

Maryland Register

Issue Date: April 17, 2015

Volume 42 • Issue 8 • Pages 595—636

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before March 30, 2015, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of March 30, 2015.

Brian Morris
Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

The Maryland Register is an official State publication published every other week throughout the year. A cumulative index is published quarterly.

The Maryland Register is the temporary supplement to the Code of Maryland Regulations. Any change to the text of regulations published in COMAR, whether by adoption, amendment, repeal, or emergency action, must first be published in the Register.

The following information is also published regularly in the Register:

- Governor's Executive Orders
- Attorney General's Opinions in full text
- Open Meetings Compliance Board Opinions in full text
- State Ethics Commission Opinions in full text
- Court Rules
- District Court Administrative Memoranda
- Courts of Appeal Hearing Calendars
- Agency Hearing and Meeting Notices
- Synopses of Bills Introduced and Enacted by the General Assembly
- Other documents considered to be in the public interest

CITATION TO THE MARYLAND REGISTER

The Maryland Register is cited by volume, issue, page number, and date. Example:

- 19:8 Md. R. 815—817 (April 17, 1992) refers to Volume 19, Issue 8, pages 815—817 of the Maryland Register issued on April 17, 1992.

CODE OF MARYLAND REGULATIONS (COMAR)

COMAR is the official compilation of all regulations issued by agencies of the State of Maryland. The Maryland Register is COMAR's temporary supplement, printing all changes to regulations as soon as they occur. At least once annually, the changes to regulations printed in the Maryland Register are incorporated into COMAR by means of permanent supplements.

CITATION TO COMAR REGULATIONS

COMAR regulations are cited by title number, subtitle number, chapter number, and regulation number. Example: COMAR 10.08.01.03 refers to Title 10, Subtitle 08, Chapter 01, Regulation 03.

DOCUMENTS INCORPORATED BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COMAR simply by referring to it. While the text of an incorporated document does not appear in COMAR, the provisions of the incorporated document are as fully enforceable as any other COMAR regulation. Each regulation that proposes to incorporate a document is identified in the Maryland Register by an Editor's Note. The Cumulative Table of COMAR Regulations Adopted, Amended or Repealed, found online, also identifies each regulation incorporating a document. Documents incorporated by reference are available for inspection in various depository libraries located throughout the State and at the Division of State Documents. These depositories are listed in the first issue of the Maryland Register published each year. For further information, call 410-974-2486.

HOW TO RESEARCH REGULATIONS

An Administrative History at the end of every COMAR chapter gives information about past changes to regulations. To determine if there have been any subsequent changes, check the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" which is found online at www.dsd.state.md.us/CumulativeIndex.pdf. This table lists the regulations in numerical order, by their COMAR number, followed by the citation to the Maryland Register in which the change occurred. The Maryland Register serves as a temporary supplement to COMAR, and the two publications must always be used together. A Research Guide for Maryland Regulations is available. For further information, call 410-260-3876.

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$15.00 per issue.

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

Maryland citizens and other interested persons may participate in the process by which administrative regulations are adopted, amended, or repealed, and may also initiate the process by which the validity and applicability of regulations is determined. Listed below are some of the ways in which citizens may participate (references are to State Government Article (SG), Annotated Code of Maryland):

- By submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see "Opportunity for Public Comment" at the beginning of all regulations appearing in the Proposed Action on Regulations section of the Maryland Register). (See SG, §10-112)
- By petitioning an agency to adopt, amend, or repeal regulations. The agency must respond to the petition. (See SG §10-123)
- By petitioning an agency to issue a declaratory ruling with respect to how any regulation, order, or statute enforced by the agency applies. (SG, Title 10, Subtitle 3)
- By petitioning the circuit court for a declaratory judgment on the validity of a regulation when it appears that the regulation interferes with or impairs the legal rights or privileges of the petitioner. (SG, §10-125)
- By inspecting a certified copy of any document filed with the Division of State Documents for publication in the Maryland Register. (See SG, §7-213)

Maryland Register (ISSN 0360-2834). Postmaster: Send address changes and other mail to: Maryland Register, State House, Annapolis, Maryland 21401. Tel. 410-260-3876; Fax 410-280-5647. Published biweekly, with cumulative indexes published quarterly, by the State of Maryland, Division of State Documents, State House, Annapolis, Maryland 21401. The subscription rate for the Maryland Register is \$225 per year (first class mail). All subscriptions post-paid to points in the U.S. periodicals postage paid at Annapolis, Maryland and additional mailing offices.

Lawrence J. Hogan, Jr., Governor; **John C. Wobensmith,** Secretary of State; **Brian Morris,** Administrator; **Gail S. Klakring,** Senior Editor; **Mary D. MacDonald,** Editor, Maryland Register and COMAR; **Elizabeth Ramsey,** Editor, COMAR Online, and Subscription Manager; **Tami Cathell,** Help Desk, COMAR and Maryland Register Online.

Front cover: State House, Annapolis, MD, built 1772—79.

Illustrations by Carolyn Anderson, Dept. of General Services

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The Maryland Register is also available at www.dsd.state.md.us.

For additional information, visit www.sos.state.md.us, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

Availability of Monthly List of Maryland Documents

The Maryland Department of Legislative Services receives copies of all publications issued by State officers and agencies. The Department prepares and distributes, for a fee, a list of these publications under the title “Maryland Documents”. This list is published monthly, and contains bibliographic information concerning regular and special reports, bulletins, serials, periodicals, catalogues, and a variety of other State publications. “Maryland Documents” also includes local publications.

Anyone wishing to receive “Maryland Documents” should write to: Legislative Sales, Maryland Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

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May 29**	May 11	May 19	May 15
June 12**	May 21	June 3	June 1
June 26	June 8	June 17	June 15
July 10	June 22	July 1	June 29
July 24	July 6	July 15	July 13

* Due date for documents containing 8 to 18 pages — 48 hours before date shown; due date for documents exceeding 18 pages — 1 week before date shown

NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9 POINT, SINGLE-SPACED FORMAT. THE REVISED PAGE COUNT REFLECTS THIS FORMATTING.

** Note closing date changes

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

Under the COMAR codification system, every regulation is assigned a unique four-part codification number by which it may be identified. All regulations found in COMAR are arranged by title. Each title is divided into numbered subtitles, each subtitle is divided into numbered chapters, and each chapter into numbered regulations.

09.12.01.01D(2)(c)(iii)
 Title Subtitle Chapter Regulation Section Subsection Paragraph Subparagraph

A regulation may be divided into lettered sections, a section divided into numbered subsections, a subsection divided into lettered paragraphs, and a paragraph divided into numbered subparagraphs.

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

This table, previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR). The table is no longer printed here but may be found on the Division of State Documents website at www.dsd.state.md.us.

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata pertaining to proposed regulations are listed, followed by “(err)”. Regulations referencing a document incorporated by reference are followed by “(ibr)”. None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

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Open Meetings Compliance Board

SUMMARY OF OPINIONS ISSUED FROM JANUARY 1 — MARCH 31, 2015*

9 Official Opinions of the Compliance Board 199 (2015)
Montgomery County Board of Education (Janis Zink Sartucci, Complainant)
January 5, 2015

Topics discussed: Notice (timeliness, or not, of website notice posted on the morning of the meeting); access to minutes (lack of requirement in Open Meetings Act that public bodies post minutes online); Compliance Board complaint procedures (lack of authority to dismiss complaints as untimely; inability to declare generally that a notice violation was “cured” by later events).

9 Official Opinions of the Compliance Board 203 (2015)
Chesapeake Regional Information Systems for Our Patients, Inc. (Craig O'Donnell, Complainant)
February 3, 2015

Topics discussed: Definition of “public body” subject to the Open Meetings Act (not met by privately-incorporated and privately-controlled entity).

9 Official Opinions of the Compliance Board 206 (2015)
State Ethics Commission (N. Lynn Board, Esq., City of Gaithersburg, & Elissa D. Levan, Esq., City of Westminster, Complainants) (consolidated complaints)
February 3, 2015

Topics discussed: Administrative function exclusion (application of *Dyer v. Board of Education*, 216 Md. App. 530 (2014)); methods of giving notice; permissible contents of notice (advance notice of date and probable location of meeting with alert to check website for details within a week of the meeting); access to documents used at the meeting (lack of requirement in Open Meetings Act that public bodies waive attorney-client privilege); closed-session procedures and summary; contents of minutes.

9 Official Opinions of the Compliance Board 216 (2015)
Maryland Council on Open Data (Michele Fluss, Complainant)
March 10, 2015

Topic discussed: Notice (requirement that it be given).

9 Official Opinions of the Compliance Board 216 (2015)
Prince George's County Board of Education (Craig O'Donnell, Complainant)
March 23, 2015

Topics discussed: Minutes (request for copies subject to Public Information Act, not the Open Meetings Act; minutes generally to be provided upon request when request is made in person); complaint process (threat of Open Meetings Act complaint not to be used to induce public body to respond to PIA request more quickly); complaints (extraneous matter a distraction from relevant issues and to be avoided); complainants (no requirement that complainant have “standing”); training requirement (training to be done in one of the ways specified by the Act).

9 Official Opinions of the Compliance Board 226 (2015)
Maryland Health Benefit Exchange (Craig O'Donnell, Complainant)
March 23, 2015

Topics discussed: Minutes (public body's decision to have counsel review draft minutes not governed by Open Meetings Act; closed-session summaries permissibly included in the minutes of either the next open session or the minutes of the session that was closed); Compliance Board (no authority to address the way in public bodies post minutes online).

*The full text of these opinions can be found at <http://www.oag.state.md.us/Opengov/Openmeetings/index.htm>, through the link for “Opinions.” A summary of the opinions issued in Fiscal Year 2014 is attached to the Compliance Board's Annual Report, which is posted at: http://www.oag.state.md.us/Opengov/Openmeetings/22Annual_Report_FY2014.pdf.

[15-08-33]

Regulatory Review and Evaluation

Regulations promulgated under the Administrative Procedure Act will undergo a review by the promulgating agency in accordance with the Regulatory Review and Evaluation Act (State Government Article, §§10-130 — 10-139; **COMAR 01.01.2003.20**). This review will be documented in an evaluation report which will be submitted to the General Assembly's Joint Committee on Administrative, Executive, and Legislative Review. The evaluation reports have been spread over an 8-year period (see **COMAR 01.01.2003.20** for the schedule). Notice that an evaluation report is available for public inspection and comment will be published in this section of the Maryland Register.

MARYLAND INSURANCE ADMINISTRATION PROPERTY AND CASUALTY INSURANCE

Notice of Opportunity for Public Inspection and Comment

In accordance with the Regulatory Review and Evaluation Act, State Government Article, §§10-130—10-139, Annotated Code of Maryland, the Maryland Insurance Administration (MIA) is reviewing and evaluating certain regulations codified within Subtitle 08 of Title 31 of the Code of Maryland Regulations, entitled Property and Casualty Insurance. The purpose of the review and evaluation is to determine whether existing regulations continue to accomplish the purposes for which they were adopted, clarify ambiguous or unclear language, and repeal obsolete or duplicative provisions. Regulations being reviewed include:

- 31.08.01 Antiarson Application
- 31.08.02 Toll-Free Telephone Number
- 31.08.03 Notices of Cancellation, Nonrenewal, Premium Increase, and Reduction in Coverage
- 31.08.04 Motor Vehicle Insurance – Out-of-State Coverage
- 31.08.06 Nation-Wide Marine Definition and Plan for Interpretation
- 31.08.08 Lead Poisoning
- 31.08.09 Group Self-Insurance for Workers' Compensation
- 31.08.10 Medical Professional Insurers Online Claim Survey Reporting Requirements
- 31.08.11 Liability of Insurer – Failure to Act in Good Faith
- 31.08.12 Temporary Moratoriums and Weather Events

Interested parties may submit comments to Catherine Grason, Director of Regulatory Affairs, and transmitted by mail to 200 St. Paul Place, Suite 2700, Baltimore, MD 21202; by fax to (410) 468-2020; or by email to InsuranceRegReview.mia@maryland.gov. Comments must be received no later than June 15, 2015.

[15-08-27]

MISCELLANEOUS

Notice of Availability of Evaluation Report

Pursuant to State Government Article, §10-135(b)(1), Annotated Code of Maryland, Regulatory Review and Evaluation Act, and Executive Order 01.01.2003.20, notice is hereby given that the Evaluation Report regarding COMAR 31.16.01, 31.16.04, 31.16.05, 31.16.06, and 31.16.07 is available for public inspection and comment for a period of 60 days following the date of this notice.

This report may be reviewed online at:

<http://www.mdinsurance.state.md.us/sa/news-center/proposed-regulations.html> or by appointment at the Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202. Information and appointments may be obtained by contacting Catherine Grason, Director of Regulatory Affairs, at 410-468-2201 or by email at insuranceregreview.mia@maryland.gov.

[15-08-26]

Emergency Action on Regulations

Symbol Key

- Roman type indicates text existing before emergency status was granted.
- *Italic type* indicates new text.
- [Single brackets] indicate deleted text.

Emergency Regulations

Under State Government Article, §10-111(b), Annotated Code of Maryland, an agency may petition the Joint Committee on Administrative, Executive, and Legislative Review (AELR), asking that the usual procedures for adopting regulations be set aside because emergency conditions exist. If the Committee approves the request, the regulations are given emergency status. Emergency status means that the regulations become effective immediately, or at a later time specified by the Committee. After the Committee has granted emergency status, the regulations are published in the next available issue of the Maryland Register. The approval of emergency status may be subject to one or more conditions, including a time limit. During the time the emergency status is in effect, the agency may adopt the regulations through the usual promulgation process. If the agency chooses not to adopt the regulations, the emergency status expires when the time limit on the emergency regulations ends. When emergency status expires, the text of the regulations reverts to its original language.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

08.02.04 Oysters

Authority: Natural Resources Article, §§4-215, 4-2A-03, 4-803, and 4-1008.1, Annotated Code of Maryland

Notice of Emergency Action

[15-116-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulation .03 under COMAR 08.02.04 Oysters.

Emergency status began: March 31, 2015.

Emergency status expires: April 30, 2015.

Comparison to Federal Standards

There is no corresponding federal standard to this emergency action.

Estimate of Economic Impact

I. Summary of Economic Impact. This action will extend the commercial oyster season for 2 weeks. This will have an indeterminable, positive impact on the commercial oyster industry, as well as shucking houses.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:		
Commercial oyster harvesters	(+)	Indeterminable

E. On other industries or trade groups:

Shucking houses and other oyster buyers (+) Indeterminable

F. Direct and indirect effects on public:

Availability of local oysters (+) Indeterminable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Extending the oyster season by 2 weeks will allow licensed commercial oyster harvesters who have paid the oyster surcharge additional time to harvest oysters to make up for time lost to heavy icing conditions around the Bay. The extent of the impact is indeterminable, as it is not known how many individuals who have paid the surcharge will take advantage of the 2 weeks or how successful they may be. Generally, catches decrease as the season goes on due to lower availability of legal-sized oysters. Harvesters have been receiving an average of \$50 per bushel of oysters this season and current bushel limits remain in effect.

E. By extending the wild oyster season, there will be an increased availability of wild product for shucking houses and other entities that buy oysters such as restaurants and fish markets. Because there is generally a higher demand for local product, these businesses should see a positive economic impact from these regulations.

F. The public has shown an increasing interest in locally produced food products. By extending the wild oyster season 2 weeks, the public will have increased availability of wild-caught local oysters.

Economic Impact on Small Businesses

The emergency action has a meaningful economic impact on small business. An analysis of this economic impact follows.

Please see analysis in Part A.II.D and A.II.E, as commercial oyster harvesters and shucking houses are small businesses.

.03 Catching Oysters for Commercial Purposes.

A. Time for Catching Oysters. The season for catching oysters for commercial purposes is from:

(1) October 1 through [March 31] *April 14*, inclusive, for the following gears:

(a) — (c) (text unchanged)

(2) November 1 through [March 31] *April 14*, inclusive, for:

(a) — (b) (text unchanged)

(3) November 1 through [March 31] *April 14*, inclusive, for dredging.

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B. A person may only catch oysters for commercial purposes during:

(1) — (2) (text unchanged)

(3) January, February, [and] March, *and April 1 through April 14* with the following means of catching at the following times:

(a) — (c) (text unchanged)

C. — F. (text unchanged)

G. A person may not possess crabs on board a vessel engaged in catching oysters for commercial purposes.

MARK J. BELTON
Acting Secretary of Natural Resources

Final Action on Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- ~~[[Double brackets]]~~ indicate text deleted at the time of final action.

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

Notice of Final Action

[15-054-F]

On April 7, 2015, the Secretary of Natural Resources adopted:

(1) Amendments to Regulation **.02** under **COMAR 08.02.05 Fish**; and

(2) Amendments to Regulations **.03** and **.04**, the repeal of existing Regulation **.07**, and new Regulation **.07** under **COMAR 08.02.23 Shellfish Aquaculture and Leasing**.

This action, which was proposed for adoption in 42:2 Md. R. 164—167 (January 23, 2015), has been adopted with the nonsubstantive changes shown below.

Effective Date: April 27, 2015.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

COMAR 08.02.05.02: First, a typographical error in the capitalization of “crabbing” has been corrected. This change has no substantive impact. Second, the prohibition against a fisherman’s interference with the management of a leased area has been removed. The goal of the prohibition was to prevent an individual from disturbing a leased area. At this time, this goal is achieved by the already existing language of the regulation that prohibits a fisherman from destroying or damaging shellfish or gear on a leased area. The language being removed was vague and unnecessary, and any impact from its removal would be less restrictive on members of the public than the originally proposed language. For these reasons, the changes are nonsubstantive, and the regulation does not need to be repropoed.

08.02.05 Fish

Authority: Natural Resources Article, §§4-11A-02 and 4-11A-12, Annotated Code of Maryland

.02 General Fishing Prohibitions.

A.—O. (proposed text unchanged)

P. *Fishing and Crabbing in a Leased Area. Fishing and ~~[[Crabbing]] crabbing~~ are permitted in an area that has been leased for shellfish aquaculture in accordance with COMAR 08.02.23 if the fishing or crabbing activity does not*[[:

(1) Destroy]] destroy or damage shellfish or gear which may be planted or secured there[[; or

(2) Interfere with the management of the leased area]].

MARK J. BELTON
Secretary of Natural Resources

Subtitle 03 WILDLIFE

08.03.02 Use of Wildlife Areas

Authority: Natural Resources Article, §10-808, Annotated Code of Maryland

Notice of Final Action

[15-027-F]

On April 7, 2015, the Secretary of Natural Resources adopted amendments to Regulations **.01** and **.02** under **COMAR 08.03.02 Use of Wildlife Areas**. This action, which was proposed for adoption in 42:1 Md. R. 23—24 (January 9, 2015), has been adopted as proposed.

Effective Date: April 27, 2015.

MARK J. BELTON
Secretary of Natural Resources

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 06 DISEASES

10.06.03 ImmuneNet

Authority: Health-General Article, §18-109; Health Occupations Article, §12-508, Annotated Code of Maryland

Notice of Final Action

[15-043-F]

On April 7, 2015, the Secretary of Health and Mental Hygiene adopted new Regulations **.01 — .09** under a new chapter, **COMAR 10.06.03 ImmuneNet**. This action, which was proposed for adoption in 42:3 Md. R. 326—328 (February 6, 2015), has been adopted as proposed.

Effective Date: April 27, 2015.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Subtitle 10 LABORATORIES

10.10.13 Medical Laboratories — Testing for Hereditary and Congenital Disorders in Newborn Infants

Authority: Health-General Article, §13-111(d)(4)(iii), Annotated Code of Maryland

Notice of Final Action

[15-059-F]

On March 31, 2015, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .06 under **COMAR 10.10.13 Medical Laboratories — Testing for Hereditary and Congenital Disorders in Newborn Infants**. This action, which was proposed for adoption in 42:2 Md. R. 195—196 (January 23, 2015), has been adopted as proposed.

Effective Date: April 27, 2015.

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Title 13B

MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 02 ACADEMIC REGULATIONS

13B.02.03 Academic Programs — Degree Granting Institutions

Authority: Education Article, §§11-105(u) and 11-201, Annotated Code of Maryland

Notice of Final Action

[15-009-F]

On March 31, 2015, the Maryland Higher Education Commission adopted new Regulation .03-1 under **COMAR 13B.02.03 Academic Programs — Degree Granting Institutions**. This action, which was proposed for adoption in 42:1 Md. R. 90—91 (January 9, 2015), has been adopted as proposed.

Effective Date: April 27, 2015.

JENNIE C. HUNTER-CEVERA, Ph.D.
Acting Secretary of Higher Education

Title 29

DEPARTMENT OF STATE POLICE

Subtitle 01 OFFICE OF THE SECRETARY

29.01.05 Petition for Declaratory Ruling

Authority: State Government Article, §§10-301—10-305, Annotated Code of Maryland

Notice of Final Action

[15-072-F]

On March 30, 2015, the Secretary of State Police adopted new Regulations .01—05 under a new chapter, **COMAR 29.01.05**

Petition for Declaratory Ruling. This action, which was proposed for adoption in 42:2 Md. R. 264—265 (January 23, 2015), has been adopted as proposed.

Effective Date: April 27, 2015.

WILLIAM M. PALLOZZI
Secretary of State Police

Title 31

MARYLAND INSURANCE ADMINISTRATION

Subtitle 04 INSURERS

31.04.14 Life and Health Insurance Guaranty Corporation Coverage — Notice Requirements

Authority: Insurance Article, §§2-109 and 9-414, Annotated Code of Maryland

Notice of Final Action

[15-006-F]

On March 25, 2015, the Insurance Commissioner adopted amendments to Regulation .03 under **COMAR 31.04.14 Life and Health Insurance Guaranty Corporation Coverage — Notice Requirements**. This action, which was proposed for adoption in 42:1 Md. R. 116 — 117 (January 9, 2015), has been adopted as proposed.

Effective Date: July 16, 2015.

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL

31.10.42 Continuity of Health Care Notice

Authority: Insurance Article, §§2-109(a)(1), 15-140, and 15-10D-01, Annotated Code of Maryland and Ch. 159, §3, Acts of 2013

Notice of Final Action

[15-008-F]

On April 10, 2015, the Insurance Commissioner adopted new Regulations .01—.04 under a new chapter, **COMAR 31.10.42 Continuity of Health Care Notice**. This action, which was proposed for adoption in 42:1 Md. R. 117 — 118 (January 9, 2015), has been adopted as proposed.

Effective Date: April 27, 2015.

ALFRED W. REDMER, JR.
Insurance Commissioner

Withdrawal of Regulations

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 19 DANGEROUS DEVICES AND SUBSTANCES

10.19.03 Controlled Dangerous Substances

Authority: Criminal Law Article, §§5-102(b), 5-203, and 5-301(a)(2),
Annotated Code of Maryland

Notice of Withdrawal

[15-075-W]

The Secretary of Health and Mental Hygiene withdraws the proposal to amend Regulation .03 under **COMAR 10.19.03 Controlled Dangerous Substances**, as published in 42:2 Md. R. 203—204 (January 23, 2015)

VAN T. MITCHELL
Secretary of Health and Mental Hygiene

Proposed Action on Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 08

DEPARTMENT OF NATURAL RESOURCES

Subtitle 01 OFFICE OF THE SECRETARY

08.01.01 Advisory Committees

Authority: Natural Resources Article, §§1-102 and 4-204, Annotated Code of Maryland

Notice of Proposed Action

[15-117-P]

The Secretary of Natural Resources proposes to amend Regulations .06 and .07 under **COMAR 08.01.01 Advisory Committees**.

Statement of Purpose

The purpose of this action is to update the regulations for the Tidal and Sport Fisheries Advisory Commissions. The regulations were adopted in 1993 and refer to "Tidewater Administration" rather than "Fisheries Service". After comparing statutes related to commissions (Natural Resources Article, §§1-102, 1-105 and 4-204, Annotated Code of Maryland) and the current regulations, it was determined that the regulations are in line with current practice and no other changes are necessary. The proposed action changes the references of Tidewater Administration to Fisheries Service. The proposed action was discussed with both Commissions at the January 2015 meetings.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Advisory Commission Regulations, Regulatory Staff, Department of Natural Resources Fisheries Service, B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-260-8310. Comments will be accepted through May 18, 2015. A public hearing has not been scheduled.

.06 Tidal Fisheries Advisory Commission.

A. The Tidal Fisheries Advisory Commission has the duty of advising the [Administrator of the Tidewater Administration] *Director of the Fisheries Service* on all matters referred to the Commission by the [Administrator of the Tidewater Administration] *Director of the Fisheries Service*.

B.—C. (text unchanged)

D. Meetings shall be held at the call of the chairman or the [Administrator of the Tidewater Administration] *Director of the Fisheries Service*, or, within budgetary limitations, upon petition of a majority of the members, stating the purpose of the meeting. Not less than two meetings shall be held in each fiscal year.

.07 Sport Fisheries Advisory Commission.

A. The Sport Fisheries Advisory Commission shall have the duty of advising the [Administrator of the Tidewater Administration] *Director of the Fisheries Service* on all matters referred to the Commission by the [Administrator of the Tidewater Administration] *Director of the Fisheries Service*.

B.—C. (text unchanged)

D. Meetings shall be held at the call of the chairman or the [Administrator of the Tidewater Administration] *Director of the Fisheries Service*, or, within budgetary limitations, upon petition of a majority of the members, stating the purpose of the meeting. Not less than two meetings shall be held in each fiscal year.

MARK J. BELTON

Acting Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.05 Fish

Authority: Natural Resources Article, §4-2A-03, Annotated Code of Maryland

Notice of Proposed Action

[15-112-P]

The Secretary of Natural Resources proposes to amend Regulation **.24** under **COMAR 08.02.05 Fish**.

Statement of Purpose

The purpose of this action is to require that fins remain attached naturally to spiny dogfish through landing.

Spiny dogfish are a highly migratory species of shark found in both federal and state waters. State waters extend from 0—3 miles offshore of the United States, while federal waters are 3—200 miles offshore. State and federal waters are managed through different processes.

National Oceanographic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries) is responsible for implementing management in federal waters. The Atlantic States Marine Fisheries Commission (Commission) is responsible for management of spiny dogfish in state waters (0—3 miles offshore). The Commission is a collaborative entity of the Atlantic coast states from Maine to Florida and is governed by the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA). Maryland is included in the Commission fishery management plan and must comply with certain provisions contained in that plan. Spiny dogfish are currently managed under the Interstate Fishery Management Plan for Spiny Dogfish (2002) and Addenda I—V.

In 2010, Congress passed the Shark Conservation Act, which addressed the practice of removing fins from sharks, including spiny dogfish, at sea. NOAA Fisheries has recently adopted a final rule implementing these changes. In order to maintain consistency in rules for federal and state waters, the Atlantic States Marine Fisheries Commission approved Addendum V to the Spiny Dogfish Fisheries Management Plan adopting the ban on removing fins at sea. Before this addendum was approved, some states, including Maryland, allowed removal of the fin at sea up to 5 percent, by weight, of the catch. The proposed action allows for removing the head and gutting spiny dogfish at sea, but fins, including the tail, will be required to remain naturally attached through landing.

Changes were discussed with the Spiny Dogfish Workgroup and the Tidal Fisheries Advisory Commission. Both groups support the action. Maryland fishermen that harvest spiny dogfish do not remove the fins until they are on land; therefore, this action does not have an impact on Maryland fishermen.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Spiny Dogfish Regulations, Regulatory Staff, Department of Natural Resources, Fisheries Service, B-2, 580 Taylor Avenue, Annapolis, MD 21401, or call 410-260-8300, or email to fisheriespubliccomment.dnr@maryland.gov, or fax to 410-

260-8310. Comments will be accepted through June 1, 2015. A public hearing has not been scheduled.

.24 Spiny Dogfish.

A. Finning Prohibition.

(1)—(2) (text unchanged)

[(3) An individual may not possess spiny dogfish fins without carcasses aboard a vessel.

(4) Fins may be removed at sea but shall be landed in proper proportion to the number of carcasses landed.

(5) An individual may not possess or land spiny dogfish fins which constitute more than 5 percent by weight of any catch of spiny dogfish.]

(3) *Spiny dogfish shall be landed with the tail and fins attached naturally to the corresponding carcass.*

(4) *An individual may remove the head and eviscerate a spiny dogfish at sea, as long as the tail and fins remain attached by a portion of uncut skin.*

B.—I. (text unchanged)

MARK J. BELTON
Secretary of Natural Resources

**Title 12
DEPARTMENT OF PUBLIC
SAFETY AND
CORRECTIONAL SERVICES**

**Subtitle 10 CORRECTIONAL
TRAINING COMMISSION**

12.10.01 General Regulations

Authority: Correctional Services Article, §§2-109 and 8-208, Annotated Code of Maryland

Notice of Proposed Action

[15-110-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Correctional Training Commission, proposes to amend Regulation **.19** under **COMAR 12.10.01 General Regulations**. This action was considered by the Police Training Commission at a public meeting held on January 28, 2015.

Statement of Purpose

The purpose of this action is to provide that if the Correctional Training Commission denies providing a waiver of the Commission’s General Regulation requirements for an individual, the request for the waiver may not be again submitted to the Commission for 1 year.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Thomas C. Smith, Director, Policy and Process Review, Maryland Police and Correctional Training Commissions, 6852 4th Street, Sykesville, Maryland 21784, or call 410-875-3605, or email to tcsmith@dpscs.state.md.us, or fax to 410-875-3584. Comments will be accepted through May 18, 2015. A public hearing has not been scheduled.

.19 Procedures for Requesting a Waiver.

A. — C. (text unchanged)

D. A request for a waiver on behalf of an individual may not again be submitted under this regulation within 1 year after the date on which the Commission has denied the request for the waiver on behalf of the individual.

STEPHEN T. MOYER
Secretary of Public Safety and Correctional Services

**Title 13A
STATE BOARD OF
EDUCATION**

**Subtitle 02 LOCAL SCHOOL
ADMINISTRATION**

13A.02.05 Maintenance of Effort

Authority: Education Article, §§2-205 and 5-202, Annotated Code of Maryland

Notice of Proposed Action

[15-113-P]

The Maryland State Board of Education proposes to amend Regulations .02—.05 under COMAR 13A.02.05 Maintenance of Effort. This action was considered during a Maryland State Board of Education meeting held on February 24, 2015.

Statement of Purpose

The purpose of this action is to align regulations with statute and set forth the procedures and calculations for the Maintenance of Effort escalator that went into effect held on July 1, 2014.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Kristy Michel, Chief Operating Officer, Office of the Deputy for Finance and Administration, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0011 (TTY 410-333-6442), or email to kristy.michel@maryland.gov, or fax to 410-333-2232. Comments will be accepted through May 18, 2015. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 23, 2015, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) "Agreed on Waiver" means a waiver based on an agreement to reduce recurring costs pursuant to Education Article §5-202(d)(9), Annotated Code of Maryland.

[(1)] (2)—[(2)] (3) (text unchanged)

(4) "Education effort" means a county's appropriation to the local school system divided by the county's wealth, as defined in Education Article, §5-202(a)(14), Annotated Code of Maryland.

(5) "Five-year moving average of education effort" means the simple average of a county's education effort for the five preceding years.

[(3)] (6) (text unchanged)

(7) "Impeded Ability Waiver" means a waiver for a fiscal year pursuant to Education Article, §5-202(d)(8), Annotated Code of Maryland.

[(4)] (8) "Local board" means the local board of education and includes the [New] Board of School Commissioners of Baltimore City.

(9) "Local wealth per pupil" means a county's wealth divided by the county's full-time equivalent enrollment.

(10) "Rebasing Waiver" means a waiver to rebase maintenance of effort permanently pursuant to Education Article, §5-202(d)(10), Annotated Code of Maryland.

(11) "Statewide 5-year moving average of education effort" means the simple average of the 5-year moving average of education effort for the 24 local school systems.

[(5)] (12) "Supplemental" means expenditures that are in excess of the original appropriation to the regular school operating budget that qualify as nonrecurring costs.

.03 Nonrecurring Cost Exclusion.

A. (text unchanged)

B. Procedure.

(1) [Beginning with fiscal year 1998, the] *The* county shall submit to the Department between January 1 and March 31 of the prior fiscal year, a written request to exclude qualifying nonrecurring costs that are supplemental to the regular school operating budget. The request shall include an explanation of why the cost qualifies as nonrecurring. Before submitting the written request, the county shall confer with the local board. The county shall send a copy of the written request to the local board.

(2)—(5) (text unchanged)

.04 Waiver of Maintenance of Effort Requirement.

A. [Procedure] *Waiver Requests.*

(1) [Beginning with fiscal year 1998, in] *In* order to qualify for a maintenance of effort waiver [for a fiscal year], a county shall make a request for a waiver *in writing* to the State Board of Education [by April 1 of the prior fiscal year.] *by the earlier of April 20 or the 7th day following the end of the legislative session of the fiscal year prior to the waiver year. The county shall send to the local board of education a copy of the waiver request.*

[(2)] The waiver request shall be in writing and shall be received by the Department between January 1 and March 31 of the prior fiscal year. The county shall send to the local board of education a copy of the waiver request.

(3) The written request shall include the following:

(a) The amount the county proposes to appropriate to its school operating budget and the amount the county is required to appropriate to meet the maintenance of effort requirement;

(b) Information detailing the county's projected fiscal condition for the fiscal year the waiver is being requested and the current fiscal year, as well as information regarding the county's revenue stream from property tax, income tax, other taxes, and other revenue streams;

(c) If applicable, information regarding statutory prohibitions for raising revenues;

(d) Copies of the county's three most recent audited financial statements;

(e) The county's projected expenditure plan for the fiscal year in which the waiver is requested, as well as the current fiscal year expenditure plan; and

(f) Additional information in support of the waiver request as the county considers necessary.

(4) The State Board may request additional information from the county as it considers necessary.]

(2) *There are three types of waiver requests:*

(a) *Impeded Ability Waiver;*

(b) *Agreed on Waiver; and*

(c) *Rebasing Waiver.*

(3) *The State Board shall inform the county whether the waiver is approved or denied in whole or in part 30 days after receipt of an application or May 20 of the fiscal year prior to the waiver year, whichever is earlier.*

B. Public Hearing.

(1) *Upon receipt of the waiver request, the State Superintendent of Schools shall provide a preliminary assessment of the waiver request to the State Board.*

[(1)] (2)—[(3)] (4)(text unchanged)

C. Standard for Granting a Waiver.

(1) The State Board's decision on whether to approve or deny in whole or in part a waiver request shall be based on a determination that the county's fiscal condition significantly impedes the county's ability to fund the maintenance of effort requirement.

(2) The State Board may consider the following:

(a) External environmental factors such as a loss of a major business or industry;

(b) Tax bases;

(c) Rate of inflation relative to growth of student population; and

(d) Maintenance of effort requirement relative to the county's statutory ability to raise revenues.

(3) The county has the burden of proof by a preponderance of the evidence.

(4) The State Board shall issue its written decision to the county, with a copy to the local board, within 45 days from receipt of the written request, but no later than May 15.]

C. Standards for Granting Waivers.

(1) *For an Impeded Ability Waiver for a fiscal year, the county shall address whether the waiver request is contested and submit the amount of the waiver request and a full explanation of how each of the following factors impact and support the request for this waiver:*

(a) *External environmental factors such as a loss of a major employer or industry affecting a county or a broad economic downturn affecting more than one county;*

(b) *A county's tax base;*

(c) *Rate of inflation relative to growth of the student population in the county;*

(d) *Maintenance of effort requirement relative to the county's statutory ability to raise revenues;*

(e) *The county's history of exceeding the required maintenance of effort amount;*

(f) *An agreement between a county and a county board that a waiver should be granted;*

(g) *Significant reductions in State aid to the county and municipalities of the county for the fiscal year for which a waiver is requested;*

(h) *The number of waivers the county has received in the past 5 years;*

(i) *The history of compensation adjustments for employees of the county board and county government; and*

(j) *Other factors, upon request by the State Board.*

(2) *For an Agreed on Waiver based on an agreed-on reduction in recurring costs, the county must submit:*

(a) *The amount of the agreed-on reduction in recurring costs by line item in the local board's budget;*

(b) *The amount of the waiver request;*

(c) *A comparison of the requested appropriation level to the amount required by Education Article, §5-202(d)(1)(i), Annotated Code of Maryland;*

(d) *The document that sets forth the mutual agreement between the county and the local board; and*

(e) *If the reduction in recurring costs includes reductions in personnel or personnel costs, the document that reflects the agreement of the exclusive employee representative.*

(3) *For a Rebasing Waiver to rebase maintenance of effort permanently, the county shall:*

(a) *Have obtained a waiver for a fiscal year under §C(1) of this regulation;*

(b) *Submit the amount requested to be permanently rebased;*

(c) *Demonstrate that the county education appropriation under Education Article, §5-202(d)(1)(ii), Annotated Code of Maryland, for the waiver year exceeds 100 percent of the Statewide 5-year moving average of education effort times a county's local wealth; and*

(d) *Submit a full explanation of whether and how:*

(i) *The county is at its maximum taxing authority under the law;*

(ii) *The county's education appropriation is commensurate with the county's wealth;*

(iii) *The county's history of exceeding the required maintenance of effort has made meeting the maintenance of effort requirement in future years unsustainable;*

(iv) *The county has or has not received a rebasing waiver in the past 5 years; and*

(v) *The factors set forth in §C(1)(a)—(i) of this regulation affect the county's ongoing ability to meet the maintenance of effort requirement.*

.05 Additional Maintenance of Effort for Low-Effort Counties.

A. Procedure.

(1) *In each fiscal year in which a county's prior year's education effort is below 100 percent of the Statewide five-year moving average of education effort, the Department will designate the county as a low-effort county.*

(2) *The local board in a low-effort county shall adjust the maintenance of effort amount for the county by increasing the per-pupil amount by the lesser of:*

(a) *A county's increase in local wealth per pupil between the prior fiscal year and current fiscal year;*

(b) *The Statewide average increases in local wealth per pupil between the prior fiscal year and the current fiscal year; or*

(c) *2.5 percent.*

(3) *If the number calculated pursuant to §A(2)(a) or (b) of this regulation is a negative number, the adjustment to the maintenance of effort amount shall be zero.*

B. Calculations.

(1) *For the purpose of calculating the 5-year moving average of education effort, the Department's calculation of wealth in each*

fiscal year included in the 5-year period shall be based on the amount the Comptroller certifies as net taxable income based on tax returns filed on or before:

- (a) September 1st for fiscal years 2015—2017; and
- (b) November 1st for fiscal year 2018 and each fiscal year thereafter.

(2) To calculate a county’s increase in local wealth per pupil, divide the current fiscal year’s local wealth per pupil by the prior fiscal year’s local wealth per pupil and subtract 1.

(3) To calculate the Statewide average increase in local wealth per pupil, add together the 24 changes in local wealth per pupil as calculated in §B(2) of this regulation and divide by 24.

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

Subtitle 08 STUDENTS

13A.08.07 Transfer of Educational Records for Children in State-Supervised Care

Authority: Education Article, §§2-205, 2-206, 4-122, and 8-501—8-506, Annotated Code of Maryland

Notice of Proposed Action
[15-114-P]

The Maryland State Board of Education proposes to adopt new Regulation .06 under **COMAR 13A.08.07 Transfer of Educational Records for Children in State-Supervised Care**. This action was considered at the December 16, 2014 meeting of the State Board of Education.

Statement of Purpose

The purpose of this action is to promote the educational stability of children in foster care.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

I. Summary of Economic Impact. There will be costs associated with transportation of foster children. All transportation costs will be the responsibility of the Local Departments of Social Services.

II. Types of Economic Impact	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	(E+)	Unknown
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

B. Costs for transportation of foster children will be the responsibility of Local Departments of Social Services.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to John T. McGinnis, Pupil Personnel and School Social Worker Specialist, Division of Student, Family and School Support, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0295 (TTY 410-333-6442), or email to john.mcginis@maryland.gov, or fax to 410-333-8148. Comments will be accepted through May 18, 2015. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on June 23, 2015, 9 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

.06 School Stability.

A. Scope. Children in foster care are children in State-supervised care to whom special provisions apply under the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 and under Education Article, §7-101(b)(2)(ii), Annotated Code of Maryland. The purpose of this regulation is to implement the educational stability requirements of those laws.

B. Terms Defined. In this regulation, the following terms have the meaning indicated:

(1) “Child welfare agency” means local department of social services or Department of Juvenile Services.

(2) “Enroll” and “enrollment” means attending classes and participating fully in school activities.

(3) Foster Child.

(a) “Foster child” means a child in the custody of, committed to, or otherwise placed by a local department of social services or the Department of Juvenile Services;

(b) “Foster child” does not include a child awaiting foster care placement as defined in COMAR 13A.05.09.02B or a child in any of the following placements:

(i) A detention facility;

(ii) A forestry camp;

(iii) A training school;

(iv) A State-owned and State-operated facility that accommodates more than 25 children; or

(v) Any other facility operated primarily for the detention of children who are determined to be delinquent.

(4) “Receiving school” means the school serving the geographic attendance area where the child welfare agency has placed the foster child.

(5) “Receiving school system” means the school system serving the jurisdiction where the child welfare agency has placed the foster child.

(6) “School of origin” means the school the foster child attended prior to the original placement or prior to the most recent change in placement by the child welfare agency.

C. In accordance with Education Article, §7-101(b)(2)(ii), Annotated Code of Maryland, the local school system superintendent of the school of origin shall allow a foster child to remain enrolled in

the school of origin unless the child welfare agency responsible for the child provides notice to the principal of the school of origin and the Fostering Connections liaison in the receiving school system that it is not in the best interest of the child to remain enrolled in the school of origin.

D. If the child welfare agency has determined that it is not in the best interest of the foster child to remain at the school of origin, the receiving school shall immediately enroll the child once a person authorized to enroll the child initiates the enrollment.

E. The receiving school shall immediately enroll the child even if the child welfare agency is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

F. Notwithstanding any other enrollment documentation requirements of the receiving school, at the time of enrollment the receiving school may not require the person authorized to enroll the child to present more than documentation that the child is in the care of the child welfare agency and the address where the child has been placed.

G. The school of origin shall transmit the foster child's educational records to the receiving school in accordance with Education Article, §8-504, Annotated Code of Maryland, and Regulation .03 of this chapter upon receipt of notice from the receiving school that the child is attending school there.

H. Transportation to School of Origin.

(1) If the foster child remains enrolled in the school of origin, the receiving school system shall provide transportation for the foster child to attend the school of origin based on a written agreement with the child welfare agency for reimbursement of the transportation costs, unless the child welfare agency decides that it will provide the transportation.

(2) The receiving local school system shall provide the child welfare agency with documentation of transportation reimbursement rates.

(3) Section E(1) of this regulation shall not be construed as precluding the child welfare agency from making its own transportation arrangements or excusing the child welfare agency from its obligation to provide transportation to the foster child in the absence of an agreement with the receiving school system.

I. Fostering Connections Liaison.

(1) Each school system shall designate an individual as the Fostering Connections liaison.

(2) The Fostering Connections liaison for the receiving local school system shall:

(a) Coordinate with the child welfare agency regarding the continued enrollment of the foster child in the school of origin in accordance with Education Article, §7-101(b)(2)(ii), Annotated Code of Maryland, or enrollment at the receiving school;

(b) Serve as the initial school system contact with whom the child welfare agency communicates regarding the best interests determination and transportation for the foster child;

(c) Communicate with the school of origin and the Fostering Connections liaison in the jurisdiction of the school of origin regarding school placement after the child welfare agency has communicated its best interests determination;

(d) Facilitate the transfer of the child's educational records from the school of origin to the receiving school;

(e) Request periodic updates from the child welfare agency regarding the foster child's continued attendance at the school of origin; and

(f) Communicate the educational stability requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 to appropriate school personnel.

(3) The Fostering Connections liaison may be the same individual who serves as the homeless education coordinator for the local school system.

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

Title 24

DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT

Subtitle 05 ECONOMIC DEVELOPMENT

24.05.22 Maryland E-Nnovation Initiative Program

*Authority: Economic Development Article, §§2-108 and 6-601—6-623,
Annotated Code of Maryland*

Notice of Proposed Action

[15-111-P]

The Department of Business and Economic Development proposes to adopt new Regulations .01—.12 under a new chapter, **COMAR 24.05.22 Maryland E-Nnovation Initiative Program.**

Statement of Purpose

The purpose of this action is to implement the Maryland E-Nnovation Initiative Program (the "Program") and provide requirements and procedures for nonprofit institutions of higher education to submit applications for allocations of matching funds under the Program; for the Maryland E-Nnovation Initiative Fund Authority to review and evaluate such applications; and for nonprofit institutions of higher education to make requests for distributions from the Maryland E-Nnovation Initiative Fund following an allocation decision by the Authority.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. Because the Program is designed to stimulate innovation at nonprofit institutions of higher education, it is difficult to provide an accurate economic impact in the short run. However, research and development (R&D) is crucial to economic growth and business creation, and the Program will play an important role in helping nonprofit institutions of higher education acquire or complement those resources through the attraction of qualified donations to deepen their R&D activities. It is generally a well-accepted notion that there is a proven positive connection between the availability of scientists and the high rate of innovation. The best example of this is the Johns Hopkins University, which in 2011 occupied number four ranking among world's top educational institutions in filing for the largest number of patents. This innovative environment then leads to real business opportunities, such as the "FastForward" incubator, which in February expanded to a new large office in East Baltimore to accommodate the high demand of applications from about 80 firms. In addition, as competition for top talent has gone global, matching funds awarded to nonprofit institutions of higher education under the Program would also play a role in hiring scientists from around the world and bringing them to

the State. Foreign-born inventors in the United States play a crucial role in spreading innovation at institutions of higher education across the country. That foreign-born inventor's play an out-sized role in country's high rate of innovation became evident when the "Partnership for a New American Economy" report came out in 2012, which found that 76 percent of patents awarded to top ten universities in the United States had at least one foreign-born person. The long-term positive economic impact of the Program is doubtless as R&D and innovation are crucial to productivity and creation of business especially in a state like Maryland, which is heavily dependent in its educated workforce and knowledge-based economy.

II. Types of Economic Impact	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	NONE	
E. On other industries or trade groups:	(+)	Undeterminable
F. Direct and indirect effects on public:	(+)	Undeterminable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

E. Nonprofit institutions of higher education may benefit from the Program if they submit applications for allocations of matching funds from the Program, the Authority approves the allocation of matching funds to the nonprofit institution of higher education, and the Authority approves the distribution of matching funds from the Program upon receipt of a request for such distribution, all in accordance with the requirements of the Program set forth in the Act and the regulations promulgated thereunder.

F. The economic impact of the Program on the public is expected to be the same as the potential long-term effect on the economy as described in Part I above.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Thomas S. Dann, Managing Director, Department of Business and Economic Development, 401 E. Pratt St., Suite 1747, Baltimore, MD 21202, or call 410-767-6379, or email to thomas.dann@maryland.gov, or fax to 410-333-6931. Comments will be accepted through May 18, 2015. A public hearing has not been scheduled.

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Act" means Economic Development Article, Title 6, Subtitle 6, Annotated Code of Maryland.

(2) "Affiliated foundation" means a corporation created, organized, and located in the State that meets the following conditions:

(a) With respect to public nonprofit institutions of higher education, an affiliated foundation created and operated in accordance with Education Article, §15-104, Annotated Code of Maryland; and

(b) With respect to private nonprofit institutions of higher education, a corporation created, organized, and located in the State that meets the following conditions:

(i) Is organized and operated for educational purposes in support of one or more nonprofit institutions of higher education and other affiliated organizations;

(ii) Is designated by the governing board of one or more nonprofit institutions of higher education to receive charitable contributions for educational purposes on behalf of the nonprofit institution or institutions of higher education;

(iii) Does not have any part of its earnings inuring to the benefit of any private shareholder or individual;

(iv) Is not disqualified for tax exemption under 26 U.S.C. §501(c)(3) of the Internal Revenue Code for any reason;

(v) Does not participate or intervene in, on behalf of or in opposition to, any political campaigns for public office; and

(vi) Has its fiscal affairs audited annually by an independent certified public accountant.

(3) "Authority" means the Maryland E-Innovation Initiative Fund Authority established under Economic Development Article, §6-605, Annotated Code of Maryland.

(4) "Cash equivalent" means U.S. Treasury bills, bank certificates of deposit, bankers' acceptances, corporate commercial paper, and other money market instruments.

(5) "Endowment proceeds" means those investment earnings accruing to a research endowment of a nonprofit institution of higher education and available for expenditure by the nonprofit institution of higher education in accordance with Economic Development Article, §6-612, Annotated Code of Maryland.

(6) "First submission date" means the June 1 before the beginning of a fiscal year in which a nonprofit institution of higher education requests a distribution of matching funds under the Program.

(7) "Fiscal year" means the fiscal year of the State.

(8) "Fund" means the Maryland E-Innovation Initiative Fund.

(9) "Governing board" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(10) "Governing body" means:

(a) A governing board;

(b) The governing entity of private nonprofit institutions of higher education; or

(c) The governing entity of a regional higher education center.

(11) "Marketable securities" means securities for which market quotations are readily available on an established public securities market or exchange at the time of the donation or gift and are readily convertible into cash.

(12) Nonprofit Institution of Higher Education.

(a) "Nonprofit institution of higher education" means a public or private nonprofit institution of postsecondary education located in the State that:

(i) Receives State funds in the annual operating budget;

(ii) Limits enrollment to graduates of secondary schools; and

(iii) Awards degrees at the associate, baccalaureate, or graduate level.

(b) "Nonprofit institution of higher education" includes its affiliated foundation for purposes of receiving and depositing qualified donations and matching funds in a research endowment under Economic Development Article, Title 6, Subtitle 6, Annotated Code of Maryland.

(13) "Private nonprofit institution of higher education" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(14) "Program" means the Maryland E-Innovation Initiative Program, as authorized by the Act.

(15) *Qualified Donation.*

(a) "Qualified donation" means any private donation, gift, irrevocable pledge, or bequest to a research endowment in accordance with Economic Development Article, §6-613, Annotated Code of Maryland.

(b) "Qualified donation" includes a donation, gift, pledge, or bequest in the form of cash and cash equivalents or marketable securities.

(16) "Regional higher education center" has the meaning stated in Education Article, §10-101, Annotated Code of Maryland.

(17) "Research endowment" means an account established at or administered by a nonprofit institution of higher education in accordance with Economic Development Article, §6-612, Annotated Code of Maryland.

(18) "Research endowment plan" means a plan adopted by a governing body and submitted to the Authority for approval, outlining how a nonprofit institution of higher education proposes to use matching funds from the program in accordance with Economic Development Article, §6-615, Annotated Code of Maryland, and Regulation .05 of this chapter.

(19) "Second submission date" means the November 1 during a fiscal year in which a nonprofit institution of higher education requests a distribution of matching funds under the Program.

(20) "Submission date" means the first submission date or the second submission date.

.02 Designated Fields of Scientific and Technical Fields of Study; Expenditure of Endowment Proceeds.

A. The Authority designates the following scientific and technical fields of study as eligible for the expenditure of endowment proceeds under the Program:

- (1) Physical sciences;
- (2) Life and neuro sciences;
- (3) Engineering;
- (4) Mathematical and computational sciences;
- (5) Regulatory science;
- (6) Autonomous systems;
- (7) Aeronautical and space science;
- (8) Environmental sciences;
- (9) Behavioral and language science;
- (10) Health sciences;
- (11) Agriculture; and
- (12) Cybersecurity.

B. At least 90 days prior to the first submission date, the Authority may announce that certain scientific and technical fields of study will be awarded greater weight in the Authority's evaluation of the applications in the upcoming fiscal year if the Authority has determined that certain scientific and technical fields will enhance the economic competitiveness of the State or build on existing clusters of research and innovation. If no announcement is made, the scientific and technical fields of study shall be weighted equally. An

announcement of the greater weight assigned to certain scientific and technical fields of study shall remain in effect unless the Authority announces revised weightings.

C. Endowment proceeds may be expended by a nonprofit institution of higher education for:

(1) The payment of base salaries of newly endowed department chairs, new professorship positions, new research scientists, or new research staff positions, including research technicians and support personnel, and to fund affiliated graduate or undergraduate student research fellowships, if the positions or fellowships are engaged in the areas of research identified in §A of this regulation; or

(2) The purchase of basic infrastructure, including, but not limited to, laboratory and scientific equipment or other essential equipment and materials, related to an area of research identified in §A of this regulation.

.03 Application — Requirements.

A. A nonprofit institution of higher education shall first submit an application to the Authority prior to submitting its first request for a distribution of matching funds from the Fund in a fiscal year.

B. The application shall be on a form provided by the Authority and shall include the following information:

(1) A copy of the proposed research endowment plan for a research endowment at the nonprofit institution of higher education that includes the information required by Economic Development Article, §6-615, Annotated Code of Maryland, and Regulation .05 of this chapter;

(2) The legal name of the nonprofit institution of higher education;

(3) The street address of the principal place of business of the nonprofit institution of higher education and the mailing address, email address, and telephone number of the nonprofit institution of higher education;

(4) The name, business mailing address, telephone number, and email address of an individual with authority to act on behalf of the nonprofit institution of higher education with respect to the application;

(5) The federal employer identification number of the nonprofit institution of higher education; and

(6) Any other information requested by the Authority.

C. Applications must be received by the Authority on or before a submission date in order for the nonprofit institution of higher education to be considered for an allocation of matching funds available for a fiscal year.

D. The Authority may allocate all of the matching funds available under the Program for a fiscal year after reviewing applications submitted for the first submission date for that fiscal year, and there can be no guarantee that funds will be available under the Program for allocation to applications received after the first submission date.

E. A nonprofit institution of higher education may submit more than one application to the Authority during the fiscal year. Each application shall include one research endowment plan for a research endowment at the nonprofit institution of higher education.

.04 Application — Authority Review.

A. The Authority shall review each application for compliance with the Act and this chapter. If the Authority determines that an application is not responsive to the requirements under Regulation .03 of this chapter, the Authority shall notify the nonprofit institution of higher education of the deficiency, and the nonprofit institution of higher education shall have 5 business days to cure the deficiency.

B. The Authority shall provide notice to a nonprofit institution of higher education of the Authority's approval or rejection of an application, including the research endowment plan submitted with the application, and any allocation of matching funds under the Program within 60 days after the Authority has deemed the

application complete. If an application is not approved, the notice from the Authority shall include the reason(s) the application could not be approved.

C. The Authority shall encumber the matching funds allocated to a nonprofit institution at the time the Authority approves an application. Subject to Regulation .08 of this chapter, Program funds encumbered at the time of approval shall remain encumbered until the end of the fiscal year in which the application is approved.

.05 Research Endowment Plan — Requirements.

A. The research endowment plan shall provide the Authority with an explanation of the nonprofit institution of higher education's comprehensive research objectives and plans to build competitive research infrastructure in the specified scientific and technical fields of study as designated by the Authority, as well as comprehensive measures for achieving this goal.

B. The proposed research endowment plan shall include the following:

(1) A description of the nonprofit institution of higher education's current research initiatives in the fields of study designated by the Authority for which the nonprofit institution of higher education will be seeking matching funds under the Program;

(2) The designated field(s) of study covered by the research endowment plan;

(3) The total amount of Program funds for which the nonprofit institution of higher education is requesting approval under the research endowment plan;

(4) The proposed use of the matching funds to be requested by the nonprofit institution of higher education with respect to the research endowment plan, including:

(a) An explanation of how the proposed uses of the endowment proceeds satisfies the criteria for eligible uses of endowment proceeds under Economic Development Article, §6-614, Annotated Code of Maryland;

(b) The anticipated costs associated with the proposed uses of the endowment proceeds;

(c) An explanation of how the proposed uses of the endowment proceeds further the purposes of the Program and address the research needs of the nonprofit institution of higher education; and

(d) The identification of any specific disciplinary hires to be made with the endowment proceeds, if known to the nonprofit institution at the time of the submission of the research endowment plan.

(5) A designation of the applicable research endowment(s) into which Program funds are to be deposited;

(6) A description of how the research endowment plan will play a role in achieving institutional research objectives in the designated field(s) of study and its relation to and impact on the colleges, schools, departments, centers, institutes, or other academic units proposed, currently under development, or currently operating;

(7) A description of the current or proposed collaborations, particularly with other institutional partners, that play or will play a significant collaborative role in achieving institutional objectives;

(8) An analysis of possible strategies to enhance current research initiatives;

(9) An evaluation of how the research plan furthers the purposes of the Program's goals and the research needs of the institution;

(10) Documentation of the demonstrations of interest to make qualified donations in a form satisfactory to the Authority; and

(11) Such other information as requested by the Authority from time to time.

C. The Authority shall conduct a thorough review of the research endowment plan for compliance with the provisions of the Act and

this chapter. The Authority may request additional information from a nonprofit institution of higher education as it deems necessary and appropriate for consideration of the research endowment plan and the implementation of the Program.

D. In evaluating whether to allocate matching funds to a nonprofit institution of higher education for a research endowment plan, the Authority may consider:

(1) The compliance by the nonprofit institution of higher education with other research endowment plans approved by the Authority for the nonprofit institution of higher education; and

(2) Such other evaluation criteria as the Authority shall establish from time to time.

E. At least 90 days prior to the first submission date, the Authority shall publish the evaluation criteria to be considered by the Authority in its evaluation of research endowment plans for the upcoming fiscal year. The Authority may change the evaluation criteria applicable to subsequent applications by publishing revised evaluation criteria at least 90 days prior to the applicable submission date. Evaluation criteria published by the Authority shall remain in effect until the Authority publishes revised evaluation criteria.

F. The approved research endowment plan shall serve as the document for guiding future endowment activities, research investments and reports for the designated research endowment. If a nonprofit institution of higher education desires to amend an approved research endowment plan, it shall submit a written request for such approval to the Authority at least 45 days prior to the desired effectiveness of the amendment. A request to amend a research endowment plan shall include a description of the proposed amendment to the approved research endowment plan, including any changes to the responses to §B of this regulation and any other responses included in the research endowment plan previously provided to the Authority.

.06 Distributions — Documentation Required.

A. A nonprofit institution of higher education seeking a distribution of matching funds from the Fund first shall obtain qualified donations in an amount equal to or greater than the amount of matching funds requested for distribution and shall submit a request to the Authority on such form as designated by the Authority from time to time that includes:

(1) The amount requested for distribution to the nonprofit institution of higher education;

(2) The amount of all previous distributions of matching funds from the Fund;

(3) The total amount of matching funds allocated to the nonprofit institution of higher education by the Authority for the fiscal year;

(4) The amount of qualified donations designated for use in requesting the distribution of matching funds from the Fund; and

(5) A certification by the nonprofit institution of higher education that the information provided to the Authority in the approved research endowment plan remains true and correct as of the date of the distribution request and that the nonprofit institution of higher education does not anticipate any changes to that information.

B. If the nonprofit institution of higher education is not able to provide the certification required by §A(5) of this regulation, the nonprofit institution of higher education shall submit an amendment to the approved research endowment plan pursuant to Regulation .05F of this chapter.

C. In addition to the written request for distribution, the nonprofit institution of higher education shall submit documentation for the qualified donations including:

(1) A cover letter that transmits the documentation and information required by §A — C of this regulation;

(2) For a qualified donation that includes cash and cash equivalents or marketable securities that has already been received by the nonprofit institution of higher education, a deposit ticket or gift receipt and any designation identified by the donor;

(3) For a qualified donation that includes marketable securities, evidence in a form satisfactory to the Authority that the marketable securities are not subject to a lock-up agreement or other restriction on transfer that would prohibit or otherwise restrict the ability of the nonprofit institution of higher education to sell or otherwise dispose of the marketable securities;

(4) For a qualified donation that includes an unrestricted gift or bequest, or a portion of an unrestricted gift or bequest, a designation made in writing by the nonprofit institution of higher education and submitted with the request;

(5) Complete contact information for a technical manager or responsible institutional contact such as a dean, academic officer, or research director, who shall oversee the implementation or supervision of the activity, program, or individual sponsored by the endowed funds; and

(6) Complete contact information for a financial manager or compliance officer who shall be responsible for all associated financial statements or reports relating to the endowed funds or expenditures of proceeds.

D. State matching funds distributed to a nonprofit institution of higher education are to be invested in the same manner as other institutional endowment funds of the nonprofit institution of higher education.

.07 Distributions — Authority Review.

A. The Authority shall conduct a review of each request for distribution of matching funds from the Fund for compliance with the provisions of the Act and this chapter.

B. The Authority shall use the nonprofit institution of higher education’s approved research endowment plan to determine if requests for distributions from the Fund are valid and shall consider any additional information or details that expand upon the specific area of research, including endowment research plans, strategies, objectives, and projected outcomes.

C. In addition to the factors set forth in Economic Development Article, §6-618(c), Annotated Code of Maryland, in evaluating a request for distribution from the Fund, the Authority shall consider the following factors:

(1) Whether the request for a distribution is consistent with and will further the goals and objectives of the nonprofit institution of higher education as expressed in the approved research endowment plan; and

(2) Whether the qualified donation is greater than the amount of the requested distribution of matching funds from the Fund.

D. If the Authority determines to grant a request for distribution of matching funds to a nonprofit institution of higher education, the Authority shall issue an approval letter to the nonprofit institution of higher education.

E. Before the earlier to occur of the end of the fiscal year in which the Authority has approved a request for distribution of matching funds or 90 days after the Authority approves a request for distribution of matching funds, the nonprofit institution of higher education shall deposit an amount of qualified donations equal to or greater than the total amount of funds allocated for distribution to the nonprofit institution of higher education into the applicable research endowment.

F. If the Authority determines not to grant a request for distribution to a nonprofit institution of higher education, the Authority shall issue a letter to the nonprofit institution of higher education detailing the reason(s) the distribution of matching funds

to the nonprofit institution of higher education could not be approved.

.08 Reallocation of Funds.

A. If a nonprofit institution of higher education fails to have deposited into its research endowment the required amount of qualified donations within 90 days after the Authority approves a request for distribution of matching funds:

(1) The nonprofit institution of higher education shall return any matching funds received from the Authority with respect to the distribution request within 10 business days of the expiration of the 90-day period; and

(2) Any funds allocated to that nonprofit institution of higher education for the fiscal year that have not been distributed shall be reallocated by the Authority in accordance with the Act and this chapter.

B. Notwithstanding §A of this regulation, if the Authority has approved a distribution of matching funds under Regulation .07 of this chapter but the nonprofit institution of higher education fails to deposit into its research endowment the required amount of qualified donations prior to the end of the fiscal year, the nonprofit institution shall return the matching funds to the Authority within 10 business days of the end of the fiscal year, and the Authority shall reallocate the matching funds in the next fiscal year in accordance with the Act and this chapter.

C. If a nonprofit institution of higher education which has been allocated matching funds for a fiscal year fails to submit a request for matching funds in accordance with Regulation .06 of this chapter equal to the total of funds allocated to the nonprofit institution of higher education before the end of the fiscal year, the matching funds allocated which have not been requested shall be reallocated by the Authority in the next fiscal year in accordance with the Act and this chapter.

.09 Reporting Requirements.

A. By September 30, 2016, and annually thereafter, a nonprofit institution of higher education which has received matching funds shall provide an annual report to the Authority, for the 12-month period ending June 30 of that year, that includes a full accounting of the matching funds, endowment proceeds, and adherence to the objectives established by the research endowment plan approved by the Authority.

B. A nonprofit institution of higher education which has received matching funds shall include with the annual report a certification in the form provided by the Authority that the matching funds received by the nonprofit institution of higher education have been used in accordance with the approved research endowment plan and the requirements of the Program.

C. A nonprofit institution of higher education which has received matching funds shall detail in its annual report to the Authority the total amount of qualified donations received, the investment earnings realized, and any anticipated expenditures of the endowment proceeds in its annual operating budget.

D. By September 30, 2021, a nonprofit institution of higher education which has received matching funds shall provide a comprehensive report to the Authority on the impact of the Program on research competitiveness, institutional growth, and infrastructure development. The nonprofit institution of higher education shall articulate clearly the strategic goals realized and those anticipated as a result of its participation in the Program. The comprehensive report shall include a full accounting of all matching funds distributed to the nonprofit institution of higher education, endowment proceeds, outcomes, and designated endowments.

.10 Audits and Inquiries.

A. Audits.

(1) The Authority may require at any reasonable time an audit of any information submitted to the Authority by the nonprofit institution of higher education in its application, research endowment plan, or request for distribution of matching funds from the Fund.

(2) An audit under §A(1) of this regulation shall be conducted at the expense of the nonprofit institution of higher education by an independent auditor selected by the nonprofit institution of higher education and reasonably satisfactory to the Authority.

(3) The Authority may initiate an audit by delivering to the nonprofit institution of higher education a written request for the performance of an audit stating the scope of the audit to be undertaken and the matters to be examined in the course of the audit.

(4) Within 10 business days after a nonprofit institution of higher education receives a request from the Authority for the performance of an audit under this regulation, the nonprofit institution of higher education shall submit to the Authority a written response naming the independent auditor selected by the nonprofit institution of higher education.

(5) If the Authority approves the auditor, it shall give written notice to the nonprofit institution of higher education that the Authority approves the auditor and shall provide instructions to the auditor for the scope and conduct of the audit.

(6) If the Authority disapproves the auditor, it shall give written notice to the nonprofit institution of higher education of the disapproval and of the reasons for it. The nonprofit institution of higher education, within 5 business days after receipt of the Authority's disapproval of an auditor, shall select an alternative auditor and submit to the Authority a written response naming the alternative independent auditor selected by the nonprofit institution of higher education.

(7) The process under §A(5) and (6) of this regulation for the selection and approval of an auditor will continue until the Authority approves an alternative auditor.

B. Inquiries; Duty of Nonprofit Institution of Higher Education to Respond.

(1) In order to ensure compliance with the Program requirements and to satisfy the Authority's reporting obligations under Economic Development Article, §6-623, Annotated Code of Maryland, the Authority may make written inquiry, including a request for the production, inspection, or copying of documents specified in the inquiry, of a nonprofit institution of higher education's receipt of matching moneys from the Fund and use of endowment proceeds to obtain information on the compliance with the requirements of the Act, and this chapter. The inquiry may include whether an individual in a position funded by endowment proceeds under the Program satisfies the requirements of Economic Development Article, §6-614, Annotated Code of Maryland.

(2) A nonprofit institution of higher education to which a written inquiry from the Authority is directed under §B(1) of this regulation shall submit a full and complete written response, with copies of all requested documents, within 45 days of the date of the inquiry. The response shall be verified as true and correct by oath or affirmation by the president of the nonprofit institution of higher education or the president's designee in the form prescribed by the Authority.

.11 Noncompliance with Approved Research Endowment Plan.

A. If the Authority discovers from any source, including the reports submitted by a nonprofit institution of higher education to the Authority as set forth in Regulation .09 of this chapter and audit or inquiry responses from a nonprofit institution of higher education to the Authority as set forth in Regulation .10 of this chapter, that a nonprofit institution of higher education is not in compliance with the

approved research endowment plan for which the matching funds have been allocated, the Authority shall notify the nonprofit institution of higher education of the noncompliance.

B. Within 10 business days of receipt of notice from the Authority under §A of this regulation, the nonprofit institution shall provide the Authority with a complete written explanation of the noncompliance, including:

(1) All of the facts and circumstances surrounding the noncompliance;

(2) The manner in which the nonprofit institution of higher education proposes to address the noncompliance; and

(3) Such other information as the Authority may request in its notice to the nonprofit institution of higher education under §A of this regulation.

C. If the Authority determines in its sole discretion that the noncompliance is capable of cure by the nonprofit institution, the Authority may provide the nonprofit institution of higher education with a reasonable period of time, as determined by the Authority in its sole discretion, to cure the noncompliance.

D. If the Authority determines in its sole discretion that the noncompliance is not capable of cure or the nonprofit institution of higher education fails to cure the noncompliance within the time period determined by the Authority under §C of this regulation, the Authority may impose sanctions on the nonprofit institution of higher education, including the return of all matching funds received by the nonprofit institution of higher education with respect to the approved research endowment plan.

E. In making a determination under §C or D of this regulation, the Authority may invite the nonprofit institution of higher education to engage in discussions with the Authority to explain the noncompliance. Any oral clarification of an explanation of noncompliance by the nonprofit institution of higher education shall be confirmed in writing by the nonprofit institution of higher education within 5 business days of the making of the clarification.

.12 Waiver.

The Authority may waive or vary particular provisions of this chapter to the extent that a waiver is not inconsistent with the Act if:

A. Conformance to the requirement of any federal, State, or local program necessitates waiver or variance of a regulation; or

B. In the determination of the Authority, the application of a regulation in a specific case or in an emergency situation would be inequitable or contrary to the purposes of the Act.

R. MICHAEL GILL
Secretary of Business and Economic Development

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

Notice of Proposed Action

[15-115-P]

The Secretary of the Environment proposes to:

(1) Amend Regulation **.10** under **COMAR 26.11.01 General Administrative Provisions**;

(2) Amend Regulation **.08** under **COMAR 26.11.09 Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations**; and

(3) Adopt new Regulations **.01 — .08** under a new chapter, **COMAR 26.11.30 Control of Portland Cement Manufacturing Plants**.

Statement of Purpose

The purpose of this action is to create a separate chapter applicable to Portland Cement Manufacturing Plants containing requirements unique to them. The new chapter combines existing requirements in COMAR 26.11.01, .06, and .29 regarding NO_x, SO_x, visible emissions, and particulate matter that apply to Portland cement manufacturing plants into one chapter.

This action establishes slightly more stringent emission NO_x limitations based upon recommended limits for cement kilns from the Ozone Transport Commission (OTC) to satisfy Reasonably Available Control Technology (RACT) requirements under the Clean Air Act for the 2008 8-hour ozone standard. Older, less stringent NO_x limits in COMAR 26.11.09.08 will be repealed.

This action also establishes a new method for continuous monitoring of particulate matter emissions for both cement kilns and clinker coolers required by the 2013 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants effective September 1, 2016.

The two Portland cement manufacturing plants in Maryland are required to operate continuous opacity monitors (COMs). EPA has recently added requirements for continuously monitoring particulate matter in the 2013 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants which provided an alternative monitoring procedure for visible emissions. In this action cement kilns have the option of using continuous opacity monitors or the NESHAP alternative methods of visible emission monitoring for opacity. Clinker coolers and kilns have the option of using continuous opacity monitors or the NESHAP alternative methods of visible emission monitoring for opacity after September 1, 2016. Under these regulations, operation of a COM requires the facility to follow the quality assurance procedures in COMAR 26.11.31.

Background

In an effort to streamline regulations pertaining to Portland Cement Manufacturing Plants, the Maryland Department of the Environment (MDE) is compiling the requirements for these facilities in a separate chapter. This action separates Portland Cement Manufacturing Plants and Natural Gas Compression Stations currently together in COMAR 26.11.29 into two separate chapters: COMAR 26.11.29 Natural Gas Pipeline Compression Stations and COMAR 26.11.30 Control of Portland Cement Manufacturing Plants. The existing COMAR 26.11.06.05 Sulfur Compounds from Other

than Fuel-Burning Equipment establishes a concentration standard for SO₂ for cement kilns depending on the location of the plant and the date the plant was constructed. These requirements for SO₂ are being moved into COMAR 26.11.30. The NO_x emission standards and continuous emission monitoring requirements for installations at Portland cement plants were specified in COMAR 26.11.29. These requirements for NO_x are also included in new COMAR 26.11.30

In 2012, EPA designated areas as attainment and nonattainment with respect to the national ambient air quality standard for ozone revised in 2008. Under the federal Clean Air Act, 42 U.S.C. §7401 et seq., sources in ozone nonattainment areas classified as moderate and above are subject to a NO_x Reasonably Available Control Technology (RACT) requirement. Areas in the Ozone Transport Region are also subject to this requirement regardless of designation. Section 182 of the Clean Air Act requires the Maryland Department of the Environment (MDE) to review and revise NO_x RACT requirements in the Maryland State Implementation Plan (SIP) as necessary in light of the new more stringent ambient air quality standards. In reviewing existing NO_x RACT requirements for adequacy, MDE considers technological advances and the stringency of the revised ozone standard. In 2007, the Ozone Transport Commission (OTC) compiled a Technical Support Document on Identification and Evaluation of Candidate Control Measures which included recommendations for NO_x emission limitations for cement kilns based on the type of kiln. MDE concluded the recommended rates represented RACT for cement kilns in Maryland and these rates will become effective April 1, 2017.

New particulate matter (PM) continuous emission monitoring procedures are specified in EPA's 2013 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants. After September 1, 2016, these facilities will be required to use these procedures to determine compliance with particulate matter standards. The NESHAP procedure uses stack test data to calibrate a PM continuous emission monitor (CEM) and then uses the PM CEM as a Continuous Parametric Monitoring System (CPMS).

The PM CPMS can also be calibrated for use as a parametric monitoring device to determine compliance with opacity standards. The system offers an alternative to COMs for monitoring visible emissions. Under this action MDE proposes the option to either operate COMs or PM CPMS to monitor visible emissions. The NESHAP procedures have been integrated into the Visible Emissions and Particulate Matter requirements of the new chapter 30.

Sources Affected and Location

There are two existing Portland cement manufacturing plants in Maryland, one in Carroll County and one in Washington County. The Carroll County plant has a pre-calciner, pre-heater kiln. The Washington County plant is currently modifying their kiln from a long-dry kiln to a pre-calciner, pre-heater kiln and will complete the modification by 2017.

Requirements

This action is to:

1. Combine all of the existing requirements in COMAR 26.11.01, .06, and .29 regarding NO_x, SO_x, visible emissions and particulate matter that apply to Portland cement manufacturing plants into one chapter;

2. Repeal NO_x emission limitations in COMAR 26.11.09.08 which apply to Portland cement manufacturing plants and establish new NO_x emission limitations based upon recommended control measures for cement kilns from the 2007 Ozone Transport Commission (OTC) Technical Support Document on Identification and Evaluation of Candidate Control Measures;

3. Add cement kilns to COMAR 26.11.01.10 which delineates the types of facilities that need to operate a COM to measure opacity;

4. Establish new continuous particulate matter monitoring procedures, as specified in EPA’s 2013 National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants. The new procedures will be used to demonstrate compliance with particulate matter emissions limitations and may be used to demonstrate compliance with opacity standards for cement kilns and clinker coolers under the specified circumstances instead of using a COM; and

5. Require cement kilns subject to COM requirements to comply with the Quality Assurance Requirements for COMs in existing COMAR 26.11.31. The Department makes note that under separate action amendments to COMAR 26.11.29 are being proposed. Existing and new requirements for Control of NO_x Emissions from Internal Combustion Engines Located at Natural Gas Pipeline Compression Stations will be under COMAR 26.11.29. Existing and new requirements for Portland cement manufacturing plants will be under COMAR 26.11.30.

Expected Emissions Reductions

On and after April 1, 2017, Portland cement kilns will need to meet a NO_x emission limitation based upon recommended control measures for cement kilns from the 2007 Ozone Transport Commission (OTC) Technical Support Document on Identification and Evaluation of Candidate Control Measures. The proposed NO_x emission rate for long dry kilns is 3.4 pounds of NO_x per ton of clinker produced and for pre-calciner kilns, an emissions rate of 2.4 pounds of NO_x per ton of clinker produced.

As a result of this action, the Portland cement plant in Carroll County will reduce annual NO_x emissions by about 14% or 400 tons based on 2012/2013 production. The Portland cement plant in Washington County will reduce annual NO_x emissions by about 33% or 510 tons based on 2012/2013 production.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

I. Summary of Economic Impact. This action only requires affected sources to increase the amount of ammonia reagent used in existing pollution control equipment to meet the proposed NO_x emission limitations in 2017.

The Portland cement plant in Carroll County is a pre-calciner, pre-heater kiln. Currently, the operators inject 600—730 liters/hr of ammonia into their Selective Non-Catalytic Reduction (SNCR) control technology to keep NO_x emissions below 2.5 lbs/ton of clinker to ensure compliance with the current 2.8 pounds of NO_x per ton of clinker limit. Operating the SNCR costs approximately \$1,000,000 per year. Using a linear equation, the plant would need to inject 760 liters/hr of ammonia to keep their NO_x emissions below 2.4 lbs/ton clinker to ensure compliance with a margin of safety. To meet the NO_x emission rate of 2.4 lbs/ton clinker produced, the additional ammonia could cost approximately \$150,000 per year.

As part of a federal action, the Portland cement plant in Washington County will be upgrading the kiln to a pre-heater/pre-calciner kiln by September 6, 2016. The kiln will then be required to meet a year round NO_x limit of 1.8 lbs NO_x/ton of clinker on a 30-day rolling average. The 1.8 lbs NO_x/ton per ton of clinker is lower than the 2.4 lbs NO_x/ton of clinker in these regulations, so the regulations do not have an economic impact on the Washington County facility.

The operation of a continuous particulate matter emissions monitor is required under the federal cement NESHAP. The option to

use this instrument to satisfy the COM requirement for monitoring opacity from cement kilns represents a possible cost savings to the facility. Monitoring of opacity has been required since the early 1990s and is not an additional cost.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:		
Compliance costs	(-)	\$150,000
E. On other industries or trade groups:		
MD contractors	(+)	Indeterminable
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. Ammonia reagent injection with the existing control technology is required to meet the NO_x emission rate.

E. Installation of technology and maintenance is usually performed by specially trained tradesmen. The magnitude of demand is unknown.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on May 19, 2015, at 10 a.m., at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or email to Randy.mosier@maryland.gov. Comments must be received not later than May 19, 2015, or be submitted at the hearing. For more information, call Randy Mosier at (410) 537-4488.

Copies of the proposed action and supporting documents are available for review at the following locations:

- The Department of the Environment’s website at: <http://www.mde.state.md.us/programs/regulations/air/Pages/reqcomments.aspx>
- The Air and Radiation Management Administration offices; and
- Regional offices of the Department in Cumberland and Salisbury.

Anyone needing special accommodations at the public hearing should contact the Department’s Fair Practices Office at (410) 537-3964.

TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

26.11.01 General Administrative Provisions

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

.10 Continuous Opacity Monitoring Requirements.

A. Applicability and Exceptions.

(1) — (4) (text unchanged)

(5) *The owner or operator of a cement manufacturing installation may discontinue use of a COM when a PM CPMS is installed and operated in accordance with the requirements of COMAR 26.11.30.*

B. — E. (text unchanged)

F. Fuel burning equipment subject to the COM requirements in COMAR 26.11.09.05 and cement kilns subject to the COM requirements in COMAR 26.11.30 are subject to the COM requirements contained in COMAR 26.11.31.

26.11.09 Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

.08 Control of NO_x Emissions for Major Stationary Sources.

A.—G. (text unchanged)

H. Requirements for [Cement Manufacturing Facilities,] Municipal Waste Combustors, and Hospital, Medical, and Infectious Waste Incinerators.

(1) A person who owns or operates a [cement manufacturing facility or a] municipal waste combustor shall install, operate, and maintain a CEM for NO_x emissions.

[(2) NO_x emissions from cement manufacturing kilns may not exceed the following total hourly NO_x emissions as determined on a 30-day rolling average of the daily average:

(a) 1,000 pounds for a facility with a total kiln capacity of 600,000 tons per year or less; and

(b) 1,800 pounds for a facility with a total kiln capacity greater than 600,000 tons per year.]

[(3)] (2) NO_x emissions from municipal waste combustors may not exceed the NO_x emissions standards in COMAR 26.11.08.07 and COMAR 26.11.08.08 [(205 ppm 24-hour average)] or applicable Prevention of Significant Deterioration limits, whichever is more restrictive.

[(4)] (3) (text unchanged)

I. Requirements for Glass Melting Furnaces [and Internal Combustion Engines at Natural Gas Pipeline Stations].

(1)—(2) (text unchanged)

[(3) A person who owns or operates an internal combustion engine at a natural gas pipeline station with a capacity factor over 15 percent shall perform either parametric optimization or engine rebuild to meet the following emission standards:

(a) Facilities with five or less engines shall meet a combined maximum hourly emission rate of 300 pounds per hour; and

(b) Facilities with more than five engines shall meet a combined maximum hourly emissions rate of 566 pounds per hour.

(4) Records demonstrating performance of parametric optimization shall be maintained on site for at least 2 years and made available to the Department upon request.]

J.—K. (text unchanged)

26.11.30 Control of Portland Cement Manufacturing Plants

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

.01 Scope.

This chapter contains all of the general requirements that apply to Portland cement manufacturing plants. New or modified cement plants may be subject to more restrictive requirements that are included in a permit issued by the Department. Portland cement manufacturing plants subject to this chapter may also be subject to federal New Source Performance Standards under 40 CFR Part 60, Subpart F, and National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry under 40 CFR Part 63, Subpart LLL.

.02 Applicability.

A. *The requirements of this chapter apply to cement kilns and other installations located at Portland cement manufacturing plants.*

B. *Any source which is subject to the provisions of this chapter may also be subject to the provisions of any other chapter. However, when this chapter establishes an emission standard for a specific installation which differs from the general emission standards in COMAR 26.11.06.01—.09, this chapter takes precedence.*

.03 Definitions.

A. *In this chapter, the following terms have the meanings indicated.*

B. *Terms Defined.*

(1) *“Cement kiln” means an installation, including any associated pre-heater or pre-calciner devices, that produces clinker by heating limestone and other materials to produce Portland cement.*

(2) *“Cement manufacturing installation” means process equipment used for subsequent production of Portland cement.*

(3) *“Clinker cooler” means an installation into which clinker product leaving the kiln is placed to be cooled by air supplied by a forced air draft or natural draft supply system.*

(4) *“Long dry kiln” means a cement kiln that does not have a pre-calciner and in which dry starting raw materials are fed into the kiln.*

(5) *“PM continuous parametric monitoring system” (CPMS) means a continuous emission monitoring system used to establish a parameter range for the purposes of demonstrating compliance.*

(6) *“Pre-calciner kiln” means a cement kiln that contains a pre-calciner at the bottom of the pre-heater tower before the materials enter the kiln.*

(7) *“30-day rolling average” means the arithmetic average of all valid hourly NO_x emission rates of the previous 720 valid hours on a rolling basis.*

(8) *“30 process operating day” means:*

(a) *The first day after the compliance date following completion of the field testing and data collection that demonstrates that the CPMS or CEMS has satisfied the relevant CPMS performance evaluation or CEMS performance specification acceptance criteria; and*

(b) *For purposes of this chapter, the performance test period is complete at the end of the 30th consecutive operating day.*

.04 Particulate Matter.

A. The owner or operator of a cement manufacturing installation may not cause or permit the discharge of emissions of particulate matter to exceed the limits in §B of this regulation.

B. Emission Limits.

(1) Areas I, II, V, and VI. In Areas I, II, V, and VI, a person may not cause or permit particulate matter to be discharged from any installation in excess of 0.05 grains per standard cubic foot dry.

(2) Areas III and IV. In Areas III and IV, a person may not cause or permit particulate matter to be discharged from any installation in excess of 0.03 grains per standard cubic foot dry.

(3) Compliance with the particulate matter standards of §B(1) and (2) of this regulation shall be demonstrated by a 3-run stack test using Method 5 or Method 5I of 40 CFR Part 60.

C. Particulate Matter Monitoring Requirements for Cement Kilns and Clinker Coolers. On or after September 1, 2016, the owner or operator of a cement kiln or clinker cooler at a Portland cement manufacturing plant shall:

(1) Use a PM continuous parametric monitoring system (CPMS) to establish a site-specific operating parameter limit corresponding to the results of the performance test as required in §B(3) of this regulation demonstrating compliance with the PM limits in §B(1) and (2) of this regulation;

(2) Conduct the performance test as required in §B(3) of this regulation using Method 5 or Method 5I of 40 CFR part 60;

(3) Use the PM CPMS to demonstrate continuous compliance with the site-specific operating parameter limit established in §C(1) of this regulation;

(4) Repeat the performance test as required in §B(3) of this regulation annually and reassess and adjust the site-specific operating parameter limit of §C(1) of this regulation in accordance with the results of the performance test using the procedures in 40 CFR §63.1349(b)(1)(i) — (ix); and

(5) Follow the procedures in 40 CFR §63.1350(b)(iii) and (iv) for any exceedance of the established operating parameter limit of §C(1) of this regulation on a 30 process operating day basis.

.05 Visible Emission Standards.

A. The owner or operator of a cement manufacturing installation may not cause or permit the discharge of emissions which exceed the visibility standards in §B of this regulation.

B. Visibility Standards.

(1) In Areas I, II, V, and VI a person may not cause or permit the discharge of emissions from any installation or building, other than water in an uncombined form, which is greater than 20 percent opacity.

(2) In Areas III and IV a person may not cause or permit the discharge of emissions from any installation or building, other than water in an uncombined form, which is visible to human observers.

(3) Compliance with the visibility standards of §B(1) and (2) of this regulation shall be demonstrated by a visible emission observation using Method 9 of 40 CFR Part 60.

C. Visible Emission Monitoring Requirements for Cement Kilns. The owner or operator of a cement kiln at a Portland cement manufacturing plant shall either:

(1) Use a COM in accordance with the requirements of COMAR 26.11.01.10; or

(2) Use a PM continuous parametric monitoring system (CPMS) to establish a site-specific operating parameter limit for continuous visible emission compliance determinations in accordance with Regulation .04C of this chapter.

D. Visible Emission monitoring requirements for clinker coolers. On or after September 1, 2016, the owner or operator of a clinker cooler at a Portland cement manufacturing plant shall either:

(1) Use a COM in accordance with the requirements of COMAR 26.11.01.10; or

(2) Use a PM continuous parametric monitoring system (CPMS) to establish a site-specific operating parameter limit for continuous visible emission compliance determinations in accordance with Regulation .04C(1) —(5) of this chapter.

.06 Sulfur Compounds.

A. Sulfur Dioxide (SO₂).

(1) Areas I, II, V, and VI. In Areas I, II, V, and VI, an owner or operator of a cement manufacturing installation may not cause emissions into the atmosphere with an SO₂ concentration greater than 2,000 ppm for sources constructed before January 17, 1972, or 500 ppm for sources constructed on or after January 17, 1972.

(2) Areas III and IV. In Areas III and IV, an owner or operator of a cement manufacturing installation may not cause emissions into the atmosphere with an SO₂ concentration greater than 2,000 ppm for sources constructed before February 21, 1971, or 500 ppm for sources constructed on or after February 21, 1971.

B. Sulfuric Acid and Sulfur Trioxide.

(1) Areas I, II, V, and VI. In Areas I, II, V, and VI, an owner or operator of a cement manufacturing installation may not cause emissions of sulfuric acid, sulfur trioxide, or any combination of them, in excess of 70 milligrams per cubic meter reported as sulfuric acid, for any source constructed before January 17, 1972, or 35 milligrams per cubic meter reported as sulfuric acid, for any source constructed on or after January 17, 1972.

(2) Areas III and IV. In Areas III and IV, an owner or operator of a cement manufacturing installation may not cause emissions of sulfuric acid, sulfur trioxide, or any combination of them, in excess of 70 milligrams per cubic meter reported as sulfuric acid for any source constructed before February 21, 1971, or 35 milligrams per cubic meter reported as sulfuric acid for any source constructed on or after February 21, 1971.

C. All calculations of emissions for §§A and B of this regulation shall be adjusted to standard conditions and 7 percent oxygen.

.07 Nitrogen Oxides (NO_x).

A. A person who owns or operates a cement kiln at a Portland cement manufacturing plant shall meet the following applicable NO_x emission standards:

(1) For long dry kilns, maximum emissions of 5.1 pounds of NO_x per ton of clinker produced; and

(2) For pre-calciner kilns, maximum emissions of 2.8 pounds of NO_x per ton of clinker produced.

B. On and after April 1, 2017, the requirements in §A of this regulation no longer apply and cement kilns shall meet the applicable NO_x emission standards in §C of this regulation.

C. On and after April 1, 2017, a person who owns or operates a cement kiln at a Portland cement manufacturing plant shall meet the following applicable NO_x emission standards:

(1) For long dry kilns, maximum emissions of 3.4 pounds of NO_x per ton of clinker produced; and

(2) For pre-calciner kilns, maximum emissions of 2.4 pounds of NO_x per ton of clinker produced.

D. Compliance with the emission standards in §§A and C of this regulation shall be demonstrated as a 30-day rolling average.

.08 NO_x Continuous Emission Monitoring Requirements.

A. The owner or operator of a Portland cement manufacturing plant shall:

(1) Continuously monitor NO_x emissions with a continuous emissions monitor (CEM) system in accordance with COMAR 26.11.01.11B(1) and (4) and C;

(2) Collect NO_x emissions data that was obtained pursuant to §A(1) of this regulation; and

(3) *Submit emissions data collected pursuant to §A(2) of this regulation to the Department as specified under COMAR 26.11.01.11E(2).*

B. The NO_x emissions data collected pursuant to §A(2) of this regulation shall be used to demonstrate compliance with the applicable NO_x emission rate in Regulation .07 of this chapter.

BENJAMIN H. GRUMBLES
Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.29 [NO_x Reduction Requirements for Non-Electric Generating Units] *Control of NO_x Emissions from Natural Gas Pipeline Compression Stations*

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, and 2-301—2-303, Annotated Code of Maryland

Notice of Proposed Action

[15-109-P]

The Secretary of the Environment proposes to repeal existing Regulations .01—.05 and adopt new Regulations .01—.05 under **COMAR 26.11.29 Control of NO_x Emissions from Natural Gas Pipeline Compression Stations**.

Statement of Purpose

The purpose of this action is to maintain and consolidate NO_x emission requirements for internal combustion engines used to compress natural gas located at natural gas pipeline compression stations. These NO_x emission requirements were established under the NO_x SIP Call for affected nontrading sources.

This action will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland's State Implementation Plan.

Background

In order to consolidate NO_x emission requirements for internal combustion engines used to compress natural gas located at natural gas pipeline compression stations, the Department proposes to repeal the existing chapter 29 and replace it. The new chapter 29, titled Control of NO_x Emissions from Natural Gas Pipeline Compression Stations, requires the affected facilities to continue to meet the maximum hourly NO_x emission limits and the NO_x emission concentration requirements. There are no additional requirements established at this time.

Sources Affected and Location

This action affects one facility in Garrett County with two engines and one facility in Howard County with over five engines. Both facilities are currently in compliance with all the requirements.

Requirements

This action proposes to repeal existing chapter 29 titled "NO_x Reduction Requirements for Non-Electric Generating Units". The Department proposes new regulations .01 — .05 under COMAR 26.11.29 now titled "Control of NO_x Emissions from Natural Gas Pipeline Compression Stations" which will keep the existing NO_x emission standards for internal combustion engines located at natural gas pipeline compression stations from the repealed regulation.05 under chapter 29. This action further clarifies the monitoring, compliance demonstration and record keeping requirements for internal combustion engines located at natural gas pipeline compression stations. There are no additional requirements resulting from this action.

Expected Emission Reductions

There are no expected emission reductions from this action.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

The Department of the Environment will hold a public hearing on the proposed action on May 19, 2015 at 10 a.m. at the Department of the Environment, 1800 Washington Boulevard, 1st Floor Conference Rooms, Baltimore, Maryland 21230-1720. Interested persons are invited to attend and express their views. Comments may be sent to Mr. Randy Mosier, Chief of the Regulation Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or email to Randy.mosier@maryland.gov. Comments must be received not later than May 19, 2015, or be submitted at the hearing. For more information, call Randy Mosier at (410) 537-4488.

Copies of the proposed action and supporting documents are available for review at the following locations:

- The Department of the Environment's website at: <http://www.mde.state.md.us/programs/regulations/air/Pages/reqcomments.aspx>
- The Air and Radiation Management Administration offices; and
- Regional offices of the Department in Cumberland and Salisbury.

Anyone needing special accommodations at the public hearing should contact the Department's Fair Practices Office at (410) 537-3964.

TTY users may contact the Department through the Maryland Relay Service at 1-800-735-2258.

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Natural gas pipeline compression station" means a main line natural gas transmission station, consisting of one or more internal combustion engines, used to compress natural gas, thereby sustaining flow of natural gas through the pipeline.

(2) "Parametric optimization" means the adjustment of an internal combustion engine, such as adjustment of the air-to-fuel ratio, that maximizes engine efficiency and minimizes emissions.

.02 Applicability and General Requirements.

A. Applicability. This chapter applies to stationary internal combustion engines used to compress natural gas located at natural gas pipeline compression stations.

B. NO_x Emission Limits. A person who owns or operates a stationary internal combustion engine to which this chapter applies shall perform either parametric optimization or engine rebuild to meet the following NO_x emission limits:

(1) *Facilities with five or fewer internal combustion engines shall meet a combined maximum hourly emission limit of 300 pounds per hour or less.*

(2) Facilities with more than five engines shall meet a combined maximum hourly emission limit of 566 pounds per hour or less.

C. NO_x Emission Rates.

(1) The NO_x emission rates in §C(2) of this regulation apply to a stationary internal combustion engine used to compress natural gas at a natural gas pipeline compression station if the engine is one of the types and corresponding sizes identified in §C(2) of this regulation.

(2) Emission Rates.

Type Engine	Size (Brake HP)	NO _x Emission Rate (15 Percent Oxygen)
Spark ignited rich burn	2400 HP or greater	110 ppmv
Spark ignited lean burn	2400 HP or greater	125 ppmv
Diesel engines	3100 HP or greater	175 ppmv
Dual fuel engines	4400 HP or greater	125 ppmv

(3) The NO_x emission rates in §C(2) of this regulation shall apply on and after May 1, 2003.

.03 Monitoring Requirements.

A. A person who owns or operates a stationary internal combustion engine subject to Regulation .02C of this chapter shall:

(1) Continuously monitor NO_x emissions with a continuous emissions monitor (CEM) certified in accordance with 40 CFR Part 60 or use an alternative method approved by the Department and the EPA;

(2) On or before May 1, 2002, collect NO_x emissions data that was obtained pursuant to §A(1) of this regulation; and

(3) Submit emissions data collected pursuant to §A(2) of this regulation to the Department for the previous calendar year by April 1 of each year.

B. The NO_x emissions data collected pursuant to §A(2) of this regulation shall be used to demonstrate compliance with the emission reduction requirements in Regulation .02C of this chapter.

.04 Demonstrating Compliance.

A. Internal Combustion Engines Equipped with a CEM.

(1) The owner or operator of an internal combustion engine subject to this chapter that is equipped with a CEM shall demonstrate compliance with the NO_x emissions limits and rates in Regulation .02B & C of this chapter using CEM data.

(2) The sum of the NO_x emissions from all affected engines at the facility shall be used to demonstrate compliance with Regulation .02B.

B. Internal combustion engines not equipped with a CEM.

(1) The owner or operator of an internal combustion engine subject to this chapter that is not equipped with a CEM shall demonstrate compliance with the NO_x emissions limits and rates in Regulation .02B and C of this chapter as follows:

(a) Compliance shall be established by stack tests using EPA Method 7 or other test methods approved by the Department and the EPA; or

(b) Compliance shall be established by an alternative emissions test approved by the Department.

(2) The results of the stack tests or alternative emissions test for each engine and fuel consumption records submitted to the Department pursuant to Regulation .05 of this chapter shall be used to calculate NO_x emissions for each affected engine.

(3) The sum of the NO_x emissions from all of the stationary internal combustion engines at a natural gas pipeline compression station that are subject to this chapter shall be used to demonstrate compliance with Regulation .02B.

(4) Stack test schedule. The owner or operator of an internal combustion engine subject to this chapter that is not equipped with a CEM shall conduct a stack test or an alternative emissions test approved by the Department to determine NO_x emissions for each affected engine not less than once each 12-month period.

.05 Maintaining Records.

Results from the previous calendar year of the stack tests, emissions tests, or CEM data and fuel consumption records for each internal combustion engine subject to this chapter shall be submitted to the Department as part of the annual emissions report due April 1 of each year.

BENJAMIN H. GRUMBLES
Secretary of the Environment

Errata

COMAR 14.31.06

At 42:7 Md. R. 571 (April 3, 2015), column 1, line 9 from the bottom:

For: On October 31, 2014, the Children's Cabinet adopted amendments

Read: On March 19, 2015, the Children's Cabinet adopted amendments

[15-08-41]

Special Documents

DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on April 30, 2015, in Grantville, Pennsylvania. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. Such projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 4, 2015, which will be noticed separately. The Commission will also hear testimony on amending its Regulatory Program Fee Schedule. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is May 11, 2015.

DATES: The public hearing will convene on April 30, 2015, at 7:00 p.m. The public hearing will end at 9:00 p.m. or at the conclusion of public testimony, whichever is sooner. The deadline for the submission of written comments is May 11, 2015.

ADDRESSES: The public hearing will be conducted at the Holiday Inn Harrisburg-Hershey, Grande 1 Room, 604 Station Road (Exit 80 off I-81), Grantville, Pa.

FOR FURTHER INFORMATION CONTACT: Jason Oyler, Regulatory Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436.

Information concerning the applications for these projects is available at the SRBC Water Resource Portal at www.srbc.net/wrp. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf.

SUPPLEMENTARY INFORMATION: The public hearing will cover amendments to its Regulatory Program Fee Schedule, as posted on the SRBC Public Participation Center webpage at www.srbc.net/pubinfo/publicparticipation.htm. The public hearing will cover the following projects:

Projects Scheduled for Action:

Project Sponsor and Facility: Anadarko E&P Onshore LLC (Pine Creek), McHenry Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20110601).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Meshoppen Creek), Washington Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 2.160 mgd (peak day) (Docket No. 20110603).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Unnamed Tributary to Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Application for renewal of surface water withdrawal of up to 0.648 mgd (peak day) (Docket No. 20110605).

Project Sponsor and Facility: Chetremon Golf Course, LLC, Burnside Township, Clearfield County, Pa. Application for consumptive water use of up to 0.200 mgd (peak day).

Project Sponsor and Facility: Chetremon Golf Course, LLC (Irrigation Storage Pond), Burnside Township, Clearfield County, Pa. Application for surface water withdrawal of up to 0.200 mgd (peak day).

Project Sponsor and Facility: Chief Oil & Gas LLC (Loyalsock Creek), Forksville Borough, Sullivan County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

Project Sponsor and Facility: Constitution Pipeline Company, LLC (Charlotte Creek), Town of Davenport, Delaware County, N.Y. Application for surface water withdrawal of up to 2.160 mgd (peak day).

Project Sponsor and Facility: Constitution Pipeline Company, LLC (Ouleout Creek), Town of Sidney, Delaware County, N.Y. Application for surface water withdrawal of up to 1.928 mgd (peak day).

Project Sponsor and Facility: Constitution Pipeline Company, LLC (Starrucca Creek), Harmony Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 2.052 mgd (peak day).

Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, Pa. Modification to add a source to the consumptive water use approval (no increase requested in current consumptive water use quantity) (Docket No. 20130608).

Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, Pa. Application for groundwater withdrawal of up to 0.504 mgd (30-day average) from Well 10.

Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, Pa. Application for renewal of groundwater withdrawal of up to 0.216 mgd (30-day average) from Well HR-1 (Docket No. 20110612).

Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, Pa. Application for renewal of consumptive water use of up to 0.316 mgd (peak day) (Docket No. 20110612).

Project Sponsor and Facility: Keister Miller Investments, LLC (West Branch Susquehanna River), Mahaffey Borough, Clearfield County, Pa. Application for surface water withdrawal of up to 2.000 mgd (peak day).

Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Driftwood Branch Sinnemahoning Creek), Emporium Borough, Cameron County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20110614).

Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Application for renewal of surface water withdrawal of up to 1.250 mgd (peak day) (Docket No. 20110616).

Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, Pa.

Application for consumptive water use of up to 0.080 mgd (peak day).

Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

Project Sponsor and Facility: Nature's Way Purewater Systems, Inc., Dupont Borough, Luzerne County, Pa. Modification to increase consumptive water use by an additional 0.092 mgd (peak day), for a total of up to 0.349 mgd (peak day) (Docket No. 20110618).

Project Sponsor: Pennsylvania Department of Environmental Protection – South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Facility Location: Leacock Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.590 mgd (30-day average) from Stoltzfus Well.

Project Sponsor: Pennsylvania Department of Environmental Protection – South-central Regional Office, City of Harrisburg, Dauphin County, Pa. Facility Location: Leacock Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Township Well.

Project Sponsor and Facility: Shrewsbury Borough, York County, Pa. Application for renewal and modification to increase groundwater withdrawal by an additional 0.024 mgd (30-day average), for a total of up to 0.089 mgd (30-day average) from the Blouse Well (Docket No. 19820103).

Project Sponsor and Facility: Shrewsbury Borough, York County, Pa. Application for renewal of groundwater withdrawal of up to 0.099 mgd (30-day average) from the Smith Well (Docket No. 19811203).

Project Sponsor and Facility: Talisman Energy USA Inc. (Wappasening Creek), Windham Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20110621).

Project Sponsor: UGI Development Company. Project Facility: Hunlock Creek Energy Center, Hunlock Township, Luzerne County, Pa. Modification to increase consumptive water use by an additional 1.526 mgd (peak day), for a total of up to 2.396 mgd (peak day) (Docket No. 20090916).

Request for Waiver of Application and Approval of Transfer:

Augusta Water, Inc. request for waiver of application required by 18 CFR §806.6(d)(1) and transfer of Docket No. 20021014.

Opportunity to Appear and Comment:

Interested parties may appear at the hearing to offer comments to the Commission on the amended fee schedule or any project listed above. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's website, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such rules at the hearing. Written comments on any project listed above may also be mailed to Mr. Jason Oyler, Regulatory Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through www.srbc.net/pubinfo/publicparticipation.htm. Comments mailed or electronically submitted must be received by the Commission on or before May 11, 2015, to be considered.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: March 27, 2015.

STEPHANIE L. RICHARDSON
Secretary to the Commission

[15-08-29]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATES: January 1 – January 31, 2015.

ADDRESSES: Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, Regulatory Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436; e-mail: joyler@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR §806.22(f):

Chief Oil & Gas LLC, Pad ID: Castrogiovanni Drilling Pad #1, ABR-20100674.R1, Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 6, 2015.

Chief Oil & Gas LLC, Pad ID: McCarty Drilling Pad #1, ABR-20100676.R1, Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 6, 2015.

Chief Oil & Gas LLC, Pad ID: Signore Drilling Pad #1, ABR-20100697.R1, Elkland Township, Sullivan County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 6, 2015.

Chief Oil & Gas LLC, Pad ID: Waldeisen-Ladd Drilling Pad, ABR-20100699.R1, Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 6, 2015.

Pennsylvania General Energy Company, LLC, Pad ID: Ogdensburg Gun Club Pad A, ABR-201501001, Union Township, Tioga County, Pa.; Consumptive Use of Up to 2.500 mgd; Approval Date: January 9, 2015.

Southwestern Energy Production Company, Pad ID: NR-18 Oak Ridge Pad, ABR-201501002, Oakland Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 9, 2015.

Cabot Oil & Gas Corporation, Pad ID: OakleyJ P1, ABR-20100603.R1, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 9, 2015.

Cabot Oil & Gas Corporation, Pad ID: Post P1, ABR-20100605.R1, Brooklyn Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 9, 2015.

SPECIAL DOCUMENTS

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Cabot Oil & Gas Corporation, Pad ID: Lauffer P1, ABR-20100608.R1, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 9, 2015.

Cabot Oil & Gas Corporation, Pad ID: StockholmK P3, ABR-20100609.R1, Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 9, 2015.

Cabot Oil & Gas Corporation, Pad ID: HullR P2, ABR-20100612.R1, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 9, 2015.

Cabot Oil & Gas Corporation, Pad ID: StockholmK P1, ABR-20100663.R1, Dimock Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 9, 2015.

SWEPI LP, Pad ID: Marshlands H. Bergey Unit #1, ABR-20091230.R1, Gaines Township, Tioga County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: January 9, 2015.

SWEPI LP, Pad ID: Marshlands K. Thomas Unit #1, ABR-20091231.R1, Elk Township, Tioga County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: January 9, 2015.

SWEPI LP, Pad ID: Lick Run Pad, ABR-20091232.R1, Gaines Township, Tioga County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: January 9, 2015.

SWEPI LP, Pad ID: Hillside Pad, ABR-20091233.R1, Gaines Township, Tioga County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: January 9, 2015.

SWEPI LP, Pad ID: Button B 901 Pad, ABR-20091234.R1, West Branch Township, Potter County, Pa.; Consumptive Use of Up to 4.990 mgd; Approval Date: January 9, 2015.

Cabot Oil & Gas Corporation, Pad ID: PowersN P1, ABR-201501003, Forest Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.250 mgd; Approval Date: January 13, 2015.

Carrizo (Marcellus), LLC, Pad ID: Sickler 5H, ABR-20100679.R1, Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 1.400 mgd; Approval Date: January 14, 2015.

Carrizo (Marcellus), LLC, Pad ID: Solanick 5H, ABR-201007007.R1, Washington Township, Wyoming County, Pa.; Consumptive Use of Up to 1.400 mgd; Approval Date: January 14, 2015.

Chief Oil & Gas LLC, Pad ID: Squier Drilling Pad #1, ABR-201007008.R1, Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 16, 2015.

Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 729 Pad C, ABR-201008051.R1, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: January 16, 2015.

Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 729 Pad D, ABR-201008052.R1, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: January 16, 2015.

Pennsylvania General Energy Company, LLC, Pad ID: Shannon Todd Pad A, ABR-201009006.R1, Todd Township, Huntingdon County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: January 16, 2015.

Inflection Energy (PA), LLC, Pad ID: Fox Well Site, ABR-201501004, Eldred Township, Lycoming County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 29, 2015.

Chesapeake Appalachia, LLC, Pad ID: Yengo, ABR-20100206.R1, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2015.

Chesapeake Appalachia, LLC, Pad ID: Allford, ABR-20100412.R1, Smithfield Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2015.

Chesapeake Appalachia, LLC, Pad ID: A&M, ABR-201501005, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2015.

Chesapeake Appalachia, LLC, Pad ID: Samantha, ABR-201501006, Forkston Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2015.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: April 2, 2015.

STEPHANIE L. RICHARDSON
Secretary to the Commission

[15-09-29]

MARYLAND DEPARTMENT OF NATURAL RESOURCES

FISHERIES SERVICE — PUBLIC NOTICE

Chesapeake Bay Commercial Mature Female Hard Crab Catch Limit and Crew Requirements

The Maryland Department of Natural Resources Fisheries Service (MDNR) announces the commercial mature female hard crab bushel limit and closure periods for 2015 for the Chesapeake Bay and its tidal tributaries pursuant to COMAR 08.02.03.14G. Notwithstanding COMAR 08.02.03.11A(5), there are no closure periods for female harvest in 2015. The daily commercial mature female hard crab bushel limits for 2015 are as follows:

Daily Mature Female Bushel Limits by License Type				
Season	LCC	TFL or CB3	TFL with CB6 or CB3 with CB6	TFL with CB9 or CB3 with CB9
April 1 — April 30	2	4	6	11
May 1 — May 31	2	4	6	11
June 1 — June 30	2	7	9	12
July 1 — Aug 31	2	7	10	13
Sept 1 — Sept 30	4	14	21	29
Oct 1 — Oct 31	4	15	22	30
Nov 1 — Nov 10	4	7	18	28

The above acronyms stand for: LCC — Limited Crab Harvester License 50 pots; CB3 — Crab Harvester License 300 pots; CB6 — 600 pot authorization; CB9 — 900 pot authorization; and TFL — Unlimited Tidal Fish License

Additionally, in April 2015, there will also be boat limits (bushels) for mature female hard crabs for boats with two or more licensees on board.

April 2015		Combined with License Type			
License Type	Individual Bushel Limit	LCC	TFL/CB3	TFL/CB3 with CB6	TFL/CB3 with CB9
		Boat Limit	Boat Limit	Boat Limit	Boat Limit
LCC	2	3	5	7	11
TFL/CB3	4	5	7	9	13
TFL/CB3 with CB6	6	7	9	13	15
TFL/CB3 with CB9	11	11	13	16	19

Mature female hard crab bushel limits and closure periods are subject to change based on results of the 2014-2015 winter crab dredge survey (available early May) conducted by the MDNR and the Virginia Institute of Marine Science.

As described in Annotated Code of Maryland, Natural Resources Article, §4-814, a 600 pot authorization (CB6) requires the license holder to have one crew member in addition to him/herself and a 900 pot authorization (CB9) requires the license holder to have two crew members in addition to him/herself on board. These additional crew members must be on board the vessel in order for the licensee to harvest at the bushel limit assigned to a CB6 or CB9. If crew members are not on board, then the licensee is restricted to the TFL or CB3 bushel limits.

MARK J. BELTON
Secretary of Natural Resources

[15-08-39]

DEPARTMENT OF STATE POLICE

HANDGUN ROSTER BOARD

Proposed Additions to Handgun Roster and Notice of Right to Object or Petition

The following is a list of handguns that the Handgun Roster Board proposes to add to the official handgun roster. These handguns will be officially placed on the Handgun Roster if no timely objection is received or if all timely objections are dismissed.

Under the Public Safety Article, §5-405, Annotated Code of Maryland and COMAR 29.03.03.13 and .14, any person may object to the placement of any of those handguns on the Handgun Roster. Objections must be filed within 30 days after **April 17, 2015**. In addition, any person may petition for the placement of an additional handgun on the Handgun Roster. Forms for objections or petitions may be obtained from: Marlene Jenkins, Administrator, Handgun Roster Board, 1201 Reisterstown Road, Pikesville, Maryland 21208.

With regard to short-barrel rifles included on the Handgun Roster, please note that a semi-automatic rifle with an overall length of less than 29" is a "copycat weapon" and is not eligible for sale to the general public (unless the purchaser had a purchase order for, or a completed application to purchase, the firearm prior to October 1, 2013). See, Sections 4-301 through 4-303 of the Criminal Law Article, Annotated Code of Maryland.

Overall length is measured between the extreme ends of the rifle along a line parallel to the center line of the bore. An attachment to the barrel, such as a muzzle brake or flash suppressor, should not be included in the measurement unless it is permanently affixed.

Manufacturer	Model Name	Model Number	Caliber	Additional Explanation
Advanced Armament	MPW	102869	300 Blackout	(Short Barrel Rifle)
Aldo Uberti & Co. (Stoeger Ind.)	0867 Russian 3 Model		.45 LC	
Atlantic Arms	AA89 KFS		9mm	"Assault Pistol" Not for sale to general public. Purchase by US Gov, Armed Forces, Law Enforce. Agencies ONLY
BRNO or CZ	Scorpion EVO 3 S1	91350	9mm	
Canik (Century Arms)	TP 9 -SA		9mm	
CMMG, Inc.	MK 9	90A3BAD	9mm	
Dan Wesson Firearms/NYI	Valor	1982, 1983	.45 ACP	(Model Additions)
Diamondback Firearms	DB-15	DB15PFDE7	556 (223 Rem)	
FN Herstal	FNS 9-C		9mm	
Grand Power	K-100 Dynamic, K-100 Target, K-100 X Trim, X-Calibur, P-1, P-1 Ultra		9mm	(Model Additions)
Grand Power	P 45		.45 ACP	
Grand Power	P-11		9mm	
Lone Wolf R&D, LLC	TWF (Frame)		N/A	
Lone Wolf R&D, LLC	TWC (Frame)		N/A	
Magnum Research	1911 "U"	DE1911U	.45 ACP	
Masterpiece Arms	Defender		9mm	
Olympic Arms	K-23		.223/5.56 Nato	
Para USA	Expert		9mm	(Caliber Addition)
Phoenix Arms	HP 25A		.25 ACP	(Caliber/Model Addition)
PTR Industries	PTR 32		7.63 X 39	
Romarm (Century Arms Int.)	Micro Draco		7.62 X 39 mm	
RPG	SBR1		223, 556 300 Blackout 458 Socom 308, .45 ACP, 6.8	(Short Barrel Rifle)
Sig Sauer/Sigarms Inc.	SG 553	P-553-9B-C-R	.223/5.56 Nato	
Smith & Wesson	Performance Center 929 "Jerry Miculeh"	929	9mm	
Springfield Armory	Trophy Match		.45 ACP	
Springfield Armory	XD-45 Mod 2		.45 ACP	(Caliber/Model Addition)
Sturm Ruger	Bearcat	0916	22 LR	(Model Addition)
Sturm Ruger	22 Charger	4917 (Standard) , 4918 (Takedown)	22 LR	(Model Additions)
Sturm Ruger	LCR	5431	38 Spl	(Model Addition)
Sturm Ruger	LC9s	3248	9mm	(Model Addition)
Sturm Ruger	GP 100 (Match Champion)	1755	357 Mag	(Model Addition)
Taurus	Protector Poly	85	.38 SPL+P	
Windham Weaponry	WW PS	RP11SFS-7	.223/5.56 Nato	
Windham Weaponry	WW-15	R11LHFT, R11A4T R11FTT, R11FTT-SB01QDS	.223/5.56 Nato	(Short Barrel Rifle)

[15-08-38]

General Notices

Notice of ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

ATHLETIC COMMISSION

Subject: Public Meeting
Date and Time: April 29, 2015, 2 — 4 p.m.
Place: 500 N. Calvert St., 3rd Conf. Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223
 [15-08-38]

CHESAPEAKE BAY TRUST

Subject: Public Meeting
Date and Time: May 7, 2015, 3 — 6 p.m.
Place: Masonville Cove Environmental Education Center, Baltimore, MD
Contact: Heather Adams (410) 974-2941
 [15-08-17]

BOARD OF COSMETOLOGISTS

Subject: Public Meeting
Date and Time: May 4, 2015, 10 a.m.
Place: 200 St Paul Pl., 3rd Fl., Baltimore, MD
Contact: Shirley Leach (410) 260-6195
 [15-08-03]

CRIMINAL JUSTICE INFORMATION ADVISORY BOARD

Subject: Public Meeting
Date and Time: April 27, 2015, 1 — 3 p.m.
Place: Judicial Training Center, 2009-D Commerce Park Dr., Rms. 9 and 10, Annapolis, MD
Contact: Robyn Lyles (410) 585-3185
 [15-08-28]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS

Subject: Public Meeting
Date and Time: May 13, 2015, 10 a.m. — 12 p.m.
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The Protocol Review Committee meets regularly on the 2nd Wednesday of every other month.
Contact: Leandrea Gilliam (410) 706-4449
 [15-08-11]

STATEWIDE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL (SEMSAC)

Subject: Public Meeting
Date and Time: May 7, 2015, 1 — 3 p.m.
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Advisory Committee (SEMSAC) meets regularly on the 1st Thursday of each month
Contact: Leandrea Gilliam (410) 706-4449
 [15-08-12]

HALL OF RECORDS COMMISSION

Subject: Public Meeting
Date and Time: May 5, 2015, 12 — 2 p.m.
Place: Maryland State Archives, Annapolis, MD
Add'l. Info: Semiannual Meeting of the Hall of Records Commission
Contact: Liz Coelho (410) 260-6401
 [15-08-37]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subject: Public Meeting
Date and Time: May 6, 2015, 4:30 — 6 p.m.
Place: 201 W. Preston St., Rm. L3, Baltimore, MD
Contact: Erin Penniston (410) 767-6783
 [15-08-25]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/MEDICAID PHARMACY AND THERAPEUTICS COMMITTEE

Subject: Public Hearing
Date and Time: May 7, 2015, 9 a.m. — 1 p.m.
Place: UMBC Research and Technology Park—South Campus, 1450 S. Rolling Rd., Halethorpe, MD
Add'l. Info: Meeting of the Maryland Pharmacy Program's Pharmacy and Therapeutics Committee (Preferred Drug List). As soon as available, classes of drugs to be reviewed, agenda, and driving directions will be posted on the Maryland

<https://mmcp.dhmh.maryland.gov/pap/StatePages/Public%20Meeting%20Announcement%20and%20Procedures%20for%20Public%20Testimony.aspx>

Submit email questions to:
dhmh.marylandpdlquestions@maryland.gov
Contact: Shawn Singh (410) 767-6896
 [15-08-13]

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Subject: Public Hearing
Date and Time: April 27, 2015, 10 — 11 a.m.
Place: Maryland Dept. of Transportation Headquarters, 7201 Corporate Center Rd., Hanover, MD
Add'l. Info: A public hearing will be held to solicit comments on DHCD's submission for the U.S. Department of Energy Weatherization Assistance Program (WAP) State Plan for 2015. Written comments for State Plan recommendations must be submitted no later than 4:30 p.m., April 24, 2015, to Jessica Smocer, WAP Senior Manager, Energy Programs, at 7800 Harkins Road, Room 332, Lanham, Maryland 20706 or jessica.smocer@maryland.gov.
Contact: Tim LaRonde (855) 583-8976, tim.laronde@maryland.gov
 [15-08-36]

INTER-AGENCY HEROIN AND OPIOID COORDINATING COUNCIL

Subject: Public Meeting
Date and Time: May 20, 2015, 10 — 11:30 a.m.; Additional Dates: September 16, and November 5, 2015, 10 — 11:30 a.m.
Place: Maryland Dept. of Transportation, 7201 Corporate Center Dr., Harry Hughes Conf. Center, Hanover, MD
Add'l. Info: Agendas and approved meeting minutes, as well as any updates to the date and time of the meeting, can be found on our website at:
http://bha.dhmh.maryland.gov/OVERDOSE_PREVENTION/SitePages/interagency-heroin-council.aspx.
Contact: Sara Cherico-Hsii (410) 767-3000
 [15-08-32]

Pharmacy Program website at:

GENERAL NOTICES

BOARD OF CERTIFIED INTERIOR DESIGNERS

Subject: Public Meeting
Date and Time: April 27, 2015, 2 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262

[15-08-34]

FACILITIES ADVISORY BOARD- JUVENILE SERVICES

Subject: Public Meeting
Date and Time: May 9, 2015, 10 a.m. — 12 p.m.
Place: Baltimore City Juvenile Justice Center, 300 N. Gay St., 2nd Fl. Large Conf. Rm., Baltimore, MD
Contact: Bridgett Tucker (410) 752-3500 x 130

[15-08-07]

COMMISSION ON KIDNEY DISEASE

Subject: Public Meeting
Date and Time: April 23, 2015, 2 p.m.
Place: 4201 Patterson Ave., Rm. 108, Baltimore, MD
Add'l. Info: A portion of this meeting may be closed for executive session.
Contact: Eva Schwartz (410) 764-4799

[15-08-09]

COMMISSION ON KIDNEY DISEASE

Subject: Public Meeting
Date and Time: July 23, 2015, 2 p.m.
Place: 4201 Patterson Ave., Rm. 108, Baltimore, MD
Add'l. Info: A portion of this meeting may be closed for executive session.
Contact: Eva Schwartz (410) 764-4799

[15-08-10]

BOARD FOR PROFESSIONAL LAND SURVEYORS

Subject: Public Meeting
Date and Time: May 6, 2015, 10 a.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262

[15-08-35]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting
Date and Time: May 21, 2015, 1 p.m.
Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3460

[15-08-02]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Certificate of Need Application

Add'l. Info: On March 27, 2015 the Maryland Health Care Commission (MHCC) received three Certificate of Need applications submitted by:

Recovery Center of America — Waldorf — Matter No. 15-08-2362; Establish an alcohol and drug abuse intermediate care facility with will include 21 detox/assessment beds(subject to CON review) and an additional 145 residential beds at level III.5 or lower to be located at 1110 Billingsley Road, Waldorf, Charles County; Proposed Cost: \$21,193,277.

Recovery Center of America — Earleville — Matter No. 15-07-2363; Establish an alcohol and drug abuse intermediate care facility with will include 17 detox/assessment beds(subject to CON review) and an additional 32 residential beds at level III.5 or lower to be located at 314 Grove Neck Road, Earleville, Cecil County; Proposed Cost: \$17,370,227.

Recovery Center of America — Upper Marlboro — Matter No. 15-16-2363; Establish an alcohol and drug abuse intermediate care facility with will include 25 detox/assessment beds(subject to CON review) and an additional 100 residential beds at level III.5 or lower to be located at 1110 Billingsley Road, Waldorf; Proposed Cost: \$21,019,435.

The MHCC shall review the applications under Health-General Article, §19-101 et seq., Annotated Code of Maryland, and COMAR 10.24.01.

Any affected person may make a written request to the Commission to receive copies of relevant notices concerning the applications. All further notices of proceedings on the applications will be sent only to affected persons who have registered as interested parties.

Please refer to the Matter No. listed above in any correspondence on the applications. A copy of the applications are available, for review, in the office of the MHCC, during regular business hours by appointment, or on the Commission's website at www.mhcc.maryland.gov.

All correspondence should be addressed to Paul Parker, Deputy Director, Center for Health Care Facilities Planning and Development, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276

[15-08-30]

DEPARTMENT OF NATURAL RESOURCES/FISHERIES SERVICE

Subject: Public Notice — 2015 Commercial Yellow Perch Closure on the Upper Bay

Add'l. Info: The Secretary of Maryland Department of Natural Resources, pursuant to COMAR 08.02.21.04B, announces that the 2015 commercial yellow perch fishery on the Upper Bay will close on Saturday, March 21, 2015 at 12:01 am. The Department is projecting that the annual commercial harvest target on the Upper Bay will be met. The Patuxent River yellow perch fishery will remain open and is subject to closure when the harvest target is projected to be met.

Mark J. Belton
Secretary of Natural Resources

Contact: Tamara O'Connell (410) 260-8271

[15-08-21]

DEPARTMENT OF NATURAL RESOURCES/FISHERIES SERVICE

Subject: Public Notice — Chesapeake Bay and Tidal Tributaries Recreational and Charter Striped Bass Fishery Modifications

Add'l. Info: The Secretary of Maryland Department of Natural Resources, pursuant to Code of Maryland Regulation 08.02.15.12H, announces the modification of the recreational size limits for striped bass in the Chesapeake Bay and its tributaries. Effective 12:01 a.m. Monday, March 23, 2015, a person may only take or possess:

- One striped bass between 28 inches and 36 inches or one striped bass larger than 40 inches from April 18, 2015 to May 15, 2015.
• Two striped bass larger than 20 inches, only one of which may be larger than 28 inches, from May 16, 2015 to December 15, 2015.

EXCEPTION: A person may only keep one striped bass between 20 inches and 26 inches in the Susquehanna Flats and the Northeast River, as described in COMAR 08.02.15.09A(3), from May 16, 2015 through May 31, 2015. All other rules remain the same.

Mark J. Belton
Secretary of Natural Resources

Contact: Tamara O'Connell (410) 260-8271

[15-08-22]

**BOARD OF OCCUPATIONAL
THERAPY PRACTICE**

Subject: Public Meeting
Date and Time: May 15, 2015, 8:30 a.m. — 2 p.m.
Place: Spring Grove Hospital Center, 55 Wade Ave., Catonsville, MD
Add'l. Info: Health Occupations Article, Title 10, Annotated Code of Maryland, and COMAR 10.46 amendments, additions, and revisions, including fee changes, may be discussed/voted on. Budget information may also be discussed. It may be necessary to go into executive session. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 1-800-735-2255.
Contact: Marilyn Pinkney (410) 402-8556
 [15-08-15]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: May 14, 2015, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
 [15-08-04]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: June 11, 2015, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
 [15-08-05]

**BOARD OF PODIATRIC MEDICAL
EXAMINERS**

Subject: Public Meeting
Date and Time: July 9, 2015, 1 p.m.
Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD
Contact: Sheri Henderson (410) 764-4785
 [15-08-07]

**BOARD OF EXAMINERS OF
PSYCHOLOGISTS**

Subject: Public Meeting
Date and Time: May 1, 2015, 9 a.m. — 1 p.m.
Place: 4201 Patterson Ave., Conf. Rm. 110, Baltimore, MD
Add'l. Info: Sign language interpreters/other appropriate accommodations for qualified individuals with disabilities will be provided upon request.
Contact: Dorothy Kutcherman (410) 764-4703
 [15-08-16]

**MARYLAND STATE
REHABILITATION COUNCIL**

Subject: Public Meeting
Date and Time: May 6, 2015, 4 — 7 p.m.
Place: Workforce and Technology Center, 2301 Argonne Dr., Rm. T-130, Baltimore, MD
Contact: Donna Lippa (410) 554-9385; donna.lippa@maryland.gov
 [15-08-31]

**BOARD OF SOCIAL WORK
EXAMINERS**

Subject: Public Meeting
Date and Time: April 24, 2015, 11 a.m. — 3 p.m.
Place: 4201 Patterson Ave., Metro Executive Bldg., Baltimore, MD
Contact: Stanley E. Weinstein (410) 764-4722
 [15-08-18]

**STATE BOARD OF INDIVIDUAL TAX
PREPARERS**

Subject: Public Meeting
Date and Time: May 11, 2015, 1 — 5 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Douglas Blackstone (410) 230-6244
 [15-08-14]

**BOARD OF WATERWORKS AND
WASTE SYSTEMS OPERATORS**

Subject: Public Meeting
Date and Time: June 18, 2015, 10 a.m. — 4 p.m.
Place: Location Change: Anne Arundel — Water O & M, 437 Maxwell Frye Rd., Ste. C, Millersville, MD
Add'l. Info: A portion of this meeting may be held in closed session.
Contact: Pat Kratochvil (410) 537-3167
 [15-08-20]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting
Date and Time: May 14, 2015, 9 — 11 a.m.
Place: 10 E. Baltimore St., Baltimore, MD
Add'l. Info: Portions of this meeting may be held in closed session.
Contact: Amy Lackington (410) 864-5300
 [15-08-08]

COMAR ORDER INFORMATION SHEET

Date _____ Subscriber I.D. _____

Name _____

Company _____

Address _____

City _____ State _____ Zip _____

Tel. _____ Fax _____

Email: _____

_____ Check enclosed, made payable to "Division of State Documents"

_____ Visa/Master Card/American Express/Discover card payment:

Acct.# _____ **Exp.** _____

Signature _____ Tel: _____

Return form & payment to: Office of the Secretary of State, Division of State Documents ~
State House ~ Annapolis, MD 21401 ~ Tel: 410-260-3876 ~ 800-633-9657 ext. 3876 ~ Fax: 410-280-5647

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## SPECIAL COMAR PUBLICATIONS

| Publication / Handbook                                             | Print Price | S & H | Quantity | Total |
|--------------------------------------------------------------------|-------------|-------|----------|-------|
| Control of Ionizing Radiation (through supplement 24)              | \$163       | \$12  | _____    | _____ |
| Control of Ionizing Radiation Supplement 24 ONLY                   | \$15        | \$0   | _____    | _____ |
| * New * Nurse Practice Act                                         | \$25        | \$0   | _____    | _____ |
| Forest Conservation Law                                            | \$15        | \$5   | _____    | _____ |
| Forest Conservation Technical Manual 3 <sup>rd</sup> Edition, 1997 | \$20        | \$7   | _____    | _____ |
| Preventive Maintenance Handbook (PM Handbook) (grey cover)         | \$15        | \$5   | _____    | _____ |
| Vehicle Inspection Handbook (Feb 2012)                             | \$48        | \$9   | _____    | _____ |
|                                                                    |             |       | Total    | _____ |

**If quantity is more than one, shipping charges may vary, please call 410-260-3876 for pricing.**

## COMAR SUBSCRIPTION SCHEDULES

| PDF QUARTERLY UPDATES            | PRINT SEMI-ANNUAL UPDATES       |
|----------------------------------|---------------------------------|
| After March 30 <sup>th</sup>     | After June 30 <sup>th</sup>     |
| After June 30 <sup>th</sup>      | After December 31 <sup>st</sup> |
| After September 30 <sup>th</sup> |                                 |
| After December 31 <sup>st</sup>  |                                 |

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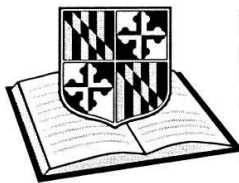
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