

DELAWARE RIVER BASIN COMMISSION

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, December 9, 2009 beginning at 10:30 a.m. at the Commission's office building, 25 State Police Drive, West Trenton, New Jersey. For more information visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, December 17, 2009 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SOCIAL SERVICES

Food Supplement Program - Certification Periods Reporting Changes

PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend the Food Supplement Program policies in the Division of Social Services Manual (DSSM) related to *Certification Periods* and *Reporting Changes*.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by December 31, 2009.

The action concerning the determination of whether to adopt the proposed regulation will be based upon the results of Department and Division staff analysis and the consideration of the comments and written materials filed by other interested persons.

DIVISION OF SOCIAL SERVICES

DSSM 11000 Child Care Subsidy Program

PUBLIC NOTICE

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 31 of the Delaware Code, Chapter 5, Section 512, Delaware Health and Social Services (DHSS) / Division of Social Services is proposing to amend Child Care Subsidy Program policies in the Division of Social Services Manual (DSSM) regarding Definition and Explanation of Terms, Income Eligible/Loss of Employment or Job Transition, Income Eligible/Training, Explanation of Certificates and Loss of Need Transition.

Any person who wishes to make written suggestions, compilations of data, testimony, briefs or other written materials concerning the proposed new regulations must submit same to Sharon L. Summers, Policy, Program & Development Unit, Division of Social Services, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to (302) 255-4425 by December 31, 2009.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF AIR AND WASTE MANAGEMENT

1124 Control of Volatile Organic Compound Emissions

NOTICE OF PUBLIC HEARING

The Department proposes to revise Sections 2.0, 12.0, 19.0, 20.0 and 22.0 of 7 DE Admin. Code 1124 to conform to Control Techniques Guidelines (CTG) documents issued by EPA. Section 182(b)(2) of the Clean Air Act (CAA) requires all ozone non-attainment areas, including Delaware, to update relevant regulations for Reasonably Available Control Technology (RACT) controls for emission sources covered in an EPA CTG and to submit the regulations to EPA as State Implementation Plan (SIP) revisions. These sections of 1124 were based upon CTG and ACT information developed in 1977, 1978 and 1994. The proposed revisions regulate the volatile organic compound (VOC) contents of additional products, require the use coating application equipment that provides for high transfer efficiency, and include clean-up solvent emissions in the applicability determinations.

A hearing on these proposed amendments will be held on Tuesday, January 5, 2010 beginning at 6pm in the Departments Priscilla Building conference room, 156 South State Street, Dover, DE 19901. Interested parties may submit comments in writing to David F. Fees, Air Quality Management Section, 156 South State Street, Dover, DE 19901 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR AND WASTE MANAGEMENT

1125 Requirements for Preconstruction Review

NOTICE OF PUBLIC HEARING

7 DE Admin Code 1125 regulates emissions of pollutants from new and modified facilities, and is organized by attainment status of pollutants emitted relative to federal national ambient air quality standards (NAAQS); 2.0 covers non-attainment and 3.0 covers attainment areas.

This action is to amend 3.0 of 7 DE Admin. Code 1125 to cite explicitly that nitrogen oxides (NO_x) is a precursor to the formation of ground-level ozone. EPA requires this revision (see 73 FR 16205, March 27, 2008) because they have determined the regulatory language is not clear that nitrogen oxides (NO_x), in addition to volatile organic compounds, is a ground-level ozone precursor.

There will be a hearing on this proposed amendment on January 5, 2010 beginning at 6 pm in DNREC's Priscilla Building Conference Room, 156 South State Street, Dover, DE 19901. Interested parties may submit comments in writing to Ronald Amirikian, Air Quality Management Section, 156 South State Street, Dover, DE 19901 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR AND WASTE MANAGEMENT

1138 Emission Standards for Hazardous Air Pollutants for Source Categories

NOTICE OF PUBLIC HEARING

Delaware is proposing to amend Regulation 1138 by adding a new Section 14 that covers miscellaneous parts or products surface coating operations. The purpose of this proposed amendment is to provide increased protection for Delaware citizens against a variety of potential adverse health effects linked to a long term exposure to cadmium, chromium, lead, manganese, or nickel compounds. In addition, some of these compounds, except the manganese compounds, are classified as known or probable human carcinogens by the EPA. The proposed amendment will provide greater consistency between Delaware's air toxics standards for these types of operations and the recently promulgated federal standard (40 CFR Part 63 Subpart HHHHHH) on which this proposed amendment is heavily based. In addition, this amendment proposes to include more health protective requirements that currently exist in similar area source air toxics standards found in Regulation 1138 and other Delaware air regulations.

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Tuesday, January 5, 2010 beginning at 6:00 PM in the DNREC's Priscilla Building Conference Room, 156 S. State Street, Dover, DE. Interested parties may submit comments in writing to: Jim Snead, DNREC Air Quality Management Section, 715 Grantham Lane, New Castle, DE 19720.

DIVISION OF AIR AND WASTE MANAGEMENT

1141 Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products NOTICE OF PUBLIC HEARING

7 DE Admin. Code 1125 regulates emissions of pollutants from new and modified facilities, and is organized by attainment status of pollutants emitted relative to federal national ambient air quality standards (NAAQS); 2.0 covers non-attainment and 3.0 covers attainment areas.

This action is to amend 3.0 of 7 DE Admin. Code 1125 to cite explicitly that nitrogen oxides (NOx) is a precursor to the formation of ground-level ozone. EPA requires this revision (see 73 FR 16205, March 27, 2008) because they have determined the regulatory language is not clear that nitrogen oxides (NOx), in addition to volatile organic compounds, is a ground-level ozone precursor.

This action has no immediate impact because all of Delaware is classified as non-attainment of the ground-level ozone national ambient air quality standard (NAAQS), and regulated under 2.0 of 7 DE Admin. Code 1125. 2.0 clearly states that NOx is a precursor to the formation of ground-level ozone.

There will be a hearing on this proposed amendment on January 5, 2010 beginning at 6 pm in DNREC's Priscilla Building Conference Room, 156 South State Street, Dover, DE 19901. Interested parties may submit comments in writing to Ronald Amirikian, Air Quality Management Section, 156 South State Street, Dover, DE 19901 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF FISH AND WILDLIFE

3304 Creel Limits and Seasons NOTICE OF PUBLIC HEARING

The Department promulgated these specialized largemouth bass size regulations in May 1990 to address an unbalanced bass population within three state-managed impoundments. The specialized regulations were designed to allow harvest of smaller bass in order to allow better growth of the remaining larger fish. However, the high incidence of catch and release fishing by Delaware anglers did not affect the hoped-for result. The regulations have occasionally had a negative effect on scheduled fishing tournaments in these ponds by not allowing the weigh-in of bass within the protected slot-size. Recent surveys of the bass populations have shown a more normal size distribution and the special regulations are no longer necessary. Therefore the Division has no reason to maintain these specialized size regulations.

Individuals may address questions to the Fisheries Section, Division of Fish and Wildlife, 89 Kings Highway, Dover, DE 19901 or phone (302)-739-9914. A public hearing on these proposed regulations will be held in the Department of Natural Resources and Environmental Control auditorium at 5:00 PM on Tuesday, December 29, 2009. Individuals may present their opinions and evidence either at the hearing or in writing to Lisa Vest, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901, or via email to Lisa.Vest@state.de.us. The hearing record will remain open for written or email comments until 4:30 PM December 31, 2009.

DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION 1770 Respiratory Care Practice Advisory Council NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, pursuant to 29 Delaware Code Chapter 101 and 24 Delaware Code Section 1775 (c),

the Respiratory Care Advisory Council of the Delaware Board of Medical Practice has developed and proposes to modify Regulation 8.0 Continuing Education to require that at least 10 of the required 20 hours of continuing education be obtained from traditional programs attended remotely or with the use of interactive technology that allows the attendee to ask questions of the presenter during the presentation. The regulations are also being amended to provide for the licensee to attest to the completion of continuing education online.

The amendments also add a new rule 12 that clarifies that unlicensed personnel engaged in home medical equipment set up are prohibited from performing patient assessments.

Finally, several minor technical changes have been made to the regulations.

A public hearing will be held on the proposed Rules and Regulations on January 12, 2010 at 3:15 p.m. in the Second Floor Conference Room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware 19904. The Council will receive and consider input in writing from any person on the proposed Rules and Regulations. Any written comments should be submitted to the Council in care of Gayle MacAfee, Executive Director, at the above address. The final date to submit written comments shall be at the above scheduled public hearing. Anyone wishing to obtain a copy of the proposed Rules and Regulations or to make comments at the public hearing should contact Gayle MacAfee at the above address or by calling (302) 739-4520.

This notice will be published in two newspapers of general circulation not less than twenty (20) days prior to the date of hearing.

DIVISION OF PROFESSIONAL REGULATION

1800 Board of Plumbing, Heating, Ventilation, Air Conditioning and Refrigeration Examiners NOTICE OF PUBLIC HEARING

Delaware Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration in accordance with 24 Del.C. §1806 has proposed amendments to rule 1.0 General Provisions of its rules and regulations. The proposed amendments define the term "full-time employee" as it relates to supervision, and allows for the definitions to be applicable to the statute as well as the regulations. The Board had received a number of requests from applicants and licensees for a definition of the term "full-time employee", which appears in 24 Del.C. §1802 (18). The Board determined that the requirement that the supervision be provided by a master licensee who was a full-time employee needed clarification to assist licensees and applicants in the determination and selection of acceptable supervision. The Board modeled its proposed definition on the definition of full-time employee in the Delaware State Fire Prevention Regulations.

A public hearing will be held on January 12, 2010 at 8:45 a.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Plumbing, Heating, Ventilation, Air Conditioning, and Refrigeration, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

DIVISION OF PROFESSIONAL REGULATION

3700 Board of Examiners of Speech/Language Pathologists, Audiologists & Hearing Aid Dispensers PUBLIC NOTICE

Pursuant to 24 Del.C. §3706(a)(1), the Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers has proposed revisions to its rules and regulations.

A public hearing will be held on January 13, 2010 at 2:15 p.m. in the second floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware, where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Board of Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

DIVISION OF PROFESSIONAL REGULATION
4400 Delaware Manufactured Home Installation Board
PUBLIC NOTICE

Pursuant to 24 Del.C. §4416(b)(1), the Manufactured Home Installation Board has proposed revisions to its rules and regulations.

A public hearing will be held on January 11, 2010 at 9:15 a.m. in the second floor conference room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware, where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Manufactured Home Installation Board, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

PUBLIC SERVICE COMMISSION
3007 Electric Service Reliability and Quality Standards
NOTICE OF PUBLIC HEARING

By Order No. 7002 dated August 8, 2006, the Delaware Public Service Commission (the "Commission") approved proposed revisions to the Rules Governing Electric Service Reliability and Quality Standards (the "Rules") for electric distribution companies subject to the Commission's jurisdiction; and

That, pursuant to 29 Del.C. §§10115(a) and 10116, persons or entities may file written comments, suggestions, compilations of data, briefs, or other written materials, on or before **December 31, 2010**. Pursuant to 29 Del.C. §10117, the Commission will conduct a public hearing on the proposed revisions and resulting new "Electric Service Reliability and Quality Standards" on **January 7, 2010** beginning at 1:00 P.M. at the Commission's office at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware.