

**ADMINISTRATIVE OFFICES OF THE COURTS**  
**CHILD PLACEMENT REVIEW BOARD**  
**Regulation Governing the Ivyane Davis Scholarship Fund**  
**PUBLIC NOTICE**

The State of Delaware's Child Placement Review Board is submitting regulations regarding the administration of the Ivyane Davis Scholarship Fund. This Memorial Scholarship Fund was established by the General Assembly in June 1989 to provide scholarships for post-secondary education to Delaware residents who have been in foster care in this State. The fund is authorized by Delaware code, Title 14, Chapter 34; it is the intent and purpose of the General Assembly to provide scholarships in memory of Ivyane D.F. Davis, who died February 7, 1989, to deserving Delaware residents who have been placed under foster care in Delaware. This Scholarship is administered by the Child Placement Review Board. The administration of this fund includes monitoring the academic progress of all students as well as a yearly interviews and a requirement to report expenditure as part of The Child Placement Review Boards Annual Report. This is the first time regulations for this fund have been submitted and was a recommendation from the Joint Sunset Committee in 2012.

There will be no Public Hearing regarding these regulations but Public Comments can be sent, by mail or email, to:

Shane O'Hare  
Child Placement Review Board  
820 North French Street, 1st Floor,  
Wilmington, DE 19801  
Email: Shane.O'Hare@state.de.us

Public Comments will be accepted until July 15th, 2013.

**DELAWARE SOLID WASTE AUTHORITY**  
**PUBLIC NOTICE**  
**501 Regulations of the Delaware Solid Waste Authority**  
**502 Statewide Solid Waste Management Plan**  
**503 Differential Disposal Fee Program**

Pursuant to 7 **Delaware Code**, Sections 6403, 6404, 6406 and other pertinent provisions of 7 **Delaware Code**, Chapter 64; the Delaware Solid Waste Authority ("DSWA") is proposing amendments to the Regulations of the Delaware Solid Waste Authority (the "Regulations") to modify the Regulations last amended as of November 1, 2011.

**Notice of Hearing:** A public hearing will be held July 2, 2013 beginning at 5:00 p.m., in the DSWA board room located in the main administrative offices of the DSWA at 1128 South Bradford St., Dover, DE 19903. The hearing is to provide an opportunity for public comment on the proposed amendments.

**Written Comments:** The DSWA will receive written comments, suggestions briefs or other written material until the close of business, July 17, 2013. Written comments, suggestions, compilations of data or other written material shall be submitted to Michael D. Parkowski, Manager of Business Services and Government Relations, Delaware Solid Waste Authority, 1128 South Bradford Street, PO Box 455, Dover, Delaware 19903. Anyone wishing to obtain a copy of the proposed amendments may obtain a copy from the Delaware Solid Waste Authority, 1128 South Bradford Street, PO Box 455, Dover, Delaware 19903, (302) 739-5361.

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

The State Board of Education will hold its monthly meeting on Thursday, June 17, 2013 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES**  
**DIVISION OF PUBLIC HEALTH**  
**4104 Delaware Conrad State 30/J-1 Visa Waiver Program**  
**PUBLIC NOTICE**

The Bureau of Health Planning and Resource Management, Division of Public Health, Department of Health and Social Services, is proposing amendments to the 4104 Conrad State 30/J-1 Visa Waiver Program regulations. Originally adopted on January 11, 2000, these regulations set forth requirements and procedures for an international medical graduate (IMG) requesting State support for a waiver of the J-1 visa home residency requirement.

On June 1, 2013, DHSS plans to publish as proposed regulations governing the Conrad State 30/J-1 Visa Waiver Program and hold them out for public comment per Delaware law. Copies of the proposed regulations are available for review in the June 1, 2013 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Bureau of Health Planning and Resource Management at (302) 744-4776.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Deborah Harvey by 4:30 p.m. on Tuesday, July 2, 2013 at:

Deborah Harvey  
Division of Public Health  
417 Federal Street  
Dover, DE 19901  
Email: [Deborah.Harvey@state.de.us](mailto:Deborah.Harvey@state.de.us)  
Phone: (302) 744-4913

**DIVISION OF PUBLIC HEALTH**  
**4202 Control of Communicable and Other Disease Conditions**  
**PUBLIC NOTICE**

The Bureau of Epidemiology, Division of Public Health, Department of Health and Social Services, is proposing revisions to the State of Delaware Regulations for the Control of Communicable and Other Disease Conditions in response to legislation created by HB 403.

House Bill 403, signed into law on July 20, 2012, broadens the purpose of the Hospital Acquired Infections Advisory Committee to include prevention and control of hospital acquired infections in addition to disclosing such infections to the Department of Health and Social Services. It also extends the scope of the Hospital Infections Disclosure Act to long-term care facilities, freestanding surgical centers, dialysis centers, and psychiatric facilities. These facilities would not be required to report healthcare associated infections unless required by DHSS with the concurrence of the Advisory Committee. The bill requires all physicians to report a healthcare associated infection, not just those physicians who performed the procedure that led to the infection. It also changes the required content of quarterly and annual reports. Finally, the legislation clarifies that reports of infections by Correctional facilities are infections that result from health care provided in the facility.

On June 1, 2013, the Division plans to publish as proposed the amended regulations and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the June 1, 2013 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Bureau of Epidemiology, Division of Public Health, at (302) 744-1033.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Deborah Harvey by Tuesday, July 2, 2013 at:

Deborah Harvey  
Division of Public Health  
417 Federal Street  
Dover, DE 19901  
Email: [Deborah.Harvey@state.de.us](mailto:Deborah.Harvey@state.de.us)  
Phone: (302) 744-4700  
Fax: (302) 739-6659

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**  
**DIVISION OF AIR QUALITY**  
**1138 Emission Standards for Hazardous Air Pollutants for Source Categories**  
**PUBLIC NOTICE**

Congress sought to reduce cancer and non-cancer health risks due to the exposure to hazardous air pollutants (HAPs) in the Clean Air Act Amendments of 1990. Congress stipulated that the EPA implement a 2-phase rulemaking process to reduce health risks. In phase one, the EPA was to adopt emission standards based on currently available control technologies; these standards are referred to as maximum achievable control technology (MACT) standards. In phase two, the EPA was to adopt additional standards based on an assessment of the health risks remaining after the implementation

of the MACT standards and an assessment of the availability of new control technologies; these standards were referred to as risk and technology review (RTR) standards.

Delaware adopted the federal MACT standard (40 CFR Part 63 Subpart N) applicable to chromium electroplating and chromium anodizing facilities, as Section 6 of 7 **DE Admin. Code** 1138 on November 1, 2001.

In 2010 and 2011, the EPA undertook an extensive assessment and, on September 19, 2012, promulgated the RTR standard applicable to chromium electroplating and chromium anodizing facilities. The notable, more stringent changes to Subpart N included the lowering of the maximum allowable emission rate of chromium to the atmosphere, the prohibition of continued use of certain fume suppressants, and the addition of new housekeeping procedures.

This proposed amendment to Section 6 of 7 **DE Admin. Code** 1138 is being undertaken to incorporate the more stringent changes the EPA made to Subpart N, in order to reduce the public's exposure to chromium and to maintain the consistency of Delaware's air toxics regulatory requirements under Section 6 with national requirements under Subpart N.

In addition, the Department adopted Section 10 into 7 **DE Admin. Code** 1138 on November 1, 2009. That regulatory action was precipitated by the EPA's adoption of a new area source air toxics standard under 40 CFR Part 63 Subpart WWWWWW (Subpart 6Ws) on June 12, 2008, which was applicable nationally to metal plating and polishing facilities that emit cadmium, chromium, lead, manganese, or nickel compounds.

In 2010, the EPA received numerable questions from individual metal plating and polishing facilities and their industry trade associations seeking clarifications and interpretations on various aspects of their original June 12, 2008 adoption of Subpart 6Ws. Following this dialogue and review, the EPA amended Subpart 6Ws on September 19, 2011. The primary change effected by the EPA's amendment was a clarification that Subpart 6Ws did not apply to any bench scale activities. At the same time, the EPA 1) clarified industries' confusion on applicability of Subpart 6Ws to various types of metal plating operations, 2) corrected portions of the original text that was prone to misinterpretation, and 3) corrected several technical errors.

This proposed amendment to Section 10 of 7 **DE Admin. Code** 1138 is being undertaken to incorporate the clarifications and corrections the EPA made to Subpart 6Ws (76 FR 57913, 9/19/11), in order to maintain the consistency of Delaware's air toxics regulatory requirements under Section 10 with national requirements under Subpart 6Ws.

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Thursday, June 27, 2013 starting at 6:00 PM in the DNREC Richardson & Robbins Auditorium, 89 Kings Highway, Dover, DE. Interested parties may submit comments in writing to: Jim Snead, DNREC Division of Air Quality, 715 Grantham Lane, New Castle, DE 19720.

**DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES**  
**DIVISION OF FAMILY SERVICES**  
**OFFICE OF CHILD CARE LICENSING**  
**105 Residential Child Care Facilities and Day Treatment Programs**  
**PUBLIC NOTICE**

The Office of Child Care Licensing proposes to amend the Delaware Requirements for Residential Child Care Facilities and Day Treatment Programs in response to public comments received in response to Executive Order 36. That process elicited very limited public response. In response to that input the changes to existing regulations address only required staff training hours. A full review is planned in Fall 2013 at which time the normal process for revising regulations will occur. This will include the involvement of a wide cross-section of stakeholders, with all licensed programs participating. The review will examine best practices, regulations promulgated by other States, research on subjects related to residential and day treatment care and identified issues and services within existing programs within Delaware.

A copy of the proposed regulations is being published in the June 1, 2013 edition of the Delaware *Register of Regulations*. Interested parties wishing to offer comments on the proposed regulations or submit written suggestions, data, briefs or other materials concerning the proposed regulations must submit same to Elizabeth Timm, Office of Child Care Licensing, 1825 Faulkland Road, Wilmington, Delaware 19805 or by fax to 302-633-5112 by the close of business on June 30, 2013.

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

**DEPARTMENT OF STATE**  
**DIVISION OF PROFESSIONAL REGULATION**  
**200 Board of Landscape Architecture**  
**PUBLIC NOTICE**

The Delaware Board of Landscape Architecture proposes to amend its regulations. These changes remove references

to paper licensure renewal forms, clarify that license renewal is conducted on-line, make non-substantive verbiage changes to ensure continuity across the Division of Professional Regulation, and clarify that audits are now conducted after renewal, rather than before.

The Board will hold a public hearing on the proposed rule change on August 8, 2013 at 9:15 AM, Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Jessica Williams, Administrator of the Delaware Board of Landscape Architecture, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until August 23, 2013.

**DIVISION OF PROFESSIONAL REGULATION  
3300 Board of Veterinary Medicine  
PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §3306(a)(1), the Board of Veterinary Medicine has proposed revisions to its rules and regulations.

A public hearing will be held on August 13, 2013 at 1:15 p.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 Board of Veterinary Medicine, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be August 28, 2013, which is 15 days following the public hearing. The Board will deliberate on all of the public comments at its regularly scheduled meeting on September 10, 2013 at 1:15 p.m., at which time the Board will decide whether to adopt the revisions as proposed.

The Board proposes amendments to Rule 11.1.2, addressing licensure of veterinary technicians. The revisions clarify that applicants seeking licensure pursuant to the educational and/or experiential alternatives set forth in Rule 11.1.2 must have their applications approved by October 1, 2013. If an application is not approved by October 1, 2013, the applicant must show graduation from an AVMA approved program. The revisions also If an applicant does not pass the examination set forth in Rule 11.1.4 within one year after the date of approval of the application, in order to pursue licensure, the applicant shall re-apply for licensure and submit the application fee. Any applicant who re-applies after October 1, 2013 shall have received a degree from a veterinary technician program accredited by the AVMA or from a foreign veterinary program approved by the AVMA.

**DIVISION OF PROFESSIONAL REGULATION  
4100 Board of Home Inspectors  
PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §4106(a)(1), the Delaware Board of Home Inspectors has proposed adoption of rules and regulations to implement its licensing law, Chapter 41 of Title 24 of the Delaware Code. In particular, the proposed rules and regulations set forth the process whereby applicants may qualify for licensure under the grandfather provision. Standards for continuing education are adopted. The rules and regulations set forth a code of ethics and standards of practice for licensees. The Board has also proposed adoption of a list of crimes substantially related to the practice of home inspection.

A public hearing will be held on June 24, 2013, at 9:30 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 on the proposed rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Home Inspectors, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address.

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be July 9, 2013, which is 15 days following the public hearing. The Board will deliberate on all of the public comment at its regularly scheduled meeting on July 10, 2013, at 9:30 a.m., at which time it will determine whether to adopt the rules and regulations as proposed or make changes due to the public comment.