

**DEPARTMENT OF EDUCATION  
PUBLIC NOTICE**

The State Board of Education will hold its monthly meeting on Thursday, April 19, 2012 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES  
PUBLIC NOTICE**

The Delaware Department of Health and Social Services will submit its annual grant application under Part C of the Individuals with Disabilities Education Improvement Act of 2004. The application will be available until April 16, 2012.

Please contact the Part C Birth to Three office at 302-255-9134 (call collect from Kent and Sussex) to secure a copy of the application or e-mail [Inita.joyner@state.de.us](mailto:Inita.joyner@state.de.us). Send your written comments to Part C/Birth to Three, DMS/DHSS, 2nd floor, Main Building, Suite 249, 1901 N. DuPont Hwy, New Castle, DE 19720 or fax to 302-255-4407.

**DIVISION OF LONG TERM CARE RESIDENTS PROTECTION  
3102 Long Term Care Discharge and Impartial Hearing Procedures  
PUBLIC NOTICE**

The Division of Long Term Care Residents Protection (DLTCRP) is proposing the implementation of Regulation 3102, Long Term Care Discharge and Impartial Hearing Regulations.

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 Susan Del Pesco, Director, Division of Long Term Care Residents Protection, 3 Mill Road, Suite 308, Wilmington, DE 19806 by Tuesday May, 1, 2012.

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 MEDICAID AND MEDICAL ASSISTANCE  
Diamond State Health Plan Plus  
Various Related Policies in the Division of Social Services Manual  
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) intends to amend policies in the Division of Social Services Manual (DSSM) related to the implementation of Diamond State Health Plan Plus.

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 April 30, 2012.

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 MEDICAID AND MEDICAL ASSISTANCE  
Home and Community-Based Services Waivers  
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) intends to amend policies in the Division of Social Services Manual (DSSM) regarding *Home and Community-Based Services Waivers*.

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 April 30, 2012.

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 PUBLIC HEALTH  
Regulations Governing a Detailed Plumbing Code  
PUBLIC NOTICE**

The Health Systems Protection Section, under the Division of Public Health, Department of Health and Social Services, is proposing revisions to the State of Delaware Regulations Governing A Detailed Plumbing Code. Due to the extensive number of amendments the Department has concluded that the current regulations should be repealed and replaced in their entirety with the proposed regulations being published. On April 1, 2012, the Division plans to publish as proposed the amended regulations and hold them out for public comment per Delaware law.

The Health Systems Protection Section, under the Division of Public Health, Department of Health and Social Services, will hold a public hearing to discuss the proposed Regulations 4455 Governing a Detailed Plumbing Code. Delaware law requires the Division of Public Health to adopt and enforce the most recent version of the International Plumbing Code (IPC) within one calendar year of its issuance, in conformity with the basic plumbing principles provided in Title 16 of the Delaware Code. Due to the extensive number of amendments the Department has concluded that the current regulations should be repealed and replaced in their entirety with the proposed regulations being published.

The public hearing will be held on April 25, 2012 at 2:30 p.m. in the Third Floor Conference Room, located in the Jesse Cooper Building, 417 Federal Street, Dover, Delaware.

Copies of the proposed regulations are available for review in the April 1, 2012 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Plumbing Permitting and Inspection Program at (302) 856-5123.

Anyone wishing to present his or her oral comments at this hearing should contact Ms. Deborah Harvey at (302) 744-4700 by April 20, 2012. Anyone wishing to submit written comments as a supplement to or in lieu of oral testimony should submit such comments by April 30, 2012 to:

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

**DIVISION OF PUBLIC HEALTH  
4462 Public Drinking Water Systems  
PUBLIC NOTICE**

The Health Systems Protection Section, Office of Drinking Water, under the Division of Public Health, Department of Health and Social Services (DHSS), will hold a public hearing to discuss the proposed State of Delaware Regulations Governing Public Drinking Water Systems. Amendments include the adoption of four new EPA regulations: the Long Term 2 Enhanced Surface Water Treatment Rule (LT2), the Stage 2 Disinfectant/Disinfection Byproducts Rule (Stage 2 DBP), the Ground Water Rule (GWR), and the Lead/Copper Rule Short Term Revisions (LCR STR) as well as makes technical corrections to previously adopted federal regulations. In addition, there are several proposed changes to Delaware-specific requirements. Due to the extensive number of amendments the Department has concluded that the current regulations should be repealed and replaced in their entirety with the proposed regulations being published.

The public hearing will be held on April 25, 2012 at 10:00 a.m. in the Third Floor Conference Room, located in the Jesse Cooper Building, 417 Federal Street, Dover, Delaware.

Copies of the proposed regulations are available for review in the April 1, 2012 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Office of Drinking Water at (302) 741-

8630.

Anyone wishing to present his or her oral comments at this hearing should contact Ms. Deborah Harvey at (302) 744-4700 by April 20, 2012. Anyone wishing to submit written comments as a supplement to or in lieu of oral testimony should submit such comments by April 30, 2012 to:

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

**DIVISION OF PUBLIC HEALTH  
State of Delaware Medical Marijuana Code  
PUBLIC NOTICE**

Senate Bill 17, signed into law in May 2011, creates the Delaware Medical Marijuana Act. The Department of Health and Social Services is proposing regulations which establish the regulation of the Delaware Medical Marijuana Act to be hereby known as the State of Delaware Medical Marijuana Code. On April 1, 2012, the Health Systems Protection Section, under the Division of Public Health, Department of Health and Social Services, plans to publish as proposed regulations governing the State of Delaware Medical Marijuana Act and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the April 1, 2012 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Health Systems Protection Section at 302-744-4705.

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 Monday, April 30, 2012 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

**DIVISION OF SOCIAL SERVICES  
Child Care Subsidy Program Income Eligible Child Care  
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 Child Care Subsidy Program, specifically, Income Eligible Child Care.

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 April 30, 2012.

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 LABOR  
DIVISION OF INDUSTRIAL AFFAIRS  
Office of Workers' Compensation  
1341 Workers' Compensation Regulations  
PUBLIC NOTICE**

The Secretary of Labor, in accordance with 19 Del.C. §§2322 F, has proposed revisions to the rules and regulations relating to the Delaware Workers' Compensation Health Care Payment System (HCPS). These proposals 1) clarify that although an operating surgeon certified in the HCPS may request preauthorization for surgery, the surgeon is not obligated to preauthorize each surgery performed; and 2) add the claimant's attorney of record to the list of entities who receive a copy of the utilization review determination.

A public meeting will be held before the Health Care Advisory Panel ("Panel") at 4:00 p.m. on May 14, 2012, in the Department of Labor Fox Valley Annex, 4425 N. Market Street, Wilmington, Delaware 19802, where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rules may obtain a copy from Donna Forrest, Medical Component Manager, Office of Workers' Compensation, Division of Industrial Affairs, Department of Labor, 4425 N. Market Street, Wilmington, Delaware, 19802. Persons wishing to submit written comments may forward them to the Panel at the above address. The final date to receive written comments will be at the public meeting.

The Panel will consider making a recommendation to the Secretary at the regularly scheduled meeting following the public meeting.

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**  
**DIVISION OF WATER RESOURCES**  
**Surface Water Discharges Section**

**7101 Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems**  
**PUBLIC NOTICE**

Substantial revisions to the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems (On-site regulations) are proposed to incorporate the Guidance and Regulations Governing the Land Treatment of Wastes spray irrigation regulatory language. The on-site regulations have been revised to address large system site investigations, hydrogeological investigations, design considerations, operation and maintenance practices, updating of individual on-site wastewater treatment and disposal system design criteria, establishment of new licensees and inspection protocols, and to establish performance standards for small on-site systems utilizing alternative technologies and all large systems.

Upon the effective date of revised regulations, the *Regulations Governing the Pollution Control Strategy for the Indian River, Indian River Bay, Rehoboth Bay, and Little Assawoman Bay Watersheds*, effective November 11, 2008, Sections 6.0, 7.0 and 8.0, may be affected.

The Department of Natural Resources and Environmental Control (DNREC) Division of Water will conduct a public hearing on the proposed revisions to the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems, to address the proposed changes that have occurred over the past three years as a result of discussions, public workshops, committee meetings and literature searches.

The public hearing on this proposed revision of Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems will be held Thursday, May 3, 2012, at 6:00 p.m. in the DNREC Auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover, DE 19901.

The proposed regulation revisions may be inspected at the following locations:

Department of Natural Resources and Environmental Control  
89 Kings Highway  
Dover, DE 19901

Department of Natural Resources and Environmental Control  
20653 DuPont Blvd, Unit 5  
Georgetown, DE 19947

The proposed regulation revisions may be inspected on the DNREC Division of Water, Groundwater Discharges Section website:

<http://www.dnrec.delaware.gov/wr/Information/GWDInfo/Pages/GWDS%20Design%20Install%20Operate%20Info%20For%20Proposed%20Wastewater%20Treatment%20Regulations.aspx>

For additional information or any appointments to inspect the proposed regulation revisions at DNREC, please contact

Jack Hayes, DNREC Division of Water, Groundwater Discharges Section, 89 Kings Highway, Dover, DE 19901, (302) 739-9948, [John.Hayes@state.de.us](mailto:John.Hayes@state.de.us).

Interested parties shall submit comments in writing on the proposed regulation revisions by the end of the comment period, as designated by the hearing officer at this hearing, to Jack Hayes and/or statements and testimony may be presented either orally or in writing at the May 3, 2012 public hearing. It is requested that those interested in presenting statements at the public hearing register in advance and that written statements and comments be addressed to:

Jack Hayes  
DNREC – Division of Water  
Groundwater Discharges Section  
89 Kings Highway  
Dover, DE 19901

**DEPARTMENT OF SAFETY AND HOMELAND SECURITY**  
**OFFICE OF THE SECRETARY**  
**Regulations Governing Security Systems and Protective Services: False Alarms**  
**PUBLIC NOTICE**

The Department of Safety and Homeland Security hereby promulgates rules and regulations relating to the enforcement of civil penalties for false alarms pursuant to 24 **Del.C.** §1229.

The Department solicits and will consider timely filed written comments from interested individuals and groups concerning these proposed regulations. The deadline for the filing of such written comments will be thirty days after the proposed regulations are published in the Delaware Register of Regulations, or by May 1, 2012. Any such submissions should be mailed or hand delivered to Elizabeth Olsen at: Department of Safety and Homeland Security, Public Safety Building, Suite 220, 303 Transportation Circle, P.O. Box 818, Dover, DE 19903, on or before the deadline stated above.

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

The Delaware Board of Landscape Architects in accordance with 24 **Del.C.** §205 has proposed amendments to Rules 1.0, 4.0, 7.0, 8.0 and 11.0. The proposed revisions to the rules are an attempt to better organize and clearly establish the standards governing Landscape Architects in the State of Delaware concerning applying for licensure, issuance of a license, continuing education, inactive status and crimes that are substantially related to the practice of Landscape Architects.

A public hearing will be held on May 10, 2012, 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 Jessica Williams, Administrative Assistant for the Delaware Board of Landscape Architects, 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**  
**Real Estate Commission Education Committee**  
**PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §2906(a)(1), the Delaware Real Estate Commission has proposed revisions to the Guidelines for Fulfilling the Delaware Real Estate Education Requirements (“Guidelines”).

A public hearing will be held on May 10, 2012 at 9:30 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 Real Estate Commission, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the

Commission at the above address. The final date to receive written comments will be at the public hearing.

The Commission has proposed extensive revisions to the Guidelines. The Guidelines have been amended to include information previously contained only in an "Appendix" posted on the Commission's website. The amendments ensure that pre-licensing and continuing education standards are properly and fully set forth in rules promulgated and adopted by the Commission. The amended Guidelines explain new continuing education standards, which will be set forth in further detail in the Commission's rules and regulations. Specifically, pursuant to the proposed revisions, continuing education offerings must fall into one of seven different modules, or, for new licensees, one of four different modules.

In a new Rule 11.0, procedures are detailed for addressing course providers who receive negative evaluations from course attendees. This new Rule is intended to ensure quality in the provision of education to prospective and current licensees.

The Commission will consider promulgating the proposed revisions to the Guidelines at its regularly scheduled meeting following the public hearing.

**DIVISION OF PROFESSIONAL REGULATION  
3600 Board of Registration of Geologists  
PUBLIC NOTICE**

The Delaware Board of Geologists pursuant to 24 **Del.C.** §3606(a)(1) proposes to revise their rules and regulations. The proposed revisions to the rules are an attempt to update the rules by adding provisions concerning a lapsed license, creating an inactive status, adding online courses and web seminars to CEU list and adding to the list of automatically approved course work for CEU requirements. The revisions also add to the list of crimes substantially related to the practice of geology and makes numerous grammatical changes.

The Board will hold a public hearing on the proposed rule change on May 4, 2012 at 10 00 am., Second floor conference room B, Cannon Building, 861 Silver Lake Blvd., Dover DE 19904. Written comments should be sent to Sandra Wagner, Administrator of the Delaware Board of Geologists, Cannon Building, 861 Silver Lake Blvd., Dover DE 19904.

**EXECUTIVE DEPARTMENT  
OFFICE OF MANAGEMENT AND BUDGET  
STATEWIDE BENEFITS OFFICE  
Environmentally Preferred Purchasing Policy  
PUBLIC NOTICE**

In accordance with procedures set forth in 29 **Del.C.** Ch. 11, Subch. III and 29 **Del.C.**, Ch. 101, the Director of the Office of Management and Budget is proposing to adopt a regulation setting forth the State of Delaware Environmentally Preferred Purchasing Policy.

The Director of the Office of Management and Budget, or an employee of the Office of Management and Budget designated by the Director, will hold a public hearing at which members of the public may present comments on the proposed regulation on May 2, 2012 at 11:00 a.m. at the Office of Management and Budget, Haslet Building, room 219, 122 William Penn St., Dover, DE 19901. Additionally, members of the public may present written comments on the proposed regulation by submitting such written comments to Mr. Robert Scoglietti, Delaware Office of Management and Budget, 122 William Penn Street, Dover, DE, 19901. Written comments must be received on or before May 1, 2012. Members of the public may receive a copy of the proposed regulation at no charge by United States Mail by writing Mr. Robert Scoglietti at the address of the Delaware Office of Management and Budget set forth above.

**OFFICE OF MANAGEMENT AND BUDGET  
Promoting, Maintaining and Controlling the Public Use of the Legislative Mall  
PUBLIC NOTICE**

In accordance with procedures set forth in 29 **Del.C.** Ch. 11, Subch. III and 29 **Del.C.**, Ch. 101, the Director of the Office of Management and Budget is proposing to adopt a regulation setting forth the State of Delaware Environmentally Preferred Purchasing Policy.

The Director of the Office of Management and Budget, or an employee of the Office of Management and Budget designated by the Director, will hold a public hearing at which members of the public may present comments on the proposed regulation on May 2, 2012 at 11:00 a.m. at the Office of Management and Budget, Haslet Building, room 219, 122 William Penn St., Dover, DE 19901. Additionally, members of the public may present written comments on the proposed

regulation by submitting such written comments to Mr. Robert Scoglietti, Delaware Office of Management and Budget, 122 William Penn Street, Dover, DE, 19901. Written comments must be received on or before May 1, 2012. Members of the public may receive a copy of the proposed regulation at no charge by United States Mail by writing Mr. Robert Scoglietti at the address of the Delaware Office of Management and Budget set forth above.

**15 DE Reg. 1511 (04/01/12)**