

**DELAWARE RIVER BASIN COMMISSION**  
**NOTICE OF PUBLIC HEARING AND BUSINESS MEETING**

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, July 16, 2008 beginning at 10:30 a.m. at the Commission's office building located at 25 State Police Drive, West Trenton, New Jersey. For more information visit the DRBC web site at [www.drbc.net](http://www.drbc.net) or contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.

**DELAWARE STATE FIRE PREVENTION COMMISSION**  
**NOTICE OF PUBLIC HEARING**

**Delaware State Fire Prevention Regulations, Part IX, Fire Service Standards**  
**Chapter 4 Minimum Requirements for the Establishment of Fire Companies and Sub Stations**

The Delaware State Fire Prevention Commission will hold a public hearing pursuant to 16 Del.C. §6603 and 29 Del.C. §101 on Tuesday, August 19, 2008 at 1:00 P.M. in the Commission Chamber, Delaware State Fire School, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, Delaware. The Commission is proposing changes to Part IX, Fire Service Standards, *Minimum Requirements of the Establishment Fire Companies and Substations*, to update the regulation related to substations and to make the regulation applicable to the establishment of additional Emergency Medical Service (EMS) stations as well as fire substations.

Persons may view the proposed changes to the Regulations between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday, at the Delaware State Fire Prevention Commission, Delaware State Fire School, Delaware Fire Service Center, 1463 Chestnut Grove Road, Dover, Delaware, 19904, or Office of the State Fire Marshal located at the Delaware Fire Service Center, 1537 Chestnut Grove Road, Dover, Delaware, 19904, or the Regional State Fire Marshal's Offices located 2307 MacArthur Road, New Castle, Delaware and 22705 Park Avenue, Georgetown, Delaware, 19947. You can find the meeting announcement and proposed changes on the Delaware Website <http://www.delaware.gov/egov/calendar.nsf> or on the Delaware State Fire Marshal's Office webpage at [www.statefiremarshal.delaware.gov](http://www.statefiremarshal.delaware.gov) under the tabs "Services" and "Proposed Changes". There will be a reasonable fee charge for copies of the proposed changes or the proposed changes may be retrieved from the webpage for free.

Persons may present their views in writing by mailing their views to the Commission at the above addresses prior to the hearing. The final date to submit written comments shall be at the public hearing. If the number of persons desiring to testify at the public hearing is large, the amount of time allotted to each speaker may be limited.

The Commission will consider promulgating the proposed regulations immediately following the public hearing.

**DEPARTMENT OF AGRICULTURE**  
**Harness Racing Commission**  
**PUBLIC NOTICE**  
**501 Harness Racing Rules and Regulations**

The Delaware Harness Racing Commission's public hearing originally scheduled for July 8, 2008 to discuss rule changes for DHRC Rules 6 and 8 has been cancelled until further notice.

## DEPARTMENT OF EDUCATION

The State Board of Education will hold its monthly meeting on Thursday, July 17, 2008 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

## DEPARTMENT OF HEALTH AND SOCIAL SERVICES Division of Medicaid and Medical Assistance

### PUBLIC NOTICE

#### Pharmaceutical Services Program – Tamper-Resistant Prescription Pads

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 the Delaware Medical Assistance Program (DMAP) Provider Manuals to bring the Medicaid regulations into compliance with Federal law.

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) 255-4454 by July 31, 2008.

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

### PUBLIC NOTICE

#### Food Stamp Program

#### 9044.1 Newly-Certified Households

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 Food Stamp Program policies in the Division of Social Services Manual (DSSM) regarding newly-certified households.

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 July 31, 2008.

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 INSURANCE

### PUBLIC NOTICE

INSURANCE COMMISSIONER MATTHEW DENN hereby gives notice of intent to adopt proposed Department of Insurance Regulation 606 relating to the standardization of insurance identification cards and notification to the Division of Motor Vehicles of the termination of automobile insurance. The docket number for this proposed amendment is 730.

The purpose of the proposed amendment to regulation is to eliminate the requirement that insurance identification cards be issued for periods of less than six months when the payment period is for a period of less than six months and to delete the requirement that fleet vehicles carry vehicle-specific identification cards. The text of the proposed amendment is reproduced in the July 2008 edition of the *Delaware Register of Regulations*. The text can also be viewed at the Delaware Insurance Commissioner's website at: <http://www.delawareinsurance.gov/departments/documents/ProposedRegs/ProposedRegs.shtml>.

The Department of Insurance does not plan to hold a public hearing on the proposed changes. Any person can file written comments, suggestions, briefs, compilations of data or other materials concerning the proposed amendments. Any written submission in response to this notice and relevant to the proposed changes must be received by the Department of Insurance no later than 4:30 p.m., Monday August 4, 2008, and should be addressed to Mitchell G. Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or email to [mitch.crane@state.de.us](mailto:mitch.crane@state.de.us).

## **DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL**

### **Division of Air and Waste Management**

#### **REGISTER NOTICE**

#### **Title of the Regulations:**

DELAWARE STATE IMPLEMENTATION PLAN: Administrative and Non-Substantive Changes to Delaware's Regulations Governing the Control of Air Pollution

#### **Brief Synopsis of the Subject, Substance and Issues:**

Over the past 40 years, Delaware has adopted 32 air regulations that are approved by the US Environmental Protection Agency (EPA) as state implementation plan (SIP) revisions. Another four regulations have been submitted to EPA and are currently pending EPA approval into Delaware SIPs. The purpose of this SIP document is to update all these SIP regulations to a uniform style in accordance with the Delaware Administrative Code, "Manual for Drafting Regulations (March 2006)." In addition to this style update, several typo and misprint-type errors are also being corrected in this SIP revision.

The administrative changes, non-substantive changes and correction of errors do not alter regulatory features of any individual regulation, such as effective date, applicability, regulatory limit and requirement, compliance and monitoring schedule, enforcement procedures, etc.

#### **Notice of Public Comment:**

This SIP revision and all Delaware AQM regulations under it are available for public review at offices of DNREC-DAWM Air Quality Management Section (AQMS), Dover and New Castle. A public hearing will be held on **July 31, 2008**, beginning at 6:00 pm, in AQMS Conference Room, 2<sup>nd</sup> Floor, Priscilla Building, 156 South State Street, Dover, DE 19901. Comments on this SIP revision and all regulations under it can be sent to AQMS at the above address, or presented at the hearing.

#### **Prepared by:**

Frank F. Gao, Project Leader Phone: (302) 323-4542, Date: June 12, 2008 E-Mail: [Frank.Gao@state.de.us](mailto:Frank.Gao@state.de.us)

## **Division of Air and Waste Management**

Statutory Authority: 7 Delaware Code, Section 6010, (7 Del.C. §6010)

**7 DE Admin. Code 1138**

### **REGISTER NOTICE**

#### **Title of the Regulations:**

Amendment to Regulation 1138 *Emission Standards for Hazardous Air Pollutants for Source Categories*

#### **Brief Synopsis of the Subject, Substance and Issues:**

Under Section 112(k) of the 1990 Clean Air Act Amendment, Congress mandated that the EPA identify 30 or more hazardous air pollutants (HAPs) that posed the greatest threat to public health in urban areas, to identify the small area sources that emit those pollutants and to develop regulations to reduce the emission of HAPs. In 1999, the EPA identified 33 HAPs that posed the greatest threat to public health and has, since that time, identified over 60 new area source categories for which regulations would be developed.

In July 2007, the EPA promulgated its first area source standard affecting a Delaware source; the lead acid battery manufacturing standard under 40 CFR Part 63 Subpart P. The purpose of this proposed amendment to Regulation 1138 is to provide increased protection for children and other at-risk populations against a variety of adverse health effects, most notably the effects on the developing nervous system caused by exposure to lead. The proposed amendment will provide greater consistency between Delaware's air toxics standards and the recently promulgated federal standard (Subpart P) on which this amendment is heavily based. In addition, this amendment proposes to include several more protective requirements that currently exist in Delaware air permits.

The purpose of this proposed amendment to Regulation 1138 is to provide increased protection for children and other at-risk populations against a variety of adverse health effects, most notably the effects on the developing nervous system caused by exposure to lead. The proposed amendment will provide greater consistency between Delaware's air toxics standards and the recently promulgated federal standard (Subpart P) on which this amendment is heavily based. In addition, this amendment proposes to include several more protective requirements that currently exist in Delaware air permits.

#### **Notice of Public Comment:**

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Tuesday, July 29, 2008 beginning at 6:30 PM in the DNREC Auditorium at the Richardson and Robbins Building, 89 Kings Highway, Dover DE. Interested parties may submit comments in writing to: Jim Snead, DNREC Air Quality Management Section, 715 Grantham Lane, New Castle, DE 19720.

#### **Prepared by:**

James R. Snead(302) 323-4542james.snead@state.de.usMay 22, 2008

## **DEPARTMENT OF STATE Division of Professional Regulation**

### **2500 Board of Pharmacy**

#### **PUBLIC NOTICE**

The Delaware Board of Pharmacy, in accordance with 24 Del.C. §2509, proposes amendments to its regulations by adding new regulation sections to 1) **11.0 Pharmaceutical Services in Nursing Homes**; and 2) **18.0 Pharmaceutical Services for Medical Gases**. Specifically, the Board has proposed changes to regulation 11.3 Emergency Use Medications. The proposed changes are to address Board of Pharmacy concerns with interim use medications available in nursing homes

A public hearing is scheduled for Wednesday, August 20, 2008, at 10:00 a.m. in the second floor Conference Room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, DE 19904.

Members of the public may offer verbal comments on the proposal at the hearing. Written comments may be submitted to the Board prior to the hearing care of Judy Letterman at the above address. Written comments

may be submitted until the public hearing begins. Anyone wishing to obtain a copy of the proposal or to make comments at the public hearing should contact Judy Letterman at the above address or by calling (302) 744-4504.

The Board will consider promulgating the proposed changes immediately following the public hearing.

## **Division of Professional Regulation**

### **2600 Examining Board of Physical Therapists and Athletic Trainers**

#### **PUBLIC NOTICE**

Pursuant to 24 **Del.C.** §2604(a)(1), the Examining Board of Physical Therapists and Athletic Trainers has proposed revisions to its rules and regulations.

A public hearing was held on May 27, 2008. As the result of the public comment, the Board has decided to make substantive revisions to the proposed amendments originally published in the Delaware *Register of Regulations* on May 1, 2008 at 11 Del. Reg. 1445.

A second public hearing is scheduled for Tuesday, July 22 at 5:15 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 Examining Board of Physical Therapists and Athletic Trainers, 861 Silver Lake Boulevard, Dover, Delaware 11904. 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.

The Board will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

## **DEPARTMENT OF TRANSPORTATION**

### **Division of Transportation Solutions**

#### **NOTICE OF PUBLIC COMMENT PERIOD**

##### **Revisions to the Delaware Manual on Uniform Traffic Control Devices, Parts 2, 3 and 6**

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 Parts 2, 3, and 6 of the Delaware MUTCD. Other portions of the Delaware MUTCD, previously drafted and adopted, will likely go through a similar revision process.

The Department will take written comments on the draft changes to the Delaware MUTCD from July 1, 2008 through July 31, 2008.

Copies of the Draft Delaware MUTCD Revisions to Parts 2, 3, and 6 can be obtained by reviewing or downloading a PDF copy at the following web address: <http://regulations.delaware.gov/july2008/proposed/MUTCD236>.

Questions or comments regarding this document should be directed to:

Donald Weber, P.E.

Assistant Director of Transportation Engineering

Division of Transportation Solutions/Delaware Department of Transportation

169 Brick Store Landing Road

Smyrna, DE 19977

(302) 659-2002 (telephone) (302) 653-2859 (fax) [don.weber@state.de.us](mailto:don.weber@state.de.us)

**12 DE Reg. 83 (07/01/08)**