

**DEPARTMENT OF AGRICULTURE
THOROUGHBRED RACING COMMISSION
PUBLIC NOTICE
1001 Thoroughbred Racing Rules and Regulations**

The Thoroughbred Racing Commission proposes to amend its Regulations adopted in accordance with Title 3, Chapter 101. The purpose of the amended regulations is to adopt by reference the Association of Racing Commissioners International Non-Steroidal Anti-Inflammatory Drug Stacking rule (ARCI-011-020, Part E.(1)(C)). Other regulations issued by the Thoroughbred Racing Commission are not affected by this proposal. The Thoroughbred Racing Commission is issuing these proposed regulations in accordance with Title 3 of the Delaware Code. This notice is issued pursuant to the requirements of Chapter 101 of Title 29 of the Delaware Code.

A copy of the proposed regulations is being published in the April 1, 2015 edition of the Delaware *Register of Regulations*. A copy is also on file in the office of the Thoroughbred Racing Commission, 777 Delaware Park Boulevard, Wilmington, Delaware 19804 and is available for inspection during regular office hours. Copies are also published online at the *Register of Regulations* website: http://regulations.delaware.gov/services/current_issue.shtml.

Interested parties may offer written comments on the proposed regulations or submit written suggestions, data, briefs or other materials to the Thoroughbred Racing Commission at the above address as to whether these proposed regulations should be adopted, rejected or modified. Pursuant to 29 **Del.C.** §10118(a), public comments must be received on or before May 1, 2015. Written materials submitted will be available for inspection at the above address.

On or after May 1, 2015, following review of the public comment, the Thoroughbred Racing Commission will determine whether to adopt the proposed amended Regulations or make additional changes because of the public comments received.

**DEPARTMENT OF EDUCATION
PUBLIC NOTICE**

The State Board of Education will hold its monthly meeting on Thursday, April 16, 2015 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF LONG TERM CARE RESIDENTS PROTECTION
PUBLIC NOTICE
3325 Financial Capability Reporting**

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code) and under the authority of Title 29 of the Delaware Code, Section 7903(10), Delaware Health and Social Services (DHSS) / Division of Long Term Care Residents Protection is proposing to create Regulation 3325, Financial Capability Reporting.

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 Thomas Murray, Deputy Director, Division of Long Term Care Resident Protection, 3 Mill Road, Suite 308, Wilmington, Delaware 19806 by April 30, 2015.

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
PUBLIC NOTICE
Draft 1115 Waiver Medicaid Managed Care Comprehensive Quality Strategy Plan**

In compliance with the public notice requirements of the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 U.S.C. §1315(d), 42 CFR Part 431, Subpart G and 42 CFR 447.205, Delaware Health and Social Services (DHSS), Division of Medicaid and Medical Assistance (DMMA), Division of Substance Abuse and Mental Health (DSAMH) is seeking public comment on Delaware's Draft 1115 Waiver Comprehensive Quality Strategy Plan that will be submitted to the Centers for Medicare and Medicaid Services (CMS).

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 and Quality 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, 2015.

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 WASTE AND HAZARDOUS SUBSTANCES
1375 Regulations Governing Hazardous Substance Cleanup
PUBLIC NOTICE

The Hazardous Substance Cleanup Act was enacted in 1990, and the Regulations implementing the Act were completed in 1996. There was a revision to the Regulations in 2002 that established criteria for designating a Brownfield property. There was another revision in 2012 that addressed many issues, including, but not limited to, participation in the new brownfields program, consultant certification, notification requirements, investigation procedures, long term stewardship, facility closure, and natural resource damage assessment. Since the 2012, changes have been necessary to meet current practices. The major proposed changes create new regulations for determination of Conditional No Further Action, update the procedures for providing notice in land records, and clarify certain definitions.

The hearing record on the proposed changes to the Regulations Governing Hazardous Substance Cleanup will be open April 1, 2015, and it will close on May 14, 2015. Individuals may submit written comments regarding the proposed changes via e-mail to Lisa.Vest@state.de.us or via the USPS to Lisa Vest, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901 (302)739-9042. A public hearing on the proposed amendment will be held on April 29, 2015 beginning at 6 pm in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.

DEPARTMENT OF SAFETY AND HOMELAND SECURITY
DIVISION OF STATE POLICE
5500 Bail Enforcement Agents
PUBLIC NOTICE

Notice is hereby given that the Board of Examiners of Bail Enforcement Agents, in accordance with 24 **Del.C.** Ch. 55 proposes to amend Adopted Rule 7.0 – Continuing Education and Training, changes the continuing education to add on-line training and clarifies how any missed training can be made up; Adopted Rule 11.0 – Criminal Offenses, gives the Director the authority to take action when necessary and changes the title names to match the Delaware Code changes. If you wish to view the complete Rules, contact Ms. Peggy Anderson at (302) 672-5304. Any persons wishing to present views may submit them in writing, by April 30, 2015, to Delaware State Police, Professional Licensing Section, P. O. Box 430, Dover, DE 19903. The Board will hold its quarterly meeting Friday, May 15, 2015, 10:00am, at the Tatnall Building, 150 Martin Luther King, Jr. Boulevard South, Room 112, Dover, DE.

DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES
DIVISION OF FAMILY SERVICES
OFFICE OF CHILD CARE LICENSING
101 Rules for Early Care and Education and School-Age Centers
PUBLIC NOTICE

The Office of Child Care Licensing (OCCL) proposes to amend the DELACARE: Rules for Early Care and Education and School-Age Centers. A comprehensive review process was held in which all providers were asked to participate as part of the public hearing process for Executive Order 36 and a preliminary draft was created. The proposed regulations were posted in the June 2014 *Register of Regulations* and many comments were received. These comments led to a revised version being posted in the December 2014 *Register of Regulations*.

Numerous comments, both in support of proposed changes as well as additional recommendations for further revision were received during the previous formal comment period that ended January 31, 2015. Each comment requesting additional revision was reviewed by a team for possible inclusion into the revised document. Recognized subject matter experts were consulted and the diverse opinions of all individuals providing comments were considered, as well as reviewing printed best practice resources such as *Caring for Our Children* in the review of comments received. Comments accepted for revising the regulations are reflected in the document printed here. Recommendations reviewed but not

accepted by the panel for regulation revision are not included in this publication. Each comment submitted was reviewed for possible changes to the proposed document.

Interested parties wishing to offer comments on these proposed regulations or submit written suggestions, data, briefs, or other materials concerning the proposed regulations must submit them to Kelly McDowell, Office of Child Care Licensing, 1825 Faulkland Road, Wilmington, Delaware 19805 or by email to Kelly.McDowell@state.de.us by the close of business on April 30, 2015. It is anticipated that this will be the final opportunity to offer comments on these proposed regulations.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
2700 BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS
PUBLIC NOTICE

The Delaware Board of Professional Land Surveyors, in accordance with 24 **Del.C.** §2706(a)(1), has proposed revisions to its rules and regulations. The proposed revisions to the Rules and Regulations are intended to automatically approve, for continuing education credit, courses sponsored or offered by other states' surveying societies and to clarify the statutory definition of "responsible charge.". The Board will hold a public hearing on the proposed rule changes on May 21, 2015 at 8:30 a.m., Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Amanda McAtee, Administrator of the Delaware Board of Professional Land Surveyors, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904.

DIVISION OF PROFESSIONAL REGULATION
2930 COUNCIL ON REAL ESTATE APPRAISERS
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §4006(a)(1), the Delaware Council on Real Estate Appraisers has proposed revisions to its rules and regulations. The rules pertaining to continuing education and the responsibilities of state licensed supervisory appraisers and appraiser trainees are amended to conform to new Appraisal Qualifications Board criteria.

A public hearing will be held on April 21, 2015 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 on the amendments to the rules and regulations. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Council on Real Estate Appraisal, 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).

DIVISION OF PROFESSIONAL REGULATION
3800 BOARD OF DIETETICS/NUTRITION
PUBLIC NOTICE

The Delaware Board of Dietetics/Nutrition, pursuant to 24 **Del.C.** §3805(11), proposes to revise its regulations. The proposed amendments to the regulations seek to further clarify the scope of practice of a Dietitian/Nutritionist by defining various terms set forth in the Board's enabling statute.

The Board will hold a public hearing on the proposed rule change on May 8, 2015 at 1:30 p.m., in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to LaTonya Brown, Administrator of the Delaware Board of Dietetics/Nutrition, Cannon Building, 861 Silver Lake Blvd, Dover, DE 19904. Written comments will be accepted until May 23, 2015.

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION SOLUTIONS
2402 Delaware Manual on Uniform Traffic Control Devices
PUBLIC NOTICE

Under Title 17 of the **Delaware Code**, Sections 134 and 141, as well as 21 **Delaware Code** Chapter 41, the Delaware Department of Transportation (DelDOT), adopted a Delaware version of the Federal Manual on Uniform Traffic Control

Devices (MUTCD). The Department has now drafted revisions to the Delaware MUTCD. A description of the proposed changes accompanies this notice.

The Department will take written comments on the draft changes to the Delaware MUTCD from April 1, 2015 through April 30, 2015. Copies of the Draft Delaware MUTCD Revisions can be obtained by reviewing or downloading a PDF copy at the following web address: <http://regulations.delaware.gov/default.shtml>

Questions or comments regarding these proposed changes should be directed to: Adam Weiser, P.E., PTOE, Safety Programs Manager, Traffic Section, Division of Transportation Solutions, Delaware Department of Transportation 169 Brick Store Landing Road Smyrna, DE 19977 (302) 659-4073 (telephone) (302) 653-2859 (fax) adam.weiser@state.de.us

18 DE Reg. 796 (04/01/15)