

DELAWARE RIVER BASIN COMMISSION

PUBLIC NOTICE

The Delaware River Basin Commission will hold a public hearing on **Wednesday, November 13, 2019** beginning at **1:30 p.m.** A business meeting will be held the following month on **Wednesday, December 11, 2019** beginning at **10:30 a.m.** The hearing and meeting are open to the public and will be held at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, Pennsylvania 18977. For more information, visit the DRBC web site at www.drbc.gov or contact Pamela M. Bush, Commission Secretary and Assistant General Counsel, at 609-883-9500 extension 203.

DEPARTMENT OF AGRICULTURE

Harness Racing Commission

PUBLIC NOTICE

501 Harness Racing Rules and Regulations

The State of Delaware, Department of Agriculture, Delaware Harness Racing Commission (“the Commission”) proposes to amend its Regulations adopted in accordance with Title 3, Chapter 100 of the Delaware Code to amend existing regulation 1.0 to add new definitions of Extended Break and Kicking, amend existing regulation 7.5.3 to provide that the Presiding Judge may order the use of properly affixed mud guards (fenders) and mud aprons, amend existing regulation 7.6.5.4 with respect to starting gate speed, strike existing regulation 7.6.5.6, amend existing regulation 7.6.6 to provide that a fine and/or suspension may be applied by the starter or the judges to any driver for specified infractions, add a Charging the Gate provision as new regulation 7.6.6.6.8, add a new provision for placement of starting positions in a race with multiple trailers as new regulation 7.6.8.4, amend the Conduct of the Race regulation 7.6.13 by amending existing regulation 7.6.13.1.9 and adding new regulations 7.6.13.1.18 and 7.6.13.1.19, and amend existing regulation 10.2.9.2 to extend the time to file an appeal from a ruling from the Board of Judges from 48 hours to four business days after publishing of the ruling. Other regulations issued by the Department of Agriculture are not affected by this proposal. The Commission is issuing these proposed regulations in accordance with Title 3 of the Delaware Code, Chapter 100, Section 10005. This notice is issued pursuant to the requirements of Chapter 101 of Title 29 of the Delaware Code.

A copy of the proposed regulations is being published in the November 1, 2019 edition of the Delaware *Register of Regulations*. A copy is also on file in the office of the Department of Agriculture, 2320 South DuPont Highway, Dover, Delaware 19901 and is available for inspection during regular office hours. Copies are also published online at the *Register of Regulations* website: http://regulations.delaware.gov/services/current_issue.shtml.

Interested parties may offer written comments on the proposed regulations or submit written suggestions, data, briefs or other materials to the Commission at the above address as to whether these proposed regulations should be adopted, rejected or modified. Pursuant to 29 **Del.C.** §10118(a), public comments must be received on or before December 2, 2019. Written materials submitted will be available for inspection at the above address.

On or after December 2, 2019, following review of the public comment, the Commission will determine whether to amend its regulations by adopting the proposed rules or make additional changes because of the public comments received.

DEPARTMENT OF EDUCATION

PUBLIC NOTICE

The State Board of Education will hold its monthly meeting on November 21, 2019 at 5:00pm at Sussex Central High School. (26026 Patriots Way, Georgetown, DE 19947)

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

Division of Public Health

PUBLIC NOTICE

4465 Delaware Radiation Control Regulations

Pursuant to 16 **Del.C.** §7406, the Authority on Radiation Protection (ARP), with the Office of Radiation Control, Health Systems Protection Section, Division of Public Health, Department of Health and Social Services, is proposing revisions to the regulations governing Radiation Control. On November 1, 2019, the Division of Public Health plans to publish as “proposed” revisions to the Radiation Control regulations. The revisions include the following changes.

- **Part B:** Provides text to clarify existing regulatory requirements for Radiation Service Providers who apply for state registration to deliver radiation services in Delaware, and specifies their obligation to report certain information to their prospective clients.
- **Part E:** Provides regulatory requirements for use of high-energy radiation machines to perform industrial radiography (non-destructive testing) to test various objects such as industrial piping and vessels for structural integrity.
- **Part K:** Provides text to clarify circumstances under which Radiation Service Providers may be cited for violation of Part B, regulatory requirements for application, service delivery and failure to report certain information to their prospective or current clients located in Delaware.
- **Part T:** Provides references to state and federal regulations governing transportation of radioactive materials via land and water routes; specifically references transportation of spent fuel from nuclear power plants that may traverse the state.

Copies of the proposed regulations are available for review in the November 1, 2019 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 them to Alanna Mozeik by Monday, December 2, 2019, at:

Alanna Mozeik
 Division of Public Health
 417 Federal Street
 Dover, DE 19901
 Email: Alanna.Mozeik@delaware.gov
 Phone: (302) 744-4951

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

Division of Climate, Coastal, & Energy

PUBLIC NOTICE

2101 Regulations for State Energy Conservation Code

Delaware's Energy Conservation Code Act (16 **Del.C.** §7602) requires DNREC to adopt the most recent and/or highest available version of the International Energy Conservation Code (IECC), and the latest American Society of Heating, Refrigerating and Air-Conditioning Engineers/Illuminating Engineering Society of North America (ASHRAE/IESNA) energy standard. The regulations must also set out procedures for certification of compliance with these codes and standards to be utilized by the respective local governments. The Energy Conservation Code Act instructs DNREC to review the state energy codes triennially for potential updates to adopt newer versions of the IECC and ASHRAE energy code standards.

Since May 1, 2014, Delaware has required the 2012 IECC for residential buildings and ASHRAE 90.1-2010 for commercial and high-rise residential structures. In 2017, the Department convened the Delaware Energy Code Coalition to begin the triennial review of the available energy conservation codes and evaluate the impacts of adopting a newer version of the IECC and ASHRAE standards. The Coalition met eleven times between March 2017 and January 2019 to review newer versions of the IECC and ASHRAE standards. The Department, in consultation with the Codes Coalition, considered the 2015 and 2018 versions of the IECC standards and ASHRAE 90.1-2013 and ASHRAE 90.1-2016. The Department collected input through the Delaware Energy Code Coalition to inform the proposed draft regulations.

The Department is proposing to adopt by reference the 2018 IECC and ASHRAE 90.1-2016 in their entirety. The modest increased cost of the more stringent energy conservation codes is offset by the benefits accrued to the building owners and occupants over the life of the building. Adopting the current version of the IECC and ASHRAE energy conservation codes will increase building sector energy efficiency, bring energy cost savings for building owners and occupants, increase occupant comfort, and reduce emissions in Delaware.

Persons wishing to comment on the proposed amendments to 7 **DE Admin. Code** 2101 *Regulations for State Energy Conservation Code* may do so either orally or in written form at the public hearing on Tuesday, December 3, 2019 beginning at 6:00 PM in the DNREC Auditorium at 89 Kings Highway, Dover, DE 19901. In lieu of attending the public hearing, written comments may be submitted to the Hearing Officer via either email to DNRECHearingComments@delaware.gov, or via USPS to the DNREC Hearing Officer, 89 Kings Highway, Dover, DE 19901. The Department will accept public comment through the close of business on Wednesday, December 18, 2019.

DEPARTMENT OF STATE
Division of Professional Regulation
1770 Respiratory Care Practice Advisory Council
PUBLIC NOTICE

Pursuant to 24 **Del.C.** §1775(c), the Respiratory Care Practice Advisory Council (“the Council”) of the Board of Medical Licensure and Discipline (“the Board”) has proposed revisions to its rules and regulations. Currently, Section 11.0 states that a licensee whose license has expired may renew that license within one year after the expiration date upon fulfilling specified requirements. The lengthy late renewal period is inefficient and confusing for licensees. The Council proposes amending Section 11.0 by changing the late renewal period from one year to sixty days. This change will clarify and streamline the licensure renewal process and the associated continuing education audit process.

A public hearing will be held on January 8, 2020 at 3:00 p.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 Delaware Respiratory Care Practice Advisory Council, 861 Silver Lake Boulevard, Dover, Delaware 19904. Persons wishing to submit written comments may forward these to Devashree Singh, Executive Director, at the above address or at devashree.singh@delaware.gov. Pursuant to 29 **Del.C.** §10118(a), the final date to receive written comments will be **January 23, 2020**. The Council will deliberate on the proposed revisions at its next regularly scheduled meeting.