

**NOTICE OF PROPOSED EXPEDITED RULEMAKING
TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 18. DEPARTMENT OF ENVIRONMENTAL QUALITY
EMERGENCY PLANING AND HAZARDOUS MATERIALS**

PREAMBLE

1. Permission to proceed with this proposed rulemaking granted under A.R.S. § 41-1039(A) by the governor on:

July 31, 2023

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

R18-18-101	Amend
R18-18-103	Amend
R18-18-104	Amend
R18-18-105	Amend
R18-18-106	Amend
R18-18-107	Amend
R18-18-109	Amend
R18-18-201	Amend
R18-18-202	Amend
R18-18-203	Amend
R18-18-204	Amend
R18-18-205	Amend

3. Citations to the agency’s statutory authority for the rulemaking to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statutes: A.R.S. § 49-104(B)(4)

Implementing statutes: A.R.S. § 49-123(F), A.R.S. § 49-123(I), and A.R.S. § 49-123(J)

4. Citations to all related notices published in the *Register* as specified in R1-1-409(A) that pertain to the record of the proposed expedited rulemaking:

Notice of Rulemaking Docket Opining: 29 A.A.R. 3444, October 27, 2023, Issue Number: 43, File Number: R23-209.

5. The agency’s contact person who can answer questions about the rulemaking:

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6.

An agency’s justification and reason why the rules should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

Summary

Pursuant to A.R.S. § 41-1027(A)(7), ADEQ is engaged in this expedited rulemaking to incorporate the changes proposed in the Department’s five-year review of 18 A.A.C. Chapter 18, Emergency Planning and Hazardous Materials Training approved by the Governor’s Regulatory Review Council (GRRC) in July 2023. In that review, ADEQ identified the need to update statutory citations, correct clerical errors, and make minor clarifications to the rules. This rulemaking incorporates those changes as well as makes other minor typographical errors and updates out of date citations identified in the course of this rulemaking.

Background

During the five-year review, ADEQ identified several citations that required updating to reflect the transfer and renumbering of referenced statutes that occurred in 2015 in order to improve the clarity and understandability of the rules. As recommended in the five-year review, R18-18-101 has had references to A.R.S. § 26-341 updated to A.R.S. § 49-121; R18-18-104 has had references to A.R.S. § 26-347 updated

to A.R.S. § 49-127; R18-18-105 has had references to A.R.S. § 26-345 updated to A.R.S. § 49-125; R18-18-106 has had references to A.R.S. § 26-348 updated to A.R.S. § 49-128; R18-18-107 has had references to A.R.S. § 26-350 updated to A.R.S. § 49-130; and R18-18-109 has had references to A.R.S. § 26-343 updated to A.R.S. § 49-123 to reflect the 2015 transfer and renumbering of the statutes.

During the five-year review, ADEQ also proposed adding several weblinks to materials referenced in the rules in order to modernize their requirements. The incorporation by reference in R18-18-103(A) has been updated to the latest version of the United States Code (USC) for clarity as no changes to the incorporated section has occurred. R18-18-103(A) has also been updated to include where the material incorporated by reference is available online from the U.S. Government Publishing Office. References to the Emergency Response Plan Questionnaire have been updated to Emergency Response Plan Template in R18-18-104(C) & (D) and a weblink where the Template can be found online has been added to R18-18-104(C).

The incorporation by reference of 40 CFR 370, Subpart B in R18-18-107(A) has been updated to the most recent version of the Code of Federal Regulations (CFR), including the addition of an incorporation of 40 CFR 370, Subpart C. 40 CFR 370, Subpart B was updated in 2014 to split the elements of Subpart B into Subparts B & C, providing additional clarifying details on how to comply with hazardous chemical reporting requirements. Updating the incorporation by reference does not change current processes or reporting requirements as ADEQ has previously incorporated the details in the updated 40 CFR 370, Subparts B & C into its hazardous chemical reporting processes. A weblink where the material incorporated by reference is available online from the U.S. Government Publishing Office has also been added for clarity.

Weblinks have been added to R18-18-203(A)(2)(a), providing the online location of the referenced “Participant Application”, and R18-18-203(A)(3), providing the online locations of information regarding scheduling and attending the referenced instructor workshops. A weblink has also been added to R18-18-204(A), providing the online location of the referenced “Course Request Form”. The incorporations by reference in R18-18-205(B) have been updated to the most recent version of the CFR for clarity, and a weblink where the material incorporated by reference is available online from the U.S. Government Publishing Office has been added.

This rulemaking also incorporates other courses of action that were proposed in the five-year review in order to improve clarity and understandability of the rules. The term “MSDS” has been removed from definitions in R18-18-101(B)(7) because the term is not used elsewhere in Chapter 18. An incorrect citation to A.R.S. § 49-201 in R18-18-201(7)(h) has been corrected to A.R.S. § 49-121. The five-year review also proposed adding language to R18-18-202(B) to adopt, without material change, language consistent with 29 CFR 1910.120(q)(6)(i)(F) to include the course topic, “How to realize the need for additional resources, and to make appropriate notifications to the communication center.” This rulemaking adds that language to R18-18-202(B) without material change.

During the course of this rulemaking several outdated references to the U.S. Government Printing Office were identified throughout the rule. In December 2014, the U.S. Government Printing Office was renamed the Government Publishing Office to reflect the Office’s growing role in providing access to government information in digital formats. ADEQ has taken the opportunity during this rulemaking to update references to the U.S. Government Printing Office to U.S. Government Publishing Office throughout Chapter 18 in order to improve clarity. The agency also took the opportunity to correct the citation to 29 CFR 1910.120(Q)(6) to 29 CFR 1910.120(q)(6) to properly reflect the formatting in the CFR.

An expedited rulemaking is appropriate pursuant to A.R.S. § 41-1027(A)(3) as this rulemaking corrects typographical errors, updates citations, and clarifies language without changing the effect of the rules; it will not increase the cost of regulatory compliance, increase a fee, or reduce procedural rights of those regulated. The following table summarizes the amendments and their justifications under A.R.S. § 41-1027(A):

Rule	Justification under A.R.S. § 41-1027(A)	Amendment Summary
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R18-18-101. Definitions	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-341 has been updated in subsection (A) to A.R.S. § 49-121 because A.R.S. § 26-341 was transferred and renumbered in 2015.
	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-341(2) has been updated in subsection (B)(6) to A.R.S. § 49-121 because A.R.S. § 26-341 was transferred and renumbered in 2015.
	A.R.S. § 41-1027(A)(6)	The term “MSDS” has been removed from the definitions in subsection (B)(7) because this term is not used elsewhere in Chapter 18.
R18-18-103. Responsibilities of an LEPC	A.R.S. § 41-1027(A)(6)	The incorporation by reference in subsection (A) have been updated to the most recent version of the USC. there were no changes between the two versions.
	A.R.S. § 41-1027(A)(6)	Reference to U.S. Government Printing Office has been updated to U.S. Government Publishing Office to reflect the Office’s 2014 name change.
	A.R.S. § 41-1027(A)(3)	An internet website has been included where for the material incorporated in subsection (A) is available to modernize the requirement.
R18-18-104. Emergency Planning and Preparedness	A.R.S. § 41-1027(A)(6)	40 CFR 355.30 has been in subsection (A) to 40 CFR 355.10 because 40 CFR 355.30 was revised and renumbered in 2008.
	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-347(B) has been updated in subsection (B) to A.R.S. § 49-127(B) because A.R.S. § 26-347 was transferred and renumbered in 2015.
	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-347(D) has been updated in subsection (C) to A.R.S. § 49-127(D) because A.R.S. § 26-347 was transferred and renumbered in 2015.
	A.R.S. § 41-1027(A)(6)	The reference to “the Questionnaire” and Worksheet in subsections (C) and (D) has been changed to “the Plan Template”, and an internet website where template is available has been included.
R18-18-105. Local Emergency Planning and Preparedness	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-345(E) has been updated in subsection (A) to A.R.S. § 49-125(E) because A.R.S. § 26-345 was transferred and renumbered in 2015.
R18-18-106. Reportable Release Notification	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-348(A) has been updated in subsection (A)(1) to A.R.S. § 49-128(A) because A.R.S. § 26-348 was transferred and renumbered in 2015.
	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-348(B) has been updated in subsection (A)(2) to A.R.S. § 49-128(B) because A.R.S. § 26-348 was transferred and renumbered in 2015.
	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-348(C) has been updated in subsection (A)(3) to A.R.S. § 49-128(C) because A.R.S. § 26-348 was transferred and renumbered in 2015.

R18-18-107 Extremely Hazardous Substance (EHS) or Hazardous Chemical Reporting	A.R.S. § 41-1027(A)(4)	The incorporation by reference of 40 CFR 370, Subpart B in subsection (A) has been updated to the most recent version of the CFR, including the addition of a reference to 40 CFR 370, Subpart C.
	A.R.S. § 41-1027(A)(6)	The reference to U.S. Government Printing Office has been updated to U.S. Government Publishing office to reflect the Office's 2014 name change.
	A.R.S. § 41-1027(A)(3)	An internet website for where the material incorporated in subsection (A) is available to modernize the requirement has been included.
	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-350 has been updated in subsection (B) to A.R.S. § 49-130 because A.R.S. § 26-350 was transferred and renumbered in 2015.
R18-18-109. Community Right-to-know Procedures	A.R.S. § 41-1027(A)(6)	A.R.S. § 26-343(G) has been updated in subsection (D) to A.R.S. § 49-123(G) because A.R.S. § 26-343 was transferred and renumbered in 2015.
R18-18-201. Definitions	A.R.S. § 41-1027(A)(3)	The citation to A.R.S. § 49-201 in subsection (7)(h) has been corrected to A.R.S. § 49-121.
R18-18-202. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Curriculum	A.R.S. § 41-1027(A)(4)	Language has been added in subsection (B) to adopt, without material change, language consistent with 29 CFR 1910.120(q)(6)(i)(F) to include the following course topic: How to realize the need for additional resources, and to make appropriate notifications to the communication center.
R18-18-203. Instructor Authorization and Renewal	A.R.S. § 41-1027(A)(3)	An internet website where the material incorporated in subsection (A)(2)(a) is available to modernize the requirement has been added.
	A.R.S. § 41-1027(A)(3)	Language has been added in (A)(3) to clarify how to schedule or attend instructor workshops.
R18-18-204. Hazmat First Responder Operations Level Course Division Requirements	A.R.S. § 41-1027(A)(3)	An internet website where the material incorporated in subsection (A) is available to modernize the requirement has been added.

R18-18-205 Hazmat First Responder Awareness Level Personnel and Hazmat First Responder Operations Level Operatives Evidence Completion.	A.R.S. § 41-1027(A)(3)	The citation to 29 CFR 1910.120(Q)(6) in and (Q)(8)(ii) subsection (B) have been corrected to 29 CFR 1910.120(q)(6) and (q)(8)(ii) to properly reflect the formatting in the CFR.
	A.R.S. § 41-1027(A)(6)	The reference to U.S. Government Printing Office has been updated to U.S. Government Publishing office to reflect the Office's 2014 name change.
	A.R.S. § 41-1027(A)(4)	The incorporations by reference in subsection (B) have been updated to the most recent version of the CFR. There were no changes between the two versions.
	A.R.S. § 41-1027(A)(3)	An internet website for where the material incorporated in subsection (B) is available to modernize the requirement has been added.

7.

A reference to any study relevant to the rules that the agency reviewed and proposes to either rely on or not rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

Not applicable.

8.

A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

9.

The preliminary summary of the economic, small business and consumer impact:

Not applicable. The agency is exempt from the requirements to prepare and file an economic, small business, and consumer impact statement under A.R.S. § 41-1055(D)(2).

10.

Where, when, and how a person may provide written comments on the proposed expedited rule

Close of Comment:

30 days from publication of *Administrative Register*.

Oral Proceeding:

No oral proceeding is scheduled. A hearing may be requested according to A.R.S. § 41-123(C) by sending a request to wasterulemaking@azdeq.gov before the close of comment.

Written comments may be sent to wasterulmaking@azdeq.gov or to the individual listed in item 5 no later than the close of comment.

11.

All agencies shall list other matters prescribed by statute applicable to the specific agency or to any

specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Not applicable.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable, this rule does not prescribe a general permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

United States Code, Title 42, Section 11001 requires each state to establish a State emergency response commission as part of the Emergency Planning and Community Right-to Know Act (EPCRA). Each State emergency response commission must appoint local emergency planning committees (LEPCs), and must supervise and coordinate the activities of the LEPCs. The Arizona Legislature established the Arizona State Emergency Response Commission (AZSERC) under A.R.S. § 49-123 to satisfy the federal requirement under to establish a State emergency response commission. 18 A.A.C. 18, Article 1 provides for the make-up, operation, and duties of LEPCs, satisfying the federal requirements of EPCRA without exceeding them.

A.R.S. § 49-123(J) establishes requirements for mandatory hazardous materials training programs. 18 A.A.C. 18, Article 2 provides for the Hazardous Materials Training Program, including curriculum standards for the Hazmat First Responder course instructors and minimum standards for certification. To meet the requirements of A.R.S. § 49-123(J) and for convenience, AZERC has modeled its course and curriculum after the federal Occupational Safety and Health Act (OSHA) requirements at 29 CFR 1910.120, without exceeding those requirements. The training requirements ensure the safety of employees engaged in operations at hazardous waste sites, at hazardous waste treatment, storage, or disposal facilities, and at the site of an emergency response to the release, or threatened release of hazardous substances.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted to the Department.

12.

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

42 U.S.C. § 11001(c), revised October 17, 1986	R18-18-103(A)
40 CFR 370, Subpart B, revised July 1, 2023	R18-18-107(A)
29 CFR 1910.120(Q)(6), revised July 1, 2023	R18-18-205(B)
29 CFR 1910.120(Q)(8)(ii), revised July 1, 2023	R18-18-205(B)

13.

The full text of the rules follows:

Rule text begins on the next page.

TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 18. DEPARTMENT OF ENVIRONMENTAL QUALITY
ARTICLE 1. EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW

Section

- R18-18-101. Definitions
- R18-18-102. General Provisions
- R18-18-103. Responsibilities of an LEPC
- R18-18-104. Emergency Planning and Preparedness
- R18-18-105. Local Emergency Response Plan
- R18-18-106. Reportable Release Notification
- R18-18-107. Extremely Hazardous Substance (EHS) or Hazardous Chemical Reporting
- R18-18-109. Community Right-to-know Procedures

**ARTICLE 2. HAZARDOUS MATERIAL TRAINING PROGRAM, STUDENT AND
INSTRUCTOR EVIDENCE OF COMPLETION**

Section

- R18-18-201. Definitions
- R18-18-202. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Curriculum
- R18-18-203. Instructor Authorization and Renewal
- R18-18-204. Hazmat First Responder Awareness Level Personnel and Hazmat First Responder Operations Level Operatives Evidence of Completion

ARTICLE 1. EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW

R18-18-101. Definitions

A. The definitions in ~~A.R.S. § 26-341~~ A.R.S. § 49-121 apply to this Chapter.

B. In this Article, unless specified otherwise:

1. "Emergency planning district" means an area that the Commission designates to facilitate preparing and implementing an emergency response plan.
2. "EPA" means the United States Environmental Protection Agency.
3. "EPCRA" means the Emergency Planning and Community Right-to-Know Act of 1986, commonly known as SARA Title III.
4. "FD" means local fire department or the fire district with jurisdiction for a particular facility.
5. "Hazardous substance" means a substance on the list that appears at 40 CFR 302.4.
6. "LEPC" means "Committee," as prescribed at ~~A.R.S. § 26-341(2)~~ A.R.S. § 49-121.
7. ~~"MSDS" means material safety data sheet and has the same meaning as prescribed at 40 CFR 370.02.~~
8. "NIMS" means National Incident Management System.
9. "Reportable release" means a release that is not excluded under 40 CFR 355.40.
10. "TPQ" means threshold planning quantity and has the same meaning as prescribed at 40 CFR 355.20.

R18-18-103. Responsibilities of an LEPC

A. Members of an LEPC shall fulfill the responsibilities listed at 42 U.S.C. 11001(c), ~~October 17, 1986~~ January 5, 2023, which is incorporated by reference, contains no future editions or amendments, and is available from the Commission and the U.S. Government ~~Printing~~ Publishing Office, P.O. Box 371954, Pittsburgh, PA 15250, at <https://www.govinfo.gov/link/uscode/42/11001>.

B. No change

1. No Change
2. No Change
3. No Change
4. No Change

R18-18-104. Emergency Planning and Preparedness

A.If a facility is required to comply with ~~40 CFR 355.30~~ 40 CFR.355.10, the owner or operator of the facility shall also comply with the emergency planning and preparedness requirements in this Section.

B.If a facility is designated by the Commission under ~~A.R.S. § 26-347(B)~~ A.R.S. § 49-127(B), the owner or operator of the facility shall comply with the emergency planning and preparedness requirements in this Section and the reporting requirements of R18-18-107.

C.No later than 60 days after a facility first becomes subject to the emergency planning and preparedness requirements of this Section, the owner or operator of the facility shall submit a facility emergency response plan according to ~~A.R.S. § 26-347(D)~~ A.R.S. §49-127(D). The owner or operator of the facility may submit the facility emergency response plan by completing and submitting an Emergency Response Plan ~~Questionnaire~~ Template, which is available from the Commission, at <https://tier2.azserc.org/Content/HelpLinks/ERP%20Template%202021.pdf>.

D.The owner or operator of a facility that submits an Emergency Response Plan ~~Questionnaire~~ Template under subsection (C) may also submit a Hazard Analysis Worksheet for each extremely hazardous substance at the facility that equals or exceeds the TPQ.

E.No change

1. No Change
2. No Change
3. No Change

R18-18-105. Local Emergency Response Plan

A.Within 12 months after the Commission designates a new emergency planning district and appoints members of an LEPC for the newly designated emergency planning district, the LEPC shall prepare an emergency response plan that complies with the requirements at ~~A.R.S. § 26-345(E)~~ A.R.S. § 49-125(E) and complies with NIMS.

B.No change

C.No change

D.No change

1. No Change
2. No Change

E.No change

F.No change

G.No change

R18-18-106. Reportable Release Notification

The owner or operator of a facility at which a reportable release occurs shall:

1. Comply with the notification requirements of ~~A.R.S. § 26-348(A)~~ A.R.S. § 49-125(E);
2. Submit the written follow-up emergency notice required under ~~A.R.S. § 26-348(B)~~ A.R.S. §49-128(B); and
3. Update the notice provided under subsection (2) as required under ~~A.R.S. § 26-348(C)~~ A.R.S. § 49-128(C).

R18-18-107. Extremely Hazardous Substance (EHS) or Hazardous Chemical Reporting

A.The owner or operator of a facility shall comply with the extremely hazardous substance and hazardous chemical reporting requirements of 40 CFR 370, Subparts B & C, July 1, ~~2007~~ 2023, which is incorporated by this reference, contains no later amendments or editions, and is available from the Commission and the U.S. Government ~~Printing~~ Publishing Office, P.O. Box 371954, Pittsburgh, PA 15250, at <https://www.govinfo.gov/content/pkg/CFR-2023-title40-vol30/pdf/CFR-2023-title40-vol30-part370-subpartB.pdf>.

B.As required by ~~A.R.S. § 26-350~~ A.R.S. §49-130, an owner or operator described in subsection (A) shall submit a Tier Two Emergency and Hazardous Chemical Inventory Form, using a form available from the Commission, by March 1 of each year. All facilities subject to this reporting requirement shall be subject to the Tier II Emergency and Hazardous Chemical Inventory Reporting fee schedule:

1. Each owner or operator of a facility required to file a hazardous chemical inventory report(s) (Tier II Reports) under the provisions of 42 U.S.C. § 11022 will be assessed a report filing fee of seventy-five dollars (\$75.00) for the first required facility report and an additional fee of twenty dollars (\$20.00) for each additional required facility report up to a maximum limit of five hundred dollars (\$500) per annual reporting period.

2. Owners or operators of facilities meeting the following conditions are exempt from the reporting fee(s):

a. Any business or other outlet that primarily reports or sells gasoline, diesel and other motor fuel only at retail to the public.

b. Any business or other outlet that only files a Tier II report to claim lead acid batteries.

c. Any business or other outlet that only files a Tier II report to claim diesel or gasoline.

d. Any business or other outlet that resides on tribal lands or a tribal Nation and must report to a Tribal Emergency Response Commission (TERC) or Chemical-Tribal Emergency Response Commission (C-TERC).

C. No change

R18-18-109. Community Right-to-know Procedures

A. No change

B. No change

1. No Change

2. No Change

3. No Change

4. No Change

a. No Change

b. No Change

c. No Change

d. No Change

C. No change

D. Under A.R.S. § 39-121, the Commission or LEPC shall charge the person making a request under this Section the cost of reproducing the information requested. The Commission shall deposit the funds received under this subsection in accordance with ~~A.R.S. § 26-343(G)~~ A.R.S. § 49-123(G).

ARTICLE 2. HAZARDOUS MATERIALS TRAINING PROGRAM, STUDENT AND INSTRUCTOR EVIDENCE OF COMPLETION

R18-18-201. Definitions

The following definitions apply in this Article, unless the context requires otherwise:

1. No change

2. No change

3. No change

4. No change

5. No change

6. No change

7. "Hazardous materials" means:

a. No Change

b. No Change

c. No Change

d. No Change

e. No Change

f. No Change

g. No Change

h. Any substance designated as a hazardous substance under ~~A.R.S. § 49-201~~ A.R.S. § 49-121; and

i. No Change

8. No change

9. No change

- 10. No change
- 11. No change
 - a. No Change
 - b. No Change
 - c. No Change
 - d. No Change

R18-18-202. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Curriculum

A.No change

B.Topics covered in the Hazmat First Responder Awareness Level course are:

- 1.What hazardous materials are and the risks associated with a hazardous materials incident;
- 2.Potential outcomes associated with an emergency created when hazardous materials are present;
- 3.How to recognize the presence of hazardous materials in an emergency;
- 4.How to identify different hazardous materials; and
- 5.Role of a first responder awareness individual in an employer’s emergency response plan, including site security and control, and use of current resource materials.
- 6.The ability to realize the need for additional resources and to make appropriate notifications to the communication center.

C.No change

- 1. No Change
- 2. No Change
- 3. No Change
- 4. No Change
- 5. No Change
- 6. No Change

R18-18-203. Instructor Authorization and Renewal

A.Instructor authorization:

1.An instructor authorized by the Division shall teach each Hazmat First Responder Awareness Level and Hazmat First Responder Operations Level course.

2.To be authorized as an instructor, an individual shall submit the following to the Division:

a.A “Participant Application” form obtained from the Division, located at the Department of Emergency and Military Affairs, 5636 E. McDowell Road, Bldg. 101, Phoenix, Arizona 85008, available at <https://dema.az.gov/emergency-management/preparedness/training-branch/adjunct-instructor-resources>.

The applicant shall provide the following information to take an instructor workshop:

- i.Course number;
 - ii.Course date;
 - iii.Course title;
 - iv.Applicant’s name;
 - v.SSN;
 - vi.Applicant’s employer;
 - vii. Applicant’s position or title;
 - viii. Phone number;
 - ix.Fax number, if any;
 - x.Work mailing address, city, state, zip code, and county;
 - xi.Electronic mail address, if any;
 - xii. Brief description of current duties and how training as an instructor will be used;
 - xiii. Applicant’s signature and date; and
 - xiv. Supervisor’s signature, if applicable, and date;
- b.Evidence of two years’ experience in hazardous materials incident response;
- c.Evidence of Completion of at least 80 hours for Awareness Level or at least 240 hours for Operations Level of hazardous materials training, and a signed copy of attendance and performance records.
- Information regarding scheduling or attending trainings is available from the Department of Emergency

and Military Affairs at <https://dema.az.gov/emergency-management/preparedness/training-branch/adjunct-instructor-resources>;

d. A letter of recommendation to take instructor training from the applicant's employer, local emergency planning committee chair, county emergency management director, or coordinator; and

e. A brief summary of the applicant's experience in hazardous materials response and as an instructor of adult-level courses.

3. After an applicant submits to the Division the documentation described in subsection (A)(2)(a), the applicant shall:

a. Attend the instructor workshop,

b. Attain a score of at least 90% on the written exam, and

c. Successfully complete a teach back to demonstrate appropriate educational methodology and instructional techniques during an oral presentation.

4. The Division shall issue Evidence of Completion to an individual who successfully completes the instructor workshop.

5. The Division shall maintain records of instructor authorization.

6. Instructor authorization is valid for two calendar years.

B. No change

1. No Change

2. No Change

3. No Change

C. No change

R18-18-204. Hazmat First Responder Awareness Level Course and Hazmat First Responder Operations Level Course Division Requirements

A. An instructor authorized by the Division shall teach each Hazmat First Responder Awareness Level course and Hazmat First Responder Operations Level course. An instructor shall notify the Division at least 30 days before course delivery by submitting a "Course Request Form" obtained from the Division, located at the Department of Emergency and Military Affairs, 5636 E. McDowell Road, Bldg. 101, Phoenix, Arizona 85008, available at <https://dema.az.gov/resources/demaem-training-exercise-event-request-form>. The instructor shall provide the following information:

1. Name of requestor;

2. Date;

3. Agency of requestor;

4. Mailing address, city, state, zip code and county;

5. Phone number;

6. Fax number, if any;

7. Name of agency head;

8. Applicant signature;

9. Electronic mail address;

10. Type of course;

11. Course name;

12. Course number;

13. Date course is offered;

14. Training site address and county;

15. Intended audience;

16. Estimated number of participants;

17. Name and signature of requestor; and

18. County emergency management director or local emergency planning committee chairperson endorsement: name, signature, title, and date.

B. No change

R18-18-205. Hazmat First Responder Awareness Level Personnel and Hazmat First Responder Operations Level Operatives Evidence of Completion

A.No change

B.The Division shall issue Evidence of Completion to an individual who successfully completes the Hazmat First Responder Awareness Level course or the Hazmat First Responder Operations Level course. The employer of an individual issued Evidence of Completion shall maintain evidence of the individual's competency under ~~29 CFR 1910.120(Q)(6)~~ 29 CFR 1910.120(q)(6) and ~~(Q)(8)(ii)~~ (q)(8)(ii), published by the United States Government Printing Publishing Office and revised July 1, ~~2001~~ 2023, available at <https://www.govinfo.gov/content/pkg/CFR-2023-title29-vol5/pdf/CFR-2023-title29-vol5-sec1910-120.pdf>, with no later editions or amendments. This regulation is incorporated by reference and on file with the Division and the Office of the Secretary of State.