

State of Utah
Administrative Rule Analysis

NOTICE OF PROPOSED RULE AMENDMENT

The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63-46a-4. Please address questions regarding information on this notice to the agency. The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints. The full text of all rule filings may also be inspected at the Division of Administrative Rules.

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| DAR file no: | 32458 | Date filed: | 3/23/2009 | |
| Utah Admin. Code ref. (R no.): | R307-101-2 | Time filed: | 2:47:01 PM | |
| Change Code Ref. To: | | | | |
| 1. Agency: Environmental Quality/Air Quality | | | | |
| Room no.: | | | | |
| Building: | | | | |
| Street address 1: 150 N 1950 W | | | | |
| Street address 2: | | | | |
| City,state,zip: SALT LAKE CITY, UT 84116-3085 | | | | |
| Mailing address 1: PO BOX 144820 | | | | |
| Mailing address 2: | | | | |
| City,state,zip: SALT LAKE CITY, UT 84114-4820 | | | | |
| Contact person(s): | | | | |
| Name: | Phone: | Fax: | E-mail: | Remove: |
| Kimberly Kreykes | 801-536-4042 | 801-536-4099 | kkreykes@utah.gov | |
| (Interested persons may inspect this filing at the above address or at DAR between 8:00 a.m. and 5:00 p.m. on business days.) | | | | |
| 2. | Title of rule or section (catchline): Definitions | | | |
| 3. | Type of notice: Amendment | | | |
| 4. | Purpose of the rule or reason for the change: This rule change updates the version of Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices referenced in several definitions in R307-101-2, to the most recent version. All references to Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices need to be consistent and up-to-date to ensure that the most recently published Threshold Limit Values constitute the basis of regulatory actions and requirements. | | | |
| 5. | This change is a response to comments by the Administrative Rules Review Committee. No | | | |
| 6. | Summary of the rule change: The following definitions in R307-101-2 are established by reference: "Acute Hazardous Air Pollutant," "Carcinogenic Hazardous Air Pollutant," "Chronic Hazardous Air Pollutant," "Threshold Limit Value - Ceiling (TLV-C)," and "Threshold Limit Value - Time Weighted Average (TLV-TWA)." This rule change updates the version date of the referenced document to the most current American Conference of Governmental Industrial Hygienists publication of Threshold Limit Values for | | | |

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| | Chemical Substances and Physical Agents and Biological Exposure Indices. |
| 7. | <p>Aggregate anticipated cost or savings to:</p> <p>A) State budget: Because these revisions do not create new requirements, no change in costs is expected for the state budget.</p> <p>B) Local government: Because this revision does not create new requirements, no change in costs is expected for local governments.</p> <p>C) Small businesses (fewer than 50 employees) AND persons other than businesses: Small Businesses: Because this revision does not create new requirements, no change in costs is expected for small businesses. Other Persons: Because this revision does not create new requirements, no change in costs is expected for other persons.</p> |
| 8. | <p>Compliance costs for affected persons ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency): Because this revision does not create new requirements, no change in costs is expected for affected persons.</p> |
| 9. | <p>Comments by the department head on the fiscal impact the rule may have on businesses: This amendment does not create new requirements. Therefore, no additional costs are expected. Bill Sinclair, Acting Executive Director</p> |
| 10. | <p>This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required): 19-2-104(1)(a)</p> |
| 11. | <p>This rule adds, updates, or otherwise changes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank): American Conference of Governmental Industrial Hygienists publication of "Threshold Limit Values for Chemical Substances and Physical Agents and Biological Exposure Indices, 2009"</p> |
| 12. | <p>The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the <i>Utah State Bulletin</i>. See Section 63-46a-5 and Rule R15-1 for more information.)</p> <p>A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy): 5/15/2009</p> <p>B) A public hearing (optional) will be held: on (mm/dd/yyyy) at (time): at (place):</p> |
| 13. | <p>This rule change may become effective on (mm/dd/yyyy): 6/3/2009</p> <p>NOTE: The date above is the date on which this rule <i>MAY</i> become effective. It is <i>NOT</i> the effective date. After the date designated in Box 12(A) above, the agency <i>must</i> submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date <i>will</i> result in this rule lapsing and will require the agency to start the rulemaking process over.</p> |
| 14. | <p>Indexing information - keywords (maximum of four, in lower case, except for</p> |

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| | acronyms (e.g., "NASA") or proper nouns (e.g., "Medicaid"): air pollution, definitions |
| 15. Attach an RTF document containing the text of this rule change (filename): | There is currently a document associated with this filing. <input type="button" value="Rule Text"/> |
| To the agency: Information requested on this form is required by Section 63-46a-4, 5, 6, and 10. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date. | |

AGENCY AUTHORIZATION

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| Agency head or designee, and title: | Bryce Bird Planning Branch Manager | Date (mm/dd/yyyy): | 3/17/2009 |
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