

**DEPARTMENT OF AGRICULTURE**  
**HARNESS RACING COMMISSION**  
**501 Harness Racing Rules and Regulations**  
**PUBLIC NOTICE**

The Delaware Harness Racing Commission, pursuant to 3 **Del.C.** §10005, proposes to change its Rules 2.3.2 and 5.1.22.4. The Commission will hold a public hearing on the proposed rule changes on February 8, 2010. Written comments should be sent to Hugh J. Gallagher, Administrator of Harness Racing, Department of Agriculture, 2320 South DuPont Highway, Dover, DE 19901. Written comments will be accepted for thirty (30) days from the date of publication in the Register of Regulations on January 1, 2011.

The proposed changes are for the purpose of updating the Rules and to more accurately reflect current policies, practices and procedures. Copies are published online at the Register of Regulations website: [http://regulations.delaware.gov/services/current\\_issue.shtml](http://regulations.delaware.gov/services/current_issue.shtml)

A copy is also available for inspection at the Harness Racing Commission office.

**DEPARTMENT OF EDUCATION**  
**PUBLIC NOTICE**

The State Board of Education will hold its monthly meeting on Thursday, January 20, 2011 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES**  
**DIVISION OF MEDICAID AND MEDICAL ASSISTANCE**  
**Long-Term Care Program – Pre-Admission Screening and Resident Review**  
**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 Medicaid and Medical Assistance (DMMA) is amending Long-Term Care program policies in the Division of Social Services Manual (DSSM) regarding Pre-Admission Screening and Resident Review.

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, Planning & Policy Development Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906 or by fax to 302-255-4425 by January 31, 2011.

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**  
**Fair Hearing Practices and Procedures**  
**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 Division of Social Services Manual (DSSM) regarding Fair Hearing Practices and Procedures.

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 January 31, 2011.

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**

**Food Supplement 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 policies in the Division of Social Services Manual (DSSM) regarding the Food Supplement Program regarding Mandatory Verification.

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 Friday, January 31, 2010.

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.

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL  
DIVISION OF AIR AND WASTE MANAGEMENT  
1124 Control of Volatile Organic Compound Emissions  
PUBLIC NOTICE**

The Clean Air Act (CAA) Section 182(b)(2) requires that all ozone non-attainment areas, including Delaware, must develop or update relevant regulations to implement Reasonably Available Control Technology (RACT) controls on emission sources covered in EPA's Control Techniques Guidelines (CTG) or Alternate Control Techniques (ACT), and submit the regulations to EPA as State Implementation Plan (SIP) revisions.

In September 2006, the EPA updated its CTG for offset lithographic printing industry by adding control requirements for letterpress printing activities. To reflect the new requirements in EPA's 2006 updated CTG, the DAQ revised 7 **DE Admin. Code** 1124 Section 47.0 "Offset Lithographic Printing" in early 2010. After a relevant public comment period, a public hearing was held on June 2, 2010.

Public comments were received before and on the June 2, 2010 hearing on the revision to Section 47.0. Based on these comments, the DAQ has determined that some changes to the proposed Section 47.0 that was addressed in the June 2, 2010 hearing should be made. Major new changes are those in Sections 47.1.2, 47.3.1, 47.5.4.4, 47.5.5, 47.6.1.2.2, and 47.6.3.1. To provide the opportunity for public to review and comment on these new changes, the DAQ is now publishing a new proposed revision to Section 47.0, establishing a new public comment period, and will hold a public hearing on February 1, 2011. Since a sufficient comment period was provided to the public prior to the June 2, 2010 hearing, the public is advised that the February 1, 2011 hearing will address only comments on those major new changes, which are also printed in red text in the newly proposed Section 47.0 as posted at DAQ's website <http://www.awm.delaware.gov/Info/Regs/Pages/AQMPlansRegs.aspx>.

A public hearing will be held on February 1, 2011, beginning at 6:00 pm, in DNREC's Auditorium, R & R Building, 89 Kings Hwy, Dover, Delaware 19901.

**DIVISION OF AIR AND WASTE MANAGEMENT  
1142, Control of NO<sub>x</sub> Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries  
PUBLIC NOTICE**

The Department of Natural Resources and Environmental Control (DNREC), Division of Air Quality, will conduct a public hearing on proposed amendments to Section 2.0 of 7 **DE Admin. Code** 1142, "Control of NO<sub>x</sub> Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries." These amendments are based on a May 31, 2010 agreement between DNREC and the Delaware City Refining Company, LLC ("DCRC") which states that DNREC will propose to revise Section 2.0 of 7 **DE Admin. Code** 1142 to provide for a facility-wide NO<sub>x</sub> emission cap compliance alternative to the existing unit specific NO<sub>x</sub> emission limitations.

In addition, DNREC will propose a document for submittal to the Environmental Protection Agency (EPA) as a State Implementation Plan (SIP) revision. This document, "Demonstration that Amendments to Section 2.0 of 7 **DE Admin. Code** 1142, Control of NO<sub>x</sub> Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries, Do not Interfere with Any Applicable Requirement of the Clean Air Act (CAA)" demonstrates that these amendments to 7 **DE Admin. Code** 1142 will not interfere with attainment or maintenance of any National Ambient Air Quality Standard (NAAQS), or any other applicable requirement of the CAA.

The public hearing on this proposed amendments to 7 **DE Admin. Code** 1142, and the associated SIP revision, will be held February 1, 2011, beginning at 6:00 p.m., in DNREC's R&R Bldg. Auditorium, 89 Kings Highway, Dover, Delaware

19901.

**14 DE Reg. 718 (01/01/11)**