releases of radioactive materials.

(vii) Responsibilities. A brief description of the responsibilities of licensee personnel should an accident occur, including identification of personnel responsible for promptly notifying off-site response organizations and the Executive Secretary; also responsibilities for developing, maintaining, and updating the plan.

(viii) Notification and coordination. A commitment to and a brief description of the means to promptly notify off-site response organizations and request off-site assistance, including medical assistance for the treatment of contaminated injured on-site workers when appropriate. A control point shall be established. The notification and coordination shall be planned so that unavailability of some personnel, parts of the facility, and some equipment will not prevent the notification and coordination. The licensee shall also commit to notify the Executive Secretary immediately after notification of the appropriate off-site response organizations and not later than one hour after the licensee declares an emergency.

NOTE: These reporting requirements do not supersede or release licensees of complying with the requirements under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Public Law 99-499 or other state or federal reporting requirements, including 40 CFR 302, [~~1992~~]2000 ed.

(ix) Information to be communicated. A brief description of the types of information on facility status, radioactive releases, and recommended protective actions, if necessary, to be given to off-site response organizations and to the Executive Secretary.

(x) Training. A brief description of the frequency, performance objectives and plans for the training that the licensee will provide workers on how to respond to an emergency including special instructions and orientation tours the licensee would offer to fire, police, medical and other emergency personnel. The training shall familiarize personnel with site-specific emergency procedures. Also, the training shall thoroughly prepare site personnel for their responsibilities in the event of accident scenarios postulated as most probable for the specific site including the use of team training for the scenarios.

(xi) Safe shutdown. A brief description of the means of restoring the facility to a safe condition after an accident.

(xii) Exercises. Provisions for conducting quarterly communications checks with off-site response organizations and biennial on-site exercises to test response to simulated emergencies. Quarterly communications checks with off-site response organizations shall include the check and update of all necessary telephone numbers. The licensee shall invite off-site response organizations to participate in the biennial exercises. Participation of off-site response organizations in biennial exercises although recommended is not required. Exercises shall use accident scenarios postulated as most probable for the specific site and the scenarios shall not be known to most exercise participants. The licensee shall critique each exercise using individuals not having direct implementation responsibility for the plan. Critiques of exercises shall evaluate the appropriateness of the plan, emergency procedures, facilities, equipment, training of personnel, and overall effectiveness of the response. Deficiencies found by the critiques shall be corrected.

(xiii) Hazardous chemicals. A certification that the applicant has met its responsibilities under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Public Law 99-499, if applicable to the applicant's activities at the proposed place of use of the radioactive material.

(d) The licensee shall allow the off-site response organizations expected to respond in case of an accident 60 days to comment on the licensee's emergency plan before submitting it to the Executive Secretary. The licensee shall provide any comments received within the 60 days to the Executive Secretary with the emergency plan.

• • • • • • • • • • •

R313-22-35. Financial Assurance and Recordkeeping for Decommissioning.

(1) Applicants for a specific license authorizing the possession and use of unsealed radioactive material of half-life greater than 120 days and in quantities exceeding 10^5 times the applicable quantities set forth in Appendix B of 10 CFR 30.1 through 30.72, [~~2000~~]2001 ed., which is incorporated by reference, shall submit a decommissioning funding plan as described in Subsection R313-22-35(5). The decommissioning funding plan shall also be submitted when a combination of radionuclides is involved if R divided by 10^5 is greater than one, where R is defined here as the sum of the ratios of the quantity of each radionuclide to the applicable value in Appendix B of 10 CFR 30.1 through 30.72, [~~2000~~]2001 ed., which is incorporated by reference.

(2) Applicants for a specific license authorizing possession and use of radioactive material of half-life greater than 120 days and in quantities specified in Subsection R313-22-35(4) shall either:

(a) submit a decommissioning funding plan as described in Subsection R313-22-35(5); or

(b) submit a certification that financial assurance for decommissioning has been provided in the amount prescribed by Subsection R313-22-35(4) using one of the methods described in Subsection R313-22-35(6). For an applicant, this certification may state that the appropriate assurance will be obtained after the application has been approved and the license issued but before the receipt of licensed material. If the applicant defers execution of the financial instrument until after the license has been issued, a signed original of the financial instrument obtained to satisfy the requirements of Subsection R313-22-35(6) shall be submitted to the Executive Secretary before receipt of licensed material. If the applicant does not defer execution of the financial instrument, the applicant shall submit to the Executive Secretary, as part of the certification, a signed original of the financial instrument obtained to satisfy the requirements in Subsection R313-22-35(6).

(3)(a) Holders of a specific license issued on or after January 1, 1995, which is of a type described in Subsections R313-22-35(1) or (2) shall provide financial assurance for decommissioning in accordance with the criteria set forth in Section R313-22-35.

(b) Holders of a specific license issued before January 1, 1995, and of a type described in Subsection R313-22-35(1) shall submit, on or before January 1, 1995, a decommissioning funding plan as described in Subsection R313-22-35(5) or a certification of financial assurance for decommissioning in an amount at least equal to $750,000 in accordance with the criteria set forth in Section R313-22-35. If the licensee submits the certification of financial assurance rather than a decommissioning funding plan, the licensee shall include a decommissioning funding plan in any application for license renewal.

(c) Holders of a specific license issued before January 1, 1995, and of a type described in Subsection R313-22-35(2) shall submit, on or before January 1, 1995, a decommissioning funding plan as described in Subsection R313-22-35(5) or a certification of financial assurance for decommissioning in accordance with the criteria set forth in Section R313-22-35.

(d) A licensee who has submitted an application before January 1, 1995, for renewal of license in accordance with Section R313-22-37 shall provide financial assurance for decommissioning in accordance with Subsections R313-22-35(1) and (2). This assurance shall be submitted before January 1, 1997.

(4) Table of required amounts of financial assurance for decommissioning by quantity of material:

TABLE

Greater than 10^4 but less than or equal to 10^5 times the applicable quantities of radioactive material, as defined in Appendix B of 10 CFR 30.1 through 30.72, [~~2000~~]2001 ed., which is incorporated by reference, in unsealed form. For a combination of radionuclides, if R, as defined in Subsection R313-22-35(1) divided by 10^4 is greater than one but R divided by 10^5 is less than or equal to one:	$750,000
Greater than 10^3 but less than or equal to 10^4 times the applicable quantities of radioactive material, as defined in Appendix B of 10 CFR 30.1 through 30.72, [~~2000~~]2001 ed., which is incorporated by reference, in unsealed form. For a combination of radionuclides, if R, as defined in Subsection R313-22-35(1) divided by 10^3 is greater than one but R divided by 10^4 is less than or equal to one:	$150,000
Greater than 10^{10} times the applicable quantities of radioactive material, as defined in Appendix B of 10 CFR 30.1 through 30.72, [~~2000~~]2001 ed., which is incorporated by reference, in sealed sources or plated foils. For combination of radionuclides, if R, as defined in R313-22-35(1), divided by 10^{10} is greater than one:	$75,000

(5) A decommissioning funding plan shall contain a cost estimate for decommissioning and a description of the method of assuring funds for decommissioning from Subsection R313-22-35(6), including means for adjusting cost estimates and associated funding levels periodically over the life of the facility. The decommissioning funding plan shall also contain a certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning and a signed original of the financial instrument obtained to satisfy the requirements of Subsection R313-22-35(6).

• • • • • • • • • • •

R313-22-75. Special Requirements for a Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices Which Contain Radioactive Material.

• • • • • • • • • • •

(3) Licensing the incorporation of naturally occurring and accelerator-produced radioactive material (NARM) into gas and aerosol detectors. An application for a specific license authorizing the incorporation of NARM into gas and aerosol detectors to be distributed to persons exempt under Subsection R313-19-13(2)(c)(iii) will be approved if the application satisfies requirements equivalent to those contained in 10 CFR 32.26, 2001 ed. The maximum quantity of radium-226 in each device shall not exceed 0.1 microcurie (3.7 kBq).

(4) Licensing the manufacture and distribution of devices to persons generally licensed under Subsection R313-21-22(4).

• • • • • • • • • • •

(d) Persons licensed under Subsection R313-22-75(4) to distribute devices to generally licensed persons shall:

(i) furnish a copy of the general license contained in Subsection R313-21-22(4) to each person to whom the person directly or through an intermediate person transfers radioactive material in a device for use pursuant to the general license contained in Subsection R313-21-22(4);

(ii) furnish a copy of the general license contained in the U.S. Nuclear Regulatory Commission's, Agreement State's, or Licensing State's regulation equivalent to Subsection R313-21-22(4), or

alternatively, furnish a copy of the general license contained in Subsection R313-21-22(4) to each person to whom he directly or through an intermediate person transfers radioactive material in a device for use pursuant to the general license of the U.S. Nuclear Regulatory Commission, the Agreement State or the Licensing State. If a copy of the general license in Subsection R313-21-22(4) is furnished to such a person, it shall be accompanied by a note explaining that the use of the device is regulated by the U.S. Nuclear Regulatory Commission, Agreement State or Licensing State under requirements substantially the same as those in Subsection R313-21-22(4);

(iii) report to the Executive Secretary all transfers of such devices to persons for use under the general license in Subsection R313-21-22(4). The reports shall identify the general licensee by name and address, an individual by name or position who may constitute a point of contact between the Executive Secretary and the general licensee, the type and model number of device transferred, and the quantity and type of radioactive material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user. If no transfers have been made to persons generally licensed under Subsection R313-21-22(4) during the reporting period, the report shall so indicate. The report shall cover each calendar quarter and shall be filed within thirty days thereafter;

(iv) furnish reports to other agencies.

(A) Report to the U.S. Nuclear Regulatory Commission all transfers of those devices to persons for use under the U.S. Nuclear Regulatory Commission general license in 10 CFR 31.5, 2001 ed.

(B) Report to the responsible State agency all transfers of devices manufactured and distributed pursuant to Subsection R313-22-75(4) for use under a general license in that State's regulations equivalent to Subsection R313-21-22(4).

(C) The reports shall identify each general licensee by name and address, an individual by name or position who may constitute a point of contact between the responsible agency and general licensee, the type and model of the device transferred, and the quantity and type of radioactive material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user. The report shall be submitted within thirty days after the end of each calendar quarter in which a device is transferred to the generally licensed person.

(D) If transfers have not been made to U.S. Nuclear Regulatory Commission licensees during the reporting period, this information shall be reported to the U.S. Nuclear Regulatory Commission.

(E) If transfers have not been made to general licensees within a particular state during the reporting period, this information shall be reported to the responsible state agency upon request of that agency; and

(v) keep records showing the name, address and the point of contact for each general licensee to whom the person directly or through an intermediate person transfers radioactive material in devices for use pursuant to the general license provided in Subsection R313-21-22(4), or equivalent regulations of the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State. The records shall show the date of each transfer, the radionuclide and the quantity of radioactivity in each device transferred, the identity of intermediate persons, and compliance with the report requirements of Subsection R313-22-75(4).

(5) Special requirements for the manufacture, assembly or repair of luminous safety devices for use in aircraft. An application for a specific license to manufacture, assemble or repair luminous safety devices containing tritium or promethium-147 for use in aircraft for distribution to persons generally licensed under Subsection R313-21-22(5) will be approved if:

(a) the applicant satisfies the general requirements of Section R313-22-33; and

(b) the applicant satisfies the requirements of 10 CFR 32.53 through 32.56 and 32.101, 2001 ed, or their equivalent.

(6) Special requirements for license to manufacture calibration sources containing americium-241, plutonium or radium-226 for distribution to persons generally licensed under Subsection R313-21-22(7). An application for a specific license to manufacture calibration and reference sources containing americium-241, plutonium or radium-226 to persons generally licensed under Subsection R313-21-22(7) will be approved if:

(a) the applicant satisfies the general requirements of Section R313-22-33; and

(b) the applicant satisfies the requirements of 10 CFR 32.57 through 32.59, 32.102 and 10 CFR 70.39, 2001 ed., or their equivalent.

• • • • • • • • • • •

(8) Licensing the manufacture and distribution of ice detection devices. An application for a specific license to manufacture and distribute ice detection devices to persons generally licensed under Subsection R313-21-22(10) will be approved if:

(a) the applicant satisfies the general requirements of Section R313-22-33; and

(b) the criteria of 10 CFR 32.61, 32.62, 32.103, 2001 ed. are met.

• • • • • • • • • • •

(11) Requirements for license to manufacture and distribute industrial products containing depleted uranium for mass-volume applications.

• • • • • • • • • • •

(d) Persons licensed pursuant to Subsection R313-22-75(11)(a) shall:

(i) maintain the level of quality control required by the license in the manufacture of the industrial product or device, and in the installation of the depleted uranium into the product or device;

(ii) label or mark each unit to:

(A) identify the manufacturer of the product or device and the number of the license under which the product or device was manufactured, the fact that the product or device contains depleted uranium, and the quantity of depleted uranium in each product or device; and

(B) state that the receipt, possession, use and transfer of the product or device are subject to a general license or the equivalent and the regulations of the U.S. Nuclear Regulatory Commission or an Agreement State;

(iii) assure that the uranium before being installed in each product or device has been impressed with the following legend clearly legible through a plating or other covering: "Depleted Uranium";

(iv) furnish to each person to whom depleted uranium in a product or device is transferred for use pursuant to the general license contained in Subsection R313-21-21(5) or its equivalent:

(A) a copy of the general license contained in Subsection R313-21-21(5) and a copy of form DRC-12; or

(B) a copy of the general license contained in the U.S. Nuclear Regulatory Commission's or Agreement State's regulation equivalent to Subsection R313-21-21(5) and a copy of the U.S. Nuclear Regulatory Commission's or Agreement State's certificate, or alternatively, furnish a copy of the general license contained in Subsection R313-21-21(5) and a copy of form DRC-12 with a note explaining that use of the product or device is regulated by the U.S. Nuclear Regulatory Commission or an Agreement State under requirements substantially the same as those in Subsection R313-21-21(5);

(v) report to the Executive Secretary all transfers of industrial products or devices to persons for use under the general license in Subsection R313-21-21(5). The report shall identify each general licensee by name and address, an individual by name or position who may constitute a point of contact between the Executive Secretary and the general licensee, the type and model number of device transferred, and the quantity of depleted uranium contained in the product or device. The report shall be submitted within thirty days after the end of the calendar quarter in which the product or device is transferred to the generally licensed person. If no transfers have been made to persons generally licensed under Subsection R313-21-21(5) during the reporting period, the report shall so indicate;

(vi) provide certain other reports as follows:

(A) report to the U.S. Nuclear Regulatory Commission all transfers of industrial products or devices to persons for use under the U.S. Nuclear Regulatory Commission general license in 10 CFR 40.25, 2001 ed.;

(B) report to the responsible state agency all transfers of devices manufactured and distributed pursuant to Subsection R313-22-75(11) for use under a general license in that state's regulations equivalent to Subsection R313-21-21(5),

(C) reports shall identify each general licensee by name and address, an individual by name or position who may constitute a point of contact between the agency and the general licensee, the type and model number of the device transferred, and the quantity of depleted uranium contained in the product or device. The report shall be submitted within thirty days after the end of each calendar quarter in which a product or device is transferred to the generally licensed person,

(D) if no transfers have been made to U.S. Nuclear Regulatory Commission licensees during the reporting period, this information shall be reported to the U.S. Nuclear Regulatory Commission, and

(E) if no transfers have been made to general licensees within a particular Agreement State during the reporting period, this information shall be reported to the responsible Agreement State agency upon the request of that agency; and

(vii) records shall be kept showing the name, address and point of contact for each general licensee to whom the person transfers depleted uranium in industrial products or devices for use pursuant to the general license provided in Subsection R313-21-21(5) or equivalent regulations of the U.S. Nuclear Regulatory Commission or an Agreement State. The records shall be maintained for a period of two years and shall show the date of each transfer, the quantity of depleted uranium in the product or device transferred, and compliance with the report requirements of Subsection R313-22-75(11).

. . . . . .

R313-22-210. Registration of Product Information.

Licensees who manufacture or initially distribute a sealed source or device containing a sealed source whose product is intended for use under a specific license or general license are deemed to have provided reasonable assurance that the radiation safety properties of the source or device are adequate to protect health and minimize danger to life and the environment if the sealed source or device has been evaluated in accordance with 10 CFR 32.210, [~~2000~~]2001 ed. or equivalent regulations of an Agreement State.

KEY: specific licenses, decommissioning, broad scope, radioactive material

[~~March 10, 2000~~]2001 19-3-104

Notice of Continuation May 1, 1997 19-3-108

Environmental Quality, Radiation Control

R313-32

Medical Use of Radioactive Material

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 23829

FILED: 06/07/2001, 08:48

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To address U.S. Nuclear Regulatory Commission items of compatibility.

SUMMARY OF THE RULE OR CHANGE: The proposed rule change made clarifying changes and minor corrections to the requirements for "Radiation Surveys for Teletherapy Facilities."

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--Minor corrections and clarifying changes were made.
❖LOCAL GOVERNMENTS: None--This rule does not impact local government. Local government does not regulate radioactive material licensees.
❖OTHER PERSONS: None--Presently, there are no licensees within Utah which operate teletherapy facilities.
COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Presently, there are no licensees within Utah which operate teletherapy facilities.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact on Utah licensees. Presently, there are no licensees within Utah which operate teletherapy facilities.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Radiation Control
State of Utah Office Park, Building 2
168 North 1950 West
PO Box 144850
Salt Lake City, UT 84114-4850, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gwyn Galloway at the above address, by phone at (801) 536-4250, by FAX at (801) 533-4097, or by Internet E-mail at ggallowa@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/10/2001

AUTHORIZED BY: William J. Sinclair, Executive Secretary

R313. Environmental Quality, Radiation Control.
R313-32. Medical Use of Radioactive Material.

. . . . . .

R313-32-641. Radiation Surveys for Teletherapy Facilities.

(1) Before medical use, after each installation of a teletherapy source, and after making any change for which an amendment is required by R313-32-606(1) through (4), the licensee shall perform radiation surveys with a portable radiation measurement survey instrument calibrated in accordance with R313-32-51 to verify that:

(a) the maximum and average dose rates at one meter from the teletherapy source with the source in the off position and the collimators set for a normal treatment field do not exceed 100 uSv (ten mrem) per hour and 20 uSv (two mrem) per hour, respectively;

(b) with the teletherapy source in the on position with the largest clinically available treatment field and with a scattering phantom in the primary beam of the radiation, that:

(i) radiation dose [~~quantities per unit time~~]rates in restricted areas are not likely to cause [~~personnel exposures~~]any occupationally exposed individual to receive a dose in excess of the limits specified in R313-15-201; and

(ii) radiation dose [~~quantities per unit time~~]rates in controlled or unrestricted areas [~~do not exceed~~]are not likely to cause any individual member of the public to receive a dose in excess of the limits specified in R313-15-301.

(2) If the results of the surveys required in R313-32-641(1) indicate any radiation dose quantity per unit time in excess of the respective limit specified in R313-32-641(1), the licensee shall lock the control in the off position and not use the unit:

(a) except as may be necessary to repair, replace, or test the teletherapy unit shielding or the treatment room shielding; or

(b) until the licensee has received a specific exemption pursuant to R313-12-54.

(3) A licensee shall retain a record of the radiation measurements made following installation of a source for the duration of the license. The record shall include the date of the measurements, the reason the survey is required, the manufacturer's name, model number and serial number of the teletherapy unit, the source, the instrument used to measure radiation levels, each dose rate measured around the teletherapy source while in the off position and the average of all measurements, a plan of the areas surrounding the treatment room that were surveyed, the measured dose rate at several points in each area expressed in microseverts or millirem per hour, the calculated maximum quantity of radiation over a period of one week for each restricted and unrestricted area, and the signature of the Radiation Safety Officer.

R313-32-643. Modification of Teletherapy Unit or Room Before Beginning a Treatment Program.

(1) If the survey required by R313-32-641 indicates that an individual [~~in an unrestricted area may be exposed to levels of radiation greater than those permitted by~~]member of the public is likely to receive a dose in excess of the limits specified in R313-15-301, [~~before beginning the treatment program~~]the licensee shall, before beginning the treatment program:

(a) either equip the unit with stops or add additional radiation shielding to ensure compliance with R313-15-301(3);

(b) perform the survey required by R313-32-641 again; and

(c) include in the report required by R313-32-645 the results of the initial survey, a description of the modification made to comply with R313-32-643(1)(a), and the results of the second survey.

(2) As an alternative to the requirements set out in R313-32-643(1), a licensee may request a license amendment under R313-15-301(3) that authorizes radiation levels in unrestricted areas greater than those permitted by R313-15-301(1). A licensee shall not begin the treatment program until the license amendment has been issued.

. . . . . .

KEY: radioactive material, radiopharmaceutical, brachytherapy, nuclear medicine
[~~August 11, 1998~~]2001 19-3-104
Notice of Continuation May 1, 1997 19-3-108

Environmental Quality, Radiation Control
R313-34
Requirements for Irradiators

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23830
FILED: 06/07/2001, 08:48
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To address U.S. Nuclear Regulatory Commission items of compatibility.

SUMMARY OF THE RULE OR CHANGE: Posting requirements for entrances of underwater and panoramic irradiators are proposed.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: 10 CFR 36 (2001 ed.); and Appendix B to 10 CFR 20 (2001 ed.)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--This rule change does not require the addition of additional personnel. The implementation of the proposed requirements will not significantly increase time spent by staff for the inspection of radioactive material licensees.
❖LOCAL GOVERNMENTS: None--This rule does not impact local government. Local government does not regulate radioactive material licensees.
❖OTHER PERSONS: None--There is one licensee in the State of Utah impacted by this rule change. This licensee presently complies with the proposed posting requirements.
COMPLIANCE COSTS FOR AFFECTED PERSONS: None--There is one licensee in the State of Utah impacted by this rule change. This licensee presently complies with the proposed posting requirements.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact on Utah licensees. The one licensee impacted by this proposed change already conforms to the proposed requirement.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Radiation Control
State of Utah Office Park, Building 2
168 North 1950 West
PO Box 144850
Salt Lake City, UT 84114-4850, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gwyn Galloway at the above address, by phone at (801) 536-4250, by FAX at (801) 533-4097, or by Internet E-mail at ggallowa@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/10/2001

AUTHORIZED BY: William J. Sinclair, Executive Secretary

R313. Environmental Quality, Radiation Control.
R313-34. Requirements for Irradiators.

. . . . . .

R313-34-3. Clarifications or Exemptions.

For purposes of Rule R313-34, 10 CFR 36, [~~2000~~]2001 ed., is incorporated by reference with the following clarifications or exceptions:

(1) The exclusion of the following 10 CFR sections: 36.1, 36.5, 36.8, 36.11, 36.17, 36.19(a), 36.91, and 36.93;

(2) The substitution of the following:

(a) Radiation Control Act for Atomic Energy Act of 1954;

(b) Utah Radiation Control Rules for the reference to NRC regulations and the Commission's regulations;

(c) The Executive Secretary or the Executive Secretary's for the Commission or the Commission's, and NRC in the following 10 CFR sections: 36.13, 36.13(f), 36.15, 36.19(b), 36.53(c), 36.69, and 36.81(a), 36.81(d) and 36.81(e); and

(d) In 10 CFR 36.51(a)(1), Rule R313-15 for NRC;

(3) Appendix B of 10 CFR Part 20 refers to the [~~2000~~]2001 ed. of 10 CFR; and

(4) The substitution of Title R313 references for the following 10 CFR references:

(a) Section R313-12-51 for reference to 10 CFR 30.51;

(b) Rule R313-15 for the reference to 10 CFR 20;

(c) Subsection R313-15-501(3) for the reference to 10 CFR 20.1501(c);

(d) Section R313-15-902 for the reference to 10 CFR 20.1902;

(e) Rule R313-18 for the reference to 10 CFR 19;

(f) Section R313-19-41 for the reference to 10 CFR 30.41;

(g) Section R313-19-50 for the reference to 10 CFR 30.50;

(h) Section R313-22-33 for the reference to 10 CFR 30.33;
(i) Section R313-22-210 for the reference to 10 CFR 32.210;
(j) Section R313-22-35 for the reference to 10 CFR 30.35; and
(k) Rule R313-70 for the reference to 10 CFR 170.31.

KEY: irradiator, survey, radiation, radiation safety
[~~March 10, 2000~~]2001 19-3-104
Notice of Continuation April 3, 2000

Environmental Quality, Radiation Control

R313-38

Radiation Safety Requirements for Wireline Service Operation and Subsurface Tracer Studies

NOTICE OF PROPOSED RULE
(Repeal and reenact)
DAR FILE NO.: 23831
FILED: 06/07/2001, 08:48
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To address U.S. Nuclear Regulatory Commission items of compatibility and incorporate 10 CFR 39 (2001) by reference.

SUMMARY OF THE RULE OR CHANGE: The reenacted rule adds definitions for energy compensation source (ECS) and tritium neutron generator target source; allows a more performance-based approach to prevent inadvertent intrusion on an abandoned source; allows for a three-year leak testing interval for energy compensation sources; allows pre-1989 sources to meet USASI standards; clarifies what section does not apply to energy compensation sources; provides requirements for energy compensation sources; provides requirements for tritium neutron generator target sources; allows an option to immediately abandon a well without receiving prior Executive Secretary approval when the licensee believes there is an immediate threat to public health and safety; and requires the licensee to justify in writing why it was necessary to immediately abandon a well without prior Executive Secretary approval.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: 10 CFR 39 (2001)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--This rule change does not require the addition of additional personnel. The implementation of the proposed requirements will not significantly increase time spent by staff for licensing or inspection of radioactive material licensees.
❖LOCAL GOVERNMENTS: None--This rule does not impact local government. Local government does not regulate radioactive material licensees.
❖OTHER PERSONS: This rule places a burden on the licensee to justify in writing the immediate threat to public health and safety that resulted in the implementation of abandonment procedures prior to Executive Secretary approval. The aggregate anticipated cost to other persons cannot accurately be estimated because abandonment procedures are not a common occurrence and cannot be predicted.
COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule places a burden on the licensee to justify in writing the immediate threat to public health and safety that resulted in the implementation of abandonment procedures prior to Executive Secretary approval. The anticipated cost to a radioactive materials licensee cannot accurately be estimated because abandonment procedures are not a common occurrence and cannot be predicted.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The fiscal impact to well logging licensees is considered to be insignificant.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Environmental Quality
Radiation Control
State of Utah Office Park, Building 2
168 North 1950 West
PO Box 144850
Salt Lake City, UT 84114-4850, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Julie Felice at the above address, by phone at (801) 536-4250, by FAX at (801) 533-4097, or by Internet E-mail at jfelice@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/10/2001

AUTHORIZED BY: William J. Sinclair, Executive Secretary

R313. Environmental Quality, Radiation Control.
[~~**R313-38. Radiation Safety Requirements for Wireline Service Operation and Subsurface Tracer Studies.**~~
~~**R313-38-1. Purpose and Authority.**~~
~~R313-38 establishes radiation safety requirements for persons using sources of radiation for wireline service operations including mineral logging, radioactive markers, and subsurface tracer studies. The requirements of R313-38 are in addition to, and not in substitution for, the requirements of R313-12, R313-15, R313-16, R313-18 and R313-19. The rules in R313-38 apply to all licensees or registrants who use sources of radiation for wireline service~~

operations including mineral logging, radioactive markers, or subsurface tracer studies.

R313-38-2. Definitions.

As used in R313-38:

"Field station" means a facility where radioactive sources may be stored or used and from which equipment is dispatched to temporary job sites.

"Fresh water aquifer" means a geologic formation that is capable of yielding fresh water to a well or spring.

"Injection tool" means a device used for controlled subsurface injection of radioactive tracer material.

"Irretrievable well logging source" means a sealed source containing licensed material that is pulled off or not connected to the wireline that suspends the source in the well and for which all reasonable effort at recovery has been expended.

"Logging assistant" means an individual who, under the personal supervision of a logging supervisor, handles sources of radiation or tracers that are not in logging tools or shipping containers or who performs surveys required by R313-38-67.

"Logging supervisor" means an individual who uses sources of radiation or provides personal supervision in the use of sources of radiation at a temporary job site and who is responsible to the licensee or registrant for assuring compliance with the Utah Radiation Control Rules and the conditions of the license.

"Logging tool" means a device used subsurface to perform well logging.

"Personal supervision" means guidance and instruction by a logging supervisor, who is physically present at a temporary job site, who is in personal contact with logging assistants, and who can give immediate assistance.

"Radioactive marker" means radioactive material placed subsurface or on a structure intended for subsurface use for the purpose of depth determination or direction orientation. For purposes of R313-38, this term includes radioactive collar markers and radioactive iron nails.

"Safety review" means a periodic review provided by the licensee for its employees on radiation safety aspects of well logging. The review may include, as appropriate, the results of internal inspections, new procedures or equipment, accidents or errors that have been observed, and opportunities for employees to ask safety questions.

"Source holder" means a housing or assembly into which a sealed source is placed to facilitate the handling and use of the source in well logging.

"Subsurface tracer study" means the release of unsealed licensed material or a substance labeled with licensed material in a single well for the purpose of tracing the movement or position of the material or substance in the well or adjacent formation.

"Surface casing for protecting fresh water aquifers" means a pipe or tube used as a lining in a well to isolate fresh water aquifers from the well.

"Uranium sinker bar" means a weight containing depleted uranium used to pull a logging tool toward the bottom of a well.

"Well-bore" means a drilled hole in which wireline service operations and subsurface tracer studies are performed.

"Well logging" means the lowering and raising of measuring devices or tools which contain sources of radiation into well-bores or cavities for the purpose of obtaining information about the well or adjacent geological formations.

"Wireline" means a cable containing one or more electrical conductors which is used to lower and raise logging tools in the well-bore.

"Wireline service operation" means any evaluation or mechanical service which is performed in the well-bore using devices on a wireline.

R313-38-13. Specific Licenses for Well Logging.

The Executive Secretary will approve an application for a specific license for the use of licensed material in well logging if the applicant meets the following requirements:

(1) The applicant shall satisfy the general requirements specified in R313-22-34 and the special requirements contained in R313-38.

(2) The applicant shall develop a program for training logging supervisors and logging assistants and submit to the Executive Secretary a description of this program which specifies the:

(a) initial training;

(b) on-the-job training;

(c) annual safety reviews provided by the licensee;

(d) methods that the applicant will use to evaluate the logging supervisor's knowledge and understanding of and ability to comply with these rules and licensing requirements and the applicant's operating and emergency procedures; and

(e) methods that the applicant will use to evaluate the logging assistant's knowledge and understanding of and ability to comply with the applicant's operating and emergency procedures.

(3) The applicant shall submit to the Executive Secretary written operating and emergency procedures, as described in R313-38-63, or an outline or summary of the procedures that includes the important radiation safety aspects of the procedures.

(4) The applicant shall establish and submit to the Executive Secretary its program for annual inspections of the job performance of logging supervisors to ensure that these rules, license requirements, and the applicant's operating and emergency procedures are followed. Inspection records must be retained for three years after annual internal inspections.

(5) The applicant shall submit a description of its overall organizational structure as it applies to the radiation safety responsibilities in well logging, including specified delegations of authority and responsibility.

(6) If an applicant wants to perform leak testing of sealed sources, the applicant shall identify the manufacturers and the model numbers of the leak test kits to be used. If the applicant wants to analyze its own wipe samples, the applicant shall establish procedures to be followed and submit a description of these procedures to the Executive Secretary. The description must include the:

(1) instruments to be used;

(2) methods of performing the analysis; and

(3) pertinent experience of the person who will analyze the wipe samples.

R313-38-15. Agreement With Well Owner or Operator.

(1) A licensee may perform well logging with a sealed source only after the licensee has a written agreement with the employing well owner or operator. The following requirements shall be met

and the written agreement shall identify who will be responsible for meeting these requirements.

(a) If a sealed source becomes lodged in a well, a reasonable effort will be made to recover it.

(b) A person may not attempt to recover a sealed source in a manner which, in the licensee's opinion, could result in its rupture.

(c) The radiation monitoring required in R313-38-69(3) will be performed.

(d) If the environment, equipment, or personnel are contaminated with licensed material, they must be decontaminated before release from the site or release for unrestricted use.

(e) If the sealed source is classified as irretrievable after reasonable efforts at recovery have been expended, the following requirements shall be implemented within 30 days:

(i) Irretrievable well logging sources must be immobilized and sealed in place with a cement plug.

(ii) A mechanical device to prevent inadvertent intrusion on the source must be set at some point in the well above the cement plug, unless the cement plug and source are not accessible to subsequent drilling operations.

(iii) A permanent identification plaque, constructed of long lasting material such as stainless steel, brass, bronze, or monel, must be mounted at the surface of the well, unless the mounting of the plaque is not practical. The size of the plaque must be at least 17 centimeters (seven inches) square and three millimeters (one-eighth inch) thick. The plaque must contain:

(A) the word "CAUTION";

(B) the radiation symbol (the color requirement in R313-15-901(1) need not be met);

(C) the date the source was abandoned;

(D) the name of the well owner or well operator, as appropriate;

(E) the well name and well identification number or other designation;

(F) an identification of the sealed source by radionuclide and quantity;

(G) the depth of the source and depth of the top of the plug; and

(H) an appropriate warning, such as, "DO NOT RE-ENTER THIS WELL."

(2) The licensee shall retain a copy of the written agreement for three years after the completion of the well logging operation.

(3) On a case by case basis, a licensee may apply for Executive Secretary approval pursuant to R313-38-91 of proposed procedures to abandon an irretrievable well logging source in a manner not otherwise authorized in R313-38-15(1)(e).

(4) A written agreement between the licensee and the well owner or operator is not required if the licensee and the well owner or operator are part of the same corporate structure or otherwise similarly affiliated. However, the licensee shall still otherwise meet the requirements in R313-38-15(1)(a) through (e).

R313-38-17. Request for Written Statements.

Licenses are issued with the condition that the licensee will, prior to expiration of the license, upon the Executive Secretary's request, submit written statements, signed under oath or affirmation, to enable the Executive Secretary to determine whether or not the license should be modified, suspended, or revoked.

R313-38-20. Limits on Levels of Radiation.

Sources of radiation shall be used, stored, and transported in a manner that meets the transportation requirements in R313-19-100 and the dose limitation requirements of R313-15.

R313-38-31. Labels, Security, and Transportation Precautions.

(1) Labels.

(a) The licensee may not use a source, source holder, or logging tool that contains licensed material unless the smallest component that is transported as a separate piece of equipment with the licensed material inside bears a durable, legible, and clearly visible marking or label. The marking or label must contain the radiation symbol specified in R313-15-901(1), without the color requirements, and the wording "CAUTION (or DANGER) RADIOACTIVE MATERIAL."

(b) The licensee may not use a container to store licensed material unless the container has securely attached to it a durable, legible, and clearly visible label. The label must contain the radiation symbol specified in R313-15-901(1), and the wording "CAUTION (or DANGER) RADIOACTIVE MATERIAL, NOTIFY CIVIL AUTHORITIES (or NAME OF COMPANY)."

(c) The licensee may not transport licensed material unless the material is packaged, labeled, marked, and accompanied with appropriate shipping papers in accordance with rules set out in R313-19-100.

(2) Security Precautions During Storage and Transportation.

(a) The licensee shall store sources containing licensed material in a storage container or transportation package. The container or package must be locked and physically secured to prevent tampering or removal of licensed material from storage by unauthorized personnel. The licensee shall store licensed material in a manner which will minimize danger from explosion or fire.

(b) The licensee shall lock and physically secure the transport package containing licensed material in the transporting vehicle to prevent accidental loss, tampering, or unauthorized removal of the licensed material from the vehicle.

R313-38-33. Radiation Detection Instruments.

(1) The licensee or registrant shall keep a calibrated and operable radiation survey instrument capable of detecting beta and gamma radiation at field stations and temporary job sites to make the radiation surveys required by R313-38-67 and by R313-15-501. To satisfy this requirement, the radiation survey instrument must be capable of detecting dose rates over the range of one microsievert (0.1 mrem) per hour to at least 0.5 millisievert (50 mrem) per hour.

(2) The licensee or registrant shall have available additional calibrated and operable radiation detection instruments sensitive enough to detect the low radiation and contamination levels that could be encountered if a sealed source ruptured. The licensee or registrant may own the instruments or may have a procedure to obtain them quickly from a second party.

(3) The licensee or registrant shall have radiation survey instruments required under R313-38-33(1) calibrated:

(a) at intervals not to exceed six months and after instrument servicing;

(b) for linear scale instruments, at two points located approximately one-third and two-thirds of full-scale; for logarithmic scale instruments, at midrange of the decades, and at two points of

at least one decade; and for digital instruments, at appropriate points; and

(c) so that an accuracy within plus or minus 20 percent of the calibration standard can be demonstrated on the scales.

(4) The licensee or registrant shall retain calibration records for a period of three years after the date of calibration for inspection by a representative of the Board or the Executive Secretary.

R313-38-35. Leak Testing of Sealed Sources.

(1) Testing and recordkeeping. Licensees using sealed sources of radioactive material shall have the sources tested for leakage. Records of leak test results shall be kept in units of kilobecquerels (uCi) and maintained for inspection by a representative of the Board or the Executive Secretary for three years after the leak test is performed.

(2) Method of Testing. Tests for leakage shall be performed only by persons specifically authorized to perform those tests by the Executive Secretary, the U.S. Nuclear Regulatory Commission, an Agreement State, or a Licensing State. The test sample shall be taken from the surface of the source, source holder, or from the surface of the device in which the source is stored or mounted and on which one might expect contamination to accumulate. The test sample shall be analyzed for radioactive contamination, and the analysis shall be capable of detecting the presence of 185 becquerels (0.005 uCi) of radioactive material on the test sample.

(3) Interval of Testing. Sealed sources of radioactive material shall be tested at intervals not to exceed six months or at alternative intervals approved by the Executive Secretary, an Agreement State, a Licensing State, or the U.S. Nuclear Regulatory Commission. In the absence of a certificate from a transferor indicating that a test has been made prior to the transfer, the sealed source shall not be put into use until tested. If it is suspected that a sealed source may be leaking, it shall be removed from service immediately and tested for leakage as soon as practical.

(4) Removal of Leaking or Contaminated Sources. If the test reveals the presence of 185 becquerels (0.005 uCi) or more of leakage or contamination, the licensee shall immediately withdraw the source from use and shall cause it to be decontaminated, repaired, or disposed of in accordance with R313-15. A report shall be filed with the Executive Secretary in accordance with R313-15-1208.

(5) Exemptions. The following sources are exempt from the periodic leak test requirements of R313-38-35(1) through (4):

(a) hydrogen-3 sources;

(b) sources of radioactive material with a half-life of 30 days or less;

(c) sealed sources of radioactive material in gaseous form;

(d) sources of beta or gamma emitting radioactive material with an activity of 3.7 megabecquerels (100 uCi) or less; and

(e) sources of alpha-emitting radioactive material with an activity of 370 kilobecquerels (10 uCi) or less.

R313-38-37. Physical Inventory.

At intervals not to exceed six months licensees or registrants shall conduct a physical inventory to account for all sources of radiation received and possessed under the license. The licensee or registrant shall retain records of the inventory for three years from the date of the inventory for inspection by a representative of the Board or the Executive Secretary. The inventory must indicate the quantity and kind of licensed material, the location of the licensed material, the date of the inventory, and the name of the individual conducting the inventory. Physical inventory records may be combined with leak test records.

R313-38-39. Records of Use.

(1) Licensees or registrants shall maintain records for uses of sources of radiation showing:

(a) the make, model number, and a serial number or a description of sources of radiation used;

(b) in the case of unsealed licensed material used for subsurface tracer studies, the radionuclide and quantity of activity used in a particular well and the disposition of unused tracer materials;

(c) the identity of the logging supervisor who is responsible for the sources of radiation and the identity of logging assistants present;

(d) the location and date of use.

(2) The licensee or registrant shall make the records required by R313-38-39(1) available for inspection by a representative of the Board or the Executive Secretary. The licensee or registrant shall retain the records for three years from the date of the recorded event.

R313-38-41. Design, Performance, and Certification Criteria for Sealed Sources Used in Downhole Operations.

(1) Sealed sources, except those containing radioactive material in gaseous form, used in downhole operations, and manufactured after January 1, 1982, shall be certified by the manufacturer, or other testing organization acceptable to the Executive Secretary, to meet the following minimum criteria:

(a) be of doubly encapsulated construction;

(b) contain radioactive material whose chemical and physical forms are as insoluble and non-dispersible as practical; and

(c) the sealed source's prototype has been tested and found to maintain its integrity after the following tests:

(i) temperature: the test source must be held at -40 degrees Celsius for 20 minutes, 600 degrees Celsius for one hour, and then be subject to a thermal shock test with a temperature drop from 600 degrees Celsius to 20 degrees Celsius within 15 seconds.

(ii) impact test: a five kilogram steel hammer, 2.5 centimeter in diameter, must be dropped from a height of one meter onto the test source.

(iii) vibration test: the test source must be subject to a vibration from 25 hertz to 500 hertz at five gravitational units amplitude for 30 minutes.

(iv) puncture test: a one gram hammer and pin, 0.3 centimeter pin diameter, must be dropped from a height of one meter onto the test source.

(v) pressure test: has been individually pressure tested to at least 24,600 pounds per square inch absolute (1.695 x 10^8 pascals) without failure.

(2) For sealed sources, except those containing radioactive material in gaseous form, acquired after July 14, 1989, in the absence of a certificate from a transferor certifying that an individual sealed source meets the requirements of R313-38-41(1), the sealed source shall not be put into use until the determinations and testing have been performed.

(3) Sealed sources, except those containing radioactive material in gaseous form, used in downhole operations after July 14, 1989, shall be certified by the manufacturer, or other testing organization acceptable to the Executive Secretary, as meeting the sealed source performance requirements for oil well logging as contained in the American National Standard N43.6, "Classification of Sealed Radioactive Sources" in effect on July 14, 1989.

(4) Certification documents shall be maintained for inspection by a representative of the Board or the Executive Secretary for a period of two years after source disposal. If the source is abandoned downhole, the certification documents shall be maintained until the Executive Secretary authorizes disposition.

R313-38-43. Inspection, Maintenance, and Opening of a Source or Source Holder.

(1) Licensees or registrants shall visually check source holders, logging tools, and source handling tools, for defects before use, to ensure that the equipment is in good working condition and that required labeling is present. If defects are found, the equipment must be removed from service until repaired, and a record must be retained for three years after the defect is found.

(2) Licensees or registrants shall have a program for semiannual visual inspection and routine maintenance of source holders, logging tools, injection tools, source handling tools, storage containers, transport containers, and uranium sinker bars to ensure that the required labeling is legible and that no physical damage is visible. If defects are found, the equipment must be removed from service until repaired, and a record must be made listing: date, equipment involved, inspection and maintenance operations performed, defects found, and actions taken to correct the defects. These records must be retained for three years after the defect is found.

(3) Removal of a sealed source from a source holder or logging tool, and maintenance on sealed sources or holders in which sealed sources are contained may not be performed by the licensee unless a written procedure developed pursuant to R313-38-63 has been approved by the Executive Secretary, the Nuclear Regulatory Commission, or by an Agreement State.

(4) If a sealed source is stuck in the source holder, the licensee may not perform operations, like drilling, cutting, or chiseling, on the source holder unless the licensee is specifically approved by the Executive Secretary, the Nuclear Regulatory Commission or an Agreement State to perform this operation.

(5) The opening, repair, or modification of sealed sources must be performed by persons specifically approved to do so by the Executive Secretary, the Nuclear Regulatory Commission or an Agreement State.

R313-38-44. Handling Tools.

The licensee shall provide and require the use of tools that will assure remote handling of sealed sources other than low-activity calibration sources.

R313-38-45. Subsurface Tracer Studies.

(1) Protective gloves and appropriate protective clothing and equipment shall be used by personnel handling radioactive tracer material. Precautions shall be taken to avoid ingestion or inhalation of radioactive material.

(2) Licensees shall not cause the injection of radioactive material into fresh water aquifers without prior written authorization from the Executive Secretary and other appropriate State Agencies.

R313-38-47. Radioactive Markers.

The licensee may use radioactive markers in wells only if the individual markers contain quantities of licensed material not exceeding the quantities specified in R313-19-71. The use of markers is subject only to the requirements of R313-38-37.

R313-38-48. Particle Accelerators.

Licensees or registrants shall not permit above-ground testing of particle accelerators, designed for use in well logging, which results in the production of radiation, except in areas or facilities controlled or shielded so that the requirements of R313-15-201 and R313-15-301, as applicable, are met.

R313-38-49. Uranium Sinker Bars.

Licensees may use a uranium sinker bar in well logging after July 14, 1988, only if it is legibly impressed with the words "CAUTION - RADIOACTIVE-DEPLETED URANIUM" and "NOTIFY CIVIL AUTHORITIES (or COMPANY NAME) IF FOUND."

R313-38-51. Use of a Sealed Source in a Well Without a Surface Casing.

Licensees may use a sealed source in a well without a surface casing for protecting fresh water aquifers only if the licensee follows a procedure for reducing the probability of the source becoming lodged in the well. The procedures must be approved by the Executive Secretary, the Nuclear Regulatory Commission or an Agreement State.

R313-38-61. Training Requirements.

(1) Licensees or registrants shall not permit individuals to act as a logging supervisor as defined in R313-38 until the individual has complied with the following:

(a) received, in a course recognized by the Executive Secretary, the Nuclear Regulatory Commission, an Agreement State, or a Licensing State, instruction in the subjects outlined in R313-38-61(5) and demonstrated an understanding thereof by successfully completing a written test;

(b) read and received instruction in the rules contained in R313-38 and the applicable sections of R313-12, R313-15 and R313-18 or their equivalent, conditions of appropriate license or certificate of registration, and the licensee's or registrant's operating and emergency procedures, and demonstrated an understanding thereof; and

(c) has completed on-the-job training and demonstrated competence in the use of licensed materials, remote handling tools, and radiation survey instruments by a field evaluation.

(2) Licensees or registrants shall not permit individuals to act as a logging assistant as defined in R313-38 until the individual has complied with the following:

(a) read or received instruction in the licensee's or registrant's operating and emergency procedures and documented an understanding thereof;

(b) has received instruction in applicable sections of R313-12, R313-15 and R313-18 or their equivalent;

(c) demonstrated competence to use, under the personal supervision of the logging supervisor, the sources of radiation, related handling tools, and radiation survey instruments which will be used on the job; and

(d) has demonstrated understanding of the materials listed in R313-38-61(2)(a) and (b) by successfully completing a written or oral test.

(3) Licensees or registrants shall provide safety reviews for logging supervisors and logging assistants at least annually.

(4) The licensee or registrant shall maintain a record on logging supervisors and logging assistants training and annual safety review. The training records must include copies of written tests and dates of oral tests given after January 1, 1989. The training records must be retained until three years following the termination of employment. Records of annual safety reviews must list the topics discussed and be retained for three years.

(5) The licensee or registrant shall include the following subjects in the training required in R313-38-61(1)(a).

(a) Fundamentals of radiation safety including:

(i) characteristics of radiation;

(ii) units of radiation dose and quantity of radioactivity;

(iii) hazards of exposure to radiation;

(iv) levels of radiation from licensed material;

(v) methods of controlling radiation dose (time, distance, and shielding); and

(vi) radiation safety practices, including prevention of contamination, and methods of decontamination.

(b) Radiation detection instruments including:

(i) use, operation, calibration, and limitations of radiation survey instruments;

(ii) survey techniques; and

(iii) use of personnel monitoring equipment.

(c) Equipment to be used including:

(i) operation of equipment, including source handling equipment and remote handling tools;

(ii) storage, control, and disposal of licensed material; and

(iii) maintenance of equipment.

(d) The requirements of pertinent federal and state rules.

(e) Case histories of accidents in well logging.

R313-38-63. Operating and Emergency Procedures.

Licensees or registrants shall develop and follow written operating and emergency procedures that cover the following:

(1) the handling and use of sources of radiation including the use of sealed sources in wells without surface casing for protecting fresh water aquifers, if appropriate;

(2) handling and use of sources of radiation to be employed so that no individual is likely to be exposed to radiation doses in excess of the standards established in R313-15;

(3) methods and occasions for conducting radiation surveys;

(4) methods and occasions for locking and securing sources of radiation;

(5) personnel monitoring and the use of personnel monitoring equipment;

(6) transportation to temporary job sites and field stations, including the packaging and placing of sources of radiation in vehicles, placarding of vehicles, and securing sources of radiation during transportation;

(7) minimizing exposure of individuals in the event of an accident;

(8) procedure for notifying proper personnel in the event of an accident;

(9) maintenance of records;

(10) inspection and maintenance of sealed sources, source holders, logging tools, source handling tools, storage containers, transport containers, injection tools, and uranium sinker bars;

(11) procedure to be followed in the event a sealed source is lodged downhole;

(12) procedures to be used for picking up, receiving, and opening packages containing radioactive material;

(13) for the use of tracers, procedures to be used for decontamination of the environment, equipment, and personnel; and

(14) actions to be taken if a sealed source is ruptured including actions to prevent the spread of contamination and minimize inhalation and ingestion of licensed materials and actions to obtain suitable radiation survey instruments as required by R313-38-33.

R313-38-65. Personnel Monitoring.

(1) The licensee or registrant shall not permit an individual to act as the logging supervisor or logging assistant unless that person wears, at all times during the handling of sources of radiation, either a film badge or a thermoluminescent dosimeter (TLD). Film badges or TLD's must be assigned to and worn by only one individual. Film badges must be replaced at least monthly and TLD's replaced at least quarterly. After replacement, the film badges or TLD's must be promptly processed.

(2) The licensee shall provide bioassay services to individuals using licensed materials in subsurface tracer studies if required by the license.

(3) The licensee or registrant shall retain records of film badge, TLD and bioassay results for inspection by a representative of the Board or the Executive Secretary.

R313-38-67. Radiation Surveys.

(1) The licensee shall make radiation surveys, including but not limited to, the surveys required under R313-38-67(2) through (6), of areas where licensed materials are used and stored.

(2) Before transporting licensed materials, the licensee shall make a radiation survey of the position occupied by individuals in the vehicle and of the exterior of a vehicle used to transport the licensed materials.

(3) If the sealed source assembly is removed from the logging tool before departure from the temporary job site, the licensee shall confirm that the logging tool is free of contamination by energizing the logging tool detector or by using a survey meter.

(4) If the licensee has reason to believe that, as a result of operations involving a sealed source, the encapsulation of the sealed source could be damaged by the operation, the licensee shall conduct a radiation survey, including a contamination survey, during and after the operation.

(5) The licensee shall make a radiation survey at the temporary job site before and after subsurface tracer studies to confirm the absence of contamination.

(6) The results of surveys required by R313-38-67(1) through (5) shall be recorded and must include the date of the survey, the name of the individual making the survey, the identification of the

survey instrument used, and the location of the survey. The licensee shall retain records of surveys for three years after they are made, for inspection by a representative of the Board or the Executive Secretary.

R313-38-69. Radioactive Contamination Control.

(1) If the licensee detects evidence that a sealed source has ruptured or licensed materials have caused contamination, the licensee shall initiate immediately the emergency procedures required by R313-38-63.

(2) If contamination results from the use of licensed material in well logging, the licensee shall decontaminate all work areas, equipment, and unrestricted areas.

(3) During efforts to recover a sealed source lodged in the well, the licensee shall continuously monitor, with an appropriate radiation detection instrument or a logging tool with a radiation detector, the circulating fluids from the well, if they are present, to check for contamination resulting from damage to the sealed source.

R313-38-71. Security.

(1) A logging supervisor shall be physically present at a temporary job site whenever licensed material is being handled or is not stored and locked in a vehicle or storage place. The logging supervisor may leave the job site in order to obtain assistance if a source becomes lodged in a well.

(2) During well logging, except when radiation sources are below ground or in shipping or storage containers, the logging supervisor or individual designated by the logging supervisor shall maintain direct surveillance of the operation to prevent unauthorized entry into a restricted area, as defined in R313-12-3.

R313-38-73. Documents and Records Required at Field Stations.

Licensees or registrants shall maintain, for inspection by a representative of the Board or the Executive Secretary, the following documents and records for the specific devices and sources used at the field station:

(1) appropriate license, certificate or registration, or equivalent document;

(2) operating and emergency procedures;

(3) a copy of R313-12, R313-15, R313-16, R313-18, R313-19 and R313-38 of the Utah Radiation Control rules, as applicable;

(4) records of the latest survey instrument calibrations pursuant to R313-38-33;

(5) records of the latest leak test results pursuant to R313-38-35;

(6) physical inventory records required pursuant to R313-38-37;

(7) utilization records required pursuant to R313-38-39;

(8) records of inspection and maintenance required pursuant to R313-38-43;

(9) training records required by R313-38-61; and

(10) survey records required pursuant to R313-38-67.

R313-38-75. Documents and Records Required at Temporary Job Sites.

Licensees or registrants conducting operations at a temporary job site shall have the following documents and records available at that site for inspection by a representative of the Board or the Executive Secretary:

(1) operating and emergency procedures;

(2) survey records required pursuant to R313-38-67 for the period of operation at the site;

(3) evidence of current calibration for the radiation survey instruments in use at the site; and

(4) when operating in the State under reciprocity, a copy of the appropriate license, certificate of registration, or equivalent document.

R313-38-77. Notification of Incidents, Abandonment, and Lost Sources.

(1) Notification of incidents and sources lost in other than downhole logging operations shall be made in accordance with appropriate provisions of R313-15.

(2) Whenever a sealed source or device containing radioactive material is lodged downhole, the licensee shall:

(a) monitor at the surface for the presence of radioactive contamination with a radiation survey instrument or logging tool during logging tool recovery operations; and

(b) notify the Executive Secretary immediately by telephone if radioactive contamination is detected at the surface or if the source appears to be damaged.

(3) When it becomes apparent that efforts to recover the radioactive source will not be successful, the licensee shall:

(a) advise the well owner or operator, as appropriate, of the Utah Radiation Control Rules regarding abandonment and an appropriate method of abandonment, which shall include:

(i) the immobilization and sealing in place of the radioactive source with a cement plug;

(ii) the setting of a whipstock or other deflection device; and

(iii) the mounting of a permanent identification plaque, at the surface of the well, containing the appropriate information required by R313-38-15(1)(e);

(b) notify the Executive Secretary by telephone, giving the circumstances of the loss, and request approval of the proposed abandonment procedures; and

(c) file a written report with the Executive Secretary within 30 days of the abandonment, setting forth the following information:

(i) date of occurrence and a brief description of attempts to recover the source;

(ii) a description of the radioactive source involved, including radionuclide, quantity, and chemical and physical form;

(iii) surface location and identification of well;

(iv) results of efforts to immobilize and set the source in place;

(v) depth of the radioactive source;

(vi) depth of the top of the cement plug;

(vii) depth of the well; and

(viii) information contained on the permanent identification plaque.

(4) The licensee shall immediately notify the Executive Secretary by telephone and subsequently by confirming letter if the licensee knows or has reason to believe that radioactive material has been lost in or to an underground potable water source. Notices shall designate the well location and shall describe the magnitude and extent of loss of radioactive material, assess the consequences of the loss, and explain efforts planning or being taken to mitigate these consequences.

~~**R313-38-91. Exemptions.**~~

~~The Executive Secretary may, upon application of interested persons or upon his initiative, grant exemptions from the requirements of the rules in R313-38 as he determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.~~

~~**R313-38-98. Example of Plaque for Identifying Wells Containing Sealed Sources Containing Radioactive Material Abandoned Downhole.**~~

~~TABLE~~

~~"(COMPANY NAME)~~
~~(WELL IDENTIFICATION)~~
~~CAUTION~~
~~ONE - TWO CURIE CS-137 RADIOACTIVE SOURCE ABANDONED~~
~~March 3, 1975 AT 8400 FEET PLUG BACK DEPTH 8200 FEET~~
~~DO NOT RE-ENTER THIS WELL BEFORE CONTACTING~~
~~THE EXECUTIVE SECRETARY OF THE~~
~~UTAH RADIATION CONTROL BOARD"~~

~~The size of the plaque should be convenient for use on active or inactive wells, for example, a seven inch square letter size of the word "CAUTION" should be approximately twice the letter size of the rest of the information, or one-half inch and one-quarter inch letter size respectively.~~

~~**KEY: radioactive material, well logging, wireline studies, subsurface tracer**~~
~~**1994 19-3-104**~~
~~**Notice of Continuation January 25, 1999 19-3-113**~~]

R313-38. Licenses and Radiation Safety Requirements for Well Logging.

R313-38-1. Purpose and Authority.

(1) Rule R313-38 prescribes requirements for the issuance of a license authorizing the use of licensed materials including sealed sources, radioactive tracers, radioactive markers, and uranium sinker bars in well logging in a single well. This rule also prescribes radiation safety requirements for persons using licensed materials in these operations.

(2) The rules set forth herein are adopted pursuant to the provisions of Subsections 19-3-104(3) and 19-3-104(6).

(3) The provisions and requirements of Rule R313-38 are in addition to, and not in substitution for, the other requirements of these rules. In particular, the provisions of Rules R313-15, R313-18, R313-19, and R313-22 apply to applicants and licensees subject to these rules.

R313-38-2. Scope.

(1) The requirements of Rule R313-38 do not apply to the issuance of a license authorizing the use of licensed material in tracer studies involving multiple wells, such as field flooding studies, or to the use of sealed sources auxiliary to well logging but not lowered into wells.

R313-38-3. Clarifications or Exceptions.

For purposes of Rule R313-38, 10 CFR 39 (2001), is incorporated by reference with the following clarifications or exceptions:

(1) The exclusion of the following 10 CFR sections: 39.1, 39.5, 39.8, 39.11, 39.101, and 39.103;

(2) The exclusion of the following 10 CFR references within 10 CFR 39: Sec. 40.32, and Sec. 70.33;

(3) The exclusion of "licensed material" in 10 CFR 39.2 definitions;

(4) The substitution of the following wording:

(a) License for reference to NRC license;

(b) Utah Radiation Control Rules for the references to:

(i) The Commission's regulations;

(ii) The NRC regulations;

(iii) NRC regulations; and

(iv) Pertinent Federal regulations;

(c) Executive Secretary for reference to Commission, except as stated in Subsection R313-38-3(4)(d);

(d) Representatives of the Executive Secretary for the references to the Commission in:

(i) 10 CFR 39.33(d);

(ii) 10 CFR 39.35(a);

(iii) 10 CFR 39.37;

(iv) 10 CFR 39.39(b); and

(v) 10 CFR 39.67(f);

(e) Executive Secretary or the Executive Secretary for references to:

(i) NRC in:

(A) 10 CFR 39.63(l);

(B) 10 CFR 39.77(c)(1)(i) and (ii); and

(C) 10 CFR 39.77(d)(9); and

(ii) Appropriate NRC Regional Office in:

(A) 10 CFR 39.77(a);

(B) 10 CFR 39.77(c)(1); and

(C) 10 CFR 39.77(d);

(f) Executive Secretary, the U.S. Nuclear Regulatory Commission or an Agreement State for the references to:

(i) Commission or an Agreement State in:

(A) 10 CFR 39.35(b); and

(B) 10 CFR 39.43(d) and (e); and

(ii) Commission pursuant to Sec. 39.13(c) or by an Agreement State in:

(A) 10 CFR 39.43(c); and

(B) 10 CFR 39.51;

(g) In 10 CFR 39.35(d)(1), persons specifically licensed by the Executive Secretary, the U.S. Nuclear Regulatory Commission, or an Agreement State for the reference to an NRC or Agreement State licensee that is authorized; and

(h) In 10 CFR 39.35(d)(2), reports of test results for leaking or contaminated sealed sources shall be made pursuant to Section R313-15-1208, for the reference to the following statement:

(i) The licensee shall submit a report to the appropriate NRC Regional Office listed in appendix D of part 20 of this chapter, within 5 days of receiving the test results. The report must describe the equipment involved in the leak, the test results, any contamination which resulted from the leaking source, and the corrective actions taken up to the time the report is made; and

(i) In 10 CFR 39.75(e), a U.S. Nuclear Regulatory Commission or an Agreement State for the reference to the Agreement State;

(5) The substitution of the following Title R313 references for specific 10 CFR references:

(a) Section R313-12-3 for the reference to Sec. 20.1003 of this chapter;
(b) Section R313-12-54 for the reference to 10 CFR 39.17;
(c) Subsection R313-12-55(1) for the reference to 10 CFR 39.91;
(d) Rule R313-15 for references to:
(i) Part 20; and
(ii) Part 20 of this chapter;
(e) Subsection R313-15-901(1) for the reference to Sec. 20.1901(a);
(f) Section R313-15-906 for the reference to Sec. 20.205 of this chapter;
(g) Sections R313-15-1201 through R313-15-1203 for the references to:
(i) Secs. 20.2201-20.2202; and
(ii) Sec. 20.2203;
(h) Rule R313-18 for the reference to part 19;
(i) Section R313-19-30 for the reference to Sec. 150.20 of this chapter;
(j) Section R313-19-50 for the references to:
(i) Sec. 30.50; and
(ii) Part 21 of this chapter;
(k) Section R313-19-71 for the reference to Sec. 30.71;
(l) Section R313-19-100 for the references to:
(i) 10 CFR Part 71; and
(ii) Sec. 71.5 of this chapter; and
(m) Section R313-22-33 for the reference to 10 CFR 30.33;

KEY: radioactive material, well logging, surveys, subsurface tracer studies
2001 **19-3-104**
Notice of Continuation January 25, 1999 **19-3-108**

◆ ◆

Health, Administration
R380-200
Patient Safety Sentinel Event Reporting

NOTICE OF PROPOSED RULE
(New)
DAR FILE NO.: 23842
FILED: 06/13/2001, 16:48
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule establishes a requirement that hospitals and ambulatory surgical centers implement a root cause analysis program for injuries that occur in their respective facilities and implement processes to reduce the incidence of serious patient injuries.

SUMMARY OF THE RULE OR CHANGE: This rule requires hospitals and ambulatory surgical centers to implement a root cause analysis program for injuries that occur in their respective facilities, allow the Department of Health to participate in a consultative role, report the results of the root cause analyses to the Department of Health, and implements processes to reduce the incidence of serious patient injuries. It also limits access to the reports provided to the Department of Health to maintain patient and facility confidentiality.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 26-1-30(2)(a), 26-1-30(2)(b), 26-1-30(2)(d), 26-1-30(2)(e), and 26-1-30(2)(g); and Section 26-3-8

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Minimum Scope of Root Cause Analysis for Specific Types of Sentinel Events" found at http://www.jcaho.org/sentinel/rcamatrx.html/, last viewed on June 1, 2001

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: This rule does not affect other state agencies. The cost to the Department of Health to implement this rule will be variable depending on priorities within the Department of Health and any future appropriations.
❖LOCAL GOVERNMENTS: Information provided by the Utah Hospitals and Health Systems Association indicates that, on average, each hospital operated by a local government will need to add one-half Full Time Equivalent (FTE) to meet the rule's requirements. In addition to the one-half FTE, there will be additional costs to conduct the required root cause analyses. There are eight hospitals operated by local governments, making the aggregate approximately $260,000. In addition, a hospital may experience a one-time cost for personal computer equipment of up to $3,000 for an aggregate total of $24,000. However, this one-time cost is the same cost explained in the rule filing for a proposed companion rule for Rule R380-210. The one-time cost for both or either rule would be $24,000. Inasmuch as this rule affects all hospitals and ambulatory surgical centers, it is anticipated that this cost will be uniformly passed on to the health care insurers and other health care payers. It is anticipated that these costs will be overcome through the implementation of patient safety programs that will avoid charges that would otherwise accrue to the health care insurers and payers. Data taken from a 1992 study indicate that the health care systems in Utah and Colorado expended $159,000,000 annually to treat preventable patient injuries. It is anticipated that a significant portion of those health care system costs in Utah will be saved because of this rule.
❖OTHER PERSONS: Information provided by the Utah Hospitals and Health Systems Association indicates that, on average, each small hospital will need to add one-half FTE to meet the rule's requirements. Each larger hospital may need to add two FTE's. For the 42 private hospitals the aggregate is approximately $3,230,000. However, hospitals that are already accredited by the Joint Commission on Accreditation of Health Care Organizations (JCAHO) will experience only negligible costs because this rule is patterned after the JCAHO requirements. Sixty percent of the private hospitals are JCAHO accredited, which should eliminate approximately $2,000,000 in actual costs caused by this rule, leaving the actual cost at approximately $1,230,000. In addition, a hospital may experience a one-time cost for personal computer equipment of up to $3,000 for an aggregate total of

$126,000. However, this one-time cost is the same cost explained in the rule filing for a proposed companion rule for Rule R380-210. The one-time cost for both or either rule would be $126,000. There are 21 ambulatory surgical centers. Assuming that an ambulatory surgical center's personnel costs are half of the cost to a small hospital, the aggregate cost to the ambulatory surgical centers is $340,000. The one-time cost for both or either rule would be $63,000. However, this one-time cost is the same cost explained in the rule filing for a proposed companion rule for Rule R380-210. The one-time cost for both or either rule would be $63,000. Inasmuch as this rule affects all hospitals and ambulatory surgical centers, it is anticipated that this cost will be uniformly passed on to the health care insurers and other health care payers. It is anticipated that these costs will be overcome through the implementation of patient safety programs that will avoid charges that would otherwise accrue to the health care insurers and payers. Data taken from a 1992 study indicate that the health care systems in Utah and Colorado expended $159,000,000 annually to treat preventable patient injuries. It is anticipated that a significant portion of those health care system costs in Utah will be saved because of this rule.

(**DAR Note:** The proposed new rule for R380-210 is under DAR No. 23843 in this *Bulletin*.)

COMPLIANCE COSTS FOR AFFECTED PERSONS: Information provided by the Utah Hospitals and Health Systems Association indicates that, on average, each small hospital that is not JCAHO accredited may experience a $32,466.69 cost to meet the rule's requirements. Each large hospital that is not JCAHO accredited may experience a cost of $271,296. In addition, a hospital may experience a one-time cost for personal computer equipment of up to $3,000. However, this one-time cost is the same cost explained in the rule filing for a proposed companion rule for Rule R380-210. Assuming that personnel costs for ambulatory surgical centers would be half of those experienced by small hospitals, the cost to an ambulatory surgical center is $16,233.34 and one-time costs may be $3,000.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Department of Health has worked closely with the businesses that will be impacted by this rule, and its companion Rule R380-210. The fiscal impact has been carefully weighed in the meetings with those businesses. Refinements to the initial proposed rule have been made to minimize the fiscal impact. It is hoped that the direct fiscal impact will be offset by savings generated by the patient safety programs that will be implemented as a result of this rule. The Department will carefully weigh public comment received after the actual rule is published. Rod L. Betit

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

Health
Administration
Room 435, Cannon Health Building
288 North 1460 West
PO Box 141000
Salt Lake City, UT 84114-1000, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Scott Williams at the above address, by phone at (801) 538-6111, by FAX at (801) 538-6306, or by Internet E-mail at swilliam@doh.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2001

AUTHORIZED BY: Rod L. Betit, Executive Director

R380. Health, Administration.
R380-200. Patient Safety Sentinel Event Reporting.
R380-200-1. Purpose and Authority.

(1) This rule establishes a patient safety sentinel event reporting program. It requires certain health care facilities to report serious patient injuries and to allow an independent, external review of and response to the thoroughness and credibility of the processes of investigating and responding to these events. The reporting under this rule will also help the Department and health care providers to understand patterns of failures in the health care system and to recommend statewide resolutions. It limits access to identifiable health information that facilities report to the Department under this rule.

(2) This rule is authorized by Utah Code Subsections 26-1-30(2)(a), (b), (d), (e), and (g) and Section 26-3-8.

R380-200-2. Definitions.

"Facility" means a general acute hospital, critical access hospital, ambulatory surgical center, psychiatric hospital, orthopedic hospital, rehabilitation hospital, chemical dependency/substance abuse hospital or chronic disease hospital as those terms are defined in Title 26, Chapter 21.

"Incident facility" means a facility where the patient safety sentinel event occurred.

"Patient safety sentinel event" means an event that must be reported under section 3 of this rule.

"Root cause analysis" means a process for identifying the basic or causal factor(s) that underlie variation in performance, resulting in the occurrence or possible occurrence of a patient safety sentinel event.

R380-200-3. Reporting of Patient Safety Sentinel Events.

(1) Each facility shall report to the Department all patient safety sentinel events.

(2) Patient safety sentinel events include:

(a) all deaths that occur at the facility and that are directly related to any clinical service or process provided to a patient for which the patient at the time of death:

(i) was not subject to a "do not resuscitate" order;

(ii) was not in a critical care unit, except where the patient is transferred to a critical care unit as a consequence of a patient safety sentinel event that occurs elsewhere in the facility ;

(iii) was not in the emergency room or operating room having presented in the last 24 hours with a Glasgow score of 9 or lower;

(b) events that occur in the facility and that are directly related to any clinical service or process provided to a patient and which result in:

(i) surgery on the wrong patient or wrong body part;

(ii) suicide of a patient; or

(iii) major loss of physical or mental function not related to the natural course of the patient's illness or underlying condition; and

(c) events that occur in the facility and that are not directly related to clinical services provided to a patient and which result in an alleged:

(i) patient abduction;

(ii) discharge of an infant to the wrong family;

(iii) rape of a patient;

(iv) intentional injury to a patient, whether by staff or others; or

(v) suicide of a patient.

(3) The incident facility shall report the patient safety sentinel event to the Department within seventy-two hours of the facility's determination, but in no event later than four hours prior to convening a formal root cause analysis.

(4) The report shall be submitted in a Department-approved paper or electronic format and shall include at a minimum:

(a) the specific unit within the facility where the patient safety sentinel event occurred;

(b) the patient's age and gender;

(c) the patient's admitting diagnosis;

(d) each of the patient's current or discharge diagnoses;

(e) a short narrative description of the patient safety sentinel event; and

(f) the name and phone number of the facility lead individual who will lead the facility's root cause analysis for the reported event.

R380-200-4. Root Cause Analysis.

(1) The incident facility shall establish a root cause analysis process and designate a responsible individual to be the facility lead for each patient safety sentinel event.

(2) The Department representative may participate in the facility's root cause analysis in a consultative role with the facility lead to enhance the credibility and thoroughness of the root cause analysis. The Department shall notify the facility lead within 72 hours of receiving the report of the patient safety sentinel event if it intends to participate in the facility's root cause analysis. The Department representative shall not be present at the facility's internal root cause analysis meetings unless invited by the facility lead.

(3) Participation in the facility's root cause analysis by the Department representative shall not be construed to imply Department endorsement of the facility's final findings or action plan.

(4) The incident facility and the Department shall each make reasonable accommodations when necessary to allow for the Department representative's participation in the root cause analysis.

(5) If, during the review process, the Department representative discovers problems with the facility's processes that limit either the thoroughness or credibility of the findings or recommendations, the representative shall report these to the designated responsible individual orally within 24 hours of discovery and in writing within 72 hours.

(6) The facility shall conduct a root cause analysis which is thorough and credible to determine whether a reasonable system change would likely prevent a patient safety sentinel event in similar circumstances.

(7) The root cause analysis shall:

(a) focus primarily on systems and processes, not individual performance;

(b) progress from specific, direct causes in clinical processes to contributing causes in organizational processes;

(c) seek to determine related and underlying causes for identified causes; and

(d) identify changes which could be made in systems and processes, either through redesign or development of new systems or processes, that would reduce the risk of such events occurring in the future.

(8) The Department shall determine the root cause analysis to be thorough if it:

(a) involves a complete review of the patient safety sentinel event including interviews with all readily identifiable witnesses and participants and a review of all related documentation;

(b) identifies the human and other factors in the chain of events leading to the final patient safety sentinel event, and the process and system limitations related to their occurrence;

(c) searches readily retrievable records to analyze the underlying systems and processes to determine where redesign might reduce risk;

(d) inquires into all areas appropriate to the specific type of event as described in the Joint Commission for the Accreditation of Healthcare Organizations' "Minimum Scope of Root Cause Analysis for Specific Types of Sentinel Events" found at http://www.jcaho.org/sentinel/rcamatrx.html, last viewed on June 1, 2001, which is incorporated by reference.

(e) makes reasonable attempts to identify and analyze trends of similar events which have occurred at the facility in the past;

(f) identifying risk points and their potential contributions to this type of event; and

(g) determines potential improvement in processes or systems that would tend to decrease the likelihood of such events in the future, or determining, after analysis, that no such improvement opportunities exist.

(9) The Department shall determine the root cause analysis to be credible if it:

(a) is led by someone with training in root cause analysis processes and who was not involved in the patient safety sentinel event;

(b) involves, if necessary, consultation with either internal or external experts in the processes in question who were not involved in the patient safety sentinel event;

(c) includes participation by the leadership of the organization and by the individuals most closely involved in the processes and systems under review;

(d) is internally consistent, i.e., not contradicting itself or leaving obvious questions unanswered;

(e) provides an explanation for all findings of "not applicable" or "no problem;" and

(f) includes consideration of relevant, available literature.

R380-200-5. Reports and Action Plan.

(1) Within 45 days of determination of the patient safety sentinel event, the incident facility shall develop an action plan that:

(a) identifies changes that can be implemented to reduce risk, or formulates a rationale for not implementing changes; and

(b) where improvement actions are planned, identifies who is responsible for implementation, when the action will be implemented (including any pilot testing), and how the effectiveness of the actions will be evaluated.

(2) Within 14 days of the development of the action plan, the incident facility shall provide a final report to the facility's administration and the Department in a Department-approved paper or electronic format that includes:

(a) a one sentence description of the patient safety sentinel event;

(b) a brief summary of each of the findings of the root cause analysis; and

(c) a brief summary of each of the action plan steps.

(4) If the Department representative identifies problems with the processes that limit the thoroughness or credibility of the findings and recommendations and that have not been corrected after reporting them to the designated responsible individual, the representative may submit a separate written dissenting report to the administrator of the incident facility, and the Department.

(5) The incident facility may seek review of the dissenting report by filing a request for agency as allowed by the Utah Administrative Procedures Act and Department rule. If a dissenting report is not challenged or is upheld on review:

(a) the facility shall include it in the facility's records of the root cause analysis; and

(b) the Department may forward it, together with the facility's report, to the appropriate state agencies responsible for licensing the facility.

R380-200-6. Confidentiality.

(1) Information that the Department holds under this rule is confidential under the provisions of Title 26, Chapter 3. Because of the public interest needs to foster health care systems improvements, the Department exercises its discretion under Section 26-3-8 and shall not release information collected under this rule to any person pursuant to the provisions of Subsections 26-3-7(1) or (8).

(2) Information produced or collected by a facility is confidential and privileged under the provisions of Title 26, Chapter 25.

R380-200-7. Extensions and Waivers.

(1) The Department may grant an extension of any time requirement of this rule if the facility demonstrates that the delay is due to factors beyond its control or that the delay will not adversely affect the required root cause analysis and the purposes of this rule. A facility requesting a waiver must submit the request to the department representative prior to the deadline for the required action.

(2) The Department may grant a waiver of any other provision of this rule if the facility demonstrates that the waiver will not adversely affect the required root cause analysis and the purposes of this rule.

R380-200-8. Penalties.

As required by Section 63-46a-3(5): An entity that violates any provision of this rule may be assessed a civil money penalty not to exceed the sum of $5,000 or be punished for violation of a class B misdemeanor for the first violation and for any subsequent similar violation within two years for violation of a class A misdemeanor as provided in Section 26-23-6.

KEY: hospital, injury prevention, quality improvement, patient safety

2001

26-1-30(2)(a)
26-1-30(2)(b)
26-1-30(2)(d)
26-1-30(2)(e)
26-1-30(2)(g)
26-3-8

◆ ◆

Health, Administration
R380-210
Health Care Facility Patient Safety Program

NOTICE OF PROPOSED RULE

(New)

DAR FILE NO.: 23843

FILED: 06/13/2001, 16:50

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule establishes a requirement that hospitals and ambulatory surgical centers implement an internal patient safety program, report adverse drug events to the Department of Health, and implement processes to reduce the incidence of adverse drug events.

SUMMARY OF THE RULE OR CHANGE: This rule requires hospitals and ambulatory surgical centers to implement an internal patient safety program, report adverse drug events to the Department of Health, and implement processes to reduce the incidence of adverse drug events. It also limits access to the reports provided to the Department of Health to maintain patient and facility confidentiality.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 26-1-30(2)(a), 26-1-30(2)(b), 26-1-30(2)(d), 26-1-30(2)(e), and 26-1-30(2)(g); and Section 26-3-8

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This rule does not affect other state agencies. The cost to the Department of Health to implement this rule will be variable depending on priorities within the Department of Health and any future appropriations.

❖LOCAL GOVERNMENTS: This rule only effects local governments that operate health care facilities. There are eight hospitals operated by local governments, making the aggregate $300,000. In addition, a hospital may experience a one-time cost for personal computer equipment of up to $3,000 for an aggregate total of up to $24,000. Inasmuch as this rule affects all hospitals and ambulatory surgical centers, it is anticipated that this cost will be uniformly passed on to the health care insurers and other health care payers. It is anticipated that these costs will be overcome through the implementation of patient safety programs that will avoid charges that would otherwise accrue to the health care insurers and payers. Data taken from a 1992 study indicate that the health care system in Utah and Colorado expended $159,000,000 annually to treat preventable patient injuries. It is anticipated that a significant portion of those health care system costs will be saved because of this rule.

❖OTHER PERSONS: Information provided by the Utah Hospitals and Health Systems Association indicates that, on average, each hospital will need to add one-half Full Time Equivalent (FTE) to meet the rule's requirements. However, a larger hospital may need to add more and a smaller hospital less. For the 42 private hospitals the aggregate is $1,575,000. In addition, a hospital may experience a one-time cost for personal computer equipment of up to $3,000 for an aggregate total of $126,000.00. There are 21 ambulatory surgical centers. Assuming that their personnel costs would be half of those experienced by hospitals, the aggregate cost to the ambulatory surgical centers is $393,750 and one-time costs may be $63,000. Inasmuch as this rule affects all hospitals and ambulatory surgical centers, it is anticipated that this cost will be uniformly passed on to the health care insurers and other health care payers. It is anticipated that these costs will be overcome through the implementation of patient safety programs that will avoid charges that would otherwise accrue to the health care insurers and payers. Data taken from a 1992 study indicate that the health care systems in Utah and Colorado expended $159,000,000 annually to treat preventable patient injuries. It is anticipated that a significant portion of those health care system costs in Utah will be saved because of this rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Information provided by the Utah Hospitals and Health Systems Association indicates that, on average, each hospital will need to add one-half FTE to meet the rule's requirements. However, a larger hospital may need to add more and a smaller hospital less. The average FTE cost per hospital is $37,500. In addition, a hospital may experience a one-time cost for personal computer equipment of up to $3,000. Assuming that personnel costs for ambulatory surgical centers would be half of those experienced by hospitals, the aggregate cost to an ambulatory surgical centers is $18,750.00 and one-time costs may be $3,000.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Department of Health has worked closely with the businesses that will be impacted by this rule, and its companion Rule R380-200. The fiscal impact has been carefully weighed in the meetings with those businesses. Refinements to the initial proposed rule have been made to minimize the fiscal impact. It is hoped that the direct fiscal impact will be offset by savings generated by the patient safety programs that will be implemented as a result of this rule. The Department will carefully weigh public comment received after the actual rule is published. Rod L. Betit

(**DAR Note:** The proposed new rule for R380-200 is under DAR No. 23842 in this *Bulletin*.)

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

Health
Administration
Room 435, Cannon Health Building
288 North 1460 West
PO Box 141000
Salt Lake City, UT 84114-1000, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Scott Williams at the above address, by phone at (801) 538-6111, by FAX at (801) 538-6306, or by Internet E-mail at swilliam@doh.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2001

AUTHORIZED BY: Rod L. Betit, Executive Director

R380. Health, Administration.
R380-210. Health Care Facility Patient Safety Program.
R380-210-1. Purpose and Authority.

(1) This rule establishes the requirement for designated facilities to have a patient safety program and have in place effective internal patient safety processes for specified problems. The reporting under this rule will also help the Department and health care providers to understand patterns of system failures in the health care delivery system and, where appropriate, to recommend statewide improvements to reduce the incidence of patient injuries. It limits access to identifiable health information that facilities report to the Department under this rule.

(2) This rule is authorized by Utah Code Subsections 26-1-30(2)(a), (b), (d), (e), and (g) and Section 26-3-8.

R380-210-2. Definitions.

"Adverse drug event" means any event involving a medication that causes or leads to patient harm, while the medication is in the control of the facility. Such events may be related to professional practice, health care products, procedures, and systems including: prescribing; order communication; product labeling, packaging and nomenclature; compounding; dispensing; distribution; administration; education; monitoring; and use."

"Facility" means a general acute hospital, critical access hospital, ambulatory surgical center, psychiatric hospital, orthopedic hospital, rehabilitation hospital, chemical dependency/substance abuse hospital or chronic disease hospital as those terms are defined in Title 26, Chapter 21.

"Harm" means death or temporary or permanent impairment of body function or structure requiring intervention such as:

(1) a change in monitoring the patient's condition;

(2) a change in therapy; or

(3) active medical or surgical treatment.

R380-210-3. Patient Injury Identification.

(1) Each facility shall implement processes to effectively identify and report to the Department the incidence of all:

(a) adverse drug events.

(2) Reporting to the Department may occur through established, statewide, electronic health care facility reporting systems managed by the Department.

(3) The report shall include codes applicable to the event from the current International Classification of Diseases Clinical Modification (ICD-CM) diagnosis coding, including codes for external cause of injury (E-codes) and codes for place of occurrence.

(4) Each facility shall have the implementation and accuracy of the internal patient safety identification processes required in R380-210-3(1) audited every three years by an independent auditor approved by the Department's Facility Licensing Committee.

R380-210-4. Patient Injury Reduction.

(1) Each facility shall implement processes that are effective in reducing the incidence of:

(a) adverse drug events.

(2) Each facility shall have the implementation and effectiveness of the internal patient injury reduction processes required in R380-210-4(1) audited every three years by an independent auditor approved by the Department's Facility Licensing Committee.

R380-210-5. Confidentiality.

(1) Information that the Department holds under this rule is confidential under the provisions of Title 26, Chapter 3. Because of the public interest needs to foster health care systems improvements, the Department exercises its discretion under Section 26-3-8 and shall not release information collected under this rule to any person pursuant the provisions of Subsections 26-3-7(1) or (8).

(2) Information produced or collected by a facility is confidential and privileged under the provisions of Title 26, Chapter 25.

R380-210-6. Penalties.

As required by Section 63-46a-3(5): An entity that violates any provision of this rule may be assessed a civil money penalty not to exceed the sum of $5,000 or be punished for violation of a class B misdemeanor for the first violation and for any subsequent similar violation within two years for violation of a class A misdemeanor as provided in Section 26-23-6.

KEY: hospital, injury prevention, quality improvement, patient safety

2001 **26-1-30(2)(a)**
26-1-30(2)(b)
26-1-30(2)(d)
26-1-30(2)(e)
26-1-30(2)(g)
26-3-8

Health, Community and Family Health Services, Children with Special Health Care Needs

R398-1

Newborn Screening

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23834
FILED: 06/11/2001, 12:17
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Adding Hemoglobinopathies to the Newborn Screening.

SUMMARY OF THE RULE OR CHANGE: Subsection R398-1-2(15): Adds a definition of Hemoglobinopathy. Changes to Section R398-1-9: simplifies and clarifies the protocol to be followed in the event of abnormal results. Section R398-1-11: Changes "a parent" to "both parents."

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-1-6 and 26-10-6

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: No incremental costs to the state budget because all costs are covered by the Newborn Screening Kit Fee. Cost savings may be seen from early identification and treatment of clinically significant conditions.

❖LOCAL GOVERNMENTS: None--Because local governments are not involved in the newborn screening process.

❖OTHER PERSONS: Parents are already required to pay the Newborn Screening Kit Fee, which is designed to cover the costs of the screening tests. Hospitals may potentially charge, to the parents or the parents' insurance, an additional phlebotomy fee to collect the necessary specimen.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Costs of the testing and follow-up will be covered through the usual, newborn heelstick kit fees.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Regulated businesses favor this rule to screen for inherited gene defects in the hemoglobin found in red blood cells. The Newborn Screening Kit Fee is already paid by parents. Early treatment of clinically significant conditions may result in significant cost savings. Rod L. Betit

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

Health
Community and Family Health Services,
Children with Special Health Care Needs
44 North Medical Drive
PO Box 144710
Salt Lake City, UT 84114-4610, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Fay Keune, RN at the above address, by phone at (801) 584-8255, by FAX at (801) 536-0966, or by Internet E-mail at fkeune@doh.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Rod L. Betit, Executive Director

R398. Health, Community and Family Health Services, Children with Special Health Care Needs.
R398-1. Newborn Screening.

• • • • • • • • • • •

R398-1-2. Definitions.

(1) "Abnormal test result" means a result that is outside of the normal range for a given test.

(2) "Appropriate specimen" means a blood specimen submitted on the Utah Newborn Screening Kit form which conforms with the criteria in R398-1-8.

(3) "Congenital Hypothyroidism" means a disorder in which the newborn is unable to secrete or produce thyroxine normally.

(4) "Department" means the Utah Department of Health.

(5) "Follow up" means the tracking of all newborns with an abnormal result, inconclusive result, inadequate specimen or a QNS specimen through to a normal result or confirmed diagnosis and referral.

(6) "Galactosemia" means a recessively inherited genetic disorder in which the individual is completely or partially incapable of normal metabolism of galactose due to a deficiency of the galactose-1-phosphate uridyltransferase enzyme.

(7) "Inadequate specimen" means a specimen determined by the Newborn Screening Laboratory to be unacceptable for testing.

(8) "Inconclusive result" means a specimen that has no growth on the Gutherie inhibition test for phenylketonuria.

(9) "Institution" means a hospital, alternate birthing facility, or midwife service in Utah which provides maternity or nursery services or both.

(10) "Metabolic diseases" means those diseases due to an inborn error of metabolism, for which the Department of Health shall screen all infants.

(11) "Newborn Screening Kit" means the department's demographic form with attached Food and Drug Administration (FDA)-approved filter paper medical collection device.

(12) "Phenylketonuria" means a recessively inherited genetic disorder in which the individual is completely or partially incapable of normal metabolism of phenylalanine due to a deficiency of the phenylalanine hydroxylase enzyme.

(13) "Practitioner" means a person licensed by the Department of Commerce, Division of Occupational and Professional Licensing to practice medicine, naturopathy, or chiropractic or to be a nurse practitioner, as well as the licensed or unlicensed midwife who takes responsibility for delivery or the health care of a newborn.

(14) "QNS specimen" means a specimen that has been partially tested but requires more blood to complete the full testing.

(15) "Hemoglobinopathy" means a recessively inherited genetic defect of the structure of hemoglobin found in red blood cells.

• • • • • • • • • • •

R398-1-9. Abnormal Result.

(1) If the department finds an abnormal result, the department shall inform the practitioner noted on the screening specimen form.

(2) The department may require the practitioner to collect and submit additional specimens and conduct additional diagnostic tests.

(3) The practitioner shall [~~submit an appropriate specimen in accordance with Section R398-1-8. The specimen shall be collected and submitted within two days of notice, and the form shall be labeled for testing as directed by the department.~~]collect and submit specimens within the time frame and in the manner instructed by the Department for the particular diagnostic test.

[~~(3) The~~](4) As instructed by the Department or the practitioner, the parent or legal guardian of a newborn identified with an abnormal test result shall promptly take the newborn to the practitioner or the Department to have an appropriate specimen collected.

[~~(4) The department shall notify the practitioner of the test result. If the result is abnormal:~~

~~(a) The practitioner shall refer the newborn and family to the Newborn Screening Program within the department for confirmatory diagnostic services for phenylketonuria or galactosemia. The department shall pay for the diagnostic laboratory work that it orders.~~

~~(b) The department shall notify the practitioner of the need for confirmatory diagnostic services for congenital hypothyroidism. The department shall pay for the diagnostic laboratory work at a laboratory directed by the department.~~

~~(c) The practitioner~~](5) A medical care provider who makes the final diagnosis shall complete a diagnostic form and return it to the department within 30 days of the notification letter from the Department.

. . . . . .

R398-1-11. Testing Refusal.

A parent or legal guardian may refuse to allow the required testing for religious reasons only. The practitioner or institution shall file in the newborn's record documentation of refusal, reason, education of family about the disorders, and signed waiver by [~~a~~]both parents or legal guardian. The practitioner or institution shall submit a copy of the refusal to the Utah Department of Health, Family Health Services, Newborn Screening Program, P.O. Box 144660, Salt Lake City, UT 84114-4660.

. . . . . .

KEY: health care, newborn screening
[~~1994~~]2001 **26-1-6**
Notice of Continuation October 12, 1999 **26-10-6**

Health, Health Care Financing, Coverage and Reimbursement Policy

R414-61

Home and Community Based Waivers

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23823
FILED: 06/05/2001, 09:34
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to update the waiver titles and effective dates.

SUMMARY OF THE RULE OR CHANGE: Waiver for Elderly Individuals 65 Years of Age and Older will have a new effective date of July 1, 2000. Waiver for Individuals with Developmental Disabilities or Mental Retardation will have a new effective date of July 1, 2000. Waiver for the Physically Disabled will be re-named Waiver for Individuals with Physical Disabilities.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-1-5 and 26-18-3

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: There will be no fiscal impact, as the Home and Community Waivers are required by federal regulation to be cost neutral.
❖LOCAL GOVERNMENTS: This rule does not apply to local governments, so there should be no fiscal impact.
❖OTHER PERSONS: There should be no fiscal impact on other persons, as the waivers made part of the State Plan allow the Agency broad discretion not generally afforded under the federal regulations to address the needs of individuals who would be expected, absent the waiver services, to require more costly institutional care.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There would not be a fiscal impact on affected persons other than described in Aggregate anticipated cost or savings to State Budget, Local government and/or Other Persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: These waiver programs have been operating for many years. This rule establishes administrative authority. There are no substantive changes to the programs. There should be no impact on persons or businesses involved with these programs. Rod L. Betit

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Health
Health Care Financing,
Coverage and Reimbursement Policy
Cannon Health Building
288 North 1460 West
PO Box 143102
Salt Lake City, UT 84114-3102, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Kelli Polcha at the above address, by phone at (801) 538-7069, by FAX at (801) 538-6099, or by Internet E-mail at kpolcha@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Rod L. Betit, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.
R414-61. Home and Community Based Waivers.

. . . . . .

R414-61-2. Incorporation by Reference.

The Department adopts the document entitled "Utah State Plan under Title XIX of the Social Security Act" 1999 edition, and the document entitled "Home and Community Based Waiver Implementation Plan", 1999 edition, which are incorporated by reference within this rule. These documents are available for public inspection during normal working hours, at the State Health Department Building, located at 288 North, 1460 West, Salt Lake City, UT, 84114-3102, at the office of the Division of Health Care Financing. These documents will be used by the Division for the provision of services under the following waivers:

(1) Waiver for Technology Dependent/Medically Fragile Individuals, dated July 1, 1998;

(2) Waiver for Elderly Individuals 65 Years of Age and Older, dated July 1, [~~1995~~]2000;

(3) Waiver for Individuals with Acquired Brain Injury 18 Years of Age and Older, dated July 1, 1999;

(4) Waiver for [~~the Physically Disabled.~~]Individuals with Physical Disabilities, dated July 1, 1998;

(5) Waiver for Individuals with Developmental Disabilities or Mental Retardation, dated July 1, [~~1995~~]2000.

KEY: medicaid
[~~March 30, 2000~~]2001 **26-18-3**

Health, Health Care Financing, Coverage and Reimbursement Policy
R414-306
Program Benefits

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23840
FILED: 06/13/2001, 08:23
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This change is needed to remove wording regarding eligibility from Subsection R414-306-4(4), as this appears in another rule and is redundant in this rule.

SUMMARY OF THE RULE OR CHANGE: Subsection R414-306-4(4) is deleted.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-1-5 and 26-18-10

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: Costs for this revision should remain neutral, as the only change is removal of redundant language in Subsection R414-306-4(4).
❖LOCAL GOVERNMENTS: This rule does not apply to local government, so there would be no fiscal impact.
❖OTHER PERSONS: Because of the removal of redundant language in this rule change, other persons are not involved.
COMPLIANCE COSTS FOR AFFECTED PERSONS: There would be no fiscal impact on affected persons other than that described Aggregate anticipated cost or savings to: State budget, Local government and/or Other persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change simply removes redundant language and does not impose any new regulatory burden. Rod L. Betit

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Health
Health Care Financing,
Coverage and Reimbursement Policy
Cannon Health Building
288 North 1460 West
PO Box 143102
Salt Lake City, UT 84114-3102, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Connie Christensen at the above address, by phone at (801) 538-9349, by FAX at (801) 538-6952, or by Internet E-mail at cchriste@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Rod L. Betit, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.
R414-306. Program Benefits.

. . . . . .

R414-306-4. Effective Date of Eligibility.

(1) The Department adopts 42 CFR 435.914, 1999 ed., which is incorporated by reference.

(2) Eligibility shall begin no earlier than the third month before the month of application.

(3) Eligibility shall begin on the first day of the month if the individual was eligible any time during that month.[

~~(4) UMAP eligibility shall begin on the first day of the month prior to the month of application, provided eligibility exists.~~]

([~~5~~]4) There is no provision for retroactive QMB assistance.

([~~6~~]5) Institutional Medicaid shall begin on the date that the Department of Health receives verification of nursing home admission from the nursing home. Coverage does not begin earlier than the third month prior to the month of application.

([~~7~~]6) Eligibility under a Home and Community Based Services waiver shall begin on the first day of the month in which the client meets the level-of-care criteria and home and community based services begin. Coverage does not begin earlier than the third month prior to the month of application.

([~~8~~]7) Eligibility for benefits as a Qualifying Individual can begin no more than three months prior to the month of application, and in no case before January 1, 1998. An individual selected to receive QI benefits in a month of the year is entitled to receive such

assistance for the remainder of the calendar year if the individual continues to be a qualifying individual. Receipt of benefits as a qualifying individual in one calendar year does not entitle the individual to continued assistance in any succeeding year.

. . . . . .

KEY: program benefits
[~~April 4, ~~]2001 **26-18**
Notice of Continuation February 6, 1998

Health, Health Systems Improvement, Community Health Nursing (Changed to Health, Health Systems Improvement, Primary Care and Rural Health)

R425-1

(Changed to R434-50)

Nurse Education Financial Assistance

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23849
FILED: 06/15/2001, 16:38
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the rule changes are to clarify and make language consistent between rule and law, define and determine site eligibility, include language to clarify full-time equivalency and types of educational loans eligible for repayment, and not discriminate based on economic status. A nonsubstantive change in the rule includes renumbering of the rule to place it under the Bureau, where it was previously located under the Division.

SUMMARY OF THE RULE OR CHANGE: A nonsubstantive change in the rule includes renumbering from R425-1 to R434-50 since the Nursing Program has been moved from the Division of Health Systems Improvement into the Bureau of Primary Care and Rural Health under the Division of Health Systems Improvement. The proposed substantive changes include that scholarship payments be made directly to the award recipient rather than to the educational institution; that economic status not be a factor in determining eligibility for proposed assistance; the addition of site determination criteria would be used to evaluate eligible sites in which award recipients can complete their service obligation and assist in determination of nursing shortage areas; addition of language to determine full-time equivalency will be used as criteria to determine the funding level of an award based on actual full-time equivalency of applicants; and the eligible bona fide loan language specified what types of loans are eligible for repayment through the program.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 26, Chapter 9d

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: Cost to the Utah Department of Health to revise, print, and distribute the new rules to health care facilities throughout the state and J-1 visa waiver physician applicants. Changes to the rule do not require an increased workload to the department.
❖LOCAL GOVERNMENTS: Changes to this rule do not require an increased workload or cost to local governments.
❖OTHER PERSONS: Changes to this rule do not require an increased workload or cost of other persons. There is an anticipated savings to nursing shortage area sites who opt to participate in this program, through the site eligibility and determination process being established.
COMPLIANCE COSTS FOR AFFECTED PERSONS: There should be a cost savings for participants in nursing shortage areas through easier site eligibility and determination processes established by this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The Department anticipates that this rule will have a positive fiscal impact on regulated businesses through the easier site eligibility and determination process set up by this rule. Payments directly to the award recipient should not have a negative impact on the educational institutions they attend. Rod L. Betit

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Health
Health Systems Improvement,
Community Health Nursing
(Changed to Health Systems Improvement,
Primary Care and Rural Health)
Cannon Health Building
288 North 1460 West
PO Box 142005
Salt Lake City, UT 84114-2005, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Marilyn Haynes-Brokopp at the above address, by phone at (801) 538-6113, by FAX at (801) 538-6387, or by Internet E-mail at mbrokopp@doh.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Rod L. Betit, Executive Director

R4[~~25~~]34. Health, Health Systems Improvement, [~~Community Health Nursing~~]Primary Care and Rural Health.
R4[~~25-1~~]34-50. Nurse Education Financial Assistance.
R4[~~25-1~~]34-50-1. Purpose and Authority.

This rule implements the nurse education financial assistance program. It covers scholarships for nurses willing to work in needed nursing specialty areas and loan repayment grants for nurses willing to work in nursing shortage areas of the state, as provided in Title 26, Chapter 9d.

R4[~~25-1~~]34-50-2. Definitions.

(1) Definitions for this rule are found in Section 26-9d-1.

(2) "Eligible employment site" means a public or private health care institution or agency or a nursing education institution approved by the committee at which a recipient may perform [~~obligated service~~]the service obligation.

(3) "Grant" means a loan repayment under Section 26-9d-5.

(4) "Scholarship" means a scholarship under Section 26-9d-6.

(5) "Committee" means the Nurse Financial Assistance Committee created by Section 26-1-7.[

~~(6) "Obligated service" means the full-time work required under Section 26-9d-7(2).~~]

R4[~~25-1~~]34-50-3. Designation of Nursing Shortage and Needed Nursing Specialty Areas.

The committee shall designate nursing shortage areas and needed nursing specialty areas based on [~~nursing needs assessments and other relevant data~~]eligibility and selection criteria.

R4[~~25-1~~]34-50-4. Scholarship Administration.

(1) A scholarship may be provided only for those courses required by the educational institution for completion of nursing education.

(2) Before receiving a scholarship, the applicant must enter into a contract with the Department that binds him to the terms of the program.

(3) As requested by the committee, a scholarship recipient shall provide information reasonably necessary for administration of the program.

(4) The committee shall determine the total amount of each scholarship.

(5) For each academic year, the committee may award a scholarship recipient the lesser of $15,000 or the total sum of educational expenses as determined by the committee.

(6) The committee may approve payment to a scholarship recipient for increased federal, state and local taxes due to receipt of the portion of the scholarship that is not tax-exempt.

(7) The reasonable living expenses portion of the scholarship may not exceed 50% of the scholarship for each academic year.

(8)[~~The Department shall pay tuition and fees directly to the school of nursing.~~

~~(9)~~] The committee shall determine the amount of educational expenses other than tuition and fees, that are paid[~~directly~~] to the student.

[~~(10)~~](9) The committee shall evaluate whether the scholarship recipient's proposed employment site for [~~his obligated service~~]the service obligation is an eligible employment site.

[~~(11)~~](10) If there is no available eligible employment site upon a scholarship recipient's graduation, the recipient shall repay the scholarship amount as negotiated in the scholarship contract.

R4[~~25-1~~]34-50-5. Scholarship Contract-Contents.

(1) Before receiving a scholarship, each applicant selected shall enter into a scholarship contract with the state agreeing to the terms and conditions upon which the scholarship is given.

(2) The scholarship contract shall include the terms and conditions to carry out the purposes and intent of Title 26, Chapter 9d and these rules.

(3) The scholarship contract shall contain:

(a) a statement of the damages to which the state is entitled for the recipient's breach of the scholarship contract; and

(b) such other statements of the rights and liabilities of the Department, the committee, and the scholarship applicant, not inconsistent with Title 26, Chapter 9d.

R4[~~25-1~~]34-50-6. Scholarship Application.

(1) The committee may consider for scholarship candidacy only those applicants who have matriculated into a graduate program at a school of nursing.

(2) A scholarship applicant shall provide evidence of eligibility, demographic data, residential history, documented educational history, employment history, personal and employment references,[~~economic status,~~] a Utah nursing license in good standing, and an essay describing plans for working in a needed nursing specialty area, as required and in the format requested by the committee.

(3) A scholarship applicant shall disclose to the committee any other funds applied for, or received in connection with his nursing education.

(4) The Department shall promptly provide written notice to a scholarship applicant on the committee's approving the applicant's participation in the scholarship program, or the committee's disapproving the applicant's participation in the scholarship program.

(a) Within 30 days following provision of the written notice, the applicant shall notify the Department of his intent to accept or reject the scholarship award. If the Department has not received the applicant's notification within 30 days, the Department may cancel the award.

R4[~~25-1~~]34-50-7. Scholarship Recipient Eligibility and Selection.

(1) To be eligible for a scholarship, an applicant must:

(a) submit a completed scholarship application to the Department;

(b) be matriculated in a school of nursing;

(c) have been selected by the committee to receive a scholarship;

(d) declare an intent to work in a needed nursing specialty area of the state after completion of graduate training; and

(e) be a nurse who has a license in good standing to practice in the state under Title 58, Chapter 31, Nurse Practice Act.

(2) In selecting an applicant to receive a scholarship, the committee shall evaluate the applicant based on the following criteria:

(a) residential history;
(b) documented educational history;
(c) employment history;
(d) educational, personal and employer references;
(e)[~~ economic status;~~
~~(f)~~] an essay describing plans for working in a needed nursing specialty area;
[~~(g)~~](f) commitment to serve in a needed nursing specialty area;
[~~(h)~~](g) applicant's proposed time for completion of education;
[~~(i)~~](h) length of the applicant's proposed service obligation, with greater consideration being given to applicants who agree to serve for longer periods of time;
[~~(j)~~](i) the applicant's area of graduate education, with preference given to applicants who choose to specialize in critical areas of need as determined by the committee;
[~~(k)~~](j) projected nursing education expenses.

(3) The committee may request that the applicant supplement the information requested under R4[~~25-1~~]34-50-7(2) to make an informed decision on an application.

(4) To remain eligible to receive a scholarship, an applicant must maintain a passing grade and be a matriculated student.

R4[~~25-1~~]34-50-8. Scholarship Recipient Obligations.

(1) Within three months before, and not exceeding one month following completion of nursing education and prior to beginning fulfillment of service obligation, a scholarship recipient shall provide the Department documented evidence from the eligible employment site of its intent to hire the scholarship recipient.

(2) A scholarship recipient must maintain minimum continuous registration to maintain graduate student status until he completes all requirements for his degree. The maximum years leading to a degree may not exceed five years, and must be specified in the recipient's contract, as negotiated with the committee.

(3) A scholarship recipient must begin employment at the eligible employment site determined by the committee within five months of completing the nursing education covered by the scholarship.

(4) A scholarship recipient shall perform full-time work as defined by the recipient's employer, and as specified in the recipient's contract with the Department.

(5) The minimum length of [~~obligated service~~]service obligation is two years, or such longer period to which the applicant and the committee may agree.

(6) A scholarship recipient shall obtain approval from the committee prior to any change in the eligible employment site where the service obligation is fulfilled.

R4[~~25-1~~]34-50-9. Release of Scholarship Recipient From Obligation.

(1) The committee may release, in full or in part, a recipient from any obligation under the scholarship contract without penalty:

(a) if the service obligation has been fulfilled;

(b) if the recipient is unable to complete nursing education or fulfill [~~his~~]the service obligation due to permanent disability that prevents the recipient from performing any work for remuneration or profit;

(c) if the recipient dies;

(d) because of extreme hardship; or

(e) for other good cause shown, as determined by the committee.

R4[~~25-1~~]34-50-10. Extension of Contract with Scholarship Recipient.

The committee may extend the time within which the recipient must complete his nursing education as agreed upon in the contract for good cause shown.

R4[~~25-1~~]34-50-11. Schedule of Repayment-Scholarship.

(1) A scholarship recipient who breaches his contract with the Department shall begin to repay within 30 days of the breach. The Department may submit for immediate collection all amounts due from a breaching scholarship recipient who does not begin to repay within 30 days.

(2) The breaching scholarship recipient shall pay the total amount due within one year of breaching the contract. The scheduled payback may not be less than four equal quarterly payments.

(3) The amount to be paid back shall be calculated from the end of the month in which the scholarship recipient breached the contract as if the recipient had breached at the end of the month.

(4) The calculation of the amount to be paid back by a scholarship recipient who breaches his contract with the Department prior to finishing school is twice the amount of all funds received from the Department.

(5) The calculation of the amount to be paid back by a scholarship recipient who finishes school but fails to complete the [~~obligated service~~]service obligation is as follows:

(a) determine the percentage of retired [~~obligated service~~]service obligation by dividing the number of months of retired [~~obligated service~~]service obligation by the total number of months of [~~obligated service~~]the service obligation,

(b) subtract the amount in (a) from 1.00,

(c) multiply the amount obtained in (b) by 2,

(d) multiply the amount obtained in (c) by the total amount of the recipient's scholarship.

(6) The breaching scholarship recipient shall pay simple interest at the rate of 12% per annum on all funds received under the scholarship contract, from the date he received each installment under the contract.

(7) Any unretired amount following the scheduled payback period is subject to collection.

R4[~~25-1~~]34-50-12. Reporting Requirements for Scholarship Recipients.

(1) Each recipient shall assure that the nursing school completes and returns [~~the~~]a student status form provided by the Department.

(2) After beginning service and for the duration of the service obligation, the scholarship recipient shall assure that the eligible employment site submits a quarterly statement of verification of employment indicating the recipient's continued employment to the Department within ten business days following the end of each quarter.

R4[~~25-1~~]34-50-13. Grant Administration.

(1) A grant may be provided to repay loans taken only for those courses that were required by the educational institution for completion of nursing education.

(2) Before receiving a grant, the applicant must enter into a contract with the Department that binds him to the terms of the program.

(3) As requested by the committee, a grant recipient shall provide information reasonably necessary for administration of the program.

(4) The committee shall determine the total amount of each loan repayment grant.

(5) For each year of a grant recipient's full-time service at an eligible employment site, the committee may award the recipient the lesser of $15,000 or the outstanding loan principal for educational expenses, as determined by the committee.

(6) The committee may approve payment to a grant recipient for increased federal, state, and local taxes caused by receipt of the grant.

(7) The Department shall make grant payments to a recipient at the end of the first six months of service. The Department shall make subsequent payments at least every six months thereafter for the duration of the contract, except that the committee may approve a different schedule of subsequent payments as requested by the recipient.

(8) The Department shall not pay for a nursing education loan of a grant applicant who is in default at the time of an application.

(9) The committee shall evaluate whether the grant recipient's proposed employment site for [~~his obligated service~~]the service obligation is an eligible employment site.

R434-50-14. Full-Time Equivalency Provisions for Grant Recipients.

(1) The annual grant amount is based on the level of full-time equivalency that the grant recipient agrees to work.

(2) A grant recipient who provides services for at least 40 hours per week may be awarded a grant based on the percentages as determined by the committee.

(3) A grant recipient who provides services for less than 40 hours per week may be awarded a proportionately lower grant based on a full-time equivalency of 40 hours per week.

R434-50-15. Eligible Bona Fide Loans.

(1) A bona fide loan may include the following:

(a) a commerical loan made by a bank, credit union, savings and loan association, insurance company, school, or credit institution;

(b) a governmental loan made by a federal, state, county, or city agency;

(c) a loan made by another person which is documented by a contract notarized at the time of the making of the loan, indicative of an arm's length transaction, and with competitive term and rate as other loans available to students.

(d) a loan that the applicant conclusively demonstrates is a bona fide loan.

R4[~~25-1~~]34-50-[~~14~~]16. Grant Contract-Contents.

(1) Before receiving a grant, each applicant selected shall enter into a grant contract with the state agreeing to the terms and conditions upon which the grant is given.

(2) The grant contract shall include the terms and conditions to carry out the purposes and intent of Title 26, Chapter 9d and these rules.

(3) The grant contract shall contain:

(a) a statement of the damages to which the state is entitled for the applicant's breach of the grant contract; and

(b) such other statements of the rights and liabilities of the Department, the committee and the grant applicant, not inconsistent with Title 26, Chapter 9d.

R4[~~25-1~~]34-50-[~~15~~]17. Grant Application.

(1) A grant applicant shall provide evidence of eligibility, demographic data, residential history, documented educational history, employment history, personal and employment references,[~~economic status,~~] a Utah nursing license in good standing, other service obligations, loan certification, and an essay describing plans for working in a nursing shortage area, as required and in the format requested by the committee.

(2) A grant applicant shall disclose to the committee any other funds applied for or received in connection with his nursing education.

(3) A grant applicant shall provide the Department documentation from the eligible employment site that:

(a) the applicant is currently employed at the eligible employment site; or

(b) the eligible employment site intends to hire the applicant.

(4) The Department shall promptly provide written notice to a grant applicant on the committee's approving the applicant's participation in the grant program, or the committee's disapproving the applicant's participation in the grant program.

(a) Within 30 days following provision of the written notice, the applicant shall notify the Department of his intent to accept or reject the grant award. If the Department has not received the applicant's notification within 30 days, the Department may cancel the award.

R4[~~25-1~~]34-50-[~~16~~]18. Grant Recipient Eligibility and Selection.

(1) To be eligible for a grant, an applicant must:

(a) submit a completed grant application to the Department;

(b) provide proof of graduation from a school of nursing;

(c) be a nurse who has a license in good standing to practice in the state under Title 58, Chapter 31, Nurse Practice Act;

(d) have been selected by the committee to receive a grant;

(e) be available to begin service at an eligible employment site within one month of entering into a contract with the Department; and

(f) provide documented evidence from the eligible employment site of the intent to hire the grant recipient.

(2) In selecting an applicant to receive a grant, the committee shall evaluate the applicant based on the following selection criteria:

(a) residential history;
(b) documented educational history;
(c) employment history;
(d) employer, educational and personal references;
(e)[~~- economic status;~~
~~(f)~~] an essay describing plans for working in a nursing shortage area;
[~~(g)~~](f) commitment to serve in a nursing shortage area;
[~~(h)~~](g) amount of the nursing education loan;
[~~(i)~~](h) length of the applicant's proposed service obligation, with greater consideration being given to applicants who agree to serve for longer periods of time;
[~~(j)~~](i) the applicant's level of nursing education, with preference given to applicants who can meet shortage area nursing needs, as determined by the committee.

(3) The committee may request that the grant applicant supplement the information requested under R4[~~25-1~~]34-50-16(2) to make an informed decision on an application.

R4[~~25-1~~]34-50-[~~17~~]19. Grant Recipient Obligations.

(1) A grant recipient shall begin service at a specified eligible employment site determined by the committee within one month of entering into a contract with the Department.

(2) A grant recipient shall perform full-time work, defined at the beginning of the service obligation as full-time by the recipient's employer, and as specified in the recipient's contract with the Department.

(3) No period of clinical training required for nursing education may be counted toward satisfying a period of [~~obligated service~~]service obligation.

(4) The minimum length of [~~obligated service~~]the service obligation is two years, or such longer period to which the applicant and the committee may agree.

(5) A grant recipient shall assure that the eligible employment site provides the Department a statement of the recipient's continued employment.

(6) A grant recipient shall obtain approval from the committee prior to any change in the eligible employment site where the service obligation is fulfilled.

R4[~~25-1~~]34-50-[~~18~~]20. Release of Grant Recipient from Service Obligation.

(1) The committee may release, in full or in part a recipient from any obligation under the grant contract without penalty:

(a) if the service obligation has been fulfilled;

(b) if the recipient is unable to fulfill [~~his~~]the service obligation due to permanent disability that prevents the recipient from performing any work for remuneration or profit;

(c) if the recipient dies;

(d) because of extreme hardship; or

(e) for other good cause shown, as determined by the committee.

R4[~~25-1~~]34-50-[~~19~~]21. Schedule of Repayment-Grant.

(1) A grant recipient who breaches his contract with the Department shall begin to repay within 30 days of the breach. The Department may submit for immediate collection all amounts due from a breaching grant recipient who does not begin to repay within 30 days.

(2) The breaching grant recipient shall pay the total amount due within one year of breaching the contract. The scheduled payback may not be less than four equal quarterly payments.

(3) The amount to be paid back shall be determined from the end of the month in which the grant recipient breached the contract as if the recipient had breached at the end of the month.

(4) The calculation of the amount to be paid back by a grant recipient who fails to complete the [~~obligated service~~]service obligation is as follows:

(a) determine the percentage of retired [~~obligated service~~]service obligation by dividing the number of months of retired [~~obligated service~~]service obligation by the total number of months of [~~obligated service~~]the service obligation,

(b) subtract the amount in (a) from 1.00,

(c) multiply the amount obtained in (b) by 2,

(d) multiply the amount obtained in (c) by the total amount of the recipient's grant.

(5) The breaching grant recipient shall pay simple interest at the rate of 12% per annum on all funds received under the grant contract, from the date he received each installment under the contract.

(6) Any unretired amount following the scheduled payback period is subject to collection.

R434-50-22. Eligible Employment Site Determination.

(1) Criteria the committee shall use to determine an eligible employment site include:

(a) Within a nursing shortage area of the State:

(i) the percentage of the population with incomes under 200% of the federal poverty level;

(ii) the percentage of the population 65 years of age and over;

(iii) the percentage of the population under 18 years of age;

(iv) the distance to the nearest health care provider and barriers to reaching the health care provider.

(b) The committee may give preference to proposed employment sites which provide letters of support from:

(i) practicing health care providers in the service area,

(ii) county and civic leaders,

(iii) hospital administrators,

(iv) business leaders, local chamber of commerce, citizens, and

(v) local health departments.

(c) Other proposed employment site eligibility and selection criteria as determined by the committee.

(2) An eligible employment site approved to have a grant or scholarship recipient must offer a salary and benefit package competitive with salaries and benefits of other nurses in the service area.

(3) A nursing shortage area proposed employment site must apply to and gain approval from the committee in order to be determined eligible for a grant recipient to complete their service obligation.

R4[~~25-1~~]34-50-[~~20~~]23. Reporting Requirements for Grant Recipients.

After beginning service and for the duration of the service obligation, the grant recipient shall assure that the eligible employment site submits a quarterly statement of verification of employment indicating the grant recipient's continued employment

to the Department within ten business days following the end of each quarter.

KEY: grants, scholarships, nurses
[~~June 3, 1998~~]2001 **26-9d**
Notice of Continuation February 10, 1998

Human Services, Recovery Services
R527-936
Third Party Liability, Medicaid

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23821
FILED: 06/04/2001, 09:21
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The definition of Third Party in Rule R527-936 no longer corresponds to the definition in Statute. The definition has been modified to correspond to the definition in Subsection 26-19-2(8).

SUMMARY OF THE RULE OR CHANGE: The change expands the definition of Third Party to include all persons and entities currently enumerated in the Medical Benefits Recovery Act.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-19-1 through 26-19-19

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: The change is to comply with the definition of Third Party in the Medical Benefit Recovery Act and causes no cost or savings to State Budget.
❖LOCAL GOVERNMENTS: The change is to comply with the definition of Third Party in the Medical Benefit Recovery Act and causes no cost or savings to Local Government.
❖OTHER PERSONS: The change is to comply with the definition of Third Party in the Medical benefit Recovery Act and causes no cost or savings to other persons.
COMPLIANCE COSTS FOR AFFECTED PERSONS: The change is to comply with the definition of Third Party in the Medical Benefit Recovery Act and causes no cost or savings to other affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The change is to comply with the definition Third Party in the Medical Benefit Recovery Act and has no financial impact on business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Human Services
Recovery Services
HK Building
515 East 100 South
PO BOX 45025
Salt Lake City, UT 84145-5025, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gary Howarth at the above address, by phone at (801) 536-8695, by FAX at (801) 536-8509, or by Internet E-mail at ghowarth@hs.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Emma Chacon, Director

R527. Human Services, Recovery Services.
R527-936. Third Party Liability, Medicaid.
R527-936-1. Definition and Purpose.

A third party is [~~any individual, entity, or program that is or may be liable to pay all or part of the medical cost of injury, disease or disability of a Medicaid recipient.~~]an individual, institution, corporation, public or private agency, trust, estate, insurance carrier, employee welfare benefit plan, health maintenance organization, health service organization, preferred provider organization, governmental program such as Medicare, CHAMPUS, and workers' compensation, which may be obligated to pay all or part of the medical costs of injury, disease, or disability of a recipient, and a spouse or a parent who:

(i) may be obligated to pay all or part of the medical costs of a recipient under law or by court or administrative order; or

(ii) has been ordered to maintain health, dental, or disability insurance to cover medical expenses of a spouse or dependent child by court or administrative order. The Utah Third Party Liability Program has been established to assure that all private medical resources have been exhausted before a claim is paid by Medicaid; or that when the agency discovers a liable third party after payment of a claim, reimbursement is sought.

The Utah Third Party Liability Program has been established to assure that all private medical resources have been exhausted before a claim is paid by Medicaid; or that when the agency discovers a liable third party after payment of a claim, reimbursement is sought.

R527-936-2. Authority.

Federal Regulations 42 CFR 433.135 through 433.154(1995) require the state agency to establish and administer a Third Party Liability Program, and specify the requirements for a state plan concerning Third Party Liability. The office adopts these sections and incorporates them by reference. Sections 26-19-1 through [~~26-19-18~~]26-19-19 authorize a Third Party Liability Medicaid Recovery Program and establish the legal liabilities of third parties and recipients.

. . . . . .

KEY: medicaid, debt
[~~November 16, 1996~~]2001 26-19-1 through [~~18~~]19
Notice of Continuation October 1, 1996 26-18-8
26-18-10(4)

Money Management Council, Administration

R628-10

Rating Requirements to Be a Permitted Out-of-State Depository

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23841
FILED: 06/13/2001, 15:41
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: In reviewing this rule for the five-year review process, Council felt that allowing 20% of a public entities portfolio to be in any one permitted depository was too high and could potentially expose a public treasurer to too much risk. They also noted language that was redundant and confusing.

SUMMARY OF THE RULE OR CHANGE: Removes the words "out-of-state" in relationship to "permitted" as it is redundant. Refers back to statue on the criteria for fixed rate deposits (this makes it consistent with the wording on variable deposits). It also removes the wording providing exceptions on securities purchased before 1996, as it no longer applies. The major change removes the 20% restriction on any one issuer and inserts a scale based on the size of the portfolio being managed by the public treasurer. This scale is used in another Council rule which governs corporate issuers, and has worked well there with no problems or concerns. It limits exposure to any one institution/issuer, while giving flexibility to the public treasurer and reflects a more "prudent" limit.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 51-7-17(3)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--There are no fees involved and enforcement of the rule does not change.
❖LOCAL GOVERNMENTS: None--No fees involved - same securities allowed.
❖OTHER PERSONS: None--No changes in types of securities.
COMPLIANCE COSTS FOR AFFECTED PERSONS: The rule does not cover other persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There should be no fiscal impact on any broker or financial institution, because most public treasurers have lower limits than previously allowed in their investment policies and would not put that much in any one issuer. Additionally, these types of securities are rarely issued and we have not seen any in public treasurers portfolios for some time. If the markets were to pick up, the guidelines are well within reasonable limits of any one issuer and should allow for reasonable commissions for brokers or institutions.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Money Management Council
Administration
215 State Capitol
350 North State
Salt Lake City, UT 84114, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Ann Pedroza at the above address, by phone at (801) 538-1883, by FAX at (801) 538-1465, or by Internet E-mail at apedroza.stmain@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Edward T. Alter, State Treasurer

R628. Money Management Council, Administration.
R628-10. Rating Requirements to Be a Permitted[~~Out-of-State~~] Depository.
R628-10-1. Purpose.

This rule establishes a uniform standard for public treasurers to evaluate the financial condition of a Permitted[~~out-of-state~~] depository institutions to determine if acceptance of Utah public funds by those institutions would expose public treasurers to undo risk. The criteria is applicable to all Permitted[~~out-of-state~~] depository institutions to determine if they are eligible to accept deposits of Utah public funds. The criteria established by this rule is designed to be flexible enough to ensure that public treasurers will be able to receive competitive market rates on deposits placed outside this state while maintaining sufficient protection from loss.

R628-10-2. Authority.

This rule is issued pursuant to Sections 51-7-17(3) and 51-7-18[~~.~~](2)(b)(iv).

R628-10-3. Definitions.

The terms used in this rule are defined in Section 51-7-3.

R628-10-4. Rating Requirements for Permitted[~~Out-of-State~~] Depositories.

(1) The Permitted[~~out-of-state~~] depository must meet the following criteria to accept deposits from Utah public entities:

(a) The deposits must be federally insured;

(b) the total assets of the Permitted[~~out-of-state~~] depository must equal $5 billion or more as of December 31 of the preceding year, and;

(c) fixed rate negotiable deposits which meet the criteria of Section 51-7-11(3)(f) must, at the time of investment,[~~ must have a maturity of one year or less at the time of investment and~~] have the equivalent of an "A" or better short term rating by at least two NRSRO's, one of which must be Moody's Investors Service or Standard and Poors, or:

(d) variable rate negotiable deposits which meet the criteria of Section 51-7-11[~~-~~](3)(m) must, at the time of investment, have the equivalent of an "A" or better, long term rating, by at least two NRSRO's, one of which must be Moody's Investors Service or Standard and Poors.

(2) [~~Out-of-state~~]Permitted depository institutions whose ratings drop below the minimum ratings established in R628-10-4(1). above, are[~~will~~] no longer[~~ be~~] eligible to accept new deposits of Utah public funds[~~treasurers~~]. Outstanding deposits may be held to maturity, but may not be renewed and no additional deposits may be made by any public treasurer.[

~~(3) Any investment held by a public treasurer that as of May 15, 1996 was previously authorized under this rule but no longer qualifies, is considered an authorized investment until it matures or is sold.~~]

R628-10-5. Restrictions on Concentration of Deposits in any One Permitted[~~Out-of-State~~] Depository Institution.

[~~No public treasurer may deposit more than 20% of the public funds under his control in any one permitted out-of-state depository institution.~~]The maximum amount of any public treasurers portfolio which can be invested in any one Permitted depository institution shall be as follows:

(1) Portfolios of $10,000,000 or less may not invest more than 10% of the total portfolio with a single issuer.

(2) Portfolios greater than $10,000,000 but less than $20,000,000 may not invest more than $1,000,000 in a single issuer.

(3) Portfolios of $20,000,000 or more may not invest more than 5% of the total portfolio with a single issuer.

The amount or percentages used in determining the amount of Permitted deposits a treasurer may purchase, shall be determined by the book value of the portfolio at the time of purchase.

KEY: public investments, banking law, depository*, professional competency
[~~May 21, 1996~~]2001 **51-7-17(3)**
Notice of Continuation April 11, 2001 **51-7-18(2)(b)**

◆ ◆

Natural Resources, Parks and Recreation
R651-620
Protection of Resources Park System Property

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23848
FILED: 06/15/2001, 15:19
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The changes in this rule are to clarify and harmonize the wording. Also, Subsection 78-12-26(2) has been added as a reference which will serve to more clearly define the rule section and its intention regarding trespass of livestock.

SUMMARY OF THE RULE OR CHANGE: The Administrative Rules Review Committee questioned grazing of livestock, Subsection R651-620-2(1)(c), and recommended that a reference to statute, Subsection 78-12-26(2), under Limitation of Actions for trespass of livestock be added for clarification of time limitation for actions taken under this section.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 63-11-17

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: There is no anticipated cost or savings to the state budget as the changes are for clarity and format only.
❖LOCAL GOVERNMENTS: Since local government has no authority over State Parks, there is no aggregate anticipated cost or savings.
❖OTHER PERSONS: Since trespass of animals is not a new section and the sentence was added for reference only, there are no anticipated costs or savings to other persons.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs for affected persons that are not already covered under another section of this rule pertaining to penalties as provided in the Sections 76-3-204 and 76-3-301.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed change will have no fiscal impact on business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Natural Resources
Parks and Recreation
116
1594 West North Temple
PO Box 146001
Salt Lake City, UT 84114-6001, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Dee Guess at the above address, by phone at (801) 538-7320, by FAX at (801) 537-3144, or by Internet E-mail at nrdomain.dguess@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: David K. Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.
R651-620. Protection of Resources Park System Property.
R651-620-1. Applicability of Criminal Code.

Offenses against capital improvements, natural and cultural resources will normally be handled through the Utah Criminal Code.

R651-620-2. Trespass.

(1) A person [~~is~~]may be found guilty of a class B misdemeanor, as stated in Utah Code Annotated, Section 63-11-17.3, if [~~such~~]that person engages in activities within a park area without specific written authorization by the division. These activities include[;]: [~~but are not limited to~~](a) construction, or causing to construct, any structure, including buildings, fences water control devices, roads, utility lines or towers, or any other improvements; (b) removal, extraction, use, consumption, possession or destruction of any natural or cultural resource; (c) grazing of livestock, except as provided in Utah Code Annotated, Section 72-3-112. A cause of action for the trespass of livestock may be initiated in accordance with 78-12-26 (2); (d) use or occupation of park area property for more than 30 days after the cancellation or expiration of permit, lease, or concession agreement; or (e) any use or occupation in violation of division rules.

(2) The provisions of this section do not apply to division employees in the performance of their duties.

(3) Violations described in section (1) are subject to penalties as provided in Utah Code Annotated, Section 76-3-204 and Section 76-3-301.

. . . . . .

KEY: parks, trespass
[~~June 15, 2001~~]August 1, 2001 63-11-17(2)(b)
Notice of Continuation June 29, 1999

Public Service Commission, Administration
R746-347
Extended Area Service (EAS)

NOTICE OF PROPOSED RULE
(Repeal)
DAR FILE NO.: 23844
FILED: 06/13/2001, 16:53
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule provided a means for civic constituencies, including county and municipal governing bodies, to demonstrate public demand for local calling area expansion. Now the applicability of this rule has expired.

SUMMARY OF THE RULE OR CHANGE: This rule is repealed in its entirety.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 54-8b-3.3 and 54-8b-11

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: The miscellaneous costs associated with this rule were incurred only during the 18 months after the rule became effective and were related to a special set of circumstances at that time. Whatever savings occurred would have taken place when the investigation of local calling area expansion ended (within that 18 months).
❖LOCAL GOVERNMENTS: The miscellaneous costs associated with this rule were incurred only during the 18 months after the rule became effective and were related to a special set of circumstances at that time. Whatever savings occurred would have taken place when the investigation of local calling area expansion ended (within that 18 months).
❖OTHER PERSONS: The miscellaneous costs associated with this rule were incurred only during the 18 months after the rule became effective and were related to a special set of circumstances at that time. Whatever savings occurred would have taken place when the investigation of local calling area expansion ended (within that 18 months).
COMPLIANCE COSTS FOR AFFECTED PERSONS: None--The rule contained its own sunset date and has not been in force since that date.
(**DAR Note:** The rule became effective August 12, 1996, and the expiration date was 18 months from that date.)

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The rule was originally promulgated to establish the procedure by which extended area telephone service requests would be presented to and considered by the Commission. The Rule had its own sunset date. The sunset date has passed and the rule is no longer in force due to its expiration. Repeal of the rule is being made to simply reflect the fact that the rule's self-contained sunset date has past.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Public Service Commission
Administration
Fourth Floor, Heber M. Wells Building
160 East 300 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Barbara Stroud at the above address, by phone at (801) 530-6716, by FAX at (801) 530-6796, or by Internet E-mail at pupsc.bstroud@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Barbara Stroud (designee), Paralegal

R746. Public Service Commission, Administration.
[~~**R746-347. Extended Area Service (EAS).**~~
~~**R746-347-1. Purpose and Authority.**~~

~~A. Authorization -- Section 54-8b-11 and Subsection 54-8b-3.3, require that the Commission endeavor to make available universal telecommunications service at just and reasonable cost-based rates to each customer without preference to persons, corporations, or localities.~~

~~B. Title -- This rule shall be known and may be cited as the "EAS Rule."~~

~~C. Scope and Applicability -- This rule shall supersede criteria established by Commission order, dated May 13, 1985 and amended March 14, 1989, in Docket number 84-999-08, relative to expansion of local calling area boundaries. This rule applies to each incumbent telephone corporation providing essential facilities and services as those terms are defined in Section 54-8b-2. The applicability of this rule shall expire 18 months after the date it becomes effective unless continued or extended pursuant to the Administrative Rulemaking Act, Section 63-46a-9. This rule provides a means for civic constituencies, including county and municipal governing bodies, to demonstrate public demand for local calling area expansion.~~

~~**R746-347-2. Definitions.**~~

~~A. "Extended Area Service" (EAS) -- A local exchange carrier telephone service that effectively serves as a replacement for message telephone service, toll. EAS enlarges the toll-free local calling area to include two or more local exchange areas for which pre-EAS calls incurred long distance charges. A larger local calling area may result in an increase in the separately itemized EAS rate that local exchange carriers charge for local telephone service.~~

~~B. "Community of Interest" -- Qualitative and quantitative methods of assessing patterns of geographic and economic homogeneity to establish local calling area boundaries. Although unrelated in a direct way to the cost of local calling area expansion, community of interest analysis tries to gauge social, government service and local market relationships in the context of universal service and service value.~~

~~C. "Local Calling Area" -- An area encompassing one or more local exchange areas between which public telecommunication services are furnished by the local exchange carrier in accordance with its local exchange service tariffs, without message telephone service or toll charges.~~

~~D. "Local Exchange Area" -- A geographic area used by a local exchange carrier to furnish and administer telecommunication services in accordance with its local exchange service tariffs. It may consist of one or more contiguous central office serving areas as further defined in R746-340-1.~~

~~**R746-347-3. Petitioning Process.**~~

~~A. If telephone service subscribers in a local exchange area containing fewer than 500 residential access lines petition for establishment of EAS, 55 percent of the primary residential access line subscribers must sign a petition, one customer signature per primary line, in favor of EAS to a non-petitioning local exchange area.~~

~~B. In local exchange areas containing more than 500 but fewer than 1,500 primary residential access lines, customers representing the greater of 300 or 30 percent of the total number of primary residential lines must sign a petition in favor of EAS to a non-petitioning local exchange area.~~

~~C. In local exchange areas containing more than 1,500 primary residential access lines, customers representing 30 percent of the total number of primary residential lines must sign a petition in favor of EAS to a non-petitioning local exchange area.~~

~~D. The petition form must state that the signatory is willing to pay an estimated EAS rate that is clearly set forth on each sheet of the petition. Signatures on the petition shall include the full name of the customer of record in addition to the billed party telephone number.~~

~~E. The estimated increase in the EAS rate that is specified on the petition shall be provided by the local exchange carrier, the Division and the Committee after a joint evaluation of the community of interest between the petitioning and the non-petitioning exchanges and the costs attendant to provisioning facilities to meet incremental call volumes.~~

~~**R746-347-4. Traffic Analysis.**~~

~~A. A bi-directional traffic analysis shall be conducted to profile calling volumes between the petitioning and non-petitioning local exchange areas, subject to the exception in Subsection R746-347-4(B). Traffic measurement results shall be found to empirically corroborate the existence of a legitimate community of interest when:~~

~~1. Residential average monthly calling volume from the petitioning to the non-petitioning local exchange area is not less than three calls per primary access line. Additionally, at least 50 percent of residential access lines must complete at least one call a month to the non-petitioning local exchange area.~~

~~2. Combined residential and business average monthly calling volume from the non-petitioning to the petitioning local exchange area is not less than 80 percent of the combined residential and business average monthly calling volume between the petitioning and the non-petitioning local exchange area.~~

~~B. The Commission may consider requests for waiver of the requirements of this section based upon a demonstration that good cause exists to proceed directly from the petitioning process to the detailed cost analysis and customer survey processes described in Sections R746-347-5 and R746-347-6. Counties designated as first and second class pursuant to Section 17-16-13 which contain one or more incorporated areas classified as a first, second, or third class city or town pursuant to Section 10-2-301 may petition for waiver of the traffic analysis showing if preponderant public support for~~

~~local calling area expansion during the petitioning process can be clearly demonstrated.~~

~~1. A request for waiver of the traffic analysis showing shall accompany a petition for establishment of EAS and shall be signed by a majority of representatives of a county or municipal governing body, as the case may be, from the petitioning local exchange area. If the petitioned establishment of EAS would result in a local calling area that crosses county boundaries, then a majority of county government representatives from the non-petitioning local exchange area shall also be signatories to the request for waiver.~~

~~2. In considering a waiver request, the Commission shall consider community of interest issues dictated by urban growth patterns. A request for waiver of the traffic analysis rule shall be automatically granted when the petition for establishment of EAS:~~

~~a. is organized and managed by a county governing body; or,~~

~~b. originates in an incorporated area classified as a first, second or third class city or town pursuant to Section 10-2-301 and where the municipal boundary of the city or town is located within or abuts a county designated as first or second class pursuant to Section 17-16-13.~~

~~R746-347-5. Cost Based Pricing.~~

~~A. If the threshold criteria specified in Sections R746-347-3 and R746-347-4 are clearly met, or, if a petition for waiver of the traffic analysis showing is granted, the Commission may, without hearing, require the local exchange carrier to conduct a study showing the cost of providing EAS for the petitioned route. The study shall determine a precise cost-based EAS rate which shall be jointly recommended by the local exchange carrier and the Division.~~

~~B. The incumbent carrier shall comply with a uniform EAS costing and pricing methodology for EAS rate development which shall be jointly defined by the local exchange carrier, the Division and the Committee. The EAS costing and pricing methodology shall comport in all material respects with Total Service Long Run Incremental Cost, as required by Subsections 54-8b-2(13) and 54-8b-3.3.~~

~~C. EAS cost studies shall reflect route-specific assumptions of demand and direct costs attributable to facilities investment and operating expenses.~~

~~D. Calculation of the incremental EAS price attributable to expansion of a local calling area may not include as a cost element any estimate of lost toll revenue.~~

~~E. The engineered cost of trunk and circuit facilities converted from toll to local calling may include a specified stimulation factor to reflect carriage of larger traffic volumes resulting from the substitution of flat-rated EAS for usage-sensitive toll rates. In deriving the stimulation factor, consideration shall be given estimated toll traffic provided by the local exchange carriers, foreign exchange lines, and toll resellers.~~

~~F. The local exchange carrier shall conduct the route-specific EAS cost and pricing analysis and shall file the study promptly upon completion. The study shall be accompanied by letters signed by the director of the Division and the administrative secretary of the Committee which demonstrate concurrence with the proposed EAS rate.~~

~~R746-347-6. Customer Survey.~~

~~A. Upon filing with the Commission of the EAS cost and pricing study required pursuant to Section R746-347-5, a survey of residential telephone subscribers shall be conducted in the petitioning local exchange areas and, subject to the following limitation, the non-petitioning local exchange area. The Division, Committee and local exchange carrier shall arrange to conduct a public opinion poll within the affected local exchange areas.~~

~~1. A statistical sample of residential subscribers, sized to produce not more than a plus or minus five percent margin of error, shall be surveyed. The sample shall be statistically partitioned so that the polled opinions for each municipality or township within a local exchange area shall receive equal representation in the overall survey results.~~

~~B. The survey results must demonstrate that 75 percent of the residential customers in the petitioning local exchange area desire EAS at the cost-based rate which shall be prominently represented in the survey questionnaire.~~

~~C. The survey results must further show that, subject to the following limitation, 30 percent of residential customers in the non-petitioning local exchange area desire EAS at the cost-based rate which shall be prominently represented in the survey questionnaire.~~

~~D. Notwithstanding Section R746-347-6-(C), if the cost study results show that the EAS rate increase in the non-petitioning exchange represents less than a 3.5 percent monthly increase in the local exchange carriers tariff for a basic dial-tone line and local usage, then a residential customer survey need not be conducted in the non-petitioning local exchange area.~~

~~KEY: extended area service*, public utilities, telecommunications~~

~~August 12, 1996~~ **~~10-2-301~~**
~~17-16-13~~
~~54-8b-2~~
~~54-8b-3.3~~
~~54-8b-11~~]

◆ ◆

Tax Commission, Administration

R861-1A-9

Tax Commission as Board of Equalization Pursuant to Utah Code Ann. Sections 59-2-212, 59-2-1004, and 59-2-1006

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23846
FILED: 06/15/2001, 09:21
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-2-1004, amended by 2001 S.B. 76, requires the Tax Commission to make rules providing for circumstances under which a County Board of Equalization is required to accept an appeal that is filed after the statutory time period.
(**DAR Note:** S.B. 76 is found at 2001 Utah Laws 106 and was effective April 30, 2001.)

SUMMARY OF THE RULE OR CHANGE: Proposed amendment indicates that the Tax Commission will remand a case back to the County Board of Equalization if the Board of Equalization's dismissal for lack of timeliness is improper under Tax Commission Section R884-24P-66; and makes technical changes.
(**DAR Note:** The proposed amendment to R884-24P-66 is under DAR No. 23847 in this *Bulletin*.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 59-2-212, 59-2-1004, and 59-2-1006

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: None--Any revenue impact should have been taken into account in 2001 S.B. 76.
❖LOCAL GOVERNMENTS: None--Any revenue impact should have been taken into account in 2001 S.B. 76.
❖OTHER PERSONS: None--Any revenue impact should have been taken into account in 2001 S.B. 76.
COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Amendment indicates circumstances under which a property owner may appeal the valuation of a property after the statutory time period for appealing has expired.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no fiscal impact on businesses as a result of this amendment.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Tax Commission
Administration
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Pam Hendrickson at the above address, by phone at (801) 297-3900, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Pam Hendrickson, Commissioner

R861. Tax Commission, Administration.
R861-1A. Administrative Procedures.
R861-1A-9. Tax Commission as Board of Equalization Pursuant to Utah Code Ann. Sections 59-2-212, 59-2-1004, and 59-2-1006.

A. Equalization Responsibilities. The Commission will sit as the State Board of Equalization in discharge of the equalization responsibilities given it by law. The Commission may sit on its own initiative to correct the valuation of property that has been overassessed, underassessed, or nonassessed as described in Section 59-2-212, and as a board of appeal from the various county boards of equalization described in Section 59-2-1004.

B. Proceedings. In all cases, appeals to the Commission shall be scheduled for hearing pursuant to Commission rules.

C. Appeals from county boards of equalization.

1. A notice of appeal filed by the taxpayer with the auditor pursuant to Section 59-2-1006 shall be presumed to have been timely filed unless the county provides convincing evidence to the contrary. In the absence of evidence of the date of mailing of the county board of equalization decision by the county auditor to the taxpayer, it shall be presumed that the decision was mailed three days after the meeting of the county board of equalization at which the decision was made.

2. If the county has not formally adopted board of equalization rules and procedures under Section 59-2-1001 that have been approved by the Commission, the procedures contained in this rule must be followed.

3. An appeal from a decision of a county board must be presented upon the same issues as were submitted to the county board in the first instance. The Commission shall consider, but is not limited to, the facts and evidence submitted to the county board.

4. The county board of equalization or county hearing officer shall prepare minutes of hearings held before them on property tax appeals. The minutes shall constitute the record on appeal.

a) For appeals concerning property value, the record shall include:

(1) the name and address of the property owner;

(2) the identification number, location, and description of the property;

(3) the value placed on the property by the assessor;

(4) the basis stated in the taxpayer's appeal;

(5) facts and issues raised in the hearing before the county board that are not clearly evident from the assessor's records; and

(6) the decision of the county board of equalization and the reasons for the decision.

b) Exempt Property. With respect to a decision affecting the exempt status of a property, the county board of equalization shall prepare its decision in writing, stating the reasons and statutory basis for the decision.

5. Appeals from dismissal by the county boards of equalization.

a) Decisions by the county board of equalization are final orders on the merits, and appeals to the Commission shall be on the merits except for the following:

(1) dismissal for lack of jurisdiction;

(2) dismissal for lack of timeliness;

(3) dismissal for lack of[~~sufficient~~] evidence to support a claim for relief.

b) On an appeal from a dismissal by a county board for the exceptions under C.5.a), the only matter that will be reviewed by the Commission is the dismissal itself, not the merits of the appeal.

c) An appeal may be dismissed for lack of jurisdiction when the claimant limits arguments to issues not under the jurisdiction of the county board of equalization.

6. [~~A case~~]An appeal filed with the Commission may be remanded to the county board of equalization for further proceedings if the Commission determines that:

a) dismissal under C.5.a)(1) or (3) was improper;[~~or~~]

b) the taxpayer failed to exhaust all administrative remedies at the county level; or

c) in the interest of administrative efficiency, the matter can best be resolved by the county board.

7. An appeal filed with the Commission shall be remanded to the county board of equalization for further proceedings if the Commission determines that dismissal under C.5.a)(2) is improper under R884-24P-66.

[~~7.~~]8. To achieve standing with the county board of equalization and have a decision rendered on the merits of the case, the taxpayer shall provide the following minimum information to the county board of equalization:

a) the name and address of the property owner;

b) the identification number, location, and description of the property;

c) the value placed on the property by the assessor;

d) the taxpayer's estimate of the fair market value of the property; and

e) a signed statement providing evidence or documentation that supports the taxpayer's[~~:~~]claim for relief.

[~~(1) estimate of fair market value; or~~

~~(2) position that the assessed value of the taxpayer's property is not equalized with comparable properties.~~

~~8.~~]9. If no signed statement is attached, the county will notify the taxpayer of the defect in the claim and permit at least ten calendar days to cure the defect before dismissing the matter for lack of sufficient evidence to support the claim for relief.

[~~9.~~]10. If the taxpayer appears before the county board of equalization and fails to produce the evidence or documentation under [~~C.7.e)~~]C.8.e), the county shall send the taxpayer a notice of intent to dismiss, and permit the taxpayer at least 20 calendar days to supply the evidence or documentation. If the taxpayer fails to provide the evidence or documentation within 20 days, the county board of equalization may dismiss the matter for lack of [~~sufficient~~]evidence to support a claim for relief.

[~~10.~~]11. If the minimum information required under [~~C.7.~~]C.8. is supplied and the taxpayer produces the evidence or documentation described in the taxpayer's signed statement under [~~C.7.e)~~]C.8.e), the county board of equalization shall render a decision on the merits of the case.

KEY: developmentally disabled, grievance procedures, taxation, disclosure requirements

[~~April 11, ~~]2001 **59-2-212**

Notice of Continuation May 20, 1997 **59-2-1004**

59-2-1006[

~~59-2-1011~~]

◆ ◆

Tax Commission, Property Tax

R884-24P-66

Appeal to County Board of Equalization Pursuant to Utah Code Ann. Section 59-2-1004

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 23847

FILED: 06/15/2001, 09:21

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-2-1004, amended by 2001 S.B. 76, requires the Tax Commission to make rules providing for circumstances under which a County Board of Equalization is required to accept an appeal that is filed after the statutory time period. (**DAR Note:** S.B. 76 is found at 2001 Laws 106 and was effective April 30, 2001.)

SUMMARY OF THE RULE OR CHANGE: The proposed rule section provides conditions under which a County Board of Equalization must accept an application to appeal the value or equalization of a property owner's real property that is filed after the statutory time limit for appeal.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-2-1004

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--Any revenue impact should have been taken into account in 2001 S.B. 76.

❖LOCAL GOVERNMENTS: None--Any revenue impact should have been taken into account in 2001 S.B. 76.

❖OTHER PERSONS: None--Any revenue impact should have been taken into account in 2001 S.B. 76.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--Amendment to statute allows additional time, under certain circumstances, for a property owner to appeal the valuation of property.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no fiscal impact on businesses as a result of this proposed rule.

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

Tax Commission
Property Tax
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Pam Hendrickson at the above address, by phone at (801) 297-3900, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Pam Hendrickson, Commissioner

R884. Tax Commission, Property Tax.
R884-24P. Property Tax.
R884-24P-66. Appeal to County Board of Equalization Pursuant to Utah Code Ann. Section 59-2-1004.

A.1. "Factual error" means an error that is:

a) objectively verifiable without the exercise of discretion, opinion, or judgment, and

b) demonstrated by clear and convincing evidence.

2. Factual error includes:

a) a mistake in the description of the size, use, or ownership of a property;

b) a clerical or typographical error in reporting or entering the data used to establish valuation or equalization;

c) an error in the classification of a property that is eligible for a property tax exemption under:

(1) Section 59-2-103; or

(2) Title 59, Chapter 2, Part 11;

d) valuation of a property that is not in existence on the lien date; and

e) a valuation of a property assessed more than once, or by the wrong assessing authority.

B. Except as provided in D., a county board of equalization shall accept an application to appeal the valuation or equalization of a property owner's real property that is filed after the time period prescribed by Section 59-2-1004(2)(a) if any of the following conditions apply:

1. During the period prescribed by Section 59-2-1004(2)(a), the property owner was incapable of filing an appeal as a result of a medical emergency to the property owner or an immediate family member of the property owner, and no co-owner of the property was capable of filing an appeal.

2. During the period prescribed by Section 59-2-1004(2)(a), the property owner or an immediate family member of the property owner died, and no co-owner of the property was capable of filing an appeal.

3. The county did not comply with the notification requirements of Section 59-2-919(4).

4. A factual error is discovered in the county records pertaining to the subject property.

5. The property owner was unable to file an appeal within the time period prescribed by Section 59-2-1004(2)(a) because of extraordinary and unanticipated circumstances that occurred during the period prescribed by Section 59-2-1004(2)(a), and no co-owner of the property was capable of filing an appeal.

C. Appeals accepted under B.4. shall be limited to correction of the factual error and any resulting changes to the property's valuation.

D. The provisions of B. apply only to appeals filed for a tax year for which the treasurer has not made a final annual settlement under Section 59-2-1365.

E. The provisions of this rule apply only to appeals to the county board of equalization. For information regarding appeals of county board of equalization decisions to the Commission, please see Section 59-2-1006 and R861-1A-9.

KEY: taxation, personal property, property tax, appraisal
[~~May 14,~~]2001 **59-2-918 through 59-2-924**
Notice of Continuation May 8, 1997 **59-2-103**
59-2-1004
59-2-1006
59-2-1365

◆ ◆

Workforce Services, Workforce Information and Payment Services

R994-403-102a

Filing a New Claim

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23824
FILED: 06/06/2001, 14:36
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to restore a portion of a sentence in the rule that was inadvertently omitted when the rule was updated in 1997.

SUMMARY OF THE RULE OR CHANGE: The rule identifies the factors needed to establish the effective date of an unemployment insurance claim. The amendment stipulates that a claim cannot be effective during a week in which the claimant has worked full-time hours.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 35A-1-104(1) and 35A-4-502(1)(b)

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: There will be no incremental costs or savings associated with this amendment because the amendment will bring the rule in line with the policy the agency has followed for the past several years.
❖LOCAL GOVERNMENTS: There will be no incremental costs or savings associated with this amendment due to the reasons stated above.
❖OTHER PERSONS: There will be no incremental costs or savings associated with this amendment due to the reasons stated above.
COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no incremental costs or savings associated with this amendment due to the reasons stated above.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This amendment should have no fiscal impact on businesses. As indicated in the response to State Budget, Local Governments, and Other Persons above, the proposed amendment simply attempts to restore the language that was in the rule prior to 1997. As a practical matter, the Department has been operating over the past few years as if the rule had not been inadvertently changed in conjunction with a repeal and re-enact in 1997.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Workforce Services
Workforce Information and Payment Services
Fourth Floor
140 East 300 South
PO Box 45277
Salt Lake City, UT 84145-0277, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Christopher Love at the above address, by phone at (801) 526-9291, by FAX at (801) 526-9394, or by Internet E-mail at wsadmpo.clove@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Robert C. Gross, Executive Director

R994. Workforce Services, Workforce Information and Payment Services.
R994-403. Claim for Benefits.
R994-403-102a. Filing a New Claim.

(1) Effective Date of a New Claim.

When a claimant believes he may be entitled to unemployment insurance benefits, it is his responsibility to file a claim during the week he desires to claim the benefits, not after the week has passed. Backdating prior to the week of filing will be allowed only if good cause can be established in accordance with Section R994-403-107a, and Subsections 35A-4-403(1)(a) and 35A-4-406(1)(a). The effective date of the new claim establishes the period of time during which wages can be used for determining the monetary entitlement, and in the case of law changes, the laws under which eligibility is determined. A claim for benefits or waiting week credit shall be filed as follows:

(a) An individual must contact the claim center to file a claim for benefits.

(b) The effective date of the claim for benefits shall be the Sunday immediately preceding the date the claim is filed, provided that during that week the claimant is not entitled to earnings in excess of his weekly benefit amount. An exception to this rule may be made if the claimant can show it is more advantageous to have his claim effective the week in which he reported, provided he did not work full-time hours during that week.

(2) Filing a New Claim by Mail.

The Department may allow registration for work and claim filing by mail. If an individual completes and mails the forms as instructed, no later than twelve days following the date upon which they were mailed, as established by a postmark, his claim shall be effective the Sunday immediately preceding the date the request was made. If he fails to complete and mail his claim forms within the period prescribed above, his claim shall be effective on the Sunday immediately preceding the date the forms are received by the Department, provided, however, if good cause is established for the delay in accordance with Section R994-403-107a, the Department may permit an effective date as provided above.

(3) Social Security Number and Proof of Identity.

Unemployment insurance claims are identified by a claimant's social security number. A claimant filing a new claim for benefits shall be required to provide his social security number and proof of identity. Acceptable proof of identity will generally not be established without two reliable forms of identification. Failure to provide sufficient proof of identity or a social security number within three weeks of the effective date of the claim shall result in a denial of benefits in accordance with Subsection 35A-4-403(1)(e) of the Act.

KEY: filing deadlines*, registration*, student eligibility, unemployment compensation
[~~July 1, 1997~~]2001 35A-4-403(1)

◆ ◆

Workforce Services, Workforce Information and Payment Services
R994-404-103
90-Day Filing Limitation

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 23825
FILED: 06/06/2001, 14:36
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the rule amendment is to correct an error that was created when the rule was updated in 1997. As part of that update, an old version of the rule pertaining to the "good cause" provision of the 90-day Filing Limitation was used instead of the correct version.

SUMMARY OF THE RULE OR CHANGE: Monetary eligibility for unemployment insurance is based on the claimant's earnings during the base period, which is a specified 12-month time period prior to the effective date of the claim. A claimant who was not working during all or part of the base period due to a work-related injury covered by workers' compensation insurance can choose to adjust the base period to a time prior to the injury if the claimant meets certain conditions. One of those conditions is that the claimant must establish the effective date of the claim for unemployment insurance benefits within 90 days of the date a doctor released the claimant for full-time work. A claimant who shows good cause for filing beyond the 90-day limit may still qualify for the base-period adjustment. The existing rule limits good cause to circumstances where evidence shows substantial confusion about when the claimant's doctor released the claimant to return to full-time work or when the claimant was prevented, due to circumstances beyond the claimant's control, from filing within the 90-day limit. The amended rule expands the good cause provisions to include a situation where the claimant returns to work immediately after receiving a medical release and then files for unemployment insurance without a substantial delay after becoming unemployed.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 35A-1-104(1) and 35A-4-502(1)(b)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: There will be no incremental costs or saving associated with this amendment because the amendment will bring the rule in line with the policy the agency has followed for the past several years.

❖LOCAL GOVERNMENTS: There will be no incremental costs or savings associated with this amendment due to the reasons stated above.

❖OTHER PERSONS: There will be no incremental costs or savings associated with this amendment due to the reasons stated above.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no incremental costs or savings associated with this amendment due to the reasons stated in Aggregate anticipated cost or savings to: State budget, Local government and/or Other persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This amendment should have no fiscal impact on businesses. As indicated in the answers to State Budget, Local Government, and Other Persons above, the proposed amendment simply attempts to restore the language that was in the rule prior to 1997. As a practical matter, the Department has been operating over the past few years as if the rule had not been inadvertently changed in conjunction with a repeal and re-enact in 1997.

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

Workforce Services
Workforce Information and Payment Services
Fourth Floor
140 East 300 South
PO Box 45277
Salt Lake City, UT 84145-0277, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Christopher Love at the above address, by phone at (801) 526-9291, by FAX at (801) 526-9394, or by Internet E-mail at wsadmpo.clove@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 08/01/2001

AUTHORIZED BY: Robert C. Gross, Executive Director

R994. Workforce Services, Workforce Information and Payment Services.

R994-404. Wage Freeze Following Workers' Compensation.

R994-404-103. 90-Day Filing Limitation.

(1) The 90 day time limitation for filing an unemployment insurance claim following an insured illness or injury means 90 calendar days after the claimant was released for full-time work by his doctor, not the end of the period of coverage under workers' compensation. Regardless of the day the claimant contacts the Department to file a claim, the effective date of the eligible claim must be within the 90 days. For example, if the 90th day falls on Wednesday and the claimant files a claim on Thursday, the effective date of the claim would be Sunday of that calendar week and would fall within the 90 day time limitation.

(2) Good Cause for Filing Beyond 90 Days.

[~~The only exception to the requirement to file within 90 days of unemployment following the release would be if good cause can be shown. However, good cause in such cases is limited to circumstances where competent evidence shows substantial confusion as to the actual date the individual was released to return to work or the claimant was prevented due to circumstances beyond his control from filing his claim. Lack of information about the provisions providing for the freezing of wages because of the claimant's failure to inquire about such provisions, or the employer's failure to provide information does not establish good cause for failure to file within the 90 day period.~~]Good cause may be established for filing beyond the 90 day period if there is substantial confusion as to the date the individual was released to return to work or the claimant was prevented from filing due to circumstances beyond his control. Returning to work immediately subsequent to receiving a medical release may establish good cause for filing beyond the 90 day period if there is no substantial delay between the time the employment ended and the filing of the claim.

A lack of knowledge about the wage freeze provisions due to the claimant's failure to inquire or the employer's failure to provide information does not establish good cause for failure to file within the 90 day period.

KEY: unemployment compensation, workers' compensation
[~~August 12, 1997~~]2001 35A-4-404
Notice of Continuation May 29, 1997

◆ ◆

End of the Notices of Proposed Rules Section

NOTICES OF
CHANGES IN PROPOSED RULES

After an agency has published a PROPOSED RULE in the *Utah State Bulletin*, it may receive public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

As with a PROPOSED RULE, a CHANGE IN PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the CHANGE IN 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 CHANGE IN PROPOSED RULE is usually printed. The text shows only those changes made since the PROPOSED RULE was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [~~example~~]). A row of dots in the text (• • • • • •) indicates that unaffected text was removed to conserve space. If a CHANGE IN PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends July 31, 2001. At its option, the agency may hold public hearings.

From the end of the waiting period through October 29, 2001, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

CHANGES IN PROPOSED RULES are governed by *Utah Code* Section 63-46a-6 (2001); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

The Changes in Proposed Rules Begin on the Following Page.

Insurance, Administration
R590-207
Health Agent Commissions for Small Employer Groups

NOTICE OF CHANGE IN PROPOSED RULE
DAR FILE NO.: 23559
FILED: 06/15/2001, 10:40
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: As a result of the comment period and hearing for the proposed new rule, further changes are being made.

SUMMARY OF THE RULE OR CHANGE: The changes in Section R590-207-2 are mainly grammatical. With the removal of "carrier", the reference to commission structures has been broadened. Examples of acceptable and unacceptable commission structures have been added. These do not change the intent or meaning of the rule but are just meant to clarify. The changes in Section R590-207-7 are grammatical and correct references to the internet site where information on this rule may be found.
(**DAR Note:** This change in proposed rule has been filed to make additional changes to a proposed new rule that was published in the April 1, 2001, issue of the *Utah State Bulletin*, on page 18. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 31A-2-201 and 31A-30-104

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: The changes to this rule will not require insurers to file forms with the department resulting in additional income to the department nor will it result in additional cost for the department. It is a revenue and cost neutral.
❖LOCAL GOVERNMENTS: This rule will not affect local government. The rule is regulated by a state government agency to which all fees are paid by its licensees.
❖OTHER PERSONS: The changes to this rule are mainly grammatical and for clarification purposes only and will not add to or reduce the impact of the rule as it was originally filed.
COMPLIANCE COSTS FOR AFFECTED PERSONS: The changes to this rule are mainly grammatical and for clarification purposes only and will not add to or reduce the impact of the rule as it was originally filed.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The changes made to this rule will create no further fiscal impact on health insurers that are already in compliance with Chapter 31A-30. Putting it into effect will increase the availability of insurance for small employer groups.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Insurance
Administration
3110 State Office Building
Salt Lake City, UT 84114, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jilene Whitby at the above address, by phone at (801) 538-3803, by FAX at (801) 538-3829, or by Internet E-mail at idmain.jwhitby@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 07/31/2001.

THIS RULE MAY BECOME EFFECTIVE ON: 09/04/2001

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.
R590-207. Health Agent Commissions for Small Employer Groups.
R590-207-1. Authority.

This rule is issued and based upon the authority granted the commissioner under Sections 31A-2-201(3)(a) and 31A-30-104(6).

R590-207-2. Purpose.

The purpose of this rule is to establish guidelines relating to[~~a carrier's~~] commission structure for a small group health insurance agent in the small employer group market[~~. This affects~~] that affect access to health insurance coverage for small employer groups.

. . . . . .

R590-207-5. Commission Schedule Policy.

A health insurance carrier shall not structure agent commission rates that, directly or indirectly, create a restriction, hindrance, or barrier to access to coverage for the smallest group identified in the commission schedule.

The commission for the smallest size group in the commission schedule may not be designed to avoid, directly or indirectly, the requirements of guarantee issue or renewal in the marketing of health insurance to small business owners.

ACCEPTABLE EXAMPLES:

A commission structure that is in compliance would be: an employer group size 2-5 would receive a 10% commission, an employer group size 6-25 would receive a 9% commission, and an employer group size 26-50 would receive a 7% commission.

Another example of an acceptable commission schedule would be: for employer group size 2-5 the commission would be $20/Per Member Per Month(PMPM), for employer group size 6-25 the commission would be $18/PMPM, and for employer group size 26-50 the commission would be $16/PMPM.

TABLE

UNACCEPTABLE EXAMPLE:

CASE SIZE IN LIVES	FIRST YEAR	RENEWAL
Up to 3	3%	3%
4-14	8%	8%
15-29	7%	7%
30-50	6%	6%

R590-207-6. Penalties.

Any carrier with a commission structure that is not in compliance with this rule[~~;~~] after the [~~Compliance Date,~~]effective date of this rule will be considered in violation of this rule and will be subject to the penalties provided for in Section 31A-2-308.

R590-207-7. Compliance Date.

This rule is in effect on the date stated in the Notice of Effective Date form relating to this rule that the department files with the Division of Administrative Rules (the "effective date"). The effective date will follow a period of 30 days during which interested parties will have time to prepare to be in compliance with this rule. It will also be the date on which the department will begin enforcing this rule. The Notice of Effective Date [~~form~~]is published in the ["]Utah State Bulletin["], a publication of the Division of Administrative Rules. The ["]Utah State Bulletin["] is found at the website, [~~www.rules.state.ut.us~~] http://www.rules.state.ut.us/. In addition, the effective date may be found at the department's website, [~~www.insurance.state.ut.us, by clicking on the "News and Bulletins" button~~] http://www.insurance.state.ut.us/ by clicking on INDUSTRY RESOURCES and then RULES and scrolling down to[~~the rules category and clicking on~~] the appropriate reference to the rule.

. . . . . .

KEY: insurance law
2001 **31A-2-201**
31A-2-202

End of the Notices of Changes in 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 responsible agency is required to review the rule. This review is designed 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 when filed. NOTICES are governed by *Utah Code* Section 63-46a-9 (1998).

Commerce, Occupational and Professional Licensing

R156-3a

Architect Licensing Act Rules

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 23837
FILED: 06/11/2001, 14:28
RECEIVED BY: NL

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: Title 58, Chapter 3a provides for the licensure of architects. Subsection 58-1-106(1) provides that the Division may adopt and enforce rules to administer Title 58. Subsection 58-3a-201(3) provides that the Architects Licensing Board's duties and responsibilities shall be in accordance with Section 58-1-202. Subsection 58-1-202(1) provides that one of the duties of each board is to recommend appropriate rules to the division director. This rule was enacted to clarify the provisions of Title 58, Chapter 3a with respect to architects.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since the rule was originally enacted in 1996, the rule has been amended twice. In October 1997, the Division received a letter from the American Institute of Architects - Utah Chapter supporting the proposed amendments. In April 2001 the rule was again amended; however, the Division received no written comments with respect to that rule filing.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued as it clarifies the provisions of Title 58, Chapter 3a with respect to architects.

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

Commerce
Occupational and Professional Licensing
Fourth Floor, Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
David Fairhurst at the above address, by phone at (801) 530-6621, by FAX at (801) 530-6511, or Internet E-mail at brdopl.dfairhur@email.state.ut.us.

AUTHORIZED BY: J. Craig Jackson, Director

EFFECTIVE: 06/11/2001

◆ ◆

Commerce, Occupational and Professional Licensing

R156-46b

Division Utah Administrative Procedures Act Rules

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 23839
FILED: 06/11/2001, 15:03
RECEIVED BY: NL

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: Subsection 58-1-106(1) provides that the Division may adopt and enforce rules to administer Title 58. Subsection 63-46b-1(6) provides that agencies may enact rules affecting or governing adjudicative proceedings.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since the rule was last reviewed in 1996, the rule was amended twice in 2000. No written comments have been received by the Division with respect to this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued as it clarifies the provisions of Title 63, Chapter 46b as it applies to the Division adjudicative proceedings.

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

Commerce
Occupational and Professional Licensing
Fourth Floor, Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Laura Poe at the above address, by phone at (801) 530-6789, by FAX at (801) 530-6511, or Internet E-mail at brdopl.lpoe@email.state.ut.us.

AUTHORIZED BY: J. Craig Jackson, Director

EFFECTIVE: 06/11/2001

Commerce, Occupational and Professional Licensing

R156-60d

Substance Abuse Counselor Act Rules

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 23838
FILED: 06/11/2001, 14:28
RECEIVED BY: NL

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: Title 58, Chapter 60, Part 5 provides for the licensure of substance abuse counselors. Subsection 58-1-106(1) provides that the Division may adopt and enforce rules to administer Title 58. Subsection 58-60-503(3) provides that the Licensed Substance Abuse Counselor Licensing Board's duties and responsibilities shall be in accordance with Section 58-1-202. Subsection 58-1-202(1) provides that one of the duties of each board is to recommend appropriate rules to the division director. This rule was enacted to clarify the provisions of Title 58, Chapter 60, Part 5 with respect to substance abuse counselors. Subsection 58-1-106(1) provides that the Division may adopt and enforce rules to administer Title 58.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since the rule was originally enacted in 1996, the rule has been amended only once in 1998. No written comments have been received by the Division with respect to this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued as it clarifies the provisions of Title 58, Chapter 60, Part 5 with respect to substance abuse counselors.

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

Commerce
Occupational and Professional Licensing
Fourth Floor, Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Dan S. Jones at the above address, by phone at (801) 530-6720, by FAX at (801) 530-6511, or Internet E-mail at brdopl.dsjones@email.state.ut.us.

AUTHORIZED BY: J. Craig Jackson, Director

EFFECTIVE: 06/11/2001

Human Services, Aging and Adult Services

R510-1

Authority and Purpose

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 23822
FILED: 06/04/2001, 17:23
RECEIVED BY: NL

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: The rules of the Division Aging and Adult Services are promulgated under the Older Americans Act, Pub. L. No. 106-501, 42 USC Section 3001 et seq.; Title 62A, Chapter 3, Parts 1, 2, and 3; the Workforce Investment Act of 1998, 29 U.S.C. 2801 et seq.; and the Social Services Block Grant, 45 CFR Parts 16, 74, and 96.This section documents the laws by which the agency operates.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No comments were received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule lists all the statutory authority to conduct aging and adult programs and therefore needs to be continued.

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

Human Services
Aging and Adult Services
Room 325
120 North 200 West
PO Box 45500
Salt Lake City, UT 84145-0500, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Sally Anne Brown at the above address, by phone at (801) 538-8250, by FAX at (801) 538-4395, or Internet E-mail at sbrown@hs.state.ut.us.

AUTHORIZED BY: Helen Goddard, Director

EFFECTIVE: 06/04/2001

◆ ◆

Public Safety, Driver License

R708-33

Electric Assisted Bicycle Headgear

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 23833
FILED: 06/07/2001, 18:26
RECEIVED BY: NL

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: Subsection 41-6-107.8(3)(a)(b) requires the Department of Public Safety to make a rule establishing specifications and standards for the use of protective headgear for operators of electric-assisted bicycles.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: We need to continue this rule so that we are in compliance with statute and to make sure that those who ride electric-assisted bicycles have the proper headgear protection.

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

Public Safety
Driver License
Calvin Rampton Complex
4510 South 2700 West
PO Box 30560
Salt Lake City, UT 84130-0560, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Vinn Roos at the above address, by phone at (801) 965-4456, by FAX at (801) 964-4482, or Internet E-mail at vroos@email.state.ut.us.

AUTHORIZED BY: Judy Hamaker-Mann, Director

EFFECTIVE: 06/07/2001

◆ ◆

End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. These effective dates are at least 31 days and not more than 120 days after the date the following rules were published.

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

Commerce
Occupational and Professional Licensing
No. 23577 (AMD): R156-56. Utah Uniform Building Standard Act Rules.
Published: April 15, 2001
Effective: July 1, 2001

Community and Economic Development
Community Development, Energy Services
No. 23377 (CPR): R203-1. Utah Clean Fuels Grant and Loan Program.
Published: February 15, 2001
Effective: June 15, 2001

Education
Administration
No. 23670 (AMD): R277-709. Education Programs Serving Youth in Custody.
Published: May 1, 2001
Effective: June 5, 2001

No. 23671 (AMD): R277-911. Secondary Applied Technology Education.
Published: May 1, 2001
Effective: June 5, 2001

Environmental Quality
Radiation Control
No. 23667 (AMD): R313-12. General Provisions.
Published: May 1, 2001
Effective: June 8, 2001

No. 23668 (AMD): R313-14. Violations and Escalated Enforcement.
Published: May 1, 2001
Effective: June 8, 2001

No. 23669 (NEW): R313-26. Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities.
Published: May 1, 2001
Effective: June 8, 2001

Solid and Hazardous Waste
No. 23521 (AMD): R315-2-2. Definition of Solid Waste.
Published: March 1, 2001
Effective: June 15, 2001

No. 23411 (CPR): R315-3. Application and Permit Procedures for Hazardous Waste Treatment, Storage and Disposal Facilities.
Published: May 1, 2001
Effective: June 15, 2001

No. 23413 (CPR): R315-7. Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities.
Published: May 1, 2001
Effective: June 15, 2001

No. 23414 (CPR): R315-8. Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities.
Published: May 1, 2001
Effective: June 15, 2001

No. 23638 (AMD): R315-301-2. Definitions.
Published: May 1, 2001
Effective: July 1, 2001

No. 23639 (AMD): R315-302. Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements.
Published: May 1, 2001
Effective: July 1, 2001

No. 23640 (AMD): R315-303-3. Standards for Design.
Published: May 1, 2001
Effective: July 1, 2001

No. 23641 (AMD): R315-304-5. Industrial Landfill Requirements.
Published: May 1, 2001
Effective: July 1, 2001

No. 23642 (AMD): R315-305. Class IV Landfill Requirements.
Published: May 1, 2001
Effective: July 1, 2001

No. 23643 (AMD): R315-306. Energy Recovery and Incinerator Standards.
Published: May 1, 2001
Effective: July 1, 2001

No. 23644 (AMD): R315-307-1. Applicability.
Published: May 1, 2001
Effective: July 1, 2001

No. 23645 (AMD): R315-308-2. Ground Water Monitoring Requirements.
Published: May 1, 2001
Effective: July 1, 2001

No. 23646 (AMD): R315-309-2. General Requirements.
Published: May 1, 2001
Effective: July 1, 2001

No. 23647 (AMD): R315-310. Permit Requirements for Solid Waste Facilities.
Published: May 1, 2001
Effective: July 1, 2001

No. 23648 (AMD): R315-312. Recycling and Composting Facility Standards.
Published: May 1, 2001
Effective: July 1, 2001

No. 23649 (AMD): R315-313. Transfer Stations and Drop Box Facilities.
Published: May 1, 2001
Effective: July 1, 2001

No. 23650 (AMD): R315-314-3. Requirements for a Waste Tire Storage Facility.
Published: May 1, 2001
Effective: July 1, 2001

No. 23651 (AMD): R315-316. Infectious Waste Requirements.
Published: May 1, 2001
Effective: July 1, 2001

No. 23652 (AMD): R315-320. Waste Tire Transporter and Recycler Requirements.
Published: May 1, 2001
Effective: July 1, 2001

Human Services
Mental Health, State Hospital
No. 23666 (NEW): R525-8. Forensic Mental Health Facility.
Published: May 1, 2001
Effective: June 4, 2001

Insurance
Administration
No. 23560 (NEW): R590-208. Uniform Application for Certificates of Authority.
Published: April 1, 2001
Effective: June 12, 2001

Natural Resources
Parks and Recreation
No. 23707 (AMD): R651-401. Off-Highway Vehicle Assigned Numbers and Registration Stickers.
Published: May 15, 2001
Effective: June 15, 2001

No. 23708 (AMD): R651-403. Dealer Registration.
Published: May 15, 2001
Effective: June 15, 2001

No. 23709 (AMD): R651-404. Temporary Registration.
Published: May 15, 2001
Effective: June 15, 2001

No. 23710 (AMD): R651-601. Definitions as Used in These Rules.
Published: May 15, 2001
Effective: June 15, 2001

No. 23711 (AMD): R651-603. Animals.
Published: May 15, 2001
Effective: June 15, 2001

No. 23712 (AMD): R651-620. Protection of Resources Park System Property.
Published: May 15, 2001
Effective: June 15, 2001

No. 23654 (NEW): R651-635. Commercial Use of Division Managed Lands.
Published: May 1, 2001
Effective: June 11, 2001

Forestry, Fire and State Lands
No. 23621 (AMD): R652-70-2400. Recreational Use of Navigable Rivers.
Published: May 1, 2001
Effective: June 11, 2001

Wildlife Resources
No. 23675 (AMD): R657-43. Landowner Permits.
Published: May 1, 2001
Effective: June 4, 2001

No. 23676 (AMD): R657-44. Big Game Depredation.
Published: May 1, 2001
Effective: June 4, 2001

No. 23677 (NEW): R657-48. Implementation of the Wildlife Species of Concern and Habitat Designation Advisory Committee.
Published: May 1, 2001
Effective: June 13, 2001

Public Service Commission
Administration
No. 23232 (Second CPR): R746-352. Price Cap Regulation.
Published: April 1, 2001
Effective: June 15, 2001

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, 2001, including notices of effective date received through June 15, 2001, the effective dates of which are no later than July 1, 2001. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *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).

A copy of the *Rules Index* is available for public inspection at the Division of Administrative Rules (4120 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (http://www.rules.state.ut.us/).

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
5YR = Five-Year Review
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
* = Text too long to print in *Bulletin*, or repealed text not printed in *Bulletin*

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ADMINISTRATIVE SERVICES					
Debt Collection					
R21-3	Debt Collection Through Administrative Offset	23682	NSC	05/01/2001	Not Printed
Facilities Construction and Management					
R23-6	Value Engineering and Life Cycle Costing of State Owned Facilities Rules and Regulations	23697	NSC	05/01/2001	Not Printed
Finance					
R25-14	Payment of Attorneys Fees in Death Penalty Cases	23366	AMD	01/22/2001	2000-24/5
Fleet Operations					
R27-2	Fleet Operations Adjudicative Proceedings	23522	5YR	02/08/2001	2001-5/39
R27-7	Safety and Loss Prevention of State Vehicles	23345	NEW	01/31/2001	2000-24/6
Fleet Operations, Surplus Property					
R28-2	Surplus Firearms	23523	5YR	02/08/2001	2001-5/39

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
AGRICULTURE AND FOOD					
Administration					
R51-1	Public Petitions for Declaratory Rulings	23584	5YR	03/30/2001	2001-8/83
Animal Industry					
R58-2	Diseases, Inspections and Quarantines	23557	NSC	04/01/2001	Not Printed
R58-10	Meat and Poultry Inspection	23306	AMD	01/03/2001	2000-23/9
R58-11	Slaughter of Livestock	23585	5YR	03/30/2001	2001-8/83
R58-12	Record Keeping and Carcass Identification at Meat Exempt (Custom Cut) Establishments	23586	5YR	03/30/2001	2001-8/84
R58-13	Custom Exempt Slaughter	23587	5YR	03/30/2001	2001-8/84
R58-15	Collection of Annual Fees for the Wildlife Damage Prevention Act	23588	5YR	03/30/2001	2001-8/85
R58-16	Swine Garbage Feeding	23589	5YR	03/30/2001	2001-8/85
R58-17	Aquaculture and Aquatic Animal Health	23534	AMD	04/17/2001	2001-6/34
Chemistry Laboratory					
R63-1	Fee Schedule	23404	5YR	01/10/2001	2001-3/94
Marketing and Conservation					
R65-1	Utah Apple Marketing Order	23543	5YR	03/06/2001	2001-7/45
R65-3	Utah Turkey Marketing Order	23544	5YR	03/06/2001	2001-7/45
R65-4	Utah Egg Marketing Order	23545	5YR	03/06/2001	2001-7/46
Plant Industry					
R68-1	Utah Bee Inspection Act Governing Inspection of Bees	23434	5YR	01/16/2001	2001-3/94
R68-2	Utah Commercial Feed Act Governing Feed	23435	5YR	01/16/2001	2001-3/95
R68-6	Utah Nursery Act	23436	5YR	01/16/2001	2001-3/95
R68-10	Quarantine Pertaining to the European Corn Borer	23437	5YR	01/16/2001	2001-3/96
R68-12	Quarantine Pertaining to Mint Wilt	23438	5YR	01/16/2001	2001-3/96
Regulatory Services					
R70-101	Bedding, Upholstered Furniture and Quilted Clothing	23541	5YR	03/06/2001	2001-7/46
R70-101	Bedding, Upholstered Furniture and Quilted Clothing	23542	AMD	05/02/2001	2001-7/6
R70-101-14	Rules and Regulations for Filling Material	23653	NSC	06/01/2001	Not Printed
R70-420	Chickens	23428	REP	03/06/2001	2001-3/5
R70-430	Turkeys	23429	REP	03/06/2001	2001-3/6
R70-610	Uniform Retail Wheat Standards of Identity	23430	5YR	01/16/2001	2001-3/96
R70-610	Uniform Retail Wheat Standards and Identity	23431	NSC	02/01/2001	Not Printed
R70-620	Enrichment of Flour and Cereal Products	23432	5YR	01/16/2001	2001-3/97
R70-620	Enrichment of Flour and Cereal Products	23433	AMD	03/06/2001	2001-3/7

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R70-910	Voluntary Registration of Servicemen and Service Agencies for Commercial Weighing and Measuring Devices	23728	5YR	05/03/2001	2001-11/116
R70-950	Uniform National Type Evaluation	23729	5YR	05/03/2001	2001-11/116
ALCOHOLIC BEVERAGE CONTROL					
Administration					
R81-4B	Airport Lounges	23591	5YR	04/02/2001	2001-8/85
R81-4B	Airport Lounges	23603	NSC	05/01/2001	Not Printed
R81-10	On Premise Beer Retailer	23592	5YR	04/02/2001	2001-8/86
R81-10	On-Premise Beer Retailer	23604	NSC	05/01/2001	Not Printed
CAPITOL PRESERVATION BOARD (STATE)					
Administration					
R131-4	Procurement of Construction	23578	NEW	05/16/2001	2001-8/7
COMMERCE					
Administration					
R151-46b	Department of Commerce Administrative Procedures Act Rules	23537	5YR	02/28/2001	2001-6/49
Consumer Protection					
R152-1	Utah Division of Consumer Protection: "Buyer Beware List"	23457	5YR	01/29/2001	2001-4/61
Corporations and Commercial Code					
R154-10	Utah Digital Signature Act Rules	23595	AMD	05/18/2001	2001-8/15
Occupational and Professional Licensing					
R156-1-308d	Denial of Renewal of Licensure-Classification of proceedings-Conditional Renewal During Pendency of Adjudicative Proceedings, Audit or Investigation	23295	AMD	01/04/2001	2000-23/9
R156-3a	Architect Licensing Act Rules	23550	AMD	05/03/2001	2001-7/9
R156-3a	Architect Licensing Act Rules	23730	NSC	06/01/2001	Not Printed
R156-3a	Architect Licensing Act Rules	23837	5YR	06/11/2001	2001-13/85
R156-11a	Cosmetologist/Barber Licensing Act Rules	23260	AMD	see CPR	2000-22/5
R156-11a	Cosmetologist/Barber Licensing Act Rules	23260	CPR	03/06/2001	2001-3/79
R156-16a	Optometry Practice Act Rules	23566	AMD	05/17/2001	2001-8/16
R156-17a	Pharmacy Practice Act Rules	23695	5YR	04/26/2001	2001-10/89
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	23517	AMD	see CPR	2001-5/4
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	23517	CPR	05/17/2001	2001-8/81
R156-26a	Certified Public Accountant Licensing Act Rules	23296	AMD	01/04/2001	2000-23/11
R156-28	Veterinary Practice Act Rules	23309	AMD	see CPR	2000-23/15
R156-28	Veterinary Practice Act Rules	23309	CPR	03/08/2001	2001-3/80
R156-37-502	Unprofessional Conduct	23401	NSC	02/01/2001	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R156-46b	Division Utah Administrative Procedures Act Rules	23839	5YR	06/11/2001	2001-13/85
R156-47b	Massage Therapy Practice Act Rules	23535	5YR	02/26/2001	2001-6/49
R156-50	Private Probation Provider Licensing Act Rules	23696	5YR	04/26/2001	2001-10/90
R156-54-302b	Examination Requirements - Radiology Practical Technician	23518	AMD	04/03/2001	2001-5/7
R156-54-302b	Examination Requirements - Radiology Practical Technician	23602	NSC	05/01/2001	Not Printed
R156-56	Utah Uniform Building Standard Act Rules	23577	AMD	07/01/2001	2001-8/18
R156-55b	Electricians Licensing Rules	23374	AMD	04/30/2001	2001-1/4
R156-55c-102	Definitions	23375	AMD	04/30/2001	2001-1/5
R156-55d-603	Operating Standards - Alarm Installer	23524	AMD	04/03/2001	2001-5/8
R156-60b	Marriage and Family Therapist Licensing Act Rules	23620	AMD	06/01/2001	2001-9/13
R156-60d	Substance Abuse Counselor Act Rules	23838	5YR	06/11/2001	2001-13/86
R156-61	Psychologist Licensing Act Rules	23632	AMD	06/01/2001	2001-9/16
R156-69	Dentist and Dental Hygienist Practice Act Rules	23141	AMD	see CPR	2000-19/10
R156-69	Dentist and Dental Hygienist Practice Act Rules	23141	CPR	02/15/2001	2001-2/17
R156-73	Chiropractic Physician Practice Act Rules	23390	AMD	02/15/2001	2001-2/2
Real Estate					
R162-102	Application Procedures	23321	AMD	02/07/2001	2000-23/17
R162-209	Administrative Proceedings	23526	NEW	04/13/2001	2001-5/9
COMMUNITY AND ECONOMIC DEVELOPMENT					
Community Development					
R199-8	Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance	23321	AMD	01/23/2001	2000-21/3
R199-9	Policy Concerning Enforceability and Taxability of Bonds Purchased	23575	NSC	04/01/2001	Not Printed
R199-10	Procedures in Case of Inability to Formulate Contract for Alleviation of Impact	23576	NSC	04/01/2001	Not Printed
Community Development, Community Services					
R202-201	Energy Assistance: General Provisions	23686	NSC	05/01/2001	Not Printed
R202-202	Energy Assistance Programs Standards	23687	NSC	05/01/2001	Not Printed
R202-203	Energy Assistance Income Standards, Income Eligibility, and Payment Determination	23688	NSC	05/01/2001	Not Printed
R202-204	Energy Assistance: Asset Standards	23689	NSC	05/01/2001	Not Printed
R202-205	Energy Assistance: Program Benefits	23690	NSC	05/01/2001	Not Printed
R202-206	Energy Assistance: Eligibility Determination	23691	NSC	05/01/2001	Not Printed
R202-207	Energy Assistance: Records and Benefit Management	23692	NSC	05/01/2001	Not Printed
R202-208	Energy Assistance: Special State Programs	23693	NSC	05/01/2001	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Community Development, Energy Services					
R203-1	Utah Clean Fuels Grant and Loan Program	23377	AMD	see CPR	2001-1/6
R203-1	Utah Clean Fuels Grant and Loan Program	23377	CPR	06/15/2001	2001-4/52
Community Development, History					
R212-4	Archaeological and Paleontological Permits	23606	NSC	05/01/2001	Not Printed
R212-11	Historic Preservation Tax Credit	23607	NSC	05/01/2001	Not Printed
Community Development, Library					
R223-2	Public Library online Access for Eligibility to Receive Public Funds	23352	NEW	02/15/2001	2000-24/11
R223-2	Public Library Online Access for Eligibility to Receive Public Funds	23519	NSC	02/23/2001	Not Printed
Indian Affairs					
R230-1	Native American Grave Protection and Repatriation	23476	5YR	02/01/2001	2001-4/61
CORRECTIONS					
Administration					
R251-102	Release of Communicable Disease Information	23313	AMD	01/04/2001	2000-23/18
R251-102	Release of Communicable Disease Information	23511	5YR	02/05/2001	2001-5/40
R251-109	Sex Offender Treatment Providers	23568	5YR	03/27/2001	2001-8/86
R251-110	Sex Offender Notification	23571	5YR	03/27/2001	2001-8/87
R251-301	Employment, Education or Vocational Training for Community Correctional Center Residents	23512	5YR	02/05/2001	2001-5/40
R251-301	Employment, Educational or Vocational Training for Community Center residents	23400	AMD	03/13/2001	2001-3/8
R251-709	Transportation of Inmates	23570	5YR	03/27/2001	2001-8/87
R251-709	Transportation of Inmates	23540	AMD	05/15/2001	2001-7/12
CRIME VICTIM REPARATIONS					
Administration					
R270-1	Award and Reparations Standards	23527	AMD	04/03/2001	2001-5/11
EDUCATION					
Administration					
R277-415	Strategic Planning Programs	23747	5YR	05/14/2001	2001-11/117
R277-469	Textbook Commission Operating Procedures	23426	AMD	03/06/2001	2001-3/9
R277-513	Dual Certification	23748	5YR	05/14/2001	2001-11/117
R277-514	Board Procedures: Sanctions for Educator Misconduct	23546	NSC	04/01/2001	Not Printed
R277-517	Athletic Coaching Endorsements	23749	5YR	05/14/2001	2001-11/118
R277-709	Education Programs Serving Youth in Custody	23670	AMD	06/05/2001	2001-9/19
R277-911	Secondary Applied Technology Education	23671	AMD	06/05/2001	2001-9/21

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ENVIRONMENTAL QUALITY					
Air Quality					
R307-103-1	Scope of Rule	23442	NSC	02/01/2001	Not Printed
R307-103-2	Initial Proceedings	23407	AMD	04/12/2001	2001-3/13
R307-204	Emissions Standards: Smoke Management	23139	NEW	see CPR	2000-19/14
R307-204	Emissions Standards: Smoke Management	23139	CPR	03/06/2001	2001-3/81
R307-501	Emergency Rule: Power Generators	23781	EMR	05/15/2001	2001-11/114
Drinking Water					
R309-101	General Administration of Drinking Water Program	23662	5YR	04/16/2001	2001-9/140
R309-102	Responsibilities of Public Water System Owners and Operators	23663	5YR	04/16/2001	2001-9/140
R309-103	Water Quality Maximum Contaminant Levels (MCLs)	23664	5YR	04/16/2001	2001-9/141
R309-104	Monitoring, Reporting and Public Notification	23665	5YR	04/16/2001	2001-9/141
R309-150	Water System Rating Criteria	23252	AMD	01/04/2001	2000-22/33
R309-208 (Changed to R309-535)	Facility Design and Operation: Miscellaneous Treatment Methods	23394	AMD	05/01/2001	2001-2/3
Radiation Control					
R313-12	General Provisions	23667	AMD	06/07/2001	2001-9/54
R313-14	Violations and Escalated Enforcement	23668	AMD	06/07/2001	2001-9/55
R313-19	Requirements of General Applicability to Licensing of Radioactive Material	23312	AMD	01/26/2001	2000-23/19
R313-26	Generator Site Access Permit Requirements for Accessing Utah Radioactive Waste Disposal Facilities	23669	NEW	06/08/2001	2001-9/59
R313-36	Special Requirements for Industrial Radiographic Operations	23552	AMD	05/11/2001	2001-7/13
Solid and Hazardous Waste					
R315-1	Utah Hazardous Waste Definitions and References	23409	AMD	04/20/2001	2001-3/14
R315-2	General Requirements - Identification and Listing of Hazardous Waste	23410	AMD	04/20/2001	2001-3/16
R315-2-2	Definitions of Solid Waste	23521	AMD	06/15/2001	2001-5/15
R315-3	Application and Permit Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	23411	AMD	see CPR	2001-3/22
R315-3	Application and Permit Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	23411	CPR	06/15/2001	2001-9/130
R315-5-3	Pre-Transport Requirements	23412	AMD	04/20/2001	2001-3/30
R315-7	Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	23413	AMD	see CPR	2001-3/31
R315-7	Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	23413	CPR	06/15/2001	2001-9/131

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R315-8	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	23414	AMD	see CPR	2001-3/36
R315-8	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	23414	CPR	06/15/2001	2001-9/133
R315-13-1	Land Disposal Restrictions	23415	AMD	04/20/2001	2001-3/40
R315-14-7	Hazardous Waste Burned in Boilers and Industrial Furnaces	23416	AMD	04/20/2001	2001-3/41
R315-16	Standards for Universal Waste Management	23417	AMD	04/20/2001	2001-3/42
R315-50	Appendices	23418	AMD	04/20/2001	2001-3/50
R315-301-2	Definitions	23638	AMD	07/01/2001	2001-9/60
R315-302	Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements	23639	AMD	07/01/2001	2001-9/64
R315-303-3	Standards for Design	23640	AMD	07/01/2001	2001-9/68
R315-304-5	Industrial Landfill Requirements	23641	AMD	07/01/2001	2001-9/71
R315-305	Class IV Landfill Requirements	23642	AMD	07/01/2001	2001-9/72
R315-306	Energy Recovery and Incinerator Standards	23643	AMD	07/01/2001	2001-9/74
R315-307-1	Applicability	23644	AMD	07/01/2001	2001-9/76
R315-308-2	Ground Water Monitoring Requirements	23645	AMD	07/01/2001	2001-9/77
R315-309-2	General Requirements	23646	AMD	07/01/2001	2001-9/80
R315-310	Permit Requirements for Solid Waste Facilities	23647	AMD	07/01/2001	2001-9/81
R315-312	Recycling and Composting Facility Standards	23648	AMD	07/01/2001	2001-9/85
R315-313	Transfer Stations and Drop Box Facilities	23649	AMD	07/01/2001	2001-9/86
R315-314-3	Requirements for a waste Tire Storage Facility	23650	AMD	07/01/2001	2001-9/87
R315-315-8	Petroleum Contaminated Soils	22858	AMD	see CPR (First)	2000-11/18
R315-315-8	Petroleum Contaminated Soils	22858	CPR (First)	see CPR (Second)	2000-17/67
R315-315-8	Petroleum Contaminated Soils	22858	CPR (Second)	01/05/2001	2000-23/58
R315-316	Infectious Waste Requirements	23651	AMD	07/01/2001	2001-9/89
R315-320	Waste Tire Transporter and Recycler Requirements	23652	AMD	07/01/2001	2001-9/91
Water Quality					
R317-1-3	Requirements for Waste Discharges	23164	AMD	see CPR	2000-19/25
R317-1-3	Requirements for Waste Discharges	23164	CPR	01/23/2001	2000-24/74
R317-7	Underground Injection Control (UIC) Program	23162	AMD	see CPR	2000-19/34
R317-7	Underground Injection Control (UIC) Program	23162	CPR	01/23/2001	2000-24/75
R317-8	Utah Pollutant Discharge Elimination System (UPDES)	23161	AMD	see CPR	2000-19/40
R317-8	Utah Pollutant Discharge Elimination System (UPDES)	23161	CPR	01/23/2001	2000-24/78

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
GOVERNOR					
Planning and Budget					
R361-1	Rule for Implementation of the Resource Development Co-ordinating Committee Act, 1981	23408	5YR	01/11/2001	2001-3/97
HEALTH					
Children's Health Insurance Program					
R382-10	Eligibility	23458	AMD	04/04/2001	2001-4/6
Epidemiology and Laboratory Services, HIV/AIDS, Tuberculosis Control/Refugee Health					
R388-804	Special Measures for the Control of Tuberculosis	23303	AMD	02/02/2001	2000-23/29
Health Care Financing, Coverage and Reimbursement Policy					
R414-63	Medicaid Policy for Pharmacy Reimbursement	23347	NEW	01/17/2001	2000-24/23
R414-63	Medicaid Policy for Pharmacy Reimbursement	23551	AMD	05/07/2001	2001-7/17
R414-303	Coverage Groups	23396	EMR	01/03/2001	2001-3/87
R414-303	Coverage Groups	23420	AMD	03/13/2001	2001-3/52
R414-304	Income and Budgeting	23397	EMR	01/03/2001	2001-3/89
R414-304	Income and Budgeting	23421	AMD	03/13/2001	2001-3/56
R414-305	Resources	23398	EMR	01/03/2001	2001-3/91
R414-305	Resources	23422	AMD	03/13/2001	2001-3/60
R414-306	Program Benefits	23459	AMD	04/04/2001	2001-4/11
R414-309	Utah Medical Assistance Program (UMAP)	23349	AMD	01/17/2001	2000-24/24
R414-309	Utah Medical Assistance Program (UMAP)	23700	EMR	05/01/2001	2001-10/82
R414-310	Demonstration Programs	23452	REP	04/02/2001	2001-4/13
Health Care Financing, Medical Assistance Program					
R420-1	Utah Medical Assistance Program	23351	AMD	01/23/2001	2000-24/28
R420-1	Utah Medical Assistance Program	23701	EMR	05/01/2001	2001-10/85
Health Systems Improvement, Emergency Medical Services					
R426-2	Air Medical Services Rules	23344	AMD	01/23/2001	2000-24/32
R426-6	Emergency Medical Services Grants Program Rules	23185	AMD	01/17/2001	2000-20/27
R426-7	Emergency Medical Services Prehospital Data System Rules	23186	NEW	01/30/2001	2000-20/29
R426-8	Emergency Medical Services Per Capita Grants Program Rules	23202	NEW	01/30/2001	2000-21/14
Health Systems Improvement, Child Care Licensing					
R430-6	Background Screening	23450	R&R	04/17/2001	2001-4/15
R430-100	Child Care Center	23451	AMD	04/17/2001	2001-4/20

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Health Systems Improvement, Health Facility Licensure					
R432-106	Specialty Hospital-Critical Access	23292	NEW	01/23/2001	2000-23/31
R432-270	Assisted Living Facilities	23380	AMD	03/30/2001	2001-1/10
Health Systems Improvement, Health Facility Licensure (Changed to Health Systems Improvement, Licensing--04/01/2001)					
R432-1	General Health Care Facility Rules	23477	NSC	04/01/2001	Not Printed
R432-2	General Licensing Provisions	23478	NSC	04/01/2001	Not Printed
R432-3	General Health Care Facility Rules Inspection and Enforcement	23479	NSC	04/01/2001	Not Printed
R432-4	General Construction	23480	NSC	04/01/2001	Not Printed
R432-5	Nursing Facility Construction	23481	NSC	04/01/2001	Not Printed
R432-6	Assisted Living Facility General Construction	23482	NSC	04/01/2001	Not Printed
R432-7	Specialty Hospital - Psychiatric Hospital Construction	23483	NSC	04/01/2001	Not Printed
R432-8	Specialty Hospital - Chemical Dependency/Substance Abuse Construction	23484	NSC	04/01/2001	Not Printed
R432-9	Specialty Hospital - Rehabilitation Construction Rule	23485	NSC	04/01/2001	Not Printed
R432-10	Specialty Hospital - Chronic Disease Construction Rule	23486	NSC	04/01/2001	Not Printed
R432-11	Orthopedic Hospital Construction	23487	NSC	04/01/2001	Not Printed
R432-12	Small Health Care Facility (Four to Sixteen Beds) Construction Rule	23488	NSC	04/01/2001	Not Printed
R432-13	Freestanding Ambulatory Surgical Center Construction Rule	23489	NSC	04/01/2001	Not Printed
R432-14	Birthing Center Construction Rule	23490	NSC	04/01/2001	Not Printed
R432-16	Hospice Inpatient Facility Construction	23491	NSC	04/01/2001	Not Printed
R432-30	Adjudication Procedure	23492	NSC	04/01/2001	Not Printed
R432-35	Background Screening	23493	NSC	04/01/2001	Not Printed
R432-100	General Hospital Standards	23494	NSC	04/01/2001	Not Printed
R432-101	Specialty Hospital - Psychiatric	23495	NSC	04/01/2001	Not Printed
R432-102	Specialty Hospital - Chemical Dependency/Substance Abuse	23496	NSC	04/01/2001	Not Printed
R432-103	Specialty Hospital - Rehabilitation	23497	NSC	04/01/2001	Not Printed
R432-104	Specialty Hospital - Chronic Disease	23498	NSC	04/01/2001	Not Printed
R432-105	Specialty Hospital - Orthopedic	23499	NSC	04/01/2001	Not Printed
R432-106	Specialty Hospital - Critical Access	23561	NSC	04/01/2001	Not Printed
R432-150	Nursing Care Facility	23500	NSC	04/01/2001	Not Printed
R432-151	Mental Disease Facility	23501	NSC	04/01/2001	Not Printed
R432-152	Mental Retardation Facility	23502	NSC	04/01/2001	Not Printed
R432-200	Small Health Care Facility (Four to Sixteen Beds)	23503	NSC	04/01/2001	Not Printed
R432-201	Mental Retardation Facility: Supplement "A" to the Small Health Care Facility Rule	23504	NSC	04/01/2001	Not Printed
R432-270	Assisted Living Facilities	23505	NSC	04/01/2001	Not Printed
R432-300	Small Health Care Facility - Type N	23506	NSC	04/01/2001	Not Printed
R432-500	Freestanding Ambulatory Surgical Center Rules	23567	NSC	04/01/2001	Not Printed
R432-550	Birthing Centers (Five or Less Birth Rooms)	23507	NSC	04/01/2001	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R432-600	Abortion Clinic Rule	23508	NSC	04/01/2001	Not Printed
R432-650	End Stage Renal Disease Facility Rules	23562	NSC	04/01/2001	Not Printed
R432-700	Home Health Agency Rule	23509	NSC	04/01/2001	Not Printed
R432-750	Hospice Rule	23510	NSC	04/01/2001	Not Printed
R432-950	Mammography Quality Assurance	23563	NSC	04/01/2001	Not Printed
Center for health Data, Vital Records and Statistics					
R436-11	Local Registrars	23681	NSC	05/01/2001	Not Printed
HUMAN SERVICES					
Administration					
R495-862	Communicable Disease Control Act	23605	5YR	04/04/2001	2001-9/142
Administration, Administrative Services, Licensing					
R501-7	Child Placing Agencies	23121	AMD	see CPR	2000-18/65
R501-7	Child Placing Agencies	23121	CPR	01/16/2001	2000-23/59
R501-8	VII. Section C: Categorical Standards	23322	AMD	01/16/2001	2000-23/33
R501-8	Outdoor Youth Programs	23406	NSC	02/01/2001	Not Printed
R501-14	Criminal Background Screening	23783	5YR	05/18/2001	2001-12/73
R501-17	Adult Foster Care Standards	23323	AMD	01/16/2001	2000-23/39
Aging and Adult Services					
R510-1	Authority and Purpose	23453	5YR	01/23/2001	2001-4/62
R510-1	Authority and Purpose	23538	AMD	04/17/2001	2001-6/45
R510-1	Authority and Purpose	23822	5YR	06/04/2001	2001-13/86
Mental Health, State Hospital					
R525-8	Forensic Mental Health Facility	23666	NEW	06/04/2001	2001-9/98
Recovery Services					
R527-200	Administrative Procedures	23733	5YR	05/07/2001	2001-11/118
R527-928	Lost Checks	23389	AMD	02/15/2001	2001-2/7
Substance Abuse					
R544-2	Division Rules	23706	5YR	04/30/2001	2001-10/90
INSURANCE					
Administration					
R590-144	Commercial Aviation Insurance Exemption From Rate and Form Filing	23582	5YR	03/30/2001	2001-8/88
R590-144	Commercial Aviation Insurance Exemption From Rate and Form Filing	23583	NSC	05/01/2001	Not Printed
R590-146	Medicare Supplement Insurance Minimum Standards	23598	AMD	05/23/2001	2001-8/65
R590-177	Life Insurance Illustrations Rule	23713	5YR	04/30/2001	2001-10/91

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R590-200	Diabetes Treatment and Management	22923	NEW	see CPR (First)	2000-13/51
R590-200	Diabetes Treatment and Management	22923	CPR (First)	see CPR (Second)	2000-19/159
R590-200	Diabetes Treatment and Management	22923	CPR (Second)	see CPR (Third)	2000-23/60
R590-200	Diabetes Treatment and Management	22923	CPR (Third)	04/30/2001	2001-3/84
R590-204	Adoption Indemnity Benefits	23378	NEW	02/09/2001	2001-1/23
R590-205	Privacy of Consumer Information Compliance Deadline	23247	NEW	01/11/2001	2000-22/35
R590-208	Uniform Application for Certificates of Authority	23560	NEW	06/12/2001	2001-7/20
LABOR COMMISSION					
Antidiscrimination and Labor, Antidiscrimination					
R606-1-3	Procedures--Request for Agency Action and Investigation File	23515	AMD	04/03/2001	2001-5/17
Industrial Accidents					
R612-1-3	Official Forms	23462	NSC	02/15/2001	Not Printed
R612-1-10	Permanent Total Disability	23223	AMD	see CPR	2000-21/18
R612-1-10	Permanent Total Disability	23223	CPR	03/20/2001	2001-1/36
R612-2-3	Filings	23463	NSC	02/15/2001	Not Printed
R612-2-5	Regulation of Medical Practitioner Fees	23464	NSC	02/15/2001	Not Printed
R612-2-5	Regulation of Medical Practitioner Fees	23548	EMR	03/08/2001	2001-7/43
R612-2-5	Regulation of Medical Practitioner Fees	23549	AMD	05/03/2001	2001-7/21
R612-2-6	Fees in Cases Requiring Unusual Treatment	23465	NSC	02/15/2001	Not Printed
R612-2-11	Surgical Assistants' Fees	23466	NSC	02/15/2001	Not Printed
R612-2-16	Charges for Special or Unusual Supplies, Materials, or Drugs	23467	AMD	03/20/2001	2001-4/32
R612-2-17	Fees for Unscheduled Procedures	23468	NSC	02/15/2001	Not Printed
R612-2-22	Medical Records	23469	AMD	03/20/2001	2001-4/33
R612-2-23	Adjusting Relative Value Schedule (RVS) Codes	23470	NSC	02/15/2001	Not Printed
R612-2-24	Review of Medical Payments	23471	AMD	03/20/2001	2001-4/34
R612-2-26	Utilization Review Standards	23472	NSC	02/15/2001	Not Printed
R612-4	Premium Rates	23520	5YR	02/08/2001	2001-5/41
Occupational Safety and Health					
R614-1-4	Incorporation of Federal Standards	23372	AMD	02/01/2001	2001-1/4
R614-1-4	Incorporation of Federal Standards	23516	NSC	02/22/2001	Not Printed
Safety					
R616-2-3	Safety Codes and Rules for Boilers and Pressure Vessels	23310	AMD	01/03/2001	2000-23/42
R616-3-3	Safety Codes for Elevators	23473	AMD	03/20/2001	2001-4/36

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
MONEY MANAGEMENT COUNCIL					
Administration					
R628-10	Rating Requirements to Be a Permitted Out-of-State Depository	23624	5YR	04/11/2001	2001-9/143
NATURAL RESOURCES					
Oil, Gas and Mining; Coal					
R645-100-200	Definitions	23385	AMD	04/02/2001	2001-1/25
R645-301-500	Engineering	23386	AMD	04/02/2001	2001-1/26
R645-301-700	Hydrology	23387	AMD	see CPR	2001-1/29
R645-301-700	Hydrology	23387	CPR	05/03/2001	2001-7/26
Oil, Gas and Mining; Oil and Gas					
R649-4	Determination of Well Categories Under the Natural Gas Policy Act of 1978	23304	NEW	01/03/2001	2000-23/43
Parks and Recreation					
R651-101	Adjudicative Proceedings	23441	5YR	01/18/2001	2001-4/62
R651-205	Zoned Waters	23439	AMD	03/20/2001	2001-4/37
R651-219	Additional Safety Equipment	23440	AMD	03/20/2000	2001-4/38
R651-223	Vessel Accident Reporting	23456	5YR	01/26/2001	2001-4/63
R651-401	Off-Highway Vehicle Assigned Numbers and Registration Stickers	23707	AMD	06/15/2001	2001-10/37
R651-403	Dealer Registration	23708	AMD	06/15/2001	2001-10/38
R651-404	Temporary Registration	23709	AMD	06/15/2001	2001-10/39
R651-601	Definitions as Used in These Rules	23423	AMD	03/06/2001	2001-3/62
R651-601	Definitions as used in these Rules	23710	AMD	06/15/2001	2001-10/40
R651-603	Animals	23711	AMD	06/15/2001	2001-10/41
R651-608-2	Events Prohibited without Permit	23424	AMD	03/06/2001	2001-3/63
R651-620	Protection of resources Park System Property	23712	AMD	06/15/2001	2001-10/42
R651-635	Commercial Use of Division Managed Lands	23654	NEW	06/11/2001	2001-9/99
Forestry, Fire and State Lands					
R652-70-2400	Recreational Use of Navigable Rivers	23621	AMD	06/11/2001	2001-9/100
R652-121	Wildland Fire Suppression Fund	23425	AMD	03/12/2001	2001-3/64
Wildlife Resources					
R657-3	Collection, Importation, Transportation, and Possession of Zoological Animals	23673	5YR	04/16/2001	2001-9/143
R657-5	Taking Big Game	23356	AMD	01/16/2001	2000-24/40
R657-5	Taking Big Game	23528	AMD	04/03/2001	2001-5/19
R657-13	Taking Fish and Crayfish	23189	AMD	01/02/2001	2000-21/23
R657-14	Commercial Harvesting of Protected Aquatic Wildlife	23601	AMD	05/17/2001	2001-8/71
R657-17	Lifetime Hunting and Fishing License	23358	AMD	01/16/2001	2000-24/51
R657-23	Process for Providing Proof of Completion of Hunter Education	23810	5YR	05/30/2001	2001-12/74

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R657-27	License Agent Procedures	23455	AMD	03/26/2001	2001-4/39
R657-33	Taking Bear	23393	AMD	02/15/2001	2001-2/8
R657-38	Dedicated Hunter Program	23360	AMD	01/16/2001	2000-24/53
R657-39	Regional Advisory Councils	23529	5YR	02/15/2001	2001-5/41
R657-39	Regional Advisory Councils	23530	AMD	04/03/2001	2001-5/20
R657-40	Wildlife Rehabilitation	23531	5YR	02/15/2001	2001-5/42
R657-40	Wildlife Rehabilitation	23532	AMD	04/03/2001	2001-5/22
R657-41	Conservation and Sportsman Permits	23362	AMD	01/16/2001	2000-24/56
R657-42	Exchanges, Surrenders, Refunds and Reallocation of Licenses, Certificates of Registration and Permits	23364	AMD	01/16/2001	2000-24/60
R657-42-6	Reallocation of Permits	23533	AMD	04/03/2001	2001-5/27
R657-43	Landowner Permits	23675	AMD	06/04/2001	2001-9/119
R657-44	Big Game Depredation	23676	AMD	06/04/2001	2001-9/122
R657-48	Implementation of the Wildlife Species of Concern and Habitat Designation Advisory Committee	23677	NEW	06/13/2001	2001-9/124
PIONEER SESQUICENTENNIAL CELEBRATION COORDINATING COUNCIL (UTAH)					
Administration					
R674-1	Functional Baseline: Administration	23739	EXD	05/07/2001	2001-11/121
R674-2	Disbursement of Discretionary Grants and Noncommercial Licensing	23742	EXD	05/09/2001	2001-11/121
R674-3	Administration of the UPSCCC Licensing Program	23740	EXD	05/07/2001	2001-11/121
PROFESSIONAL PRACTICES ADVISORY COMMISSION					
Administration					
R686-100	Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings	23427	AMD	03/06/2001	2001-3/67
R686-100	Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings	23547	NSC	04/01/2001	Not Printed
PUBLIC SAFETY					
Driver License					
R708-3	Driver License Point System Administration	23514	NSC	02/22/2001	Not Printed
R708-3	Driver License Point System Administration	23402	AMD	03/06/2001	2001-3/75
R708-33	Electric Assisted Bicycle Headgear	23833	5YR	06/07/2001	2001-13/87
R708-34	Medical Waivers for Intrastate Commercial Driver Licenses	23597	AMD	05/16/2001	2001-8/74
Fire Marshal					
R710-3	Assisted Living Facilities	23579	AMD	05/16/2001	2001-8/75
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	23339	AMD	01/16/2001	2000-24/61
R710-4	Buildings Under the Jurisdiction of the State Fire Prevention Board	23580	AMD	05/16/2001	2001-8/77

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R710-6	Liquefied Petroleum Gas Rules	23367	AMD	01/16/2001	2000-24/63
R710-9	Rules Pursuant to the Utah Fire Prevention Law	23340	AMD	01/16/2001	2000-24/64
Law Enforcement and Technical Services, Criminal Identification (Changed to Criminal Investigations and Technical Services, Criminal Identification--02/01/2001)					
R722-2 (Changed to R722-900)	Review and Challenge of Criminal Record	23444	NSC	02/01/2001	Not Printed
Law Enforcement and Technical Services, Regulatory Licensing (Changed to Criminal Investigations and Technical Services, Criminal Identification--02/01/2001)					
R724-4 (Changed to R722-300)	Concealed Firearm Permit Rule	23445	NSC	02/01/2001	Not Printed
R724-6 (Changed to 722-340)	Emergency Vehicles	23446	NSC	02/01/2001	Not Printed
R724-7 (Changed to R722-320	Undercover Identification	23447	NSC	02/01/2001	Not Printed
R724-9 (Changed to R722-330)	Licensing of Private Investigations	23448	NSC	02/01/2001	Not Printed
R724-10 (Changed to R722-310)	Regulation of Bail Bond Recovery and Enforcement Agents	23449	NSC	02/01/2001	Not Printed
Peace Officer Standards and Training					
R728-205	Council Resolution of Public Safety Retirement Eligibility	23627	NSC	05/01/2001	Not Printed
R728-404	Basic Training Basic Academy Rules	23628	NSC	05/01/2001	Not Printed
R728-409	Refusal, Suspension or Revocation of Peace Officer Certification	23629	NSC	05/01/2001	Not Printed
R728-500	Utah Peace Officer Standards and training in-Service Training Certification Procedures	23630	NSC	05/01/2001	Not Printed
PUBLIC SERVICE COMMISSION					
Administration					
R746-200	Residential Utility Service Rules for Electric, Gas, Water and Sewer Utilities	23353	AMD	02/15/2001	2000-24/66
R746-240	Telecommunication Service Rules	23354	AMD	02/15/2001	2000-24/67
R746-340	Service Quality for Telecommunications Corporations	23328	AMD	see CPR	2000-23/49
R746-340	Service Quality for Telecommunications Corporations	23328	CPR	03/27/2001	2001-4/56
R746-341	Lifeline Rule	23376	AMD	03/01/2001	2001-1/30
R746-352	Price Cap Regulation	23232	NEW	see CPR (First)	2000-21/26
R746-352	Price Cap Regulation	23232	CPR (First)	see CPR (Second)	2001-5/32
R746-352	Price Cap Regulation	23232	CPR (Second)	06/15/2001	2001-7/38

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R746-360	Universal Public Telecommunications Service Support Fund	23271	AMD	02/15/2001	2000-22/45
REGENTS (Board of)					
Administration					
R765-649	Utah Higher Education Assistance Authority (UHEAA) Privacy Policy	23596	NEW	05/16/2001	2001-8/78
SCHOOL AND INSTITUTIONAL TRUST LANDS					
Administration					
R850-50-400	Permit Approval Process	23558	AMD	05/02/2001	2001-7/22
TAX COMMISSION					
Administration					
R861-1A-36	Signatures Defined Pursuant to Utah Code Ann. Sections 41-1a-209, 59-10-512, and 59-12-107	23403	AMD	04/11/2001	2001-3/76
Auditing					
R865-6F-1	Corporation Franchise Privilege - Right to do Business - Nature of liability and How Terminated Pursuant to Utah Code Ann. Sections 16-10a-1501 through 16-10a-1522	23555	NSC	04/01/2001	Not Printed
R865-6F-15	Installment Basis of Reporting Income in Year of Termination Pursuant to Utah Code Ann. Section 59-7-119	23556	NSC	04/01/2001	Not Printed
R865-21U	Use Tax	23572	5YR	03/27/2001	2001-8/88
R865-21U-6	Liability of Purchasers and receipt for Payment to Retailers Pursuant to Utah Code Ann. Section 59-12-107	23553	NSC	04/01/2001	Not Printed
Collections					
R867-2B	Delinquent Tax Collection	23574	5YR	03/27/2001	2001-8/89
Property Tax					
R884-24P-49	Calculating the Utah Apportioned Value of a Rail Car Fleet Pursuant to Utah Code Ann. Section 59-2-201	23475	AMD	04/11/2001	2001-4/42
R884-24P-62	Valuation of State Assessed Utility and Transportation Properties Pursuant to Utah Code Ann. Section 59-2-201	23395	AMD	05/14/2001	2001-2/11
R884-24P-65	Proportional Assessment of Transitory Personal Property Pursuant to Utah Code Ann. Section 59-2-402	23316	AMD	02/20/2001	2000-23/54
TRANSPORTATION					
Administration					
R907-3-1	Additional Requirements: Policy	23633	NSC	05/01/2001	Not Printed
R907-40	External Relations	23634	NSC	05/01/2001	Not Printed
R907-63-1	Authority and Purpose	23623	NSC	05/01/2001	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Motor Carrier					
R909-1	Safety Regulations for Motor Carriers	23460	AMD	03/20/2001	2001-4/44
R909-1	Safety Regulations for Motor Carriers	23573	NSC	04/01/2001	Not Printed
R909-1	Safety Regulations for Motor Carriers	23590	NSC	05/01/2001	Not Printed
R909-4	Safety Regulations for Tow Truck (Wrecker) Operations-Tow Truck Requirements, Equipment and Operations	23565	NSC	04/01/2001	Not Printed
R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	23461	AMD	03/20/2001	2001-4/45
Motor Carrier, Ports of Entry					
R912-8	Minimum Tire, Axle and Suspension Ratings for Heavy Vehicles and the Use of Retractable or Variable Load Suspension Axles in Utah	23698	5YR	04/27/2001	2001-10/91
R912-16	Special Mobile Equipment	23625	NSC	05/01/2001	Not Printed
Operations, Construction					
R916-2	Prequalification of Contractors	23608	NSC	05/01/2001	Not Printed
R916-3	DESIGN-BUILD Contracts	23609	NSC	05/01/2001	Not Printed
R916-3	DESIGN-BUILD Contracts	23750	5YR	05/14/2001	2001-11/119
Operations, Maintenance					
R918-3	Snow Removal	23379	AMD	02/15/2001	2001-1/32
Operations, Traffic and Safety					
R920-2	Traffic Control Systems for Railroad-Highway Grade Crossing	23635	NSC	05/01/2001	Not Printed
R920-3	Manual of Uniform Traffic Control Devices, Part IV	23636	NSC	05/01/2001	Not Printed
R920-6	Snow Tire and Chain Requirements	23610	NSC	05/01/2001	Not Printed
R920-7	Public Safety Program Signing	23611	NSC	05/01/2001	Not Printed
Program Development					
R926-2	Evaluation of Proposed Additions to the State Highway System	23612	NSC	05/01/2001	Not Printed
R926-3	Class B and Class C Road Funds	23613	NSC	05/01/2001	Not Printed
R926-5	State Park Access Highways Improvement Program	23614	NSC	05/01/2001	Not Printed
R926-6	Transportation Corridor Preservation Revolving Loan Fund	23311	AMD	01/03/2001	2000-23/55
Preconstruction					
R930-1	Installation of New Mailboxes and Correction of Nonconforming Mailboxes	23615	NSC	05/01/2001	Not Printed
R930-2	Public Hearings	23616	NSC	05/01/2001	Not Printed
R930-3	Highway Noise Abatement	23617	NSC	05/01/2001	Not Printed
R930-5	Establishment and regulation of At-Grade Railroad Crossings	23618	NSC	05/01/2001	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R930-6	Rules for the Accommodation of Utility Facilities and the Control and Protection of State Highway Rights-of-Way	23198	AMD	01/19/2001	2000-21/43
R930-6	Rules for the Accommodation of Utility Facilities and the Control and Protection of State Highway Rights-of-Way	23443	NSC	02/12/2001	Not Printed
Preconstruction, Right-of-Way Acquisition					
R933-1	Right-of-Way Acquisition	23637	NSC	05/01/2001	Not Printed
R933-3	Relocation of Modification of Existing Authorized Access Openings or Granting New Access Openings on Limited Access Highways	23619	NSC	05/01/2001	Not Printed
R933-4	Bus Shelters	23536	AMD	04/18/2001	2001-6/45
WORKFORCE SERVICES					
Employment Development					
R986-900-902	Options and Waivers	23474	AMD	03/20/2001	2001-4/47
Workforce Information and Payment Services					
R994-302	Payment by Employer	23744	5YR	05/11/2001	2001-11/119
R994-308	Bond or Security Requirement	23745	5YR	05/11/2001	2001-11/120
R994-406-304	Appeal Time Limitation for Decisions Which are Mailed	23525	AMD	04/05/2001	2001-5/28

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
5YR = Five-Year Review
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
* = Text too long to print in *Bulletin*, or repealed text not printed in *Bulletin*

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ACCIDENTS					
Administrative Services, Fleet Operations	23345	R27-7	NEW	01/31/2001	2000-24/6
Natural Resources, Parks and Recreation	23456	R651-223	5YR	01/26/2001	2001-4/63
ACCOUNTANTS					
Commerce, Occupational and Professional Licensing	23296	R156-26a	AMD	01/04/2001	2000-23/11

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ACCOUNTS RECEIVABLE					
Administrative Services, Debt Collection	23682	R21-3	NSC	05/01/2001	Not Printed
ADMINISTRATIVE LAW					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
ADMINISTRATIVE OFFSET					
Administrative Services, Debt Collection	23682	R21-3	NSC	05/01/2001	Not Printed
ADMINISTRATIVE PROCEDURES					
Administrative Services, Fleet Operations	23522	R27-2	5YR	02/08/2001	2001-5/39
Agriculture and Food, Administration	23584	R51-1	5YR	03/30/2001	2001-8/83
Agriculture and Food, Animal Industry	23588	R58-15	5YR	03/30/2001	2001-8/85
Commerce, Administration	23537	R151-46b	5YR	02/28/2001	2001-6/49
	23839	R156-46b	5YR	06/11/2001	2001-13/85
Community and Economic Development, Community Development, History	23606	R212-4	NSC	05/01/2001	Not Printed
Environmental Quality, Air Quality	23442	R307-103-1	NSC	02/01/2001	Not Printed
	23407	R307-103-2	AMD	04/12/2001	2001-3/13
Environmental Quality, Drinking Water	23662	R309-101	5YR	04/16/2001	2001-9/140
	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23252	R309-150	AMD	01/04/2001	2000-22/33
Labor Commission, Industrial Accidents	23462	R612-1-3	NSC	02/15/2001	Not Printed
	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
Natural Resources, Parks and Recreation	23441	R651-101	5YR	01/18/2001	2001-4/62
Natural Resources; Forestry, Fire and State Lands	23621	R652-70-2400	AMD	06/11/2001	2001-9/100
	23425	R652-121	AMD	03/12/2001	2001-3/64
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23742	R674-2	EXD	05/09/2001	2001-11/121
	23740	R674-3	EXD	05/07/2001	2001-11/121
School and Institutional Trust Lands, Administration	23558	R850-50-400	AMD	05/02/2001	2001-7/22
Transportation, Administration	23633	R907-3-1	NSC	05/01/2001	Not Printed
ADMINISTRATIVE RESPONSIBILITY					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23739	R674-1	EXD	05/07/2001	2001-11/ 121
AIR POLLUTION					
Environmental Quality, Air Quality	23442	R307-103-1	NSC	02/01/2001	Not Printed
	23407	R307-103-2	AMD	04/12/2001	2001-3/13
	23781	R307-501	EMR	05/15/2001	2001-11/114
AIR QUALITY					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ALARM COMPANY					
Commerce, Occupational and Professional Licensing	23524	R156-55d-603	AMD	04/03/2001	2001-5/8
ALCOHOLIC BEVERAGES					
Alcoholic Beverage Control, Administration	23591	R81-4B	5YR	04/02/2001	2001-8/85
	23606	R81-4B	NSC	05/01/2001	Not Printed
	23592	R81-10	5YR	04/02/2001	2001-8/86
	23604	R81-10	NSC	05/01/2001	Not Printed
ANIMAL PROTECTION					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143
APPELLATE PROCEDURES					
Administrative Services, Fleet Operations	23522	R27-2	5YR	02/08/2001	2001-5/39
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
APPLIED TECHNOLOGY EDUCATION					
Education, Administration	23671	R277-911	AMD	06/05/2001	2001-9/21
APPRAISAL					
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
AQUACULTURE					
Agriculture and Food, Animal Industry	23534	R58-17	AMD	04/17/2001	2001-6/34
ARC (Accident Review Committee)					
Administrative Services, Fleet Operations	23345	R27-7	NEW	01/31/2001	2000-24/6
ARCHAEOLOGY					
Community and Economic Development, Community Development, History	23606	R212-4	NSC	05/01/2001	Not Printed
ARCHITECTS					
Commerce, Occupational and Professional Licensing	23550	R156-3a	AMD	05/03/2001	2001-7/9
	23730	R156-3a	NSC	06/01/2001	Not Printed
	23837	R156-3a	5YR	06/11/2001	2001-13/85
ASSISTED LIVING FACILITIES					
Public Safety, Fire Marshal	23579	R710-3	AMD	05/16/2001	2001-8/75
ATHLETICS					
Education, Administration	23749	R277-517	5YR	05/14/2001	2001-11/118
ATTORNEYS					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
BAIL BOND ENFORCEMENT AGENT					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
BAIL BOND RECOVERY AGENT					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed
BAIT DEALERS					
Natural Resources, Wildlife Resources	23601	R657-14	AMD	05/17/2001	2001-8/71
BANKING LAW					
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
BANKS AND BANKING					
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
BARBERS					
Commerce, Occupational and Professional Licensing	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79
BASIC ACADEMY RULES					
Public safety, Peace Officer Standards and Training	23628	R728-404	NSC	05/01/2001	Not Printed
BEAR					
Natural Resources, Wildlife Resources	23393	R657-33	AMD	02/15/2001	2001-2/8
BEEKEEPING					
Agriculture and Food, Plant Industry	23434	R68-1	5YR	01/16/2001	2001-3/94
BENEFITS					
Community and Economic Development, Community Development, Community Services	23690	R202-205	NSC	05/01/2001	Not Printed
	23692	R202-207	NSC	05/01/2001	Not Printed
BIDS					
Transportation, Operations, Construction	23608	R916-2	NSC	05/01/2001	Not Printed
BIG GAME					
Natural Resources, Wildlife Resources	23676	R657-44	AMD	06/04/2001	2001-9/122
BIG GAME SEASONS					
Natural Resources, Wildlife Resources	23356	R657-5	AMD	01/16/2001	2000-24/40
	23528	R657-5	AMD	04/03/2001	2001-5/19
	23675	R657-43	AMD	06/04/2001	2001-9/119
BOATING					
Natural Resources, Parks and Recreation	23441	R651-101	5YR	01/18/2001	2001-4/62
	23439	R651-205	AMD	03/20/2001	2001-4/37
	23440	R651-219	AMD	03/20/2001	2001-4/38
BOILERS					
Labor Commission, Safety	23310	R616-2-3	AMD	01/03/2001	2000-23/42
BONDING REQUIREMENTS					
Workforce Services, Workforce Information and Payment Services	23745	R994-308	5YR	05/11/2001	2001-11/120

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
BRIDGES					
Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
BUDGETING					
Health, Health Care Financing, Coverage and Reimbursement Policy	23397	R414-304	EMR	01/03/2001	2001-3/89
BUILDING CODES					
Commerce, Occupational and Professional Licensing	23577	R156-56	AMD	07/01/2001	2001-8/18
BUILDING INSPECTION					
Commerce, Occupational and Professional Licensing	23577	R156-56	AMD	07/01/2001	2001-8/18
BURGLAR ALARMS					
Commerce, Occupational and Professional Licensing	23524	R156-55d-603	AMD	04/03/2001	2001-5/8
BUS BENCHES					
Transportation, Preconstruction, Right-of-Way Acquisition	23536	R933-4	AMD	04/18/2001	2001-6/45
BUSES					
Transportation, Preconstruction, Right-of-Way Acquisition	23536	R933-4	AMD	04/18/2001	2001-6/45
BUS SHELTERS					
Transportation, Preconstruction, Right-of-Way Acquisition	23536	R933-4	AMD	04/18/2001	2001-6/45
CAPITAL PUNISHMENT					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
CERTIFICATION					
Labor Commission, Safety	23310	R616-2-3	AMD	01/03/2001	2000-23/42
	23473	R616-3-3	AMD	03/20/2001	2001-4/36
Public safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
CHEMICAL TESTING					
Agriculture and Food, Chemical Laboratory	23404	R63-1	5YR	01/10/2001	2001-3/94
CHILD CARE FACILITIES					
Health, Health Systems Improvement, Child Care Licensing	23450	R430-6	R&R	04/17/2001	2001-4/15
	23451	R430-100	AMD	04/17/2001	2001-4/20
CHILD PLACING					
Human Services, Administration, Administrative Services, Licensing	23121	R501-7	AMD	see CPR	2000-18/65
	23121	R501-7	CPR	01/16/2001	2000-23/59
CHILD SUPPORT					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
CHILDREN'S HEALTH BENEFITS					
Health, Children's Health Insurance Program	23458	R382-10	AMD	04/04/2001	2001-4/6

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
CHIROPRACTIC PHYSICIANS					
Commerce, Occupational and Professional Licensing	23390	R156-73	AMD	02/15/2001	2001-2/2
CHIROPRACTORS					
Commerce, Occupational and Professional Licensing	23390	R156-73	AMD	02/15/2001	2001-2/2
CLEAN					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
CLEARINGHOUSE					
Governor, Planning and Budget	23408	R361-1	5YR	01/11/2001	2001-3/97
CLIENT RIGHTS					
Community and Economic Development, Community Development, Community Services	23686	R202-201	NSC	05/01/2001	Not Printed
COAL MINES					
Natural Resources; Oil, Gas and Mining; Coal	23385	R645-100-200	AMD	04/02/2001	2001-1/25
	23386	R645-301-500	AMD	04/02/2001	2001-1/26
	23387	R645-301-700	AMD	see CPR	2001-1/29
	23387	R645-301-700	CPR	05/03/2001	2001-7/26
COMMERCE					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
COMMERCIALIZATION OF AQUATIC LIFE					
Natural Resources, Wildlife Resources	23601	R657-14	AMD	05/17/2001	2001-8/71
COMMUNICABLE DISEASES					
Corrections, Administration	23313	R251-102	AMD	01/04/2001	2000-23/18
	23511	R251-102	5YR	02/05/2001	2001-5/40
Health, Epidemiology and Laboratory Services; HIV/AIDS, Tuberculosis Control/Refugee Health	23303	R388-804	AMD	02/02/2001	2000-23/29
Human Services, Administration	23605	R495-862	5YR	04/04/2001	2001-9/142
CONCEALED FIREARM PERMIT					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23445	R724-4 (Changed to R722-300)	NSC	02/01/2001	Not Printed
CONDEMNATION					
Transportation, Preconstruction, Right-of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
CONDUCT					
Professional Practice Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
CONFIDENTIALITY OF INFORMATION					
Community and Economic Development, Community Development, Community Services	23686	R202-201	NSC	05/01/2001	Not Printed
CONSTRUCTION					
Transportation, Operations, Construction	23750	R916-3	5YR	05/14/2001	2001-11/119
	23609	R916-3	NSC	05/01/2001	Not Printed
CONSTRUCTION COSTS					
Administrative Services, Facilities Construction and Management	23697	R23-6	NSC	05/01/2001	Not Printed
CONSUMER PROTECTION					
Commerce, Consumer Protection	23457	R152-1	5YR	01/29/2001	2001-4/61
CONTRACTORS					
Commerce, Occupational and Professional Licensing	23577	R156-56	AMD	07/01/2001	2001-8/18
	23374	R156-55b	AMD	04/30/2001	2001-1/4
CONTRACTS					
Capitol Preservation Board (State), Administration	23578	R131-4	NEW	05/16/2001	2001-8/7
Transportation, Operations, Construction	23608	R916-2	NSC	05/01/2001	Not Printed
	23750	R916-3	5YR	05/14/2001	2001-11/119
	23609	R916-3	NSC	05/01/2001	Not Printed
CONTROLLED SUBSTANCES					
Commerce, Occupational and Professional Licensing	23401	R156-37-502	NSC	02/01/2001	Not Printed
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
CORRECTIONS					
Corrections, Administration	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
	23570	R251-709	5YR	03/27/2001	2001-8/87
	23540	R251-709	AMD	05/15/2001	2001-7/12
COSMETOLOGISTS					
Commerce, Occupational and Professional Licensing	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79
COVERAGE GROUPS					
Health, Health Care Financing, Coverage and Reimbursement Policy	23396	R414-303	EMR	01/03/2001	2001-3/87
	23420	R414-303	AMD	03/13/2001	2001-3/52
CRIMINAL INVESTIGATION					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
CRIMINAL RECORDS					
Public Safety, Law Enforcement and Technical Services, Criminal Identification (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23444	R722-2 (Changed to R722-900)	NSC	02/01/2001	Not Printed
DAMAGES					
Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
DEFINITIONS					
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
DEMONSTRATING					
Health, Health Care Financing, Coverage and reimbursement Policy	23452	R414-310	REP	04/04/2001	2001-4/13
DENTAL HYGIENIST					
Commerce, Occupational and Professional Licensing	23141	R156-69	AMD	see CPR	2000-19/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
DENTISTS					
Commerce, Occupational and Professional Licensing	23141	R156-69	AMD	see CPR	2000-19/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
DEPOSITORY					
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
DEPREDATION					
Natural Resources, Wildlife Resources	23676	R657-44	AMD	06/04/2001	2001-9/122
DESIGN/BUILD					
Transportation, Operations, Construction	23750	R916-3	5YR	05/14/2001	2001-11/119
	23609	R916-3	NSC	05/01/2001	Not Printed
DEVELOPMENTALLY DISABLED					
Tax Commission, Administration	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
DIGITAL SIGNATURE					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
DISCHARGE PERMITS					
Environmental Quality, Water Quality	23161	R317-8	AMD	see CPR	2000-19/40
	23161	R317-8	CPR	01/23/2001	2000-24/78
DISCIPLINARY ACTION					
Education, Administration	23546	R277-514	NSC	04/01/2001	Not Printed
DISCLOSURE REQUIREMENTS					
Tax Commission, Administration	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
DISCRIMINATION					
Labor Commission. Antidiscrimination and Labor, Antidiscrimination	23515	R606-1-3	AMD	04/03/2001	2001-5/17
DIVERSION PROGRAM					
Commerce, Occupational and Professional Licensing	23295	R156-1-308d	AMD	01/04/2001	2000-23/9

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
DRINKING WATER					
Environmental Quality, Drinking Water	23662	R309-101	5YR	04/16/2001	2001-9/140
	23663	R309-102	5YR	04/16/2001	2001-9/140
	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23252	R309-150	AMD	01/04/2001	2000-22/33
	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
DRUG STAMPS					
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
EDUCATION					
Education, Administration	23670	R277-709	AMD	06/05/2001	2001-9/19
EDUCATIONAL PLANNING					
Education, Administration	23747	R277-415	5YR	05/14/2001	2001-11/117
EFFLUENT STANDARDS					
Environmental Quality, Water Quality	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
ELECTRIC ASSISTED BICYCLE HEADGEAR					
Public Safety, Driver License Division	23833	R708-33	5YR	06/07/2001	2001-13/87
ELECTRICIANS					
Commerce, Occupational and Professional Licensing	23374	R156-55b	AMD	04/30/2001	2001-1/4
ELECTRONIC COMMERCE					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
ELECTRONIC COMMUNICATION					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
ELEVATORS					
Labor Commission, Safety	23473	R616-3-3	AMD	03/20/2001	2001-4/36
EMERGENCY MEDICAL SERVICES					
Health, Health Systems Improvement, Emergency Medical Services	23344	R426-2	AMD	01/23/2001	2000-24/32
	23185	R426-6	AMD	01/17/2001	2000-20/27
	23186	R426-7	NEW	01/30/2001	2000-20/29
	23202	R426-8	NEW	01/30/2001	2000-21/14
EMERGENCY VEHICLES					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23446	R724-6 (Changed to R722-340)	NSC	02/01/2001	Not Printed
EMPLOYER LIABILITY					
Workforce Services, Workforce Information and Payment Services	23744	R994-302	5YR	05/11/2001	2001-11/119
EMPLOYMENT					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	23515	R606-1-3	AMD	04/03/2001	2001-5/17

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ENERGY ASSISTANCE					
Community and Economic Development, Community Development, Community Services	23687	R202-201	NSC	05/01/2001	Not Printed
	23688	R202-203	NSC	05/01/2001	Not Printed
	23689	R202-204	NSC	05/01/2001	Not Printed
	23690	R202-205	NSC	05/01/2001	Not Printed
	23691	R202-206	NSC	05/01/2001	Not Printed
	23692	R202-207	NSC	05/01/2001	Not Printed
	23693	R202-208	NSC	05/01/2001	Not Printed
ENERGY INDUSTRIES					
Community and Economic Development, Community Development, Community Services	23693	R202-208	NSC	05/01/2001	Not Printed
ENFORCEMENT					
Agriculture and Food, Animal Industry	23588	R58-15	5YR	03/30/2001	2001-8/85
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
ENGINEERS					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
ENVIRONMENTAL PROTECTION					
Environmental Quality, Drinking Water	23662	R309-101	5YR	04/16/2001	2001-9/140
	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23252	R309-150	AMD	01/04/2001	2000-22/33
ETHICS					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
EXEMPTIONS					
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
	23312	R313-19	AMD	01/26/2001	2000-23/19
FACILITY					
Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98
FEED CONTAMINATION					
Agriculture and Food, Plant Industry	23435	R68-2	5YR	01/16/2001	2001-3/95
FEES					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
Labor Commission, Industrial Accidents	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/33

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
FILING DEADLINES					
Labor Commission, Industrial Accidents	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
FINANCIAL DISCLOSURE					
Community and Economic Development, Community Development, Community Services	23689	R202-204	NSC	05/01/2001	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	23397	R414-304	EMR	01/03/2001	2001-3/89
FIRE					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
FIREARMS					
Administrative Services, Fleet Operations, Surplus Property	23523	R28-2	5YR	02/08/2001	2001-5/39
FIRE PREVENTION					
Public Safety, Fire Marshal	23339	R710-4	AMD	01/16/2001	2000-24/61
	23580	R710-4	AMD	05/16/2001	2001-8/77
FIRE PREVENTION LAW					
Public Safety, Fire Marshal	23340	R710-9	AMD	01/16/2001	2000-24/64
FISH					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
FISHING					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
FOOD INSPECTION					
Agriculture and Food, Animal Industry	23306	R58-10	AMD	01/03/2001	2000-23/9
	23585	R58-11	5YR	03/30/2001	2001-8/83
	23586	R58-12	5YR	03/30/2001	2001-8/84
	23587	R58-13	5YR	03/30/2001	2001-8/84
	23589	R58-16	5YR	03/30/2001	2001-8/85
Agriculture and Food, Regulatory Services	23428	R70-420	REP	03/06/2001	2001-3/5
	23429	R70-430	REP	03/06/2001	2001-3/6
	23430	R70-610	5YR	01/16/2001	2001-3/96
	23431	R70-610	NSC	02/01/2001	Not Printed
	23432	R70-620	5YR	01/16/2001	2001-3/97
	23433	R70-620	AMD	03/06/2001	2001-3/7
FOOD STAMPS					
Workforce Services, Employment Development	23474	R986-900-902	AMD	03/20/2001	2001-4/47

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
FORENSIC					
Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98
FRANCHISE					
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
FRAUD					
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
FUEL					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
GAME LAWS					
Natural Resources, Wildlife Resources	23356	R657-5	AMD	01/16/2001	2000-24/40
	23528	R657-5	AMD	04/03/2001	2001-5/19
	23601	R657-14	AMD	05/17/2001	2001-8/71
	23358	R657-17	AMD	01/16/2001	2000-24/51
	23810	R657-23	5YR	05/30/2001	2001-12/74
	23393	R657-33	AMD	02/15/2001	2001-2/8
GOVERNMENT DOCUMENTS					
Community and Economic Development, Community Development, Community Services	23692	R202-207	NSC	05/01/2001	Not Printed
GOVERNMENT HEARINGS					
Commerce, Administration	23537	R151-46b	5YR	02/28/2001	2001-6/49
Commerce, Occupational and Professional Licensing	23839	R156-46b	5YR	06/11/2001	2001-13/85
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
GOVERNMENT INFORMATION RESOURCES					
Transportation, Administration	23634	R907-40	NSC	05/01/2001	Not Printed
GRANTS					
Community and Economic Development, Community Development	23231	R199-8	AMD	01/23/2001	2000-21/3
	23575	R199-9	NSC	03/28/2001	Not Printed
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23742	R674-2	EXD	05/09/2001	2001-11/121
GRIEVANCE PROCEDURES					
Tax Commission, Administration	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
HABITAT DESIGNATION					
Natural Resources, Wildlife Resources	23677	R657-48	NEW	06/13/2001	2001-9/124
HALFWAY HOUSES					
Corrections, Administration	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
HAZARDOUS MATERIALS TRANSPORTATION					
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
HAZARDOUS SUBSTANCES					
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
HAZARDOUS WASTE					
Environmental Quality, Solid and Hazardous Waste	23409	R315-1	AMD	04/20/2001	2001-3/14
	23410	R315-2	AMD	04/20/2001	2001-3/16
	23521	R315-2-2	AMD	06/15/2001	2001-5/15
	23411	R315-3	AMD	see CPR	2001-3/22
	23411	R315-3	CPR	06/15/2001	2001-9/130
	23412	R315-5-3	AMD	04/20/2001	2001-3/30
	23413	R315-7	AMD	see CPR	2001-3/31
	23413	R315-7	CPR	06/15/2001	2001-9/131
	23414	R315-8	AMD	see CPR	2001-3/36
	23414	R315-8	CPR	06/15/2001	2001-9/133
	23415	R315-13-1	AMD	04/20/2001	2001-3/40
	23416	R315-14-7	AMD	04/20/2001	2001-3/41
	23417	R315-16	AMD	04/20/2001	2001-3/42
	23418	R315-50	AMD	04/20/2001	2001-3/50
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
HEALTH FACILITIES					
Health, Health Systems Improvement, Health Facility Licensure	23292	R432-106	NEW	01/23/2001	2000-23/31
Health, Health Systems Improvement, Health Facility Licensure (Changed to Health, Health Systems Improvement, Licensing)	23477	R432-1	NSC	04/01/2001	Not Printed
	23478	R432-2	NSC	04/01/2001	Not Printed
	23479	R432-3	NSC	04/01/2001	Not Printed
	23480	R432-4	NSC	04/01/2001	Not Printed
	23481	R432-5	NSC	04/01/2001	Not Printed
	23482	R432-6	NSC	04/01/2001	Not Printed
	23483	R432-7	NSC	04/01/2001	Not Printed
	23484	R432-8	NSC	04/01/2001	Not Printed
	23485	R432-9	NSC	04/01/2001	Not Printed
	23486	R432-10	NSC	04/01/2001	Not Printed
	23487	R432-11	NSC	04/01/2001	Not Printed
	23488	R432-12	NSC	04/01/2001	Not Printed
	23489	R432-13	NSC	04/01/2001	Not Printed
	23490	R432-14	NSC	04/01/2001	Not Printed
	23491	R432-16	NSC	04/01/2001	Not Printed
	23492	R432-30	NSC	04/01/2001	Not Printed
	23493	R432-35	NSC	04/01/2001	Not Printed
	23494	R432-100	NSC	04/01/2001	Not Printed
	23495	R432-101	NSC	04/01/2001	Not Printed
	23496	R432-102	NSC	04/01/2001	Not Printed
	23497	R432-103	NSC	04/01/2001	Not Printed
	23498	R432-104	NSC	04/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	23499	R432-105	NSC	04/01/2001	Not Printed
	23561	R432-106	NSC	04/01/2001	Not Printed
	23500	R432-150	NSC	04/01/2001	Not Printed
	23501	R432-151	NSC	04/01/2001	Not Printed
	23502	R432-152	NSC	04/01/2001	Not Printed
	23503	R432-200	NSC	04/01/2001	Not Printed
	23504	R432-201	NSC	04/01/2001	Not Printed
	23505	R432-270	NSC	04/01/2001	Not Printed
	23380	R432-270	AMD	03/30/2001	2001-1/10
	23506	R432-300	NSC	04/01/2001	Not Printed
	23567	R432-500	NSC	04/01/2001	Not Printed
	23507	R432-550	NSC	04/01/2001	Not Printed
	23508	R432-600	NSC	04/01/2001	Not Printed
	23562	R432-650	NSC	04/01/2001	Not Printed
	23509	R432-700	NSC	04/01/2001	Not Printed
	23510	R432-750	NSC	04/01/2001	Not Printed
	23563	R432-950	NSC	04/01/2001	Not Printed
HEARINGS					
Community and Economic Development, Community Development, Community Services	23686	R202-201	NSC	05/01/2001	Not Printed
Environmental Quality, Air Quality	23442	R307-103-1	NSC	02/01/2001	Not Printed
	23407	R307-103-2	AMD	04/12/2001	2001-3/13
Professional Practices Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed
HIGHER EDUCATION					
Regents (Board Of), Administration	23596	R765-649	NEW	05/16/2001	2001-8/78
HIGHWAY BEAUTIFICATION					
Transportation, Preconstruction, Right-of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
HIGHWAY FINANCE					
Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
	23614	R926-5	NSC	05/01/2001	Not Printed
HIGHWAY HEARINGS					
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
HIGHWAY PLANNING					
Transportation, Program Development	23612	R926-2	NSC	05/01/2001	Not Printed
HIGHWAY ROADS					
Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
HIGHWAYS					
Transportation, Operations, Construction	23609	R916-3	NSC	05/01/2001	Not Printed
	23750	R916-3	5YR	05/14/2001	2001-11/119
HISTORIC PRESERVATION					
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
HOUSING					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
HUMAN SERVICES					
Human Services, Administration, Administrative Services, Licensing	23121	R501-7	AMD	see CPR	2000-18/65
	23121	R501-7	CPR	01/16/2001	2000-23/59
	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
	23783	R501-14	5YR	05/18/2001	2001-12/75
	23323	R501-17	AMD	01/16/2001	2000-23/39
HUNTER EDUCATION					
Natural Resources, Wildlife Resources	23810	R657-23	5YR	05/30/2001	2001-12/74
HUNTING					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
HUNTING AND FISHING LICENSES					
Natural Resources, Wildlife Resources	23358	R657-17	AMD	01/16/2001	2000-24/51
IMPACTED AREA PROGRAMS					
Community and Economic Development, Community Development	23576	R199-10	NSC	04/01/2001	Not Printed
IMPORT RESTRICTIONS					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143
INCIDENTS					
Administrative Services, Fleet Operations	23345	R27-7	NEW	01/31/2001	2000-24/6
INCOME					
Community and Economic Development, Community Development, Community Services	23688	R202-203	NSC	05/01/2001	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	23396	R414-303	EMR	01/03/2001	2001-3/87
	23420	R414-303	AMD	03/13/2001	2001-3/52
	23397	R414-304	EMR	01/03/2001	2001-3/89
	23452	R414-310	REP	04/04/2001	2001-4/13
INCOME ELIGIBILITY					
Community and Economic Development, Community Development, Community Services	23688	R202-203	NSC	05/01/2001	Not Printed
INDIAN AFFAIRS					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
INDIGENT					
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
INDUSTRIAL WASTE					
Environmental Quality, Water Quality	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
INDUSTRY					
Environmental Quality, Radiation Control	23552	R313-36	AMD	05/11/2001	2001-7/13
IN-SERVICE TRAINING					
Public Safety, Peace Officer Standards and Training	23630	R728-500	NSC	05/01/2001	Not Printed
INSPECTIONS					
Agriculture and Food, Regulatory Services	23728	R70-910	5YR	05/03/2001	2001-11/116
	23729	R70-950	5YR	05/03/2001	2001-11/116
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
INSTRUCTIONAL MATERIALS					
Education, Administration	23426	R277-469	AMD	03/06/2001	2001-3/9
INSURANCE					
Insurance, Administration	23582	R590-144	5YR	03/30/2001	2001-8/88
	23583	R590-144	NSC	05/01/2001	Not Printed
	23598	R590-146	AMD	05/23/2001	2001-8/65
	23713	R590-177	5YR	04/30/2001	2001-10/91
INSURANCE BENEFITS					
Insurance, Administration	23378	R590-204	NEW	02/09/2001	2001-1/23
INSURANCE CERTIFICATE OF AUTHORITY					
Insurance, Administration	23560	R590-208	NEW	06/12/2001	2001-7/20
INSURANCE LAW					
Insurance, Administration	22923	R590-200	NEW	see CPR (First)	2000-13/51
	22923	R590-200	CPR (First)	see CPR (Second)	2000-19/159
	22923	R590-200	CPR (Second)	see CPR (Third)	2000-23/60
	22923	R590-200	CPR (Third)	04/30/2001	2001-3/84
INSURANCE LAW PRIVACY					
Insurance, Administration	23247	R590-205	NEW	01/11/2001	2000-22/35
INTERNET ACCESS					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11
	23519	R223-2	NSC	02/23/2001	Not Printed
INTRASTATE DRIVER LICENSE WAIVERS					
Public Safety, Driver License	23597	R708-34	AMD	05/16/2001	2001-8/74
INVESTIGATIONS					
Public Safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
IRON AND MANGANESE CONTROL					
Environmental Quality, Drinking Water	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
JURISDICTION					
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
JUVENILE COURTS					
Education, Administration	23670	R277-709	AMD	06/05/2001	2001-9/19
LAND MANAGER					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
LANDOWNER PERMITS					
Natural Resources, Wildlife Resources	23675	R657-43	AMD	06/04/2001	2001-9/119
LAW					
Human Services, Aging and Adult Services	23453	R510-1	5YR	01/23/2001	2001-4/62
	23538	R510-1	AMD	04/17/2001	2001-6/45
	23822	R510-1	5YR	06/04/2001	2001-13/86
Public Safety, Fire Marshal	23340	R710-9	AMD	01/16/2001	2000-24/64
LAW ENFORCEMENT					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed
Public Safety, Peace Officer Standards and Training	23628	R728-404	NSC	05/01/2001	Not Printed
	23629	R728-409	NSC	05/01/2001	Not Printed
LAW ENFORCEMENT OFFICERS					
Public Safety, Peace Officer Standards and Training	23630	R728-500	NSC	05/01/2001	Not Printed
LIBRARIES					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11
	23519	R223-2	NSC	02/23/2001	Not Printed
LICENSE					
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23448	R724-9 (Changed to R722-330)	NSC	02/01/2001	Not Printed
	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed
LICENSING					
Commerce, Occupational and Professional Licensing	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
	23550	R156-3a	AMD	05/03/2001	2001-7/9
	23730	R156-3a	NSC	06/01/2001	Not Printed
	23837	R156-3a	5YR	06/11/2001	2001-13/85

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79
	23566	R156-16a	AMD	05/17/2001	2001-8/16
	23695	R156-17a	5YR	04/26/2001	2001-10/89
	23296	R156-26a	AMD	01/04/2001	2000-23/11
	23309	R156-28	AMD	see CPR	2000-23/15
	23309	R156-28	CPR	03/08/2001	2001-3/80
	23401	R156-37-502	NSC	02/01/2001	Not Printed
	23535	R156-47b	5YR	02/26/2001	2001-6/49
	23696	R156-50	5YR	04/26/2001	2001-10/90
	23518	R156-54-302b	AMD	04/03/2001	2001-5/7
	23602	R156-54-302b	NSC	05/01/2001	Not Printed
	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
	23524	R156-55d-603	AMD	04/03/2001	2001-5/8
	23577	R156-56	AMD	07/01/2001	2001-8/18
	23620	R156-60b	AMD	06/01/2001	2001-9/13
	23838	R156-60d	5YR	06/11/2001	2001-13/86
	23632	R156-61	AMD	06/01/2001	2001-9/16
	23141	R156-69	AMD	see CPR	2000-10/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
	23390	R156-73	AMD	02/15/2001	2001-2/2
Commerce, Real Estate	23321	R162-102	AMD	02/07/2001	2000-23/17
Environmental Quality, Radiation Control	23552	R313-36	AMD	05/11/2001	2001-7/13
Human Services, Administration, Administrative Services, Licensing	23121	R501-7	AMD	see CPR	2000-18/65
	23121	R501-7	CPR	01/16/2001	2000-23/59
	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
	23783	R501-14	5YR	05/18/2001	2001-12/73
	23323	R501-17	AMD	01/16/2001	2000-23/39
Natural Resources, Wildlife Resources	23455	R657-27	AMD	03/26/2001	2001-4/39
LICENSING (TRADEMARK)					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23740	R674-3	EXD	05/07/2001	2001-11/121
LIFELINE RATES					
Public Service Commission, Administration	23376	R746-341	AMD	03/01/2001	2001-1/30
LIMITED ACCESS HIGHWAYS					
Transportation, Preconstruction, Right-of-Way Acquisition	23619	R933-3	NSC	05/01/2001	Not Printed
LIQUEFIED PETROLEUM GAS					
Public Safety, Fire Marshal	23367	R710-6	AMD	01/16/2001	2000-24/63

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
LOAN PROGRAM					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
LOCAL GOVERNMENT					
Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
LOSS RECOVERY					
Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
MAMMOGRAPHY					
Health, Health Systems Improvement, Health Facility Licensure (Changed to Health Systems Improvement, Licensing)	23563	R432-950	NSC	04/01/2001	Not Printed
MARRIAGE AND FAMILY THERAPIST					
Commerce, Occupational and Professional Licensing	23620	R156-60b	AMD	06/01/2001	2001-9/13
MASSAGE					
Commerce, Occupational and Professional Licensing	23535	R156-47b	5YR	02/26/2001	2001-6/49
MEDICAID					
Health, Health Care Financing, Coverage and Reimbursement Policy	23347	R414-63	NEW	01/17/2001	2000-24/23
	23551	R414-63	AMD	05/07/2001	2001-7/17
	23421	R414-304	AMD	03/13/2001	2001-3/56
	23398	R414-305	EMR	01/03/2001	2001-3/91
	23422	R414-305	AMD	03/13/2001	2001-3/60
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
MEDICAL PRACTITIONER					
Labor Commission, Industrial Accidents	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/32
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
MEDICAL RECORDS					
Corrections, Administration	23313	R251-102	AMD	01/04/2001	2000-23/18
	23511	R251-102	5YR	02/05/2001	2001-5/40

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
MENTAL HEALTH					
Corrections, Administration	23568	R251-109	5YR	03/27/2001	2001-8/86
Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98
METHADONE PROGRAMS					
Human Services, Substance Abuse	23706	R544-2	5YR	04/30/2001	2001-10/90
MISCELLANEOUS TREATMENT					
Environmental Quality, Drinking Water	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
MOTOR VEHICLE					
Transportation, Motor Carrier, Ports of Entry	23698	R912-8	5YR	04/27/2001	2001-10/91
NATIVE AMERICAN REMAINS					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
NOISE ABATEMENT					
Transportation, Preconstruction	23617	R930-3	NSC	05/01/2001	Not Printed
NOISE CONTROL					
Transportation, Preconstruction	23617	R930-3	NSC	05/01/2001	Not Printed
NOISE WALL					
Transportation, Preconstruction	23617	R930-3	NSC	05/01/2001	Not Printed
NOTIFICATION					
Corrections, Administration	23571	R251-110	5YR	03/27/2001	2001-8/87
NURSERIES (AGRICULTURAL)					
Agriculture and Food, Plant Industry	23436	R68-6	5YR	01/16/2001	2001-3/95
OCCUPATIONAL LICENSING					
Commerce, Occupational and Professional Licensing	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
	23839	R156-46b	5YR	06/11/2001	2001-13/85
	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
OFF-HIGHWAY VEHICLES					
Natural Resources, Parks and Recreation	23707	R651-401	AMD	06/15/2001	2001-10/37
	23708	R651-403	AMD	06/15/2001	2001-10/38
	23709	R651-404	AMD	06/15/2001	2001-10/39
OIL AND GAS LAW					
Natural Resources; Oil, Gas and Mining; Oil and Gas	23304	R649-4	NEW	01/03/2001	2001-23/43
OLDER AMERICANS ACT					
Human Services, Aging and Adult Services	23453	R510-1	5YR	01/23/2001	2001-4/62
	23538	R510-1	AMD	04/17/2001	2001-6/45
	23822	R510-1	5YR	06/04/2001	2001-13/86
OPTOMETRIST					
Commerce, Occupational and Professional Licensing	23566	R156-16a	AMD	05/17/2001	2001-8/16

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
OVERPAYMENTS					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
PARKS					
Natural Resources, Parks and Recreation	23423	R651-601	AMD	03/06/2001	2001-3/62
	23710	R651-601	AMD	06/15/2001	2001-10/40
	23711	R651-603	AMD	06/15/2001	2001-10/41
	23424	R651-608-2	AMD	03/06/2001	2001-3/63
	23712	R651-620	AMD	06/15/2001	2001-10/42
	23654	R651-635	NEW	06/11/2001	2001-9/99
PAYMENT DETERMINATION					
Community and Economic Development, Community Development, Community Services	23688	R202-203	NSC	05/01/2001	Not Printed
PEACE OFFICER					
Public Safety, Peace Officer Standards and Training	23627	R728-205	NSC	05/01/2001	Not Printed
PEER REVIEW					
Commerce, Occupational and Professional Licensing	23296	R156-26a	AMD	01/04/2001	2000-23/11
PENALTIES					
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
PERMITS					
Environmental Quality, Air Quality	23781	R307-501	EMR	05/15/2001	2001-11/114
Natural Resources; Forestry, Fire and State Lands	23621	R652-70-2400	AMD	06/11/2001	2001-9/100
Natural Resources, Wildlife Resources	23364	R657-42	AMD	01/16/2001	2000-24/60
	23533	R657-42-6	AMD	04/03/2001	2001-5/27
PERSONAL PROPERTY					
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
PHARMACIES					
Commerce, Occupational and Professional Licensing	23695	R156-17a	5YR	04/26/2001	2001-10/89
PHARMACISTS					
Commerce, Occupational and Professional Licensing	23695	R156-17a	5YR	04/26/2001	2001-10/89
PLANNING					
Governor, Planning and Budget	23408	R361-1	5YR	01/11/2001	2001-3/97
PLANT DISEASES					
Agriculture and Food, Plant Industry	23437	R68-10	5YR	01/16/2001	2001-3/96
	23438	R68-12	5YR	01/16/2001	2001-3/96
PLUMBERS					
Commerce, Occupational and Professional Licensing	23375	R156-55c-102	AMD	04/30/2001	2001-1/5

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
PLUMBING					
Commerce, Occupational and Professional Licensing	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
POINT SYSTEM					
Public Safety, Driver License	23402	R708-3	AMD	03/06/2001	2001-3/75
	23514	R708-3	NSC	02/22/2001	Not Printed
PORTABLE ELECTRICITY GENERATOR SETS					
Environmental Quality, Air Quality	23781	R307-501	EMR	05/15/2001	2001-11/114
POSTAL SERVICE					
Transportation, Preconstruction	23615	R930-1	NSC	05/01/2001	Not Printed
POST CONVICTION					
Administrative Services, Finance	23366	R25-14	AMD	01/22/2001	2000-24/5
PRESERVATION					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
PRICE INDEXES					
Public Service Commission, Administration	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
PRISONS					
Corrections, Administration	23570	R251-709	5YR	03/27/2001	2001-8/87
	23540	R251-709	AMD	05/15/2001	2001-7/12
PRIVATE INVESTIGATORS					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23448	R724-9 (Changed to R722-330)	NSC	02/01/2001	Not Printed
PRIVATE PROBATION PROVIDER					
Commerce, Occupational and Professional Licensing	23696	R156-50	5YR	04/26/2001	2001-10/90
PROBATION					
Commerce, Occupational and Professional Licensing	23696	R156-50	5YR	04/26/2001	2001-10/90
PROCEDURES					
Public Service Commission, Administration	23354	R746-240	AMD	02/15/2001	2000-24/67
	23328	R746-340	AMD	see CPR	2000-23/49
	23328	R746-340	CPR	03/26/2001	2001-4/56
PROCUREMENT					
Capitol Preservation Board (State), Administration	23578	R131-4	NEW	05/16/2001	2001-8/7
PROFESSIONAL COMPETENCY					
Education, Administration	23748	R277-513	5YR	05/14/2001	2001-11/117
	23546	R277-514	NSC	04/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
PROFESSIONAL ENGINEERS					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
PROFESSIONAL LAND SURVEYORS					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
PROGRAM BENEFITS					
Health, Health Care Financing, Coverage and Reimbursement Policy	23459	R414-306	AMD	04/04/2001	2001-4/11
PROMOTIONS					
Agriculture and Food, Marketing and Conservation	23543	R65-1	5YR	03/06/2001	2001-7/45
	23544	R65-3	5YR	03/06/2001	2001-7/45
	23545	R65-4	5YR	03/06/2001	2001-7/46
PROPERTY TAX					
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
PSYCHIATRIC PERSONNEL					
Corrections, Administration	23568	R251-109	5YR	03/27/2001	2001-8/86
PSYCHOLOGISTS					
Commerce, Occupational and Professional Licensing	23632	R156-61	AMD	06/01/2001	2001-9/16
PSYCHOTHERAPY					
Corrections, Administration	23568	R251-109	5YR	03/27/2001	2001-8/86
PUBLIC ASSISTANCE					
Workforce Services, Employment Development	23474	R986-900-902	AMD	03/20/2001	2001-4/47
PUBLIC ASSISTANCE PROGRAMS					
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
PUBLIC BUILDINGS					
Administrative Services, Facilities Construction and Management	23697	R23-6	NSC	05/01/2001	Not Printed
Capitol Preservation Board (State), Administration	23578	R131-4	NEW	05/16/2001	2001-8/7
Public Safety, Fire Marshal	23339	R710-4	AMD	01/16/2001	2000-24/61
	23580	R710-4	AMD	05/16/2001	2001-8/77
PUBLIC HEARINGS					
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
PUBLIC INFORMATION					
Transportation, Administration	23634	R907-40	NSC	05/01/2001	Not Printed
PUBLIC INVESTMENTS					
Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
PUBLIC LIBRARY					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11
	23519	R223-2	NSC	02/23/2001	Not Printed
PUBLIC MEETINGS					
Natural Resources, Wildlife Resources	23529	R657-39	5YR	02/15/2001	2001-5/41
	23530	R657-39	AMD	04/03/2001	2001-5/20
PUBLIC SAFETY					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
PUBLIC UTILITIES					
Public Service Commission, Administration	23353	R746-200	AMD	02/15/2001	2000-24/66
	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
	23271	R746-360	AMD	02/15/2001	2000-22/45
QUALITY CONTROL					
Agriculture and Food, Regulatory Services	23541	R70-101	5YR	03/06/2001	2001-7/46
	23542	R70-101	AMD	05/02/2001	2001-7/6
	23653	R70-101-14	NSC	06/01/2001	Not Printed
QUARANTINES					
Agriculture and Food, Animal Industry	23557	R58-2	NSC	04/01/2001	Not Printed
RADIOACTIVE MATERIAL					
Environmental Quality, Radiation Control	23552	R313-36	AMD	05/11/2001	2001-7/13
RADIOACTIVE WASTE GENERATOR PERMIT					
Environmental Quality, Radiation Control	23669	R313-26	NEW	06/08/2001	2001-9/58
RADIOLOGY					
Commerce, Occupational and Professional Licensing	23518	R156-54-302b	AMD	04/03/2001	2001-5/7
RADIOLOGY PRACTICAL TECHNICIAN					
Commerce, Occupational and Professional Licensing	23518	R156-54-302b	AMD	04/03/2001	2001-5/7
	23602	R156-54b-302b	NSC	05/01/2001	Not Printed
RADIOLOGY TECHNOLOGIST					
Commerce, Occupational and Professional Licensing	23602	R156-54b-302b	NSC	05/01/2001	Not Printed
RAILROAD CROSSINGS					
Transportation, Preconstruction	23618	R930-5	NSC	05/01/2001	Not Printed
RAILROADS					
Transportation, Operations, Traffic and Safety	23635	R920-2	NSC	05/01/2001	Not Printed
Transportation, Preconstruction	23618	R930-5	NSC	05/01/2001	Not Printed

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
RANGE MANAGEMENT					
School and Institutional Trust Lands, Administration	23558	R850-50-400	AMD	05/02/2001	2001-7/22
RATES					
Labor Commission, Industrial Accidents	23520	R612-4	5YR	02/08/2001	2001-5/41
REAL ESTATE APPRAISAL					
Commerce, Real Estate	23321	R162-102	AMD	02/07/2001	2000-23/17
RECIPROCITY					
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
RECLAMATION					
Natural Resources; Oil, Gas and Mining; Coal	23385	R645-100-200	AMD	04/02/2001	2001-1/25
	23386	R645-301-500	AMD	04/02/2001	2001-1/26
	23387	R645-301-700	AMD	see CPR	2001-1/29
	23387	R645-301-700	CPR	05/03/2001	2001-7/26
RECREATION					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
REGIONAL ADVISORY COUNCILS					
Natural Resources, Wildlife Resources	23529	R657-39	5YR	02/15/2001	2001-5/41
	23530	R657-39	AMD	04/03/2001	2001-5/20
REHABILITATION					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
Natural Resources, Wildlife Resources	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
RESIDENCY REQUIREMENTS					
Community and Economic Development, Community Development, Community Services	23687	R202-201	NSC	05/01/2001	Not Printed
RESIDENTIAL MORTGAGE LOAN ORIGINATION					
Commerce, Real Estate	23526	R162-209	NEW	04/13/2001	2001-5/9
RESOURCE COORDINATION					
Governor, Planning and Budget	23408	R361-1	5YR	01/11/2001	2001-3/97
RETIREMENT					
Public Safety, Peace Officer Standards and Training	23627	R728-205	NSC	05/01/2001	Not Printed
RIGHT-OF-WAY					
Transportation, Program Development	23311	R926-6	AMD	01/03/2001	2000-23/55
Transportation, Preconstruction, Right-of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
	23536	R933-4	AMD	04/18/2001	2001-6/45
RULES					
Public Service Commission, Administration	23353	R746-200	AMD	02/15/2001	2000-24/66
RULES AND PROCEDURES					
Natural Resources, Wildlife Resources	23455	R657-27	AMD	03/26/2001	2001-4/39

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
Public Safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
Public Service Commission, Administration	23376	R746-341	AMD	03/01/2001	2001-1/30
SAFETY					
Labor Commission, Occupational Safety and Health	23372	R614-1-4	AMD	02/01/2001	2001-1/24
	23516	R614-1-4	NSC	02/22/2001	Not Printed
Labor Commission, Safety	23310	R616-2-3	AMD	01/03/2001	2000-23/42
	23473	R616-3-3	AMD	03/20/2001	2001-4/36
Transportation, Motor Carrier, Ports of Entry	23625	R912-16	NSC	05/01/2001	Not Printed
SAFETY REGULATION					
Transportation, Motor Carrier	23565	R909-4	NSC	04/01/2001	Not Printed
	23461	R909-75	AMD	03/20/2001	2001-4/45
SCHOOL PERSONNEL					
Education, Administration	23748	R277-513	5YR	05/14/2001	2001-11/117
SCREENING					
Health, Epidemiology and Laboratory Services; HIV/AIDS, Tuberculosis Control/Refugee Health	23303	R388-804	AMD	02/02/2001	2000-23/29
SECURITY MEASURES					
Corrections, Administration	23570	R251-709	5YR	03/27/2001	2001-8/87
	23540	R251-709	AMD	05/15/2001	2001-7/12
SEIZURE OF PROPERTY					
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
SESQUICENTENNIAL (UTAH PIONEER)					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23739	R674-1	EXD	05/07/2001	2001-11/121
	23742	R674-2	EXD	05/09/2001	2001-11/121
	23740	R674-3	EXD	05/07/2001	2001-11/121
SEX CRIMES					
Corrections, Administration	23571	R251-110	5YR	03/27/2001	2001-8/87
SIGNS					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
SMOKE					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
SNOW					
Transportation, Operations, Traffic and Safety	23610	R920-6	NSC	05/01/2001	Not Printed
SNOW REMOVAL					
Transportation, Operations, Maintenance	23379	R918-3	AMD	02/15/2001	2001-1/32
SOCIAL SERVICES					
Human Services, Administration	23605	R495-862	5YR	04/04/2001	2001-9/142

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
SOLID WASTE MANAGEMENT					
Environmental Quality, Solid and Hazardous Waste	23638	R315-301-2	AMD	07/01/2001	2001-9/60
	23639	R315-302	AMD	07/01/2001	2001-9/64
	23640	R315-303-3	AMD	07/01/2001	2001-9/68
	23641	R315-304-5	AMD	07/01/2001	2001-9/71
	23642	R315-305	AMD	07/01/2001	2001-9/72
	23643	R315-306	AMD	07/01/2001	2001-9/74
	23644	R315-307-1	AMD	07/01/2001	2001-9/76
	23645	R315-308-2	AMD	07/01/2001	2001-9/77
	23646	R315-309-2	AMD	07/01/2001	2001-9/80
	23647	R315-310	AMD	07/01/2001	2001-9/81
	23648	R315-312	AMD	07/01/2001	2001-9/85
	23649	R315-313	AMD	07/01/2001	2001-9/86
	23650	R315-314-3	AMD	07/01/2001	2001-9/87
	22858	R315-315-8	AMD	see CPR (First)	2000-11/18
	22858	R315-315-8	CPR (First)	see CPR (Second)	2000-17/67
	22858	R315-315-8	CPR (Second)	01/05/2001	2000-23/58
	23651	R315-316	AMD	07/01/2001	2001-9/89
	23652	R315-320	AMD	07/01/2001	2001-9/91
SOVEREIGN LANDS					
Natural Resources; Forestry, Fire and State Lands	23621	R652-70-2400	AMD	06/11/2001	2001-9/100
SPECIES OF CONCERN					
Natural Resources, Wildlife Resources	23677	R657-48	NEW	06/13/2001	2001-9/124
STABILIZATION					
Environmental Quality, Drinking Water	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
STANDARDS					
Natural Resources, Wildlife Resources	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
STATE LANDS					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
STATE PARKS					
Transportation, Program Development	23614	R926-5	NSC	05/01/2001	Not Printed
STRATEGIC PLANNING					
Education, Administration	23747	R277-415	5YR	05/14/2001	2001-11/117
STUDENT LOANS					
Regents (Board of), Administration	23596	R765-649	NEW	05/16/2001	2001-8/78
STUDENTS					
Education, Administration	23670	R277-709	AMD	06/05/2001	2001-9/19

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
SUBSTANCE ABUSE COUNSELORS					
Commerce, Occupational and Professional Licensing	23838	R156-60d	5YR	06/11/2001	2001-13/86
SURVEYORS					
Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
SURVEYS					
Environmental Quality, Radiation Control	23552	R313-36	AMD	05/11/2001	2001-7/13
TAXATION					
Tax Commission, Administration	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23572	R865-21U	5YR	03/27/2001	2001-8/88
	23553	R865-21U-6	NSC	04/01/2001	Not Printed
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
Tax Commission, Property Tax	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
TAX CREDIT					
Community and Economic Development, Community Development, History	23607	R212-11	NSC	05/01/2001	Not Printed
TEACHER CERTIFICATION					
Education, Administration	23748	R277-513	5YR	05/14/2001	2001-11/117
	23749	R277-517	5YR	05/14/2001	2001-11/118
Professional Practices Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed
TEACHER LICENSURE					
Education, Administration	23546	R277-514	NSC	04/01/2001	Not Printed
TECHNICAL EDUCATION					
Education, Administration	23671	R277-911	AMD	06/05/2001	2001-9/21
TELECOMMUNICATIONS					
Public Service Commission, Administration	23354	R746-240	AMD	02/15/2001	2000-24/67
	23328	R746-340	AMD	see CPR	2000-23/49
	23328	R746-340	CPR	03/27/2001	2001-4/56
	23376	R746-341	AMD	03/01/2001	2001-1/30
	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
	23271	R746-360	AMD	02/15/2001	2000-22/45

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
TELEPHONE					
Public Service Commission, Administration	23354	R746-240	AMD	02/15/2001	2000-24/67
	23376	R746-341	AMD	03/01/2001	2001-1/30
TELEPHONE UTILITY REGULATION					
Public Service Commission, Administration	23328	R746-340	AMD	see CPR	2000-23/49
	23328	R746-340	CPR	03/27/2001	2001-4/56
TERMS OF OFFICE					
Natural Resources, Wildlife Resources	23529	R657-39	5YR	02/15/2001	2001-5/41
	23530	R657-39	AMD	04/03/2001	2001-5/20
THERAPISTS					
Commerce, Occupational and Professional Licensing	23620	R156-60b	AMD	06/01/2001	2001-9/13
TICKETS					
Administrative Services, Fleet Operation	23345	R27-7	NEW	01/31/2001	2000-24/6
TIME					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	23515	R606-1-3	AMD	04/03/2001	2001-5/17
Labor Commission, Industrial Accidents	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
TIRES					
Transportation, Operations, Traffic and Safety	23610	R920-6	NSC	05/01/2001	Not Printed
TOWING					
Transportation, Motor Carrier	23565	R909-4	NSC	04/01/2001	Not Printed
TRAFFIC CONTROL					
Transportation, Operations, Traffic and Safety	23635	R920-2	NSC	05/01/2001	Not Printed
TRAFFIC SAFETY					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
TRAFFIC SIGNS					
Transportation, Operations, Traffic and Safety	23611	R920-7	NSC	05/01/2001	Not Printed
TRAFFIC VIOLATIONS					
Public Safety, Driver License	23402	R708-3	AMD	03/06/2001	2001-3/75
	23514	R708-3	NSC	02/22/2001	Not Printed
TRAINING					
Corrections, Administration	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
TRANSPORTATION					
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
Transportation, Motor Carrier	23460	R909-1	AMD	03/20/001	2001-4/44
Transportation, Program Development	23614	R926-5	NSC	05/01/2001	Not Printed
	23311	R926-6	AMD	01/03/2001	2000-23/55

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
TRANSPORTATION CORRIDOR PRESERVATION REVOLVING LOAN FUND					
Transportation, Program Development	23311	R926-6	AMD	01/03/2001	2000-23/55
TRANSPORTATION PLANNING					
Transportation, Program Development	23612	R926-2	NSC	05/01/2001	Not Printed
	23311	R926-6	AMD	01/03/2001	2000-23/55
TRANSPORTATION POLICY					
Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
TRANSPORTATION SAFETY					
Transportation, Motor Carrier	23460	R909-1	AMD	03/20/2001	2001-4/44
	23573	R909-1	NSC	04/01/2001	Not Printed
	23590	R909-1	NSC	05/01/2001	Not Printed
TRUCKING INDUSTRIES					
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
TRUCKS					
Transportation, Motor Carrier	23460	R909-1	AMD	03/20/2001	2001-4/44
	23573	R909-1	NSC	04/01/2001	Not Printed
	23590	R909-1	NSC	05/01/2001	Not Printed
	23565	R909-4	NSC	04/01/2001	Not Printed
	23625	R912-16	NSC	05/01/2001	Not Printed
TUBERCULOSIS					
Health, Epidemiology and Laboratory Services; HIV/AIDS, Tuberculosis Control/Refugee Health	23303	R388-804	AMD	02/02/2001	2000-23/29
UMAP (Utah Medical Assistance Program)					
Health, Health Care Financing, Converge and Reimbursement Policy	23349	R414-309	AMD	01/17/2001	2000-24/24
	23700	R414-309	EMR	05/01/2001	2001-10/82
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
UNDERCOVER IDENTIFICATION					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed
UNDERGROUND INJECTION CONTROL					
Environmental Quality, Water Quality	23162	R317-7	AMD	see CPR	2000-19/34
	23162	R317-7	CPR	01/23/2001	2000-24/75
UNEMPLOYMENT COMPENSATION					
Workforce Services, Workforce Information and Payment Services	23744	R994-302	5YR	05/11/2001	2001-11/119
	23525	R994-406-304	AMD	04/05/2001	2001-5/28
	23745	R994-308	5YR	05/11/2001	2001-11/120
UNITS					
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
UNIVERSAL SERVICE					
Public Service Commission, Administration	23271	R746-360	AMD	02/15/2001	2000-22/45
UPSCCC (Utah Pioneer Sesquicentennial Celebration Coordinating Council)					
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23739	R674-1	EXD	05/07/2001	2001-11/121
	23742	R674-2	EXD	05/09/2001	2001-11/121
	23740	R674-3	EXD	05/07/2001	2001-11/121
USER TAX					
Tax Commission, Auditing	23572	R865-21U	5YR	03/27/2001	2001-8/88
	23553	R865-21U-6	NSC	04/01/2001	Not Printed
UTILITY RULES					
Transportation, Preconstruction	23198	R930-6	AMD	01/19/2001	2000-21/43
	23443	R930-6	NSC	02/12/2001	Not Printed
UTILITY SERVICE SHUTOFF					
Public Service Commission, Administration	23353	R746-200	AMD	02/15/2001	2000-24/66
VETERINARY MEDICINE					
Commerce, Occupational and Professional Licensing	23309	R156-28	AMD	see CPR	2000-23/15
	23309	R156-28	AMD	03/08/2001	2001-3/80
VICTIM COMPENSATION					
Crime Victim Reparations, Administration	23527	R270-1	AMD	04/03/2001	2001-5/11
VICTIMS OF CRIMES					
Crime Victim Reparations, Administration	23527	R270-1	AMD	04/03/2001	2001-5/11
VIOLATIONS					
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
VITAL STATISTICS					
Health, Center for health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
WASTE DISPOSAL					
Environmental Quality, Solid and Hazardous Waste	23638	R315-301-2	AMD	07/01/2001	2001-9/60
	23639	R315-302	AMD	07/01/2001	2001-9/64
	23640	R315-303-3	AMD	07/01/2001	2001-9/68
	23641	R315-304-5	AMD	07/01/2001	2001-9/71
	23642	R315-305	AMD	07/01/2001	2001-9/72
	23643	R315-306	AMD	07/01/2001	2001-9/74
	23644	R315-307-1	AMD	07/01/2001	2001-9/76
	23645	R315-308-2	AMD	07/01/2001	2001-9/77
	23646	R315-309-2	AMD	07/01/2001	2001-9/80
	23647	R315-310	AMD	07/01/2001	2001-9/81
	23648	R315-312	AMD	07/01/2001	2001-9/85
	23650	R315-314-3	AMD	07/01/2001	2001-9/87

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	22858	R315-315-8	AMD	see CPR (First)	2000-11/18
	22858	R315-315-8	CPR (First)	see CPR (Second)	2000-17/67
	22858	R315-315-8	CPR (Second)	01/05/2001	2000-23/58
	23651	R315-316	AMD	07/01/2001	2001-9/89
	23652	R315-320	AMD	07/01/2001	2001-9/91
Environmental Quality, Water Quality	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
	23161	R317-8	AMD	see CPR	2000-19/40
	23161	R317-8	CPR	01/23/2001	2000-24/78
WATER POLLUTION					
Environmental Quality, Water Quality	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/72
WATER QUALITY					
Environmental Quality, Water Quality	23162	R317-7	AMD	see CPR	2000-19/34
	23162	R317-7	CPR	01/23/2001	2000-24/75
WATERSHED MANAGEMENT					
Environmental Quality, Drinking Water	23663	R309-102	5YR	04/16/2001	2001-9/140
WATER SYSTEM RATING					
Environmental Quality, Drinking Water	23252	R309-150	AMD	01/04/2001	2000-22/33
WELFARE FRAUD					
Human Services, Recovery Services	23733	R527-200	5YR	05/07/2001	2001-11/118
WILDLAND FIRE FUND					
Natural Resources; Forestry, Fire and State Lands	23425	R652-121	AMD	03/12/2001	2001-3/64
WILDLIFE					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143
	23356	R657-5	AMD	01/16/2001	2000-24/40
	23528	R657-5	AMD	04/03/2001	2001-5/19
	23189	R657-13	AMD	01/02/2001	2000-21/23
	23358	R657-17	AMD	01/16/2001	2000-24/51
	23810	R657-23	5YR	05/30/2001	2001-12/74
	23455	R657-27	AMD	03/26/2001	2001-4/39
	23393	R657-33	AMD	02/15/2001	2001-2/8
	23360	R657-38	AMD	01/16/2001	2000-24/53
	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
	23362	R657-41	AMD	01/16/2001	2000-24/56
	23364	R657-42	AMD	01/16/2001	2000-24/60
	23533	R657-42-6	AMD	04/03/2001	2001-5/27
	23675	R657-43	AMD	06/04/2001	2001-9/119
	23676	R657-44	AMD	06/04/2001	2001-9/122

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
WILDLIFE LAW					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
	23455	R657-27	AMD	03/26/2001	2001-4/39
WILDLIFE PERMITS					
Natural Resources, Wildlife Resources	23362	R657-41	AMD	01/16/2001	2000-24/56
WORKERS' COMPENSATION					
Labor Commission, Industrial Accidents	23462	R612-1-3	NSC	02/15/2001	Not Printed
	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/32
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
	23520	R612-4	5YR	02/08/2001	2001-5/41
WORK ZONE TRAFFIC CONTROL					
Transportation, Operations, Traffic and Safety	23636	R920-3	NSC	05/01/2001	Not Printed
YOUTH					
Human Services, Administration, Administrative Services, Licensing	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
ZOOLOGICAL ANIMALS					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143