

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

13. DIRECT SUPERVISION FOR SAMPLING AND TESTING

The Board's rules provide that Drug Laboratory Site Remediation firms must adhere to the Drug Laboratory Site Remediation Best Standards and Practices pursuant to A.A.C. R4-30-305. Subsection (C)(1) requires post remediation sample testing, and all sampling used to verify that no additional removal or cleaning is required, to be conducted under the direct supervision of a Certified Industrial Hygienist, a Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer.

SUBSTANTIVE POLICY STATEMENT

The Board interprets the term "direct supervision," as it applies to the sampling and testing during a drug laboratory remediation. Direct supervision requires the Certified Industrial Hygienist, a Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer to provide direct supervisory control of the sampling activities, including designating the sample locations and ensuring that all sampling and testing procedures are followed in accordance with A.A.C. R4-30-305(C).

APPLICABLE LAWS

Arizona Revised Statutes § 32-101(B)(10)
Arizona Administrative Code, Title 4, Chapter 30, R4-30-305(C)

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