



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

Office of the
Secretary

Phone: (302) 739-9000
Fax: (302) 739-6242

Amendment to Secretary's Order No.: 2018-W-0006

**RE: Approving Final Regulations to Amend 7 DE Admin. Code 7204:
*Regulations for Licensing Operators of Wastewater Facilities***

Date of Issuance: April 13, 2018

Effective Date of the Amendment: May 11, 2018

Under the authority vested in the Secretary of the Department of Natural Resources and Environmental Control ("Department" or "DNREC") pursuant to 7 *Del.C.* §§6006 and 6010, the following is entered as an Amendment to the Secretary's Order in the above-referenced regulatory proceeding.

Whereas, Secretary's Order No. 2018-W-0006 (the "Original Order") was issued on February 1, 2018, with an effective date of March 11, 2018; and

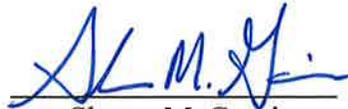
Whereas, pursuant to 29 *Del.C.* §605(a), "[n]o rule or regulation promulgated by any state agency shall become effective until the Attorney General has reviewed the rule or regulation and has informed the issuing agency in writing as to the potential of the rule or regulation to result in a taking of private property" (i.e., the "Takings Review" memorandum); and

Whereas, subsequent to the Original Order's issuance date, the Department was advised that additional time (i.e., beyond the Original Order's effective date of March 11, 2018) would be required for the Attorney General's office to provide this issuing agency with its formal Takings Review memorandum; and

Whereas, the Department has now been provided with the Attorney General's formal Takings Review memorandum, this promulgation may now be finalized with submission of the aforementioned Amendments to the State of Delaware's *Register of Regulations*; and

Therefore, the Original Order is hereby Amended, with the following terms and conditions:

1. The "Effective Date" of the aforementioned adoption of said Amendments by the Department shall now be **May 11, 2018**, as set forth in this Amendment to Order No. 2018-W-0006; and
2. The Original Order in all other respects regarding the adoption and promulgation of the *revised* proposed regulatory Amendments to 7 DE Admin. Code §7204, *Regulations for Licensing Operators of Wastewater Facilities*, stands as previously promulgated; and
3. The Department shall provide notice of this Order to the *Delaware Register of Regulations* for publication in its next available issue, and provide such other notice as the law and regulation require and the Department determines is appropriate.


Shawn M. Garvin
Secretary