



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL  
DIVISION OF WATERSHED STEWARDSHIP  
89 Kings Highway  
DOVER, DELAWARE 19901

OFFICE OF THE  
DIRECTOR

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**MEMORANDUM**

TO: Michelle Jacobs, DNREC Registrar 

THROUGH: Frank Piorko, Director, Division of Watershed Stewardship

FROM: Elaine Z. Webb, Engineer IV, Sediment and Stormwater Program 

DATE: July 29, 2014

SUBJECT: Start Action Notice (SAN) for Revisions to the  
*Delaware Sediment and Stormwater Regulations*

CC: Jamie Rutherford, Program Manager  
Gail Henderson, Administrative Specialist II

Attached please find the Start Action Notice (SAN) for revisions to the *Delaware Sediment and Stormwater Regulations*. If you should have any questions, please do not hesitate to contact me at extension 9156 or by email at [elaine.webb@state.de.us](mailto:elaine.webb@state.de.us).

*Delaware's good nature depends on you!*



## START ACTION NOTICE 2014-06

1. TYPE OF ACTION:

Revisions to the *Delaware Sediment and Stormwater Regulations*

2. PURPOSE OF ACTION:

Sections 1.5, 1.7, 1.13, 1.14, 3.11, 4.1, 4.5, 5.1, 6.1 will be revised and definition of “functional equivalency” added to the regulations. These changes will be 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 in the *Delaware Sediment and Stormwater Regulations* posted in the State Register of Regulations will be addressed.

3. STATUTORY BASIS:

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

4. LIKELY AFFECTED PUBLIC:

Land developers, contractors, builders, engineers, landscape architects, land surveyors, architects, DelDOT

5. PROPOSED SCHEDULE OF ACTIVITIES:

August 15, 2014 – Submit revised regulatory language to registrar for publication in State Register of Regulations

September 1, 2014 – Publication of draft changes to regulatory language in State Register and advertisement of Public Hearing

September 25, 2014 – Public Hearing

October 10, 2014 – Public comment period closes

October 15, 2014 – Secretary’s Order complete and Final Regulation submitted for publication in State Register

November 1, 2014 – Publication of Final Regulations in State Register of Regulations

November 11, 2014 – Effective date of regulations

6. REVIEW COMMITTEE:

Revisions to the regulations are proposed to clarify that the Technical Document that supports the regulation is guidance and not regulatory. Regulatory requirements have not changed; therefore, no separate review committee has been established for these proposed revisions. The established Sediment and Stormwater Regulatory Advisory Committee and interested parties list will be notified of the proposed revisions.

7. RESPONSIBLE STAFF MEMBER:

Elaine Z. Webb, P.E., Engineer IV

8. APPROVALS:

Elaine Z. Webb      7/29/14  
Responsible Staff Member      Date

[Signature]      7/29/14  
Division Director      Date

Physical Address/Phone/Fax Number/E-Mail Address of Responsible Staff Member:

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