

DEPARTMENT OF AGRICULTURE
HARNESS RACING COMMISSION
DELAWARE STANDARDBRED BREEDERS' FUND
PUBLIC NOTICE

502 Delaware Standardbred Breeders' Fund Regulations

The State of Delaware, Department of Agriculture's Standardbred Breeders' Fund ("the Fund") hereby gives notice of its intention to adopt an amended regulation pursuant to the General Assembly's delegation of authority to do so found at 29 **Del.C.** §4815(b)(4)b.2 and in compliance with Delaware's Administrative Procedures Act at 29 **Del.C.** §10115. The proposed amended regulation under 4.2 and 9.2 removes the four (4) year old bonus program beginning with the foals of 2018 who would be four (4) year olds in 2022. This is a financial move to keep the "Fund" viable in the future.

The Fund solicits, and will consider, timely filed written comments from interested individuals and groups concerning these proposed amended regulations. The deadline for the filing of such written comments will be thirty days (30) after these proposed amended regulations are promulgated in the Delaware *Register of Regulations*. Any such submissions should be mailed or hand-delivered to Ms. Judy Davis-Wilson, Administrator, Delaware Standardbred Breeders' Fund Program whose address is State of Delaware, Department of Agriculture, 2320 South duPont Highway, Dover, Delaware 19901 by November 1, 2016.

DEPARTMENT OF EDUCATION
PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, October 20, 2016 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

Target Case Management Services for Individuals with Intellectual and Developmental Disabilities

In compliance with the State's Administrative Procedures Act (APA - Title 29, Chapter 101 of the Delaware Code), 42 CFR §447.205, 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 Title XIX Medicaid State Plan regarding Targeted Case Management, specifically, *to establish coverage and reimbursement methodologies for targeted case management services for individuals with intellectual disabilities*.

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, Planning, Policy and Quality Unit, Division of Medicaid and Medical Assistance, 1901 North DuPont Highway, P.O. Box 906, New Castle, Delaware 19720-0906, by email to Kimberly.Xavier@state.de.us, or by fax to 302-255-4425 by October 31, 2016. Please identify in the subject line: Target Case Management Services.

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 PUBLIC HEALTH
PUBLIC NOTICE
4462 Public Drinking Water Systems

Health Systems Protection Section (HSP), Division of Public Health, Department of Health and Social Services, is proposing revisions to the regulations governing Public Drinking Water Systems (4462). The regulations are being revised to include technical corrections to bring Delaware's regulations into full compliance with the Safe Drinking Water Act. On October 1, 2016, HSP plans to publish as proposed the amended regulations, and hold them out for public comment per Delaware law.

Copies of the proposed regulations are available for review in the October 1, 2016 edition of the Delaware *Register of Regulations*, accessible online at: <http://regulations.delaware.gov> or by calling the Division of Public Health at (302) 744-4951.

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 Friday, November 11, 2016, 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 AIR QUALITY

PUBLIC NOTICE

1104 Particulate Emissions from Fuel Burning Equipment

EPA, in 80 FR 33840 (6/12/2015 - final) identified the State Implementation Plans (SIPs) of 36 states as inadequate because they allegedly allowed unregulated excess emissions. Seven Delaware regulations were cited in this SIP Call because the EPA believes the regulations do not appropriately restrict emissions during start-up or shutdown events. This action is to revise one of the cited Delaware's regulations to comply with the EPA SIP Call and avoid the imposition of federal sanctions.

There will be a hearing on this proposed amendment and the other EPA cited Delaware rules on October 25, 2016 beginning at 6pm in the Dover DAQ offices at State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to David Fees, Division of Air Quality, 100 West Water Street, Suite 6A, Dover, DE 19904 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR QUALITY

PUBLIC NOTICE

1105 Particulate Emissions from Industrial Process Operations

EPA, in 80 FR 33840 (6/12/2015 - final) identified the State Implementation Plans (SIPs) of 36 states as inadequate because they allegedly allowed unregulated excess emissions. Seven Delaware regulations were cited in this SIP Call because the EPA believes the regulations do not appropriately restrict emissions during start-up or shutdown events. This action is to revise one of the cited Delaware's regulations to comply with the EPA SIP Call and avoid the imposition of federal sanctions.

There will be a hearing on this proposed amendment and the other EPA cited Delaware rules on October 25, 2016 beginning at 6pm in the Dover DAQ offices at State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to David Fees, Division of Air Quality, 100 West Water Street, Suite 6A, Dover, DE 19904 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR QUALITY

PUBLIC NOTICE

1124 Control of Volatile Organic Compound Emissions

EPA, in 80 FR 33840 (6/12/2015 - final) identified the State Implementation Plans (SIPs) of 36 states as inadequate because they allegedly allowed unregulated excess emissions. Seven Delaware regulations were cited in this SIP Call because the EPA believes the regulations do not appropriately restrict emissions during start-up or shutdown events. This action is to revise one of the cited Delaware's regulations to comply with the EPA SIP Call and avoid the imposition of federal sanctions.

There will be a hearing on this proposed amendment and the other EPA cited Delaware rules on October 25, 2016 beginning at 6pm in the Dover DAQ offices at State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to David Fees, Division of Air Quality, 100 West Water Street, Suite 6A, Dover, DE 19904 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR QUALITY

PUBLIC NOTICE

1125 Requirements for Preconstruction Review

To bring Delaware's table of global warming potentials (GWP), as shown in Table 1-1 under the definition of greenhouse gases (GHG) in Section 1.9 up-to-date with the most current federal rules for calculating the CO₂ equivalent emissions (CO₂e) for regulated major sources emitting GHG. In 2010, the Delaware rule was revised to require GHG permitting consistent with EPA rules which included a method for calculating those emissions based upon GWP. GHG emissions, for the purposes of the federal rule, include the aggregate of six GHG; carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride (SF₆). The mass of each of these components emitted is multiplied by the EPA determined GWP for each. EPA has added 30 new compounds to the prior list of GHG bringing the total compounds to 62 and revised the GWP of 24 of the original 32.

There will be a public hearing on this proposed amendment on Tuesday October 25, 2016 beginning at 6pm in the Dover DAQ offices at State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to David Fees, Division of Air Quality, State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF AIR QUALITY PUBLIC NOTICE 1142 Specific Emission Control Requirements

EPA, in 80 FR 33840 (6/12/2015 - final) identified the State Implementation Plans (SIPs) of 36 states as inadequate because they allegedly allowed unregulated excess emissions. Seven Delaware regulations were cited in this SIP Call because the EPA believes the regulations do not appropriately restrict emissions during start-up or shutdown events. This action is to revise one of the cited Delaware's regulations to comply with the EPA SIP Call and avoid the imposition of federal sanctions.

There will be a hearing on this proposed amendment and the other EPA cited Delaware rules on October 25, 2016 beginning at 6pm in the Dover DAQ offices at State Street Commons, 100 West Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to David Fees, Division of Air Quality, 100 West Water Street, Suite 6A, Dover, DE 19904 and/or statements and testimony may be presented either orally or in writing at the public hearing.

DIVISION OF FISH AND WILDLIFE PUBLIC NOTICE 3500 Tidal Finfish

This action proposes to amend Delaware's tidal finfish regulations pertaining to the recreational and commercial Striped Bass fisheries. The Department removed an unnecessary harvest constraint (slot size limit) on the commercial fishery that resulted in the needless waste of Striped Bass through Emergency Secretary's Order No. 2016-F-0027, pursuant to 29 **Del.C.** §10119 and 7 **Del.C.** §903(h) (20 DE Reg. 6 (07/01/16)). This action proposes to adopt those measures through the normal regulatory process. In addition, the proposed amendments modify Striped Bass tagging requirements for consistency with the recently adopted 7 **Del.C.** §943. Specifically, the amendments provide for tagging of Striped Bass by commercial harvesters at any time prior to landing and clarify that recreational anglers are not required to tag Striped Bass. Several additional measures are proposed to address tracking, reporting and quota management in the commercial fishery, as noted in Addendum III to Amendment 6 to the Atlantic Striped Bass Interstate Fishery Management Plan. Among the measures proposed are: lost tag reporting; application of weigh station tags within 12 hours of landing; and actions to be taken to ensure compliance with commercial reporting and tagging requirements.

The hearing record on the proposed changes to 7 **DE Admin Code** 3503 Striped Bass Recreational Fishing Seasons; Methods of Take; Creel Limit; Possession Limit; 3504 Striped Bass Possession Size Limit; Exceptions; and, 3505 Striped Bass Commercial Fishing Season; Quotas; Tagging and Reporting Requirements will be open October 1, 2016. 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 October 24, 2016 beginning at 6:00 PM in the DNREC Auditorium, located at the Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.

PUBLIC NOTICE
103 Family Child Care Homes
104 Large Family Child Care Homes

The Office of Child Care Licensing (OCCL) proposes to amend the DELACARE: Rules for Family Child Care Homes and DELACARE: Rules for Large Family Child Care Homes. These regulations were combined into one regulation after it was determined that the majority of the content was the same. A comprehensive review process was held in which all providers were invited to attend public meetings in July 2016 to offer comments on the current Rules. After these meetings, a draft was created incorporating best practices and provided to a task force of providers and stakeholders. The task force met four times to discuss the draft and revise it.

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, 3411 Silverside Road, Concord Plaza, Hagley Building Wilmington, Delaware 19810, by email to Kelly.McDowell@state.de.us, or by using OCCL's website <http://kids.delaware.gov/occl/announcements.shtml>. Anonymous comments may be submitted by using OCCL's website. Comments must be submitted by the close of business on October 31, 2016. It is anticipated that this will be the final opportunity to offer comments on these proposed regulations. Regulations 103 and 104 were stricken in their entirety.

DIVISION OF FAMILY SERVICES
OFFICE OF CHILD CARE LICENSING
PUBLIC NOTICE
201 Child Placing Agencies

The Office of Child Care Licensing (OCCL) proposes to amend the DELACARE: Regulations for Child Placing Agencies. A comprehensive review process was held in which all providers were invited to attend public meetings in July 2016 to offer comments on the current regulations. After these meetings, a draft was created and provided to all of the child placing agencies in Delaware and the Division of Family Services for comment. The draft was revised based on these comments and a task force consisting of child placing agencies and the Division of Family Services met to discuss the revised draft and offer more comments. These proposed regulations reflect those changes.

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, 3411 Silverside Road, Concord Plaza, Hagley Building Wilmington, Delaware 19810, by email to Kelly.McDowell@state.de.us, or by using OCCL's website <http://kids.delaware.gov/occl/announcements.shtml>. Anonymous comments may be submitted by using OCCL's website. Comments must be submitted by the close of business on October 31, 2016. It is anticipated that this will be the final opportunity to offer comments on these proposed regulations.

DEPARTMENT OF STATE
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. C.* §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 again. 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 No. 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.

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 file them using the Commission's DelaFile docketing and file management system on or before **November 16, 2016**. You may also submit an original and ten copies of such written materials with the PSC on or before **November 16, 2016** at the following address:

Public Service Commission
861 Silver Lake Boulevard
Cannon Building, Suite 100

Dover, Delaware, 19904

Attn: Regulation Docket No. 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 **November 16, 2016**.

The PSC will conduct a public hearing on the proposed regulations on **November 1, 2016 at 1:00 P.M.** at the PSC's office at the address set forth above.

You may review PSC Order No. 8937 (September 20, 2016) (the "Order") and the proposed revised Supplier Rules in the October 2016 issue of the Delaware *Register of Regulations*. You may also review the Order and the proposed revised Supplier Rules by going to DelaFile (<http://delafile.delaware.gov>), the Commission's docketing and file management system, and by searching for REG. 49.

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, after the first 20 pages. If you wish to request copies of documents in this matter, please submit a Freedom of Information Act ("FOIA") 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 FOIA 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, or 29 South State Street, Dover, Delaware 19901. Please call either (302) 577-5077 or (302) 241-2555 to arrange for a time to review the documents at either of those locations. 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.

OFFICE OF THE STATE TREASURER
INVESTMENTS AND CASH MANAGEMENT
PUBLIC NOTICE

1201 Objectives and Guidelines for the Investment of State of Delaware Funds

In accordance with the procedures set forth in 29 **Del.C.**, Ch. 11, Subch. III and 29 **Del.C.**, Ch. 101, the Cash Management Policy Board of the State of Delaware is proposing to adopt a regulation on objectives and guidelines for the investment of State funds as described in 29 **Del.C.** §2716. The proposed regulation sets forth the rules governing practices for those investments.

Members of the public may receive a copy of the proposed regulation at no charge by U.S. Mail by writing or calling [need name of person, address, phone and fax numbers. Members of the public may present written comments on the proposed regulation by submitting such written comments to Mr. Stephen McVay, at the Office of the State Treasurer, 820 Silver Lake Boulevard, Suite 100, Dover, DE 19904. Written comments must be received on or before October 31, 2016.