



REGISTER NOTICE

SAN # 2014-06

1. TITLE OF THE REGULATIONS:

5101 Sediment and Stormwater Regulations

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

Sections 1.5, 1.7, 1.13, 1.14, 3.11, 4.1, 4.5, 5.1, 6.1 have been revised and definition of “functional equivalency” added to the regulations. These changes are made to clarify that the Technical Document that supports the regulations is guidance to be used as a reference for compliance and is not the only means of complying with the regulations. Functionally equivalent methods to those provided in the Technical Document may be considered on a case-by-case basis.

In addition, typographical errors have been addressed.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

There is no sunset date for this regulation.

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

Title 7, Delaware Code, Chapter 40, the Sediment and Stormwater Law

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

No other regulations are affected by these proposed regulation revisions.

6. NOTICE OF PUBLIC COMMENT:

The Department of Natural Resources and Environmental Control (DNREC) Division of Watershed Stewardship will conduct a public hearing on proposed revisions **Regulation No. 5101 Sediment and Stormwater Regulations** to clarify that the Technical Document that supports the regulations is guidance to be used as a reference for compliance and is not the only means of complying with the regulations. Functionally equivalent methods to those provided in the Technical Document may be considered on a case-by-case basis.

The public hearing on this proposed revision of **Regulation No. 5101 Sediment and Stormwater Regulations** will be held Thursday, September 25, 2014, at 6:00 p.m. in the DNREC Auditorium, Richardson and Robbins Building, 89 Kings Highway, Dover, DE 19901.

The proposed regulation revisions may be inspected at the Department's Richardson and Robbins Building office located at 89 Kings Highway, Dover, DE 19901 or on the DNREC Division of Watershed Stewardship's Sediment and Stormwater Program website:

<http://www.dnrec.delaware.gov/swc/Drainage/Pages/Reg-Revisions-2014.aspx>

For additional information or any appointments to inspect the proposed regulation revisions at DNREC, please contact Elaine Webb, DNREC Sediment and Stormwater Program, 89 Kings Highway, Dover, DE 19901, (302) 739-9921, Elaine.Webb@state.de.us.

Interested parties shall submit comments in writing on the proposed regulation revisions by the end of the comment period, October 10, 2014, to Elaine Webb and/or statements and testimony may be presented either orally or in writing at the September 25, 2014 public hearing. It is requested that those interested in presenting statements at the public hearing register in advance and that written statements and comments be addressed to:

Elaine Webb
DNREC – Sediment and Stormwater Program
89 Kings Highway
Dover, DE 19901

7. PREPARED BY:

Elaine Webb / (302) 739-9921

August 13, 2014

Name/Phone #

Date

Email address elaine.webb@state.de.us