

DELAWARE RIVER BASIN COMMISSION

NOTICE OF PUBLIC HEARING

Summary: The Commission will hold a public hearing to receive comments on proposed amendments to the Commission's Water Quality Regulations, Water Code and Comprehensive Plan to revise the human health water quality criteria for polychlorinated biphenyls (PCBs) in the Delaware Estuary (DRBC Water Quality Management Zones 2 through 5), extend application of the DRBC's PCB human health water quality criterion to Delaware Bay (DRBC Water Quality Zone 6) and provide for the use of compliance schedules where implementation of a stream quality objective established by the Commission requires a reduction of the pollutant concentration or loading of a discharge to Basin waters.

The **public hearing** will be held at 1:30 p.m. on Thursday, October 8, 2009 at the Commission's office building located at 25 State Police Drive, West Trenton, NJ. As Internet mapping tools are inaccurate for this location, please use the driving directions posted on the Commission's website. The hearing will continue until all those wishing to testify have had an opportunity to do so. Persons wishing to testify at the hearing are asked to register in advance by phoning Ms. Paula Schmitt at 609-883-9500, ext. 224.

Written comments will be accepted and must be received by 5:00 p.m. on Monday, October 19, 2009. Written comments may be submitted as follows: if by email, to paula.schmitt@drbc.state.nj.us; if by fax, to Commission Secretary at 609-883-9522; if by U.S. Mail, to Commission Secretary, DRBC, P.O. Box 7360, West Trenton, NJ 08628-0360. In all cases, please include the commenter's name, address and affiliation, if any, in the comment document and "PCB Rulemaking" in the subject line.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on Thursday, August 20, 2009 at 1:00 p.m. in the Townsend Building, Dover, Delaware.

DEPARTMENT OF INSURANCE

EXTENSION OF EMERGENCY ORDER

NOW THEREFORE, pursuant to 29 Del. C. § 10119, Emergency Regulation 1212 as it appears in 12 DE Reg. 1135-1146 (3/1/09) shall be and is hereby extended until August 25, 2009 or until the proposed amendments to Regulation 1212 are adopted in final form, whichever shall first occur. Any person can file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendment. Any written submission in response to this notice and relevant to the proposed change must be received by the Department of Insurance no later than 4:30 p.m. Monday, August 3, 2009 by delivering said comments to Mitch Crane, Esquire, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or emailed to mitch.crane@state.de.us.

DEPARTMENT OF INSURANCE

EXTENSION OF EMERGENCY ORDER

NOW THEREFORE, pursuant to 29 Del. C. § 10119, Emergency Regulation 1215 as it appears in 12 DE Reg. 1146-1149 (3/1/09) shall be and is hereby extended until August 25, 2009 or until the proposed amendments to Regulation 1215 are adopted in final form, whichever shall first occur. Any person can file written comments, suggestions, briefs, and compilations of data or other materials concerning the proposed amendment. Any written submission in response to this notice and relevant to the proposed change must be received by the Department of Insurance no later than 4:30 p.m. Monday, August 3, 2009 by delivering said comments to Mitch Crane, Esquire, c/o Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or emailed to mitch.crane@state.de.us.

DEPARTMENT OF INSURANCE

PUBLIC NOTICE OF PROPOSED CHANGES TO THE DEPARTMENT OF INSURANCE'S REGULATION 607 RELATING TO DEFENSIVE DRIVING COURSES

INSURANCE COMMISSIONER KAREN WELDIN STEWART, CIR-ML hereby gives notice of intent to adopt amendments to Department of Insurance Regulation 607 relating to Defensive Driving Courses. The docket number for this proposed amendment is 1145.

The purpose of the proposed amendment to regulation 607 is to update the existing regulation with respect course content, requirements for course and instructor certification, on-line course attendance verification, proof of course completion and notifications to the Division of Motor Vehicles. The text of the proposed amendment is reproduced in the August 2009 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., Tuesday September 8, 2009, and should be addressed to Mitch Crane, Esquire, Delaware Department of Insurance, 841 Silver Lake Boulevard, Dover, DE 19904, or sent by fax to 302.739.2021 or email to mitch.crane@state.de.us.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF AIR AND WASTE MANAGEMENT

1138 Emission Standards for Hazardous Air Pollutants for Source Categories PUBLIC NOTICE

Under Section 112(k) of the 1990 Clean Air Act Amendments, 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 are being developed.

In July 2008, the EPA promulgated another of these area source category standards that will affect existing and future Delaware sources; the area source standard for plating and polishing operations under 40 CFR Part 63 Subpart WWWW.

Delaware is proposing to amend Regulation 1138 by adding a new Section 10 that covers plating and polishing operations. The purpose of this proposed amendment is to provide increased protection for Delaware citizens against a variety of potential adverse health effects linked to a long term exposure to cadmium, chromium, lead, manganese, or nickel compounds. In addition, all of these compounds, except the manganese compounds, are classified as known or probable human carcinogen by the EPA. The proposed amendment will provide greater consistency between Delaware's air toxics standards and the recently promulgated federal standard (40 CFR Part 63 Subpart WWWW) on which this proposed amendment is heavily based. In addition, this amendment proposes to include more health protective requirements that currently exist in similar air standards found in Regulation 1138 and other Delaware air regulations.

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Tuesday, August 25, 2009 beginning at 6:00 PM in the main conference room at the DNREC Air Quality Management Office, 715 Grantham Lane (first building on right after turning off Rt. 9), New Castle, DE. Interested parties may submit comments in writing to: Jim Snead, DNREC Air Quality Management Section, 715 Grantham Lane, New Castle, DE 19720.

DIVISION OF AIR AND WASTE MANAGEMENT
1301 Regulations Governing Solid Waste
PUBLIC NOTICE

There are four amendments to update and enhance various sections of the solid waste regulations. The first amendment strikes one redundant requirement for siting new industrial landfill cells in section 6.1.3.8 of the DRGSW. The second amendment updates an exclusion for temporary debris from the Delaware Emergency Management Agency at Transfer Stations in section 10.1.2.6. The third amendment updates and clarifies Financial Assurance criteria in section 4.1.11. The fourth amendment clarifies one exception for transporters in section 7.2.1. These four amendments will help improve understanding and implementation of the solid waste requirements.

The public hearing on the proposed amendments to DRGSW will be held on Thursday, August 20th starting at 6:00 p.m. in the Richardson and Robbins Auditorium, 89 Kings Highway, Dover, DE.

DIVISION OF WATER RESOURCES
7401 Surface Water Quality Standards
PUBLIC NOTICE

The Department of Natural Resources and Environmental Control, Division of Water Resources, will conduct a public hearing on September 2, 2009 beginning at 5 p.m., in the auditorium of the Richardson and Robbins Building, 89 Kings Highway, Dover, Delaware, to hear testimony and receive comments on the proposed amendments to the State of Delaware Surface Water Quality Standards, (as amended July 11, 2004).

Additional information, copies of the regulation and supporting documents are available on the internet at this URL: <http://www.dnrec.state.de.us/DNREC2000/Divisions/Water/WaterQuality/Standards.htm>. To request a copy of the proposed revisions to the regulations, please contact David Wolanski at the Watershed Assessment Section at (302) 739-9939 or by email at david.wolanski@state.de.us.

The procedures for public hearings are established in 7 Del.C. §6006 and 29 Del.C. §10117. Inquiries regarding the public hearing should be directed to Robert Haynes at (302) 739-9039. Statements and testimony may be presented orally or in written form at the hearing. It is requested that those interested in presenting statements register in advance by mail or email. The deadline for inclusion of written comments in the hearing record will be announced at the time of the hearing; this deadline will be no earlier than 4:30 p.m. September 11, 2009. Written statements may be presented prior to the hearing and should be addressed to: Robert Haynes, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901. If available, electronic versions of written or oral statements emailed to David Wolanski at david.wolanski@state.de.us will expedite preparation of a response to comments document after the hearing.

DEPARTMENT OF SAFETY AND HOMELAND SECURITY
DIVISION OF STATE POLICE
NOTICE OF PUBLIC COMMENT PERIOD

Notice is hereby given that the Board of Examiners of Private Investigators and Private Security Agencies, in accordance with **Del.C.** Title 24 Chapter 13 proposes to amend the following Rules: 1.0 Firearm's Policy, 2.0 Nightstick, Pr24, Mace, Peppergas and Handcuffs, 7.0 Employment Notification, 8.0 Criminal Offenses and 9.0 Private Investigators. If you wish to view the complete Regulation, contact Ms. Peggy Anderson at (302) 739-5991. Any persons wishing to present views may submit them in writing, by August 31, 2009, to Delaware State Police, Detective Licensing, P.O. Box 430, Dover, DE 19903.

DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION
1700 Board of Medical Practice
NOTICE OF PUBLIC HEARING

The Delaware Board of Medical Practice in accordance with 24 Del.C. §1713(a)(12) has proposed changes to its rules and regulations as mandated by HB 236 (codified at 24 Del.C. §1761). The proposal creates a new regulation establishing a schedule of fees that may be charged by a physician when a patient requests a copy of their records to be transferred to another physician and/or wishes to obtain a copy of their own medical records directly from the physician.

A public hearing was held on March 10, 2009 at 3:00 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public offered comment on the regulations as published in the *Delaware Register of Regulations* on February 1, 2009, Vol. 12, Issue 8. The Board initially voted to adopt the rules as proposed but, at their next regularly scheduled public meeting, rescinded the vote and determined to make substantive changes.

A second public hearing will be held on September 1, 2009 at 3:00 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public may offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Medical Practice, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward the written comments 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.

DIVISION OF PROFESSIONAL REGULATION
1790 Acupuncture Advisory Council

PUBLIC NOTICE

Consistent with a recent statutory amendments creating an Acupuncture Advisory Council of the Board of Medical Practice ("the Council"), and providing for the licensing and regulation of acupuncture practitioners, the Council in accordance with 24 Del.C. §1796(c) and 29 Del.C. Chapter 101, has developed and is proposing to recommend to the Board of Medical Practice ("the Board") the approval of regulations regarding the practice of acupuncture in the State of Delaware.

A public hearing will be held on Thursday, September 17, 2009 at 3:15 p.m. in the second floor conference room A of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public may offer comments. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Medical Practice, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover, DE 19904. Persons wishing to submit written comments may forward the written comments to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Council may vote on whether to promulgate the proposed regulations subject to the approval of the Board immediately following the public hearing.

DIVISION OF PROFESSIONAL REGULATION
2700 Board of Professional Land Surveyors
PUBLIC NOTICE

The Delaware Board of Professional Land Surveyors, in accordance with 24 Del.C. §2706(a)(1), has proposed revisions to its rules and regulations. The proposed revisions to the Rules and Regulations are intended to revise the minimum technical standards for licensees, including changes to what are currently known as Mortgage Inspection Plans (MIPs), and clarify an issue regarding license reciprocity.

A public hearing will be held on September 17, 2009 at 8:30 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. Anyone wishing to receive a copy of the proposed rules and regulations may obtain a copy from the Delaware Board of Professional Land Surveyors, 861 Silver Lake Boulevard, Cannon Building, Suite 203, Dover, DE 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 will consider promulgating the proposed regulations at its regularly scheduled meeting following the public hearing.

13 DE Reg. 313 (08/01/09)