

DELAWARE RIVER BASIN COMMISSION
PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing and business meeting on Wednesday, March 3, 2010 beginning at 10:30 a.m. at the Commission's office building, 25 State Police Drive, West Trenton, New Jersey. For more information visit the DRBC web site at www.drbc.net or contact Pamela M. Bush, Esq., Commission Secretary and Assistant General Counsel, at 609 883-9500 extension 203.

DELAWARE SOLID WASTE AUTHORITY
PUBLIC NOTICE

Pursuant to 7 Del.C. §§ 6403, 6404, 6406 and other pertinent provisions of 7 Del.C. Ch. 64; the Delaware Solid Waste Authority ("DSWA") is proposing a new Statewide Solid Waste Management Plan (the "Plan") to replace the Plan adopted May 26, 1994.

A public hearing will be held Wednesday, March 24, 2010 at 5:30 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.

The DSWA will receive written comments, suggestions, briefs or other written material until the close of business, March 30, 2010. 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, February 18, 2010 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF FINANCE
OFFICE OF THE STATE LOTTERY
PUBLIC NOTICE

The Office of the State Lottery will seek public comments on proposed new rules governing the operation of video lottery and table games. It is the intent of the Delaware State Lottery to repeal the current video lottery regulations in their entirety and replace them with these new regulations. These regulations come as a result of recent legislation amending 29 Del. C., Chapter 48, which directs the Director of the Lottery to promulgate an initial regulatory framework for table games.

Persons wishing to present their views regarding this matter may do so in writing by the close of business on or before March 31, 2010 to: Delaware State Lottery Office, 1575 McKee Road, Suite 102, Dover, DE 19904. A copy of these regulations is available from the above address or may be viewed at the Lottery business office at the same address.

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF MANAGEMENT SERVICES
BIRTH TO THREE EARLY INTERVENTION SYSTEM

PUBLIC NOTICE

The Birth to Three Early Intervention System of the Delaware Department of Health and Social Services is seeking public comment on its annual federal grant application under Part C of the Individuals with Disabilities Education Improvement Act of 2004. Public Comment is being accepted from March 8 ~ April 8, 2010, and the federal grant application will be available until May 8, 2010.

Please contact the Part C Birth to Three office at 302-255-9134 (call collect from Kent and Sussex) to secure a copy of grant application. 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 DEVELOPMENTAL DISABILITIES SERVICES PUBLIC NOTICE

The Division of Developmental Disabilities (DDDS) intends to publish in regulation a description of the agency's appeal process. The regulations shall include a definition of appeal, issues that can be appealed, the time requirements for requesting an appeal, how the process works and how to request an appeal.

Any person who wishes to make written suggestions, submit compilations of data, briefs or other written materials concerning the proposed new regulations must submit same to Mary T. Anderson, M.S.W., Director of Policy Development, Division of Developmental Disabilities Services, 26351 Patriots Way, Georgetown, DE 19947 or by fax to (302) 934-8704 by March 30, 2010. The action concerning the determination of whether to adopt the proposed regulation will be based upon the Department and Division's analysis and consideration of the comments and written materials filed by interested persons.

DIVISION OF MEDICAID AND MEDICAL ASSISTANCE 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) is proposing to amend the Delaware Medical Assistance Program (DMAP) General Policy Provider Manual.

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 March 31, 2010.

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

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 Delaware's Cash Assistance and Food Supplement Programs.

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 Wednesday, March 31, 2010.

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 KAREN WELDIN STEWART, CIR-ML hereby gives notice of intent to adopt Department of Insurance Regulation 1408 relating to payment of long-term care services. The docket number for this proposed regulation is 1337.

The purpose of the proposed regulation 1408 is to require timely payment of claims involving Long Term Care insurance. The text of the proposed amendment is reproduced in the March 2010 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 4:00 p.m., Monday April 5, 2010, and should be addressed to Mitch Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.736.7979 or email to mitch.crane@state.de.us.

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

The Summer Flounder Fishery Management Plan details the annual process that the Summer Flounder Fishery Management Board, the Mid Atlantic Fishery Management Council and the National Marine Fisheries Service are to use for conservation equivalency in the recreational summer flounder fishery. These agencies agreed at their joint meeting on December 8, 2009 that the states would implement conservation equivalent measurers rather than a coastwide management program for summer flounder in 2010. The total allowable harvest quota has been increased for 2010 based on the latest scientific data that indicates that the stock is not overfished and overfishing is not occurring. Delaware's harvest cap for 2010 will be 80,000 fish which is higher than the 65,000 fish target in 2009. In addition, it is estimated, based on the Marine Recreational Fisheries Statistics survey data, that approximately 82,000 summer flounder were harvested in Delaware during the 2009 fishing season. As such, a number of options will be considered that are designed to restrain the harvest at or below the harvest cap for 2010. These measures may include size limits that range from 18.5 inches to 19.5 inches in conjunction with creel limits that could range from two to eight fish. In addition, management options may include a partial harvest season closure designed to restrain the harvest for 2010 at or below the 80,000 fish target.

Individuals may present their comments or request additional information by contacting the Fisheries Section, Division of Fish and Wildlife, 89 Kings Highway, Dover, DE 19901, (302) 739-9914. A public hearing on these proposed amendments will be held on March 23, 2010 at 7:00 P.M. in the DNREC Auditorium, 89 Kings Highway, Dover, DE 19901. The record will remain open for written comments until 4:30 PM, March 31, 2010.

DIVISION OF FISH AND WILDLIFE
PUBLIC NOTICE

The changes to regulation 3900 Wildlife will be presented in a series of public hearings on March 25th. 2010

beginning at 6:30 p.m., DNREC Auditorium, 89 Kings Highway, Dover, Delaware. The hearing record for these proposed Regulations will remain open until 4:30 p.m. March 31, 2010

The order of hearings is as follows:

- 3900.1 - Definitions
- 3900.2 - Method of Take
- 3900.3 - Federal Laws and Regulations Adopted
- 3900.4 - Seasons
- 3900.7 - Deer
- 3900.21 - Guide License Requirements
- 3900.22 - Hunter and Trapper Identification Number

Written comments for the hearing record should be addressed to Kenneth Reynolds, 6180 Hay Point Landing Road, Smyrna, DE 19977 or to Kenneth.Reynolds@state.de.us. The record will remain open for written public comment until 4:30 P.M. March 31, 2010.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
Board of Accountancy
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §105(a)(1), the Board of Accountancy has proposed revisions to its rules and regulations.

A public hearing will be held on April 21, 2010 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 the Board of Accountancy, 861 Silver Lake Boulevard, Dover, Delaware 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.

The Board has proposed numerous revisions to the rules and regulations. A number of revisions implement amendments to the Board's licensing law, Chapter 1 of Title 24 of the Delaware Code, including the addition of the practice privilege set forth at 24 **Del.C.** §108. In addition, the amendments set forth the licensure requirements that will go into effect on August 1, 2012.

Further, specific course requirements for licensure are revised. There are various amendments to the Rules pertaining to continuing professional education. Specifically, the proposed amendments will expressly give the Board authority to sanction licensees who do not comply with continuing professional education requirements.

The Board also proposes various grammatical and typographical revisions.

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

DIVISION OF PROFESSIONAL REGULATION
Board of Pharmacy
PUBLIC NOTICE

The Delaware Board of Pharmacy ("the Board"), in accordance with 24 *Del. C.* § 2509, is proposing to amend regulations **1.0 Pharmacist Licensure Requirements, Regulation 5.0 Dispensing, Regulation 9.0 Hospital Pharmacy, Regulation 10.0 Sterile Pharmaceuticals and Antineoplastic Agents, and 19.0 Technicians: Qualifications, Training, and Duties.** A public hearing is scheduled for Wednesday, April 21, 2010, 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 Nancy Fields, Administrative Specialist II, 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 Nancy Fields at the above address or call (302) 677-7318.

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

DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION SOLUTIONS
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 Parts 2, 3, and 6 of 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 March 1, 2009 through March 31, 2009. 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/>

Questions or comments regarding these proposed changes 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

13 DE Reg. 1235 (03/01/10)