

DELAWARE STATE FIRE PREVENTION COMMISSION

PUBLIC NOTICE

701 Administration and Enforcement

702 Fire Protection in Building Construction

703 Installation, Operation, Maintenance, Testing and Sales of Signaling Systems, Fire Protection Systems and Fire Extinguishers

704 Hazardous Processes and Operations

705 General Fire Safety

706 Specific Occupancy Requirements

The Delaware State Fire Prevention Commission, pursuant to 16 **Del.C.** §6604(1), proposes to revise:

- Regulation 701 by removing the limitation that the regulations apply only to buildings modified by 50% or more following the enactment of the regulations. The revision also removes Annexes A and B and reorganizes the content into a newly created Chapter 7. Finally, the revision removes references to Appendixes that are no longer part of the regulations.
- Regulation 702 by making changes to the occupancy conversion regulation, clarifying the building rehabilitation requirements, clarifying the automatic sprinkler system, and standpipe regulations to prevent a submission for review and approval of a project in such stages that would have the effect of being less than 50% of the square footage of any building. These proposed changes also make substantive additions to the regulations regarding floor level identification and fire pumps.
- Regulation 703 by adding a definition for "major deficiency," clarifying that at the time of renewal, a certificate holder must maintain current NICET certification at the minimum level that was required at the time of original licensure. The proposed changes also remove reference to the Annexes and Appendixes which are no longer part of the regulations.
- Regulation 704 by deleting Regulation 4.3 in its entirety, eliminating the requirement that a member of a local fire department be present on the scene of any fireworks display from the time the fireworks are delivered until the termination of the display, and reverting to Regulation 4.2, leaving the level of fire protection to the discretion of the local fire department.
- Regulation 705 to clarify that one elevator car in any building must be of sufficient size to accommodate an ambulance cot in its horizontal position, and further clarifying that elevator cars existing as of September 1, 2015 are exempt from this requirement. These changes further clarify that all gates at gated communities must be either automatic or manual, and establishes guidelines for demarcating both primary and secondary entrance doors.
- Regulation 706 by removing bond requirement for electricians added to the list of installers for the hard-wired smoke detector program.

The Board will hold a public hearing on the proposed regulation changes on September 15, 2015 at 10:00 a.m., in the Commission Chamber, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, DE 19904. Written comments should be sent to Sherry Lambertson, Executive Specialist for the Delaware Fire Prevention Commission, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, DE 19904. Written comments will be accepted until August 31, 2015 pursuant to 29 **Del.C.** §10118(a).

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, August 21, 2015 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC HEALTH

PUBLIC NOTICE

4464 Public Swimming Pools

Community Environmental Health Services, Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, is proposing revisions to the Delaware Regulations Governing Public Pools. The purpose of

the amendments is to update the regulations to align them more closely with the Centers for Disease Control (CDC) Model Aquatic Health Code. On August 1, 2015, CEHS plans to publish as proposed the amended regulations, and hold them out for public comment per Delaware law.

A public hearing will be held on Wednesday August 26, 2015 at 2:30 p.m. in the First 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 August 1, 2015 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling CEHS at (302) 744-4546.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Jamie Mack by Tuesday, September 8, 2015, at:

Jamie Mack
Division of Public Health
417 Federal Street
Dover, DE 19901
Email: jamie.mack@state.de.us
Phone: (302) 744-4951

DIVISION OF PUBLIC HEALTH
PUBLIC NOTICE
4470 State of Delaware Medical Marijuana Code

The Delaware Medical Marijuana Program (MMP), Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, is proposing revisions to the State of Delaware Medical Marijuana Code. The purpose of the amendments is to update the regulations to allow compliance with recent changes to the Medical Marijuana code and make technical corrections. On August 1, 2015, the MMP plans to publish as proposed the amended regulations, and hold them out for public comment per Delaware law.

A public hearing will be held on Thursday August 27, 2015 at 2:30 p.m. in the First 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 August 1, 2015 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the MMP at (302) 744-4546.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulations must submit same to Jamie Mack by Tuesday, September 8, 2015, at:

Jamie Mack
Division of Public Health
417 Federal Street
Dover, DE 19901
Email: jamie.mack@state.de.us
Phone: (302) 744-4951

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF FISH AND WILDLIFE
PUBLIC NOTICE

3507 Black Sea Bass Size Limit; Trip Limits, Seasons; Quotas

This action proposes to adopt provisions consistent with federal measures for the recreational black sea bass fishery in compliance with Addendum XXV to the Atlantic States Marine Fisheries Commission's (ASMFC) Interstate Fishery Management Plan for Summer Flounder, Scup and Black Sea Bass. The Department previously modified the opening and closings dates for the recreational black sea bass fishery through emergency action (Secretary's Order Nos. 2015-F-0020 & 2015-F-0027); however, further action is required to subsequently adopt these dates and additional black sea bass season dates through the normal regulatory process.

Black sea bass are managed cooperatively by the Atlantic States Marine Fisheries Commission, the Mid-Atlantic Fishery Management Council (MAFMC) and the National Oceanic and Atmospheric Administration (NOAA) Fisheries through the joint Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. The ASMFC and MAFMC jointly approved a coastwide recreational black sea bass harvest limit (RHL) for 2015 of 2.33 million pounds. Consistent with

Addendum XXV, the ASMFC's Summer Flounder, Scup and Black Sea Bass Management Board approved the continuation of ad hoc regional management measures for 2015.

Addendum XXV requires the southern region states (Delaware to North Carolina) to implement recreational fishery management measures for black sea bass consistent with those measures required for federal waters. The MAFMC's recommended federal recreational black sea bass measures for 2015 include a 12.5 inch minimum size limit, a 15 fish possession limit and open seasons from May 15 - September 21 and October 22 - December 31. Effective June 19, 2015, NOAA Fisheries formally approved these measures. These measures, when combined with those being implemented in the northern region (Massachusetts through New Jersey), are expected to constrain recreational landings at or below the 2015 coastwide RHL.

The hearing record on the proposed amendments to 7 DE Admin Code §3507 Black Sea Bass Size Limit; Trip Limits, Seasons; Quotas will be open August 1, 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 August 26, 2015 beginning at 6:00 PM in the Dover Public Library, located at 35 Loockerman Plaza, Dover, DE 19901.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
300 Board of Architects

The Delaware Board of Architects, pursuant to 24 **Del.C.** §306(a)(1), proposes to revise regulations 6.2.1 and 6.2.1.1. The proposed change seeks to allow licensees to carry over up to four continuing education credits every calendar year.

The Board will hold a public hearing on the proposed regulation change on September 2, 2015 at 1:30 p.m., Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Flora Peer, Administrative Specialist of the Delaware Board of Architects, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until September 17, 2015 pursuant to 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
1900 Board of Nursing

The Delaware Board of Nursing, pursuant to 24 **Del.C.** §1904(c), proposes to revise regulations 2.1, 2.4.1.7, 3.0, 4.0, 5.0, and 9.4.5.1. The proposed change at 2.1 adds definition to the nursing regulations regarding nursing competency and standards. The proposed change at 2.4.1.7 revises the Board's regulations approved nursing education programs and such programs acceptable curricula. The proposed changes at 3.0 and 4.0 offer updates to the Board's refresher course or supervised practice requirement for nurses who seek to apply for endorsement or reinstatement of licensure and have not been actively employed over the past five years. The proposed changes at 5.0, et. seq. seek to bring the nursing regulations into line with a recent statutory change addressing the limited lay administration of medications, and the proposed change at 9.4.5.1 eliminates a Board requirement that continuing education programs keep a record of participants' social security numbers.

The Board will hold a public hearing on the proposed regulation change on September 9, 2015 at 9:30 a.m., Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Dr. Pamela Zickafoose, Executive Director of the Delaware Board of Nursing, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments will be accepted until September 24, 2015 pursuant to 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
PUBLIC NOTICE
2500 Board of Pharmacy

Pursuant to 24 **Del.C.** §2506(a)(1), the Delaware Board of Pharmacy has proposed revisions to its rules and regulations.

A public hearing will be held on September 16, 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 Board of Pharmacy, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board liaison, Christine Mast, at the above address.

The proposed revisions address the subject of the pharmacy permit holder's responsibility for ensuring the availability of adequate staffing in the pharmacy department. An understaffed pharmacy department can compromise the delivery of services and thereby put the public at risk. Specifically, Regulation 3.8 is amended to provide that the "pharmacy permit holder shall ensure that, at all times that the pharmacy department is open for business, there shall be at least one fully trained technician immediately available in the facility to assist in the pharmacy at the pharmacist's request."

In accordance with 29 **Del.C.** §10118(a), the final date to receive written comments will be October 1, 2015 which is 15 days following the public hearing. The Board will deliberate on all of the public comment at its next regularly scheduled meeting, at which time it will determine whether to adopt the rules and regulations as proposed or make additional changes due to the public comment.

PUBLIC SERVICE COMMISSION

PUBLIC NOTICE

3007 Electric Service Reliability and Quality Standards

TO: ALL ELECTRIC SUPPLIERS, ELECTRIC UTILITIES, ELECTRIC GENERATORS USING RENEWABLE RESOURCES, AND OTHER INTERESTED PERSONS

By Order No. 8750 dated June 16, 2015, the Delaware Public Service Commission (the "PSC") is reopening the docket to review its rules on "Electric Service Reliability and Quality Standards" (the "Rules") for electric distribution companies subject to its jurisdiction.

You may review PSC Order No. 8750 and the proposed revised Rules in the August 2015 issue of the Delaware *Register of Regulations* or on the PSC's Internet website located at <http://dep.sc.delaware.gov/electric.shtml>.

Interested parties may file written comments concerning the proposed revised Rules. Such written comments may be submitted to the Commission office on or before September 2, 2015, at the following address:

Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware, 19904
Attn: PSC Regulation Docket No. 50

The Commission Staff will conduct a public workshop on the proposed revised Rules on Wednesday, September 16, 2015, beginning at 10:00 a.m. at the Commission's office at 861 Silver Lake Boulevard, Cannon Building, Suite 100, Dover, Delaware 19904.

If you wish to obtain copies of the Order and proposed revised Rules, please submit a Freedom of Information Act Request Form. This form may be found at <http://smu.portal.delaware.gov/cgi-bin/mail.php?foia-request&subj=DOS>. There is also a link to the Freedom of Information Act Request Form on the Commission's website at http://sos.delaware.gov/foia_requests.shtml. The Commission will respond to your request in accordance with the Delaware Freedom of Information Act, 29 **Del.C.** ch. 100.

If you have a disability and wish to participate or to review the materials in this matter, please contact the Commission to discuss any auxiliary aids or services you might need to help you. You may contact the Commission in person, by writing, by telephone (including text telephone), by Internet e-mail, or other means. If you have questions about this matter, you may call the Commission at 1-800-282-8574 (toll-free in Delaware) or (302) 736-7500 (voice and text telephone).

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRANSPORTATION SOLUTIONS

PUBLIC NOTICE

2405 Oversize/Overweight Hauling Permit Policy and Procedures Manual

The Delaware Division of Transportation Solutions gives notice of intent to change the fees relating to Oversize/Overweight Hauling Permits within Title 2 Division of Transportation Solutions Regulation 2504. Statutory Authority: 21 **Del.C.** §4504.

This proposal is in conjunction with House Bill 140 of the 148th General Assembly, which increased specific Division of

Motor Vehicles fees relating to driving authority and vehicle registrations. The Division of Transportation Solutions has not raised its fees since 1983.

Any person who wishes to make written suggestions, briefs or other written materials concerning this proposed new regulation must submit the same to Kenneth Shock, Chief of Fraud Investigation Unit, Delaware Division of Motor Vehicles, P.O. Box 698, Dover, Delaware 19903, or by fax to (302) 736-7993 Attn: Kenneth Shock by September 1, 2015.
