

**DEPARTMENT OF EDUCATION
PUBLIC NOTICE**

The State Board of Education will hold its monthly meeting on Thursday, May 15, 2014 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

**DEPARTMENT OF HEALTH AND SOCIAL SERVICES
DIVISION OF PUBLIC HEALTH
PUBLIC NOTICE
4201 State of Delaware Cancer Registry**

Health Promotion & Disease Prevention, Division of Public Health, Department of Health and Social Services (Department), has proposed amendments to the 4201 State of Delaware Cancer Registry regulation.

The proposed regulation defines procedures to be used by health care providers to report cancer to Delaware Health and Social Service's Cancer Registry. Currently, a paper-based method (form) is used by health care providers to report all cancer cases. Amendments have been made to the existing regulation that require health care providers to report all cancer cases via an electronic reporting method; using the Centers for Disease Control and Prevention (CDC) Web Plus electronic reporting software.

On May 1, 2014, the Department plans to publish proposed amendments to the 4201 State of Delaware Cancer Registry regulation and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the May 1, 2014 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Comprehensive Cancer Control Program at 302-744-1032.

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 4:30 p.m. on Friday, May 30, 2014 at:

Deborah Harvey, Division of Public Health
417 Federal Street
Dover, DE 19901
Email: Deborah.Harvey@state.de.us Phone: (302) 744-4700

**DIVISION OF PUBLIC HEALTH
PUBLIC NOTICE
4410 Skilled Home Health Agencies (Licensure)**

The Office of Health Facilities Licensing and Certification, Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, has proposed amendments to the State of Delaware 4410 Skilled Home Health Agencies (Licensure) regulation.

Proposed amendments change the definition of "Director" in the 4410 Skilled Home Health Agencies (Licensure) regulation.

On May 1, 2014, the Department plans to publish proposed amendments to the 4410 Skilled Home Health Agencies (Licensure) regulation and hold them out for public comment per Delaware law.

Copies of the proposed regulation are available for review in the May 1, 2014 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Office of Health Facilities Licensing and Certification at (302) 283-7220.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulation must submit same to Deborah Harvey by 4:30 p.m. on Friday, May 30, 2014 at:

Deborah Harvey, Division of Public Health
417 Federal Street
Dover, DE 19901
Email: Deborah.Harvey@state.de.us Phone: (302) 744-4700

**DIVISION OF SOCIAL SERVICES
PUBLIC NOTICE
Child Care Subsidy Program: Determining Technical Eligibility for Child Care**

In compliance with the State's Administrative Procedures Act (APA - 29 Del.C., Ch. 101) and under the authority of 31 Del.C., §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, *Determining Technical Eligibility for Child Care Assistance*.

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 May 31, 2014.

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 FISH AND WILDLIFE
PUBLIC NOTICE
3521 Weakfish Size Limits; Possession Limits; Seasons

This action proposes to modify Delaware's commercial weakfish management approach of intermittent net closures from May 1 through June 30 to an uninterrupted closure (all gears) from May 1 through June 2. The amendment proposes a weakfish bycatch allowance during the closure of up to 100 pounds per day or trip for the commercial gill net fishery and accommodates commercial fishing for species other than weakfish (e.g., Atlantic menhaden and black drum). It should be noted that the proposed action will not impact the gill net restrictions established in 7 Del.C. §923 and it maintains existing recreational closures, as well as catch limits during the open season in all fisheries. Finally, the action proposes to eliminate mailed notices of net closure dates, as the dates are annually published in the Fishing Guide which is widely available in print and posted online.

The Atlantic States Marine Fisheries Commission (ASMFC) determined that the proposed net closure management strategy is consistent with Amendment III and Addendum IV to Amendment IV of the Interstate Fishery Management Plan for Weakfish. Further, the concept of the proposed action was endorsed by the Tidal Finfish Advisory Council at its January 15, 2014 meeting.

The hearing record on the proposed changes to 3521 Weakfish Size Limits; Possession Limits; Seasons will be open May 1, 2014. 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 May 22, 2014 beginning at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.

DIVISION OF FISH AND WILDLIFE
REGISTER NOTICE #2014 - 04
3801 Shellfish Aquaculture

This action proposes the regulations necessary to provide for a shellfish aquaculture industry in Delaware's Inland Bays. Specifically, this action proposes a structured process and sets conditions for leasing of subaqueous bottom within Delaware's Inland Bays for the culture of bivalve shellfish. The proposed regulations include requirements for lease: application, locations, issuance, marking, renewal, transfer, expiration, termination, condemnation and emergency relocation. The action further proposes measures related to: shellfish aquaculture gear and marking, shellfish nursery permitting and structures, harvester license qualifications, bivalve species authorized for aquaculture, activities within subaqueous lease areas, shellfish aquaculture reporting requirements, and prohibited activities.

The hearing record on the proposed addition of a new 3801 Shellfish Aquaculture will be open May 1, 2014. Individuals may submit written comments regarding the proposed addition 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 addition will be held on May 21, 2014 beginning at 6:00 PM at the Watershed Stewardship Building, located at 901 Pilot-town Road, Lewes, DE 19958.

DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES
DIVISION OF FAMILY SERVICES
OFFICE OF CHILD CARE LICENSING
PUBLIC NOTICE
105 Residential Child Care Facilities and Day Treatment Programs

The Office of Child Care Licensing (OCCL) proposes to amend the DELACARE: Requirements for Residential Child

Care Facilities and Day Treatment Programs in response to public comments received after the publication of revised regulations in the June 2013, August 2013, and January 2014 *Register of Regulations*.

Because of major revisions to the formatting of these regulations, the previous draft is being deleted and the new draft published here is offered for another period of public comment. Interested parties wishing to offer comments on the proposed regulations or submit written suggestions, data, briefs, or other materials concerning the proposed regulations must submit same to Elizabeth Timm, Office of Child Care Licensing, 1825 Faulkland Road, Wilmington, Delaware 19805 or by fax to 302-633-5112 by the close of business on May 30, 2014.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
Gaming Control Board
PUBLIC NOTICE

103 Regulations Governing Charitable Gambling Other Than Raffles

The Delaware Board of Charitable Gaming, pursuant to 28 **Del.C.** §1508(a)(2), proposes to revise its regulations. The proposed amendments to the regulations seek to bring the regulations into conformity with operational procedures at the Division of Professional Regulation regarding license renewal and disposal of criminal background checks as well as to ensure that the regulations do not conflict with a recently enacted Gaming Statute regarding licensing of third party vendors. See 29 **Del.C.** §1529. Finally, the proposed regulations delete regulations which are redundant of or conflict with the Administrative Procedures Act, Title 29, Chapter 101.

The Board will hold a public hearing on the proposed rule change on June 5, 2014 at 1:00 p.m., in the Second Floor Conference Room B, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Amanda McAtee, Administrator of the Delaware Board of Charitable Gaming, Cannon Building, 861 Silver Lake Blvd, Suite 203, Dover, DE 19904.

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 6.5.1.5; 6.5.6.4; 6.5.7.3; and 6.5.7.5 in order to bring the regulations affecting licensure by endorsement into line with Chapter 19, Title 24 as well as other recent changes to the Board's regulations concerning out of state nursing programs.

The Board will hold a public hearing on the proposed regulation change on June 11, 2014 at 1:00 p.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 June 26, 2014 pursuant to 29 **Del.C.** §10118(a).

DIVISION OF PROFESSIONAL REGULATION
3500 Board of Examiners of Psychologists
PUBLIC NOTICE

The Delaware Board of Examiners of Psychologists, pursuant to 24 **Del.C.** §3506(a)(1), proposes to revise its regulations. The proposed amendments to the regulations seek to bring the regulations into conformity with operational procedures at the Division of Professional Regulation regarding license renewal; clarify requirements for supervising psychologists to psychological assistants; and enhance continuing education requirements by ensuring that at least ten of the credits are earned in a live setting and clarifying the maximum number of credits which may be earned for alternative eligible credits.

The Board will hold a public hearing on the proposed rule change on June 2, 2014 at 9:00 a.m., in the Second Floor Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, DE 19904. Written comments should be sent to Jennifer Witte, Administrator of the Delaware Board of Examiners of Psychologists, Cannon Building, 861 Silver Lake Blvd, Suite 203, Dover, DE 19904.

DIVISION OF PROFESSIONAL REGULATION
5100 Board of Cosmetology and Barbering
PUBLIC NOTICE

Pursuant to 24 **Del.C.** § 5106(a)(1), the Board of Cosmetology and Barbering has proposed revisions to its rules and regulations.

A public hearing will be held on June 30, 2014 at 9:00 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 Board of Cosmetology and Barbering, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to the Board at the above address. Pursuant to 29 **Del.C.** § 10118(a), the final date to receive written comments will be July 15, 2014, which is 15 days following the public hearing. The Board will deliberate on all of the public comments at its regularly scheduled meeting on July 28, 2014, at which time the Board will decide whether to adopt the revisions as proposed.

The proposed revisions address the licensing of mobile cosmetology shops or salons. The amendments permit the licensing of such establishments while implementing requirements to provide protection to the public.

PUBLIC SERVICE COMMISSION
PUBLIC NOTICE
3001 Rules for Certification and Regulation of Electric Suppliers

In 1999 the Delaware Public Service Commission ("PSC") has promulgated certain regulations pertaining to certification of electric suppliers in 26 **Del. Admin. Code.** §3001, now entitled "Rules for Certification and Regulation of Electric Suppliers ("Supplier Rules"). The PSC has revised the Supplier Rules several times since then.

The PSC now proposes to revise the Supplier Rules. The purpose of the proposed revisions are to ensure electric choice for customers is more competitive and in compliance with the terms of the settlement agreement entered into by the parties in PSC Docket 10-2; to provide additional protection for customers; to require electric suppliers to include additional details regarding the rates, terms, and conditions of service in their offers to customers to provide electric supply services; to clarify sections of the Supplier Rules; and to make the certification process for electric suppliers more uniform. Pursuant to PSC Order No. 8187 a workgroup was formed and met several times to address the issues above.

The PSC is soliciting comments, suggestions, compilations of data, briefs, or other written materials about the proposed revisions to its Supplier Rules. If you wish to file any such materials, you should submit an original and ten copies of such written documents on or before June 1, 2014. You should file such materials with the PSC at the following address:

Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100
Dover, Delaware, 19904
Attn: Reg. Doc. 49

If possible, you should accompany such written comments with an electronic version of the submission. Such electronic copy may be filed on a copy-capable CD-ROM or sent as an attachment to an e-mail addressed to psc@state.de.us, include "Reg. Doc. 49" as the subject of the email. The Commission encourages the public to submit written comments on or before June 1, 2014, but the last date to submit written comments will be on June 8, 2014.

The PSC will also conduct a public evidentiary hearing on the new proposed regulations on June 26, 2014 at 1:00 P.M. at the PSC's office at the address set forth above.

You may review PSC Order No. 8545 (April 15, 2014) (the "Order") and the proposed revised Supplier Rules in the May 2014 issue of the Delaware Register of Regulations. You may also review the Order and the proposed revised Supplier Rules at the PSC's website located at <http://depssc.delaware.gov/electric.shtml>.

Any materials submitted in connection with the proposed revised Supplier Rules will be available for public inspection and copying (to the extent they are "public records" under the Freedom of Information Act, 29 **Del. C.** §10002(g) at the PSC's Dover office identified above during normal business hours. The fee for copying is \$.10 per page, with the first 20 pages being free of charge. If you wish to request copies of documents in this matter, 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 PSC's website, <http://depssc.delaware.gov/default.shtml>. The PSC will respond to your request in accordance with the Freedom of Information Act, 29 Del. C. ch. 100. The Regulations may also be reviewed by appointment at the office of the Public Advocate, 820 N. French Street, 4th Floor, Carvel State Office Building, Wilmington, DE, 19801. The Regulations will also be available on the PSC's website: <http://depssc.delaware.gov/electric.shtml>.

Any individual with disabilities who wishes to review submissions or to participate in this docket should contact the PSC to discuss any auxiliary aids or services to facilitate such review or participation. Such contact may be in person, in writing, by telephone, e-mail, or by other means.

If you have questions about this matter, you may call the PSC at 1-800-282-8574 (toll-free in Delaware) or 302-736-7500 (voice and text telephone). You may also send questions regarding this matter by e-mail addressed to psc@state.de.us, please include "Reg. Doc. 49" as the subject of the email.

DEPARTMENT OF TRANSPORTATION

DIVISION OF PLANNING AND POLICY

PUBLIC NOTICE

2309 Standards and Regulations for Subdivision Streets and State Highway Access

Background

As authorized under 17 **Del.C.** §§132(e), 507, 508, and 29 **Del.C.** §8404(8), inter alia, the Delaware Department of Transportation, ("DelDOT"), through its Division of Planning and Public Policy, seeks to adopt significant general revisions to its existing regulations regarding subdivisions streets and state highway access, not least of which to broaden the title of the regulations to "Development Coordination Manual," among other changes.

The current regulations were generally enacted in 2007, and were revised in partial form in 2010. The proposed regulations are a comprehensive re-write of the entire Section 2309 of title 2 of the Delaware Administrative Code. The changes take into account the issues and concerns identified and addressed as needing amendment by not only DelDOT staff, but also the end users of the current regulations.

Almost all of the new suggested text should be considered regulatory. Those portions of the revised Section 2309 that are intended to be relied upon as only guidance are clearly identified as such.

Public Comment Period

DelDOT will take written comments on these proposed general revisions to Section 2309 of title 2, Delaware Administrative Code, from May 1, 2014 through June 30, 2014. In addition, in the June 1 Delaware Register, and in other publications, DelDOT will announce the location, date, and time for a public workshop on the proposed revisions.

Any questions or comments regarding this document should be directed to:

Marc Cote, P.E., Assistant Director, Planning Development Coordination
Delaware Department of Transportation
P.O. Box 778
Dover, DE 19903
(302) 760 -2122 (phone) (302) 739-2251 (fax)
Marc.cote@state.de.us

17 DE Reg. 1104 (05/01/14)