

Maryland Register

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before May 8, 2017, 5 p.m.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 May 8, 2017.

Gail S. Klakring
Acting 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 <http://www.dsd.state.md.us/PDF/CumulativeTable.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)

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

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PERSONS WITH DISABILITIES

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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.

CLOSING DATES AND ISSUE DATES through JANUARY 19, 2018

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
June 9**	May 22	May 31	May 26
June 23	June 5	June 14	June 12
July 7	June 19	June 28	June 26
July 21	July 3	July 12	July 10
August 4	July 17	July 26	July 24
August 18	July 31	August 9	August 7
September 1	August 14	August 23	August 21
September 15**	August 28	September 6	September 1
September 29	September 11	September 20	September 18
October 13	September 25	October 4	October 2
October 27**	October 6	October 18	October 16
November 13***	October 23	November 1	October 30
November 27***	November 6	November 15	November 13
December 8	November 20	November 29	November 27
December 22	December 4	December 13	December 11
January 5**	December 18	December 27	December 22
January 19**	December 29	January 10	January 8

* 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

*** Note issue date and closing date changes

The regular closing date for Proposals and Emergencies is Monday.

COMAR Online

The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable version of COMAR.

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

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

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 Chapter Section Paragraph
 Subtitle Regulation Subsection 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.

05 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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 05.20.01.01—10 • 44:10 Md. R. 478 (5-12-17)
 05.20.02.01—10 • 44:10 Md. R. 481 (5-12-17)
 05.20.03.01—10 • 44:10 Md. R. 485 (5-12-17)

07 DEPARTMENT OF HUMAN RESOURCES

07.02.07 • 44:8 Md. R. 418 (4-14-17) (err)
 07.02.07.01—23 • 44:7 Md. R. 358 (3-31-17)
 07.02.26.01—15 • 44:7 Md. R. 371 (3-31-17)

08 DEPARTMENT OF NATURAL RESOURCES

08.02.15.04 • 44:10 Md. R. 488 (5-12-17)
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09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

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10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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 10.09.05.01—09,11 • 44:10 Md. R. 489 (5-12-17) (ibr)
 10.09.09.07 • 44:9 Md. R. 440 (4-28-17)
 10.09.21.01—11 • 44:11 Md. R. 527 (5-26-17)
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 10.09.39.01—10 • 44:11 Md. R. 527 (5-26-17)
 10.09.44.03 • 44:10 Md. R. 491 (5-12-17)
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 10.09.79.01—08 • 44:11 Md. R. 529 (5-26-17)

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26.08.07.04 • 43:24 Md. R. 1361 (11-28-16)
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26.19.01.01—.61 • 43:23 Md. R. 1293 (11-14-16) (ibr)

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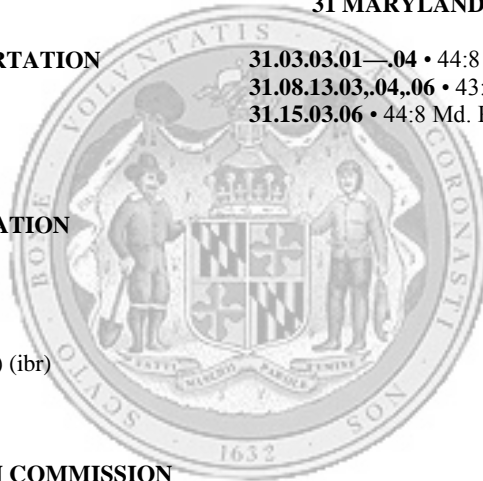
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30 MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

30.08.15.03 • 44:11 Md. R. 557 (5-26-17)

31 MARYLAND INSURANCE ADMINISTRATION

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31.08.13.03,.04,.06 • 43:20 Md. R. 1146 (9-30-16)
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The General Assembly

For additional up-to-date information concerning bills introduced in the General Assembly, log on to <http://mlis.state.md.us> and click on Bill Information and Status. You may then enter a specific bill number for information about that bill. You may also click on Senate Synopsis or House Synopsis for the most recent synopsis list for each house, or click on Synopsis Index for a listing of all bill synopses since the beginning of the legislative session.

SYNOPSIS NO. 8

Chapters

CH0362 HB0406 (Enrolled) The Speaker (Admin), et al. Clean Cars Act of 2017.

CH0363 SB0393 (Enrolled) Sen Manno. Clean Cars Act of 2017.

CH0364 HB0410 (Amended) The Speaker (Admin), et al. Economic Development - Maryland Energy Innovation Institute.

CH0365 SB0313 (Amended) The President (Admin), et al. Economic Development - Maryland Energy Innovation Institute.

CH0366 HB0417 (Enrolled) The Speaker (Admin), et al. Clean Water Commerce Act of 2017.

CH0367 SB0314 (Enrolled) The President (Admin), et al. Clean Water Commerce Act of 2017.

CH0368 SB0343 (Enrolled) Sen Eckardt, et al. Bay Restoration Fund - Eligible Costs - Expansion.

CH0369 HB0384 (Enrolled) Del Adams, et al. Bay Restoration Fund - Eligible Costs - Expansion.

CH0370 SB0440 (Amended) Sens Conway and Salling. Environment - Water Management - Sediment Control at Large Redevelopment Sites.

CH0371 HB0557 (Amended) Del Stein, et al. Environment - Water Management - Sediment Control at Large Redevelopment Sites.

CH0372 SB1158 (Enrolled) Sen Middleton, et al. Department of Natural Resources - Solar Generation Facilities - Pollinator-Friendly Designation.

CH0373 HB1063 (Amended) Del Stein, et al. Agriculture - Maryland Healthy Soils Program.

CH0374 HB1349 (Amended) Del Robinson. Environment - Compostable, Degradable, and Biodegradable Plastic Products - Labeling.

CH0375 HB0121 Chr ENV (Dept). Environment - Hazardous Material Security - Repeal.

CH0376 HB0124 (Amended) Chr ENV (Dept). Environment - Solid Waste and Recycling Facilities.

CH0377 HB0125 (Enrolled) Chr ENV (Dept). Environment - Emergency Action Plans for Dams.

CH0378 HB0133 Chr ENV (Dept). Environment - Reduction of Lead Risk in Housing - Notification of Elevated Blood Lead Level.

CH0379 SB0304 (Enrolled) The President (Admin). Taxpayer Protection Act.

CH0380 SB0964 (Amended) Sens Klausmeier and Eckardt. Aquaculture - Leases - Submerged Aquatic Vegetation.

CH0381 HB1200 (Enrolled) Del Mautz. Aquaculture - Leases - Submerged Aquatic Vegetation.

CH0382 HB0773 (Enrolled) Del Korman, et al. Clean Energy - Energy Storage Technology Study.

CH0383 SB0099 (Amended) Sen Middleton. Department of the Environment - Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure - Study.

CH0384 HB0171 (Enrolled) Del Robinson, et al. Department of the Environment - Yard Waste, Food Residuals, and Other Organic Materials Diversion and Infrastructure - Study.

CH0385 HB0066 (Enrolled) Del Lam. Environment - Lead and Mercury Wheel Weights - Prohibited.

CH0386 HB0270 (Amended) Del Lafferty, et al. Environment - Testing for Lead in Drinking Water - Public and Nonpublic Schools.

CH0387 SB1040 (Enrolled) Sen Ready, et al. Environment - Water and Sewer and Solid Waste Management Plan Approval.

CH0388 SB0355 Sens Serafini and Astle. Gas Companies - Rate Regulation - Environmental Remediation Costs.

CH0389 SB0758 (Enrolled) Sen Guzzone. Income Tax Credit - Energy Storage Systems.

CH0390 SB0158 Sen Conway. Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and Oil Contaminated Site Environmental Cleanup Fund.

CH0391 HB1045 (Enrolled) Del Cassilly. On-Site Sewage Disposal Systems - Membrane Bioreactor (MBR) Technology - Regulations.

CH0392 HB1350 (Amended) Del Rose, et al. Public Service Commission - Application for Certificate of Public Convenience and Necessity - Consistency With Comprehensive Plan.

CH0393 HB1414 (Enrolled) Del Jameson. Renewable Energy Portfolio Standard - Study.

CH0394 SB0703 (Enrolled) Sen Middleton. Maryland Agricultural Land Preservation Foundation - Participation in the Readiness and Environmental Protection Integration Program.

CH0395 HB0586 (Amended) Del Hettleman, et al. Maryland Farms and Families Act.

CH0396 SB0278 (Amended) Sen Middleton, et al. Maryland Farms and Families Act.

CH0397 SB1190 (Amended) Sens Eckardt and Serafini. Bay Restoration Fund - Upgraded Wastewater Facilities - Grants to Counties and Municipalities.

CH0398 HB0211 (Amended) Del Robinson, et al. Cownose Ray Fishery Management Plan and Moratorium on Contests.

CH0399 SB0268 (Enrolled) Sen Young, et al. Cownose Ray Fishery Management Plan and Moratorium on Contests.

CH0400 HB1314 (Enrolled) Del Jacobs, et al. Crabs - Harvest Times - Holidays.

CH0401 SB0059 (Enrolled) Sen Waugh. Crabs - Harvest Times - Holidays.

CH0402 SB0066 (Amended) Sens Simonaire and Norman. Hunter Safety Courses - Application of Requirement and Establishment of Incentives Program.

CH0403 HB1427 (Enrolled) Del McMillan, et al. Natural Resources - Apprentice Hunting License - Establishment.

CH0404 HB0477 Del Beitzel. Natural Resources - Protection and Restoration of State-Owned Lakes.

CH0405 SB0396 Sen Edwards. Natural Resources - Protection and Restoration of State-Owned Lakes.

CH0406 SB0116 (Amended) Sens Edwards and Middleton. Program Open Space - Attainment of Acquisition Goals - Local Government Apportionment and Use of Funds.

CH0407 HB1154 (Enrolled) Del Hayes, et al. Program Open Space - Baltimore City Grants - Use of Grant Funds.

CH0408 HB1253 (Amended) Del Long. State Boat Act - Removal of Abandoned or Sunken Vessels.

CH0409 HB0626 (Amended) Del Gilchrist, et al. Agriculture - Animal Shelters - Standards of Care and Protocol Implementation and Enforcement.

- CH0410 HB0941 (Amended)** Del A. Miller, et al. Criminal Law - Animal Abuse Emergency Compensation Fund - Establishment.
- CH0411 SB0269 (Amended)** Sen Lee, et al. Emergency Veterinary Care - Immunity From Liability.
- CH0412 HB0216 (Enrolled)** Del Lam, et al. Emergency Veterinary Care - Immunity From Liability.
- CH0413 SB0143 (Enrolled)** Sen Zirkin. Injury to or Death of Pet - Damages.
- CH0414 HB0334 (Amended)** Del Kramer, et al. Local Government - Regulation of Animals - Kennel Licenses.
- CH0415 SB0573 (Amended)** Sen Feldman. Local Government - Regulation of Animals - Kennel Licenses.
- CH0416 SB0441 (Enrolled)** Sen Simonaire, et al. Veterans Affairs - Maryland Veterans Service Animal Program - Establishment.
- CH0417 HB1463 (Amended)** Del Frush, et al. Veterinary Practitioners - Animal Cruelty and Animal Fighting - Reporting.
- CH0418 HB0710 (Amended)** Charles County Delegation. Charles County - Alcoholic Beverages - Alcohol Awareness Certification.
- CH0419 HB1300 (Enrolled)** Charles County Delegation. Charles County - Garbage Disposal Services - Provider Displacement.
- CH0420 HB0556 (Amended)** Del Jones, et al. Higher Education - St. Mary's College of Maryland - Funding.
- CH0421 HB0561** Del Jones, et al. Higher Education - St. Mary's College of Maryland - Governing Authority.
- CH0422 SB0435 (Amended)** Sen King, et al. Higher Education - St. Mary's College of Maryland - Governing Authority.
- CH0423 HB0243** St. Mary's County Delegation. St. Mary's County - Auditing Requirements - Repeal.
- CH0424 SB0737 (Amended)** Sen Waugh. St. Mary's County - Bonds and Other Evidences of Indebtedness - Limitations and Repayment.
- CH0425 HB0404** St. Mary's County Delegation. St. Mary's County - Land Records - Repeal.
- CH0426 SB0735 (Enrolled)** Sen Waugh. St. Mary's County - Metropolitan Commission - Authority to Borrow Money.
- CH0427 HB0892 (Amended)** St. Mary's County Delegation. St. Mary's County - Public Facility Bonds.
- CH0428 SB0298 (Enrolled)** Sen Waugh. St. Mary's County - Sheriff, County Treasurer, and State's Attorney - Salaries.
- CH0429 HB1430 (Amended)** Del B. Wilson. Washington County - Alcoholic Beverages - Class CT (Cinema/Theater License).
- CH0430 SB1039 (Enrolled)** Washington County Senators. Washington County - Alcoholic Beverages - Hotel and Motel Licenses.
- CH0431 HB1480 (Amended)** Del Parrott. Washington County - Alcoholic Beverages - Penalties.
- CH0432 SB0620 (Amended)** Washington County Senators. Washington County - Alcoholic Beverages - Wineries - Special Event Permits.
- CH0433 HB0218** Carroll County Delegation. Carroll County - Huckster, Hawker, or Peddler License - Repeal.
- CH0434 SB0324** Carroll County Senators. Carroll County - Mechanical Musical Devices - Licensing Requirements - Repeal.
- CH0435 HB0251** Carroll County Delegation. Carroll County - Public Facilities Bonds.
- CH0436 SB0457** Carroll County Senators. Carroll County - Sheriff's Salary.
- CH0437 SB0456** Carroll County Senators. Carroll County - State's Attorney - Salary.
- CH0438 SB0309 (Enrolled)** The President (Admin), et al. State Finance and Procurement - Small and Minority Business Participation.
- CH0439 HB1382** Del Barron. Election Law - Candidate for Circuit Court Judge Defeated in Primary Election.
- CH0440 SB1121** Sen Conway. Election Law - Candidate for Circuit Court Judge Defeated in Primary Election.
- CH0441 HB0353 (Amended)** Dels Rosenberg and Luedtke. Election Law - Change in Administrative Policy Affecting Voting Rights - Notice.
- CH0442 HB0315 (Amended)** Montgomery County Delegation. Montgomery County - Alcoholic Beverages - Contracts to Sell Liquor for Off-Premises Consumption MC 18-17.
- CH0443 HB0313 (Amended)** Montgomery County Delegation. Montgomery County - Archery Hunting - Safety Zone MC 10-17.
- CH0444 HB0386 (Amended)** Montgomery County Delegation. Montgomery County - Economic Development - Business Improvement Districts MC 12-17.
- CH0445 SB0496** Chr B&T (Dept). Gaming - Reconciliation of Proceeds - Licensee Payments.
- CH0446 SB0497 (Amended)** Chr B&T (Dept). Gaming - Video Lottery Facilities - Operation License Renewal Term and Local Development Council Membership.
- CH0447 HB0813** Del Bromwell, et al. State Lottery Tickets - Internet Sales - Prohibition.
- CH0448 SB0438 (Enrolled)** Sen Conway. State Lottery Tickets - Internet Sales - Prohibition.
- CH0449 HB1537 (Amended)** Del Bromwell, et al. Video Lottery Facilities - Donation of Coins From Gaming Payouts - Expansion.
- CH0450 SB1125** Sen Klausmeier. Video Lottery Facilities - Donation of Coins From Gaming Payouts - Expansion.
- CH0451 HB0300 (Amended)** Del Fennell, et al. Video Lottery Terminals - Disposition of Unclaimed Winnings.
- CH0452 SB0228 (Amended)** Sen Salling, et al. Video Lottery Terminals - Disposition of Unclaimed Winnings.
- CH0453 SB0498 (Amended)** Chr B&T (Dept). Video Lottery Terminals - Small, Minority, and Women-Owned Businesses Account - Transfer of Authority.
- CH0454 SB0509 (Amended)** Sen Peters. Prince George's County - Orphans' Court Judges - Salary.
- CH0455 HB1636 (Enrolled)** Prince George's County Delegation. Prince George's County - School Facilities and Public Safety Surcharges - Maryland Transit Administration Station PG 430-17.
- CH0456 HB1551 (Amended)** Prince George's County Delegation. Prince George's County Local Management Board - Strategic Plan, Report, and Study PG 426-17.
- CH0457 HB1574** Prince George's County Delegation. Prince George's County Pretrial Release, Work Release, and Diversion Programs Task Force PG 305-17.
- CH0458 HB0312 (Enrolled)** Del Jacobs, et al. Kent County - Deer Hunting - Sundays.
- CH0459 HB0310 (Amended)** Montgomery County Delegation. Montgomery County - Deer Hunting - Sundays MC 21-17.
- CH0460 HB0788** Eastern Shore Delegation. Natural Resources - Hunting - Deer Management Permits.
- CH0461 HB0068 (Enrolled)** Dels Carey, Metzgar, and Simonaire. Hunting and Fishing - Discounted Licenses - Purple Heart Recipients.
- CH0462 HB0004 (Enrolled)** Dels Simonaire and Metzgar. Hunting and Fishing Licenses - Active Military, Former Prisoners of War, and Disabled Veterans.
- CH0463 SB0046 (Enrolled)** Sen Simonaire, et al. Hunting and Fishing Licenses - Active Military, Former Prisoners of War, Recipients of the Purple Heart Award, and Disabled Veterans.
- CH0464 HB0874 (Amended)** Dels Cassilly and Szeliga. Air Navigation Protection From Hazards Act of 2017.
- CH0465 SB1122 (Amended)** Sen Conway. Alcoholic Beverages - Baltimore City - Transfer of License - Hardship Extension.

- CH0466 HB0464** Del Branch, et al. Alcoholic Beverages - Beer, Wine, and Liquor Exhibition Permit.
- CH0467 SB0210 (Enrolled)** Sen Zucker, et al. Alcoholic Beverages - Class 8 Farm Brewery License Holders - Food Service.
- CH0468 HB0987 (Amended)** Del W. Miller, et al. Alcoholic Beverages - Direct Wine Shipper's Permit - Application and Renewal Requirements.
- CH0469 SB1138** Sen Zucker. Alcoholic Beverages - Family Beer and Wine Facility Permit.
- CH0470 HB0923 (Enrolled)** Allegany County Delegation. Allegany County - Property Tax Credits - Community Organizations and Lions Center.
- CH0471 SB0639** Sen Edwards. Allegany County - Sheriff's Deputies - Salary and Duties.
- CH0472 HB0811 (Enrolled)** Del Buckel, et al. Allegany County and Prince George's County - Video Lottery Terminal Proceeds - Use of Local Impact Grants.
- CH0473 HB0716 (Enrolled)** Anne Arundel County Delegation. Anne Arundel County - Board of Education.
- CH0474 HB0085 (Enrolled)** Anne Arundel County Delegation. Anne Arundel County - Charitable Gaming.
- CH0475 HB0373 (Enrolled)** Del D. Barnes, et al. Biotechnology Investment Tax Credit - Qualified Maryland Biotechnology Company - Definition.
- CH0476 SB0226 (Enrolled)** Sen Manno, et al. Biotechnology Investment Tax Credit - Qualified Maryland Biotechnology Company - Definition.
- CH0477 SB0050 (Amended)** Sen Astle, et al. Cemeteries - Authority to Maintain and Repair Memorials and Monuments.
- CH0478 SB0636** Sens Klausmeier and King. Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution.
- CH0479 SB0924** Sen Serafini. Commissioner of Financial Regulation and State Collection Agency Licensing Board - Surety Bond Requirements for Licensees and Registrants.
- CH0480 HB0789 (Amended)** Del Cullison. Condominiums and Homeowners Associations - Amendment of Governing Documents.
- CH0481 SB0809 (Enrolled)** Sen Muse, et al. Condominiums and Homeowners Associations - Sales of Common Elements and Common Areas.
- CH0482 SB1027 (Amended)** Sen Manno. Courts - Action for Violation of Collective Bargaining Agreement or Breach of Duty of Fair Representation - Limitations Period.
- CH0483 HB0852 (Amended)** Del Barkley, et al. Courts - Action for Violation of Collective Bargaining Agreement or Breach of Duty of Fair Representation - Limitations Period.
- CH0484 SB0392 (Amended)** Sen Hershey, et al. Credit Regulation - Closed End Credit Loans - Elimination of Duplicative Disclosures.
- CH0485 SB0781 (Amended)** Sen Lee, et al. Criminal Procedure - Testing - HIV and Hepatitis C.
- CH0486 HB1375 (Enrolled)** Del Proctor, et al. Criminal Procedure - Testing - HIV and Hepatitis C.
- CH0487 SB0982 (Enrolled)** Sen Muse, et al. Department of Juvenile Services - Implementation of Task Force Recommendations - Report.
- CH0488 SB0799 (Amended)** Sen Muse, et al. Driver Improvement Program and Failure to Pay Child Support - Driver's License Suspensions - Penalties and Assessment of Points.
- CH0489 SB0873 (Amended)** Sen Madaleno (Tax Crdt Eval Comm), et al. Economic Development - Job Creation Tax Credit - Alteration.
- CH0490 HB0293** Del Dumais, et al. Family Law - Divorce - Domestic Violence Order.
- CH0491 SB0085 (Amended)** Sen Conway, et al. Family Law - Treatment Foster Care Homes - Siblings.
- CH0492 HB1207 (Enrolled)** Del Pena-Melnyk, et al. Family Law - Treatment Foster Care Homes - Siblings.
- CH0493 HB0179** Frederick County Delegation. Frederick County - Beer and Wine Licenses - Barbershops.
- CH0494 SB0519** Sens Young and Hough. Frederick County - Hunting - Nongame Birds and Mammals.
- CH0495 HB1182** Frederick County Delegation. Frederick County - State's Attorney - Annual Salary.
- CH0496 SB0088** Sen Simonaire. General Provisions - State Designations - Great Seal.
- CH0497 SB1177 (Amended)** Sens Jennings and Norman. Harford County - Alcoholic Beverages - Common Direct or Indirect Sharing of Profit.
- CH0498 HB0795 (Amended)** Harford County Delegation. Harford County - Alcoholic Beverages - Waiver From School Distance Restrictions.
- CH0499 SB0503 (Enrolled)** Sen Nathan-Pulliam. Health Occupations Boards - Racial and Ethnic Health Disparities.
- CH0500 SB0178 (Enrolled)** Sen Peters, et al. Horse Racing - Racetrack Facility Renewal Account - Eligibility and Capital Expenditures.
- CH0501 HB0003 (Amended)** Dels Lisanti and Carey. Income Tax - Subtraction Modification - Olympic, Paralympic, Special Olympic, and Deaflympic Games Medals and Prizes.
- CH0502 SB0057 (Enrolled)** Sens DeGrange and Kasemeyer. Income Tax Credit - Class F Vehicles - Modification and Extension.
- CH0503 HB1104 (Amended)** Del Hixson, et al. Inheritance Tax - Exemption - Evidence of Domestic Partnership.
- CH0504 SB0015 (Enrolled)** Chr FIN (Dept). Insurance - Charitable Gift Annuities - Special Permit Holders - Required Financial Statements.
- CH0505 HB1277 (Amended)** Del Davis. Insurance - Producer Licensing - Examinations.
- CH0506 HB0112 (Enrolled)** Del Fraser-Hidalgo, et al. Interest Rate on Tax Deficiencies and Refunds - Rounding.
- CH0507 HB0236 (Amended)** Del Barron, et al. Legal Advice to Corporations - Clarification.
- CH0508 SB0794 (Amended)** Sen Smith. Legal Advice to Corporations - Clarification.
- CH0509 SB0910 (Amended)** Sen Middleton. Maryland Automobile Insurance Fund - Operations.
- CH0510 HB1579 (Amended)** Baltimore County Delegation. Maryland Consolidated Capital Bond Loan of 2016 - Baltimore County - Morning Star Family Life Center.
- CH0511 SB1099** Sen Nathan-Pulliam. Maryland Consolidated Capital Bond Loan of 2016 - Baltimore County - Morning Star Family Life Center.
- CH0512 SB0002** Chr FIN (Dept). Maryland Heritage Areas Authority - Revision of Boundaries and Boundary Maps.
- CH0513 HB1513 (Amended)** Del Jones, et al. Maryland Historic Trust Grant Fund Improvement Act.
- CH0514 SB0289 (Amended)** Sen Middleton, et al. Maryland Insurance Administration - Rate Making for Automobile and Homeowner's Insurance.
- CH0515 HB0482 (Amended)** Del Cullison, et al. Maryland Nurse Practice Act - Revisions.
- CH0516 SB0385 (Enrolled)** Sen Nathan-Pulliam, et al. Maryland Nurse Practice Act - Revisions.
- CH0517 SB0818 (Amended)** Sen Hershey. Maryland Occupational Safety and Health Act - Voluntary Protection Program.
- CH0518 HB0974 (Enrolled)** Dels Carey and Lisanti. Maryland Personal Information Protection Act - Revisions.

- CH0519 HB1386 (Amended)** Del Lisanti, et al. Maryland Public Ethics Law - Members and Employees of Boards of License Commissioners and Liquor Control Boards.
- CH0520 HB0595 (Amended)** Del McMillan, et al. Mortgages and Deeds of Trust - Prerequisites to Recording.
- CH0521 SB0376 (Enrolled)** Sen Norman. Mortgages and Deeds of Trust - Prerequisites to Recording.
- CH0522 HB0627 (Enrolled)** Del C. Howard, et al. Motor Fuel Tax Refund - Demand Response Trips.
- CH0523 HB1345 (Amended)** Dels A. Washington and Healey. National Capital Strategic Economic Development Fund.
- CH0524 HB0792 (Enrolled)** Del Barkley, et al. Office of Legislative Audits - Performance Audits - Local Alcoholic Beverages Licensing Boards.
- CH0525 HB0880 (Enrolled)** Del Morales, et al. Open Meetings Act - Annual Reporting Requirement, Web Site Postings, and Training.
- CH0526 SB0450 (Enrolled)** Sen Manno. Open Meetings Act - Annual Reporting Requirement, Web Site Postings, and Training.
- CH0527 HB0304 (Enrolled)** Del B. Barnes (Chr Jt Com on Pnsns). Optional Retirement Program - Annuity Contracts - Employee Rights.
- CH0528 SB0353 (Enrolled)** Sen Guzzone (Chr Jt Com on Pnsns). Optional Retirement Program - Annuity Contracts - Employee Rights.
- CH0529 HB1394 (Amended)** Del McMillan, et al. Property Tax - Reassessment After Appeal.
- CH0530 HB1402 (Enrolled)** Del McMillan, et al. Property Tax Appeals - Payment of Refunds - Deadline and Notice.
- CH0531 SB0817 (Enrolled)** Sen Hershey, et al. Public Safety - Agritourism - Permit Exemption.
- CH0532 HB0999** Del Davis. Public Utilities - Telephone Lifeline Service - Revisions.
- CH0533 SB0649 (Amended)** Sen Middleton, et al. Public Utilities - Telephone Lifeline Service - Revisions.
- CH0534 HB0261 (Enrolled)** Del Jackson, et al. Public Utilities - Termination of Service to Multifamily Dwelling Unit - Notification to Property Owner or Property Manager.
- CH0535 HB0511** Del Jameson, et al. Public Utilities - Water Companies and Sewage Disposal Companies - Rate Cases and Proceedings.
- CH0536 SB0218 (Amended)** Sen Middleton, et al. Public Utilities - Water Companies and Sewage Disposal Companies - Rate Cases and Proceedings.
- CH0537 HB0592 (Enrolled)** Del M. Washington. Real Property Tax - Assessment Appeals Process - Dwellings.
- CH0538 HB0469** Del Sydnor. Recordation and Transfer Tax - Principal Residence Surrendered in Bankruptcy - Exemption.
- CH0539 SB0044 (Enrolled)** Chr EHE (Dept). Records Management and Preservation - State Units and Public Officials - Responsibilities.
- CH0540 SB0676 (Amended)** Sen Kelley. Requirements for Filial Support - Repeal.
- CH0541 HB0764 (Enrolled)** Del West, et al. Requirements for Filial Support - Repeal.
- CH0542 HB0044 (Amended)** Del McCray. Residential Property - Ground Lease Registration Forms - Contact Information Option.
- CH0543 HB0012 (Enrolled)** Del S. Howard, et al. Senatorial and Delegate Scholarships - Eligibility, Award Amounts, and Use of Funds.
- CH0544 SB0500** Sen Norman. Small Claim Action Appeals From District Court - Nonattorney Representation.
- CH0545 HB0725 (Amended)** Del Cullison, et al. State Board of Dental Examiners - Death of a Licensed Dentist - Ownership of a Dental Practice.
- CH0546 HB1054 (Amended)** Del West, et al. State Board of Physicians - Physician Licensure - Prohibition on Requiring Specialty Certification.
- CH0547 SB0989 (Enrolled)** Sens Nathan-Pulliam and Mathias. State Board of Physicians - Physician Licensure - Prohibition on Requiring Specialty Certification.
- CH0548 HB1183 (Enrolled)** Del West. State Board of Social Work Examiners - Revisions.
- CH0549 SB0986 (Enrolled)** Sen Nathan-Pulliam. State Board of Social Work Examiners - Revisions.
- CH0550 SB0371 (Amended)** Sen Manno, et al. State Budget - Appropriations - Income Tax Revenue Estimate Cap and Revenue Stabilization Account.
- CH0551 HB0708 (Amended)** Del Walker, et al. State Department of Education - Lacrosse Opportunities Program - Youth Lacrosse Nonprofit Organizations.
- CH0552 HB0078 (Amended)** Del Korman, et al. State Government - Maryland Manual - Revisions (Maryland Manual Modernization Act).
- CH0553 HB0165** Dels Barron and Pena-Melnyk. State Government - Maryland Uniform Electronic Legal Materials Act.
- CH0554 SB0137** Sen Lee, et al. State Government - Maryland Uniform Electronic Legal Materials Act.
- CH0555 SB0328 (Enrolled)** Sen Nathan-Pulliam, et al. State Highways - Dedication - Henrietta Lacks Way.
- CH0556 SB0036 (Enrolled)** Sen Mathias. Tax Credits - Electronic Filing Requirements - Waiver.
- CH0557 HB0028** Del Krimm. Unappropriated General Fund Surplus - Appropriation to Pension Fund and Postretirement Health Benefits Trust Fund.
- CH0558 HB1225 (Amended)** Del Lewis, et al. University of Maryland School of Public Health, Center for Health Equity - Workgroup on Health in All Policies.
- CH0559 SB0340 (Enrolled)** Sen Nathan-Pulliam, et al. University of Maryland School of Public Health, Center for Health Equity - Workgroup on Health in All Policies.
- CH0560 HB1120 (Amended)** Dels Fraser-Hidalgo and Stein. Vehicle Laws - Dealers - Performance Standards.
- CH0561 HB0355** Mont Co Deleg and PG Co Deleg. Washington Suburban Sanitary Commission - Discrimination - Prohibited MC/PG 102-17.
- CH0562 HB0319** Mont Co Deleg and PG Co Deleg. Washington Suburban Sanitary Commission - Office of Supplier Diversity and Inclusion and Minority Business Enterprise Program MC/PG 106-17.
- CH0563 HB0335 (Amended)** Mont Co Deleg and PG Co Deleg. Washington Suburban Sanitary Commission - System Development Charge - Exemptions MC/PG 104-17.
- CH0564 SB1102** Sen Mathias. Worcester County - Ocean City Convention Center - Beer and Wine Tasting License.
- CH0565 HB1476 (Amended)** Del Glenn, et al. Workers' Compensation - Failure to Report Accidental Personal Injury - Penalty.
- CH0566 SB0867 (Amended)** Sen Klausmeier, et al. Workers' Compensation - Failure to Report Accidental Personal Injury - Penalty.
- CH0567 HB1484 (Amended)** Dels Glenn and W. Miller. Workers' Compensation - Medical Benefits - Payment of Medical Services and Treatment.
- CH0568 SB0194 (Amended)** Sen Klausmeier, et al. Workers' Compensation - Medical Benefits - Payment of Medical Services and Treatment.

[17-11-27]

The Judiciary

COURT OF APPEALS OF MARYLAND

ATTORNEYS TO BE ADMITTED TO THE BAR

Annapolis, Maryland
May 5, 2017

The State Board of Law Examiners, after careful consideration of their qualifications, has by report to the Court recommended that the applicants named on Exhibit A attached hereto be admitted to the Bar, conditioned upon successful completion of the Orientation Program pursuant to Maryland Rule 19-210(e). As to certain applicants named in an attachment to the Report, the favorable recommendation also is conditioned upon the outcome of proceedings pending under Maryland Rule 19-203(a) (Character Review).

It is thereupon the 5th day of May 2017, by the Court of Appeals of Maryland ORDERED that the Board's recommendation be ratified subject to the conditions therein stated on the 5th day of June 2017, unless exceptions to the Board's recommendation of any applicant be filed on or before said date, provided a copy of this Order be published at least one time in the Maryland Register before such ratification.

MARY ELLEN BARBERA
Chief Judge, Court of Appeals of Maryland

Filed: May 5, 2017

BESSIE M. DECKER
Clerk, Court of Appeals of Maryland

EXHIBIT A MARYLAND GENERAL BAR EXAMINATION FEBRUARY 2017

Abdelmeguid, Shahrazad Nasser
Abitabile, Kristen
Abraham, Arnold Jay
Ackerman, Morgan Elizabeth
Amprey, Marlon Dévon
Arnold, Curtis Jr.
Asamoah-Sakyi, Bishop Gordon
Asare, Ama Kesewah
Bailey, Ryan Michael
Bain, Ian St. John
Barnes, Ronald Gray
Bassan, Andrew Seth
Beckles, Cristina Alexis
Bell, Jo A
Benitez, Jill Olidalys
Bennett, Jillian Marie
Bittle, Lakuita Nickol
Blan, Charmi Ellaine Cruz Vince
Bloom, Samuel Rand
Bowen, Amber Lynn
Bowens, Marion Lamontt
Bowman, Tia Nicole

Bradley, Kathryn Joyce
Brignone, Michelle Marie
Broady, Marc Stewart
Brown, Shawnnell Trenita
Broznowicz, Brian Andrew
Bullock, Travis Lamar
Burns, Meghan Caroline
Campbell, Chloe Fay
Campbell, Renée Marie
Carcamo-Cavazos, Andrea
Caro Tovar, Cristina
Carpenter, Myria Emma Dawn
Chalashitori, Jasmine Grace
Chappell, Alexis Cannon
Chow, Lizbeth, Mey-Lan
Cleaver, Amber Patrice
Coate, Jacob Michael
Cohen, Zachary Benjamin
Conlon, Francis Maclyn
Coonan, Patrick Michael
Cooney, Katherine Elizabeth
Corber, Erin Michelle
Creech, Erin Christine
Crowe, Michael Francis Jr.
Darabnia, Amitis
De Deyne, Suzanne Elizabeth
De La Cruz, Alisha Olivia
De Leon, Melissa Joy
Deaven, Jacob Willem
DeMille, Brett Alexander
Devine, Ruby Ellen
Diaz, Nicole Marie
Distel, John Arthur
Dobbs, Sean Francis
Donnelly, Laura Clarisse
Donovan, Timothy Jensen
Dowaschinski, Paul Edward
Druliner, Douglas Andrew
DuPree, Desiree' DaiShan
Dupree, Sara Ann
Edmonds, Brandy Nichelle
Ellison, Dawn Michelle
Etchison, Haley Dawn
Everson-Riley, Brittani Nicole
Farmer, Isha Marie
Fernandez, Sara Highland
Fiedler, Luke Allen
Fields, Marcus Grant
Filippelli, Paul Steven
Foreman, Kevin Austin
Frieman, Blake William
Fu, Thomas King-Sun
Geisendorfer, Ashley Rose
Gibson, Megan Christine
Gilmore, Michael Alexander
Goldsmith, Michael Patrick
Gordon, Justin Rand
Graziano, Lauren Christine
Gyauch, William Marsh
Hagius, Dillon Joseph
Handzo, Colin Joseph
Harmon, Klade Lee

THE JUDICIARY

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Harrigan, Tamar Enody
 Hawgood, Alexander Davis
 Hemphill, Nondie Riani
 Henry, Christopher Michael
 Hicks, Matthew Frederick
 Hobbs, Carl Edward II
 Hogan, Carmen Terrell
 Holdgreiwe, Gwendolyn Anne
 Hong, Andrew Hahngi
 Hornstein, Stephen Ari
 Houston, Elyse Danielle
 Huang, Christopher Yu
 Hughes, Jermaine Jerome
 Inciarte, Carlos Enrique
 Jacobson, Jaime Diane
 James, Rashad Lawrence
 Jeanes, Alison Ford
 Johal, Anaeek Singh
 Johnson, Michelle Catherine
 Joseck, Michael Harry
 Karman, David Alexander
 Kelly, Samantha Rose
 Knight, Alonya Reneé
 Labes, Rachel Elizabeth
 Laing, Laura Monique Mullenaux
 Lane, Jonathan David
 Lara, Blake William
 Lebling, Madonna Anne
 Levin, Allison Sara
 Lewis, Talila Aisha
 Lubin, Jennifer
 Lue, Charisse Anne
 Lyons, Tianna Lee
 Mahmoud, Yasmin Mohammed
 Maison, Faye Ekua
 March, Michael John Jr.
 Marchione Heather Michelle
 Martin, Timothy Joseph
 Massey, Snehal Pulivarti
 Matera, Matthew William
 Matthews, Amelia Lynne
 McCartan, Hannah Rae
 Mears, Rebekah Sue Worley
 Melton, Marquel Vaughn
 Memon, Jacob William
 Mendez, Francis
 Miller, Kimberly Anne
 M'ndange-Pfupfu, Tendai Aaron
 Moore, Christine Suzanne
 Morales, Obed Benjamin
 Moran, William II
 Morgan, Hurmayonne Wygina
 Muzzammel, Romana
 Najarro Meinert, Cristina Mariana
 Navidi, Sameera
 Neeb, Bethany Paige
 Neseth, Phoebe Elisabeth
 Newton, Thomas John
 Nichols, Brendan Jarvis
 Nicholson, Michelle Meleski
 Niles, Kendall Superina
 Noel, Kimberly Leoni
 Nucum, Thomas Redentor
 Nwachukwu, Jennifer Nwanneka
 Obayanju, Olajumoke Atinuke

Ofori, Joey Nana
 Omogun, Folasade Amanda
 Oppenheimer, Steven Charles
 Orinda, Lucy Akinyi
 Orr, Eric Ronald
 Osei-Bonsu, Matthew Sekyere
 Ostendarp, Justin William
 Ott, Michael Thomas
 Parks, Douglas Anthony Jr.
 Patel, Kush Shaileshkumar
 Payne, Alexandra Christiana
 Pearce, Elizabeth Jackson
 Perez Naranjo, Ana Victoria
 Phillips, Solon Phil
 Potts, Kelsie Anne
 Raghuvveer, Yashasvi
 Ramos Velasquez, Elsy Marleni
 Randall, Calissa Nicole
 Raphaely, Elana Mazel
 Ready, Joel Aaron
 Reed Sherman, Kemlia Machel
 Renwick, Lynden Michael
 Rice, Chad Andrew
 Rickwood, Brandon Kyle
 Riddick, Janelle Franciska
 Robinson, Ryan Cameron
 Robinson, Caitlin Marie
 Rodwell, Kendra Alise
 Rorie, Sinetta Arnez
 Rosado-Rivera, Kelvin Orlando
 Rosenberg, Caleb Nathaniel
 Sassoon, Andrew Elliot
 Schmickley, Andrew Richard
 Schreihart, Lisa Marie
 Schrenk, Pamela Jane
 Schroeder, Kyle Benjamin
 Shea, Casey Marie
 Sheetz, Ashley Marie
 Sheik, Hassan
 Shonowo, Owobolade Tinuola
 Shuster, Allison Leigh
 Sloss, Norah Maguire
 Smith, Clinton Ray
 Smulovitz, Kirsten Leigh
 Snell, Maris Kae Varn
 Snyder, Jenna Lyn
 Spitzer, Reid William
 Steinberg, Allison Marian
 Stengel, Scott Eric
 Stewart, Denisha Devette
 Stimac, Alexander Lane
 Stock, Christopher Peter
 Suarez, Eric Raul
 Sullivan, Brendan Michael
 Swietlikowski, Samantha Jo
 Tabassian, Parisa
 Taneja, Reema
 Taylor, Raiven Leigh Sedgwick
 Terrell, Elizabeth Strickland
 Theodore, Landzy
 Thomas, Morgan Christina
 Thomas, Nakia Alexis
 Thompson, Brady Lynn
 Tieperman, Amy Lynn
 Tritsch, Bradley Allen



Turner, Phillip Ranodo
 Udell, Nora Ryan
 Van Dusen, Lewis Harlow IV
 Veltri, Kimber Leanne
 Viruni, Vincent Zohrab
 Voight, Benjamin Southworth
 Waller, Tracy Frida Bienenfeld
 Weiss, Justin Jordan
 Welch, Stuart Thomas
 Whalen, Anthony Lee
 Whitehead, Lara Constance
 Whitiak, Kimberly Beth
 Wiggins, Grason Michael
 Wilson, Luciana Alicia-Nicole
 Wise, Emily Catherine
 Woodruff, Mary Schoenfuhs
 Wrede, Kathleen Louise
 Yadanza, Michael James
 Yahr, Gregory Matthew

[17-11-33]

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of the Court of Appeals dated May 1, 2017, **DYLAN RICHARD EMERY**, 9 Country Manor Lane, New Freedom, Pennsylvania 17349, has been disbarred by consent, effective immediately from the further practice of law in this State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

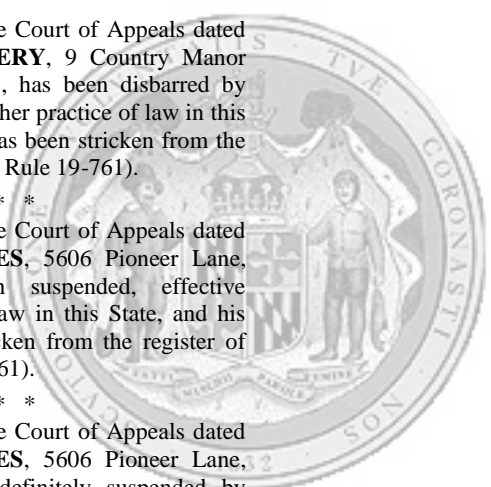
* * * * *

This is to certify that by an Order of the Court of Appeals dated May 1, 2017, **STEPHEN ROWE JONES**, 5606 Pioneer Lane, Bethesda, Maryland 20816, has been suspended, effective immediately from the further practice of law in this State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

* * * * *

This is to certify that by an Order of the Court of Appeals dated May 3, 2017, **STEPHEN ROWE JONES**, 5606 Pioneer Lane, Bethesda, Maryland 20816, has been indefinitely suspended by consent, effective immediately from the further practice of law in this State, and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 19-761).

[17-11-28]



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

08.02.01 General

Authority: Natural Resources Article, §§4-407 and 4-602, Annotated Code of Maryland

Notice of Final Action

[16-201-F]

On May 16, 2017, the Secretary of Natural Resources adopted amendments to Regulation **.13** under **COMAR 08.02.01 General**. This action, which was proposed for adoption in 43:16 Md. R. 903 (August 5, 2016), has been adopted as proposed.

Effective Date: June 5, 2017.

MARK J. BELTON
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.08 Shellfish — General

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

Notice of Final Action

[17-102-F]

On May 16, 2017, the Secretary of Natural Resources adopted amendments to Regulation **.14** under **COMAR 08.02.08 Shellfish — General**. This action, which was proposed for adoption in 44:7 Md. R. 375-376 (March 31, 2017), has been adopted as proposed.

Effective Date: June 5, 2017.

MARK J. BELTON
Secretary of Natural Resources

Title 09

DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 35 ELEVATOR SAFETY REVIEW BOARD

09.35.04 Continuing Professional Competency

Authority: Public Safety Article, §12-833, Annotated Code of Maryland

Notice of Final Action

[17-035-F]

On April 28, 2017, the Elevator Safety Review Board adopted the repeal of Regulation **.10** under **COMAR 09.35.04 Continuing Professional Competency**. This action, which was proposed for adoption in 44:2 Md. R. 130 (January 20, 2017), has been adopted as proposed.

Effective Date: June 5, 2017.

ROBIN BAILEY
Executive Director
Mechanical Licensing Boards

Title 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 07 HOSPITALS

10.07.03 Health Care Staff Agencies

Authority: Health-General Article, §2-104 and Title 19, Subtitle 20, Annotated Code of Maryland

Notice of Final Action

[17-098-F]

On May 4, 2017, the Secretary of Health and Mental Hygiene adopted amendments to Regulation **.05** under **COMAR 10.07.03 Health Care Staff Agencies**. This action, which was proposed for adoption in 44:6 Md. R. 331 (March 17, 2017), has been adopted as proposed.

Effective Date: June 5, 2017.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY**10.34.18 Continuing Education for Pharmacists**

Authority: Health Occupations Article, §§12-205 and 12-309, Annotated Code of Maryland

Notice of Final Action

[17-096-F]

On May 3, 2017, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .03 under **COMAR 10.34.18 Continuing Education for Pharmacists**. This action, which was proposed for adoption in 44:6 Md. R. 335 (March 17, 2017), has been adopted as proposed.

Effective Date: June 5, 2017.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Title 11**DEPARTMENT OF
TRANSPORTATION****Subtitle 11 MOTOR VEHICLE
ADMINISTRATION —
ADMINISTRATIVE PROCEDURES****Notice of Final Action**

[17-023-F]

On March 7, 2017, the Administrator of the Motor Vehicle Administration adopted amendments to:

(1) Regulation .03 under **COMAR 11.11.05 Motor Vehicle Fees**; and

(2) Regulations .01—.07 under **COMAR 11.17.09 Proof of Age, Name, Identity, Residence, and Lawful Status**.

This action, which was proposed for adoption in 44:2 Md. R. 141-144 (January 20, 2017), has been adopted as proposed.

Effective Date: June 26, 2017.

CHRISTINE NIZER
Administrator

Title 12**DEPARTMENT OF PUBLIC
SAFETY AND
CORRECTIONAL SERVICES****Subtitle 04 POLICE TRAINING AND
STANDARDS COMMISSION****12.04.01 General Regulations**

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a); Annotated Code of Maryland

Notice of Final Action

[16-349-F]

On April 19, 2017, the Secretary of Public Safety and Correctional Services, in cooperation with the Police Training and Standards Commission, adopted amendments to Regulations .01 and .16 under **COMAR 12.04.01 General Regulations**. This action, which was proposed for adoption in 43:26 Md. R. 1500 — 1501 (December 23, 2016), has been adopted as proposed.

Effective Date: June 5, 2017.

STEPHEN T. MOYER
Secretary of Public Safety and Correctional Services

Title 20**PUBLIC SERVICE
COMMISSION****Subtitle 90 TAXICABS****20.90.01 Taxicab Drivers of Baltimore City
Taxicabs**

Authority: Public Utilities Article, §§2-121, 4-503, 5-101, 10-101—10-107, 10-110, 10-208, and 10-209, Annotated Code of Maryland

Notice of Final Action

[17-066-F]

On May 3, 2017, the Public Service Commission adopted amendments to Regulations .01, .02, .04—.13, and .15—.17 under **COMAR 20.90.01 Taxicab Drivers of Baltimore City Taxicabs**. This action, which was proposed for adoption in 44:3 Md. R. 205—207 (February 3, 2017), has been adopted as proposed.

Effective Date: June 5, 2017.

DAVID J. COLLINS
Executive Secretary

Subtitle 90 TAXICABS

20.90.02 Control and Operation of Taxicabs in Baltimore City and Baltimore County

Authority: Public Utilities Article, §§2-113, 2-121, 4-503, 5-101, 6-202—6-207, 10-101—10-107, 10-109, 10-110, 10-202—10-210, 10-301, 13-101, 13-201, and 13-202, Annotated Code of Maryland

Notice of Final Action

[17-067-F]

On May 3, 2017, the Public Service Commission adopted amendments to Regulations **.01, .03, .04, .06—13, .15—19, .21, and .22**, the repeal of Regulations **.05, .14, and .20**, and new Regulation **.23** under **COMAR 20.90.02 Control and Operation of Taxicabs in Baltimore City and Baltimore County**. This action, which was proposed for adoption in 44:3 Md. R. 207—213 (February 3, 2017), has been adopted as proposed.

Effective Date: June 5, 2017.

DAVID J. COLLINS
Executive Secretary

Title 35 MARYLAND DEPARTMENT OF VETERANS AFFAIRS

Subtitle 03 VETERANS CEMETERIES

35.03.01 Burial in State Veterans' Cemeteries

Authority: State Government Article, §9-906, Annotated Code of Maryland

Notice of Final Action

[16-357-F]

On May 12, 2017, the Secretary of Veterans Affairs adopted amendments to Regulation **.05** under **COMAR 35.03.01 Burial in State Veterans' Cemeteries**. This action, which was proposed for adoption in 43:26 Md. R. 1515 (December 23, 2016), has been adopted as proposed.

Effective Date: July 1, 2017.

GEORGE W. OWINGS III
Secretary of Veterans Affairs



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 10

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 09 MEDICAL CARE PROGRAMS

Notice of Proposed Action

[17-144-P]

The Secretary of Health and Mental Hygiene proposes to:

(1) Repeal in their entirety existing Regulations **.01—.10** under existing **COMAR 10.09.01 Nurse Practitioner Services**, and adopt new Regulations **.01—.08** under a new chapter, **COMAR 10.09.01 Advanced Practice Nurses Services**;

(2) Repeal in their entirety Regulations **.01—.11** under **COMAR 10.09.21 Nurse Midwife Services**; and

(3) Repeal in their entirety Regulations **.01—.10** under **COMAR 10.09.39 Nurse Anesthetists Services**.

At this time, the Secretary is also withdrawing the proposal to repeal in their entirety existing Regulations **.01—.10** under existing **COMAR 10.09.01 Nurse Practitioner Services** and adopt new Regulations **.01—.08** under a new chapter, **COMAR 10.09.01 Advanced Practice Nurse Services**, Regulations **.01—.11** under **COMAR 10.09.21 Nurse Midwife Services**, and Regulations **.01—.10** under **COMAR 10.09.39 Nurse Anesthetist Services**, which was published in 43:26 Md. R. 1462—1464 (December 23, 2016).

Statement of Purpose

The purpose of this action is to adopt new streamlined regulations pertaining to advanced practice nurses under one chapter. This proposal addresses stakeholder concerns by referencing the regulations that require the supervision of nurse anesthetist services by a physician, removing a limitation on the number of visits per day, and removing certain definitions.

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 Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through June 26, 2017. A public hearing has not been scheduled.

10.09.01 Advanced Practice Nurse Services

Authority: Health-General Article, §§2-104(b), 15-103, and 15-105, Annotated Code of Maryland

.01 Definitions.

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

B. Terms Defined.

(1) "Advanced practice nurse" means a:

- Certified nurse practitioner;
- Certified nurse midwife; or
- Certified registered nurse anesthetist.

(2) "Board" means the Maryland State Board of Nursing.

(3) "Certified nurse midwife (CNM)" means a registered nurse who is:

(a) Certified by the Board to practice nurse midwifery under

COMAR 10.27.05;

(b) Certified by the American College of Nurse-Midwives;

or

(c) Certified by the American Midwifery Certification

Board.

(4) "Certified nurse practitioner" means:

(a) A registered nurse who, by reason of certification under COMAR 10.27.07, may practice in Maryland as a nurse practitioner under the terms of that chapter; or

(b) If out-of-State, a registered nurse who qualifies as a nurse practitioner in the state in which services are provided.

(5) "Certified registered nurse anesthetist (CRNA)" means a registered nurse who is certified to practice nurse anesthesia by the Board under COMAR 10.27.06.

(6) "Department" means the Department of Health and Mental Hygiene, as defined in COMAR 10.09.36.01.

(7) "Medicare" means the insurance program administered by the federal government under Title XVIII of the Social Security Act, 42 U.S.C. §1395 et seq.

(8) "Participant" means an individual who is certified as eligible for and is receiving Medical Assistance benefits.

(9) "Physician" means an individual who meets the licensure requirements and conditions of participation of COMAR 10.09.02.

(10) "Program" means the Maryland Medical Assistance Program.

(11) "Provider" means an advanced practice nurse who, through appropriate agreement with the Department, has been identified as a Program provider by the issuance of a provider number.

.02 License and Certification Requirements.

A. The provider shall:

(1) Meet all license requirements as set forth in COMAR 10.09.36.02; and

(2) Be licensed and hold all certifications as required by the Board.

B. If practicing out-of-State, the provider shall meet the regulatory requirements of the state in which the services are provided.

.03 Conditions for Participation.

A. A provider shall meet all conditions for participation as set forth in COMAR 10.09.36.03.

B. An advanced practice nurse may not knowingly employ or contract with a person, partnership or corporation which the Program has disqualified from providing or supplying services to Program participants.

.04 Covered Services.

A. Subject to §B of this regulation, the Program covers medically necessary services rendered to participants as follows:

(1) For nurse practitioners:

(a) Medically necessary services within the provider's scope of practice as described in COMAR 10.27.07; or

(b) If out-of-State, nurse practitioner services authorized in the state in which the services are provided;

(2) For nurse midwives:

(a) Medically necessary services within the provider's scope of practice as described in COMAR 10.27.05; or

(b) If out-of-State, nurse midwife services authorized in the state in which the services are provided;

(3) For certified registered nurse anesthetists:

(a) Medically necessary services within the provider's scope of practice and in collaboration with an authorized provider as described in COMAR 10.27.06; or

(b) If out-of-State, certified registered nurse anesthetist services authorized in the state in which the services are provided;

(4) Laboratory services when the advanced practice nurse is not required to register their office as a medical laboratory pursuant to Health-General Article, Title 17, Subtitle 2, Annotated Code of Maryland; and

(5) Drugs and supplies within the advanced practice nurse's scope of practice.

B. The services in §A of this regulation shall be:

(1) Medically necessary; and

(2) Described in the participant's medical record in sufficient detail to support the invoice submitted for those services.

.05 Limitations.

Under this chapter, the Program does not cover the following:

A. Services not medically necessary;

B. Services prohibited by the Maryland Nurse Practice Act or by the Board;

C. Advanced practice nursing services included as part of the cost of:

(1) An inpatient facility;

(2) A hospital outpatient department; or

(3) A freestanding clinic;

D. Visits by or to the provider solely for the purpose of the following:

(1) Prescription, drug, or food supplement pick-up;

(2) Recording of an electrocardiogram;

(3) Ascertaining the patient's weight;

(4) Interpretation of laboratory tests or panels; or

(5) Prescribing or administering medication;

E. Drugs and supplies which are acquired by the provider at no cost;

F. Injections and visits solely for the administration of injections, unless medical necessity and the patient's inability to take oral medications are documented in the patient's medical record;

G. Services paid under the free-standing dialysis program as described in COMAR 10.09.22;

H. Immunizations required for travel outside the continental United States;

I. Prescriptions and injections for central nervous system stimulants and anorectic agents when used for weight control;

J. Acupuncture;

K. Hypnosis;

L. Travel expenses;

M. Investigational or experimental drugs and procedures;

N. Services denied by Medicare as not medically justified;

O. Specimen collection, except by venipuncture and capillary or arterial puncture, as a separate service;

P. Laboratory or X-ray services performed by another facility, which shall be billed to the Program directly by the facility; and

Q. For certified nurse midwives, a separate visit charge on date of delivery.

.06 Payment Procedures.

A. The provider shall submit the request for payment in the format designated by the Department.

B. The Department reserves the right to return to the provider, before payment, all requests for payment not properly completed.

C. The provider shall charge the Program the provider's:

(1) Customary charge to the general public for similar services; and

(2) Acquisition cost for injectable drugs or dispensed medical supplies.

D. The provider shall be paid the lesser of:

(1) The provider's customary charge to the general public unless the service is free to individuals not covered by the Program; or

(2) The Program rates as described in COMAR 10.09.02.07.

E. If a service is free to individuals not covered by the Program:

(1) The provider:

(a) May charge the Program; and

(b) Shall be reimbursed in accordance with §D of this regulation; and

(2) The provider's reimbursement is not limited to the provider's customary charge.

F. Payments on Medicare claims are authorized, if:

- (1) Services are covered by the Program;
- (2) The provider accepts Medicare assignments;
- (3) Medicare makes direct payment to the provider;
- (4) Medicare has determined that services were medically justified; and

(5) Initial billing is made directly to Medicare according to Medicare guidelines.

G. The Department shall make supplemental payments on Medicare claims subject to the following provisions:

- (1) Deductible insurance shall be paid in full; and
- (2) Coinsurance shall be paid at the lesser of:
 - (a) 100 percent of the coinsurance amount; or
 - (b) The balance remaining after the Medicare payment is subtracted from the Program rate.

H. The provider may not bill the Program for:

- (1) Completion of forms and reports;
- (2) Broken or missed appointments; or
- (3) Professional services rendered by mail or telephone.

I. The Program may not make direct payment to recipients.

J. Billing time limitations for claims submitted pursuant to this chapter are set forth in COMAR 10.09.36.

K. The Program shall reimburse for all medical laboratory services according to the fees established under COMAR 10.09.09.

L. An advanced practice nurse who is employed by or under contract to any physician, clinic, or hospital may not bill for any service for which reimbursement is sought by the physician, clinic, or hospital.

M. The Program may not reimburse nurse midwives for prenatal or postpartum care once the patient has been referred to a physician for completion of prenatal or postpartum care.

.07 Recovery and Reimbursement.

Recovery and reimbursement are as set forth in COMAR 10.09.36.07.

.08 Causes for Suspension or Removal and Imposition of Sanctions.

Causes for suspension or removal and imposition of sanctions are as set forth in COMAR 10.09.36.08.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.79 Presumptive Eligibility for Correctional Facilities

Authority: Health-General Article, §15-103(b), Annotated Code of Maryland

Notice of Proposed Action

[17-140-P]

The Secretary of Health and Mental Hygiene proposes to adopt new Regulations .01—.08 under a new chapter, **COMAR 10.09.79 Presumptive Eligibility for Correctional Facilities.**

Statement of Purpose

The purpose of this action is to allow State and local correctional centers to conduct Maryland Medicaid presumptive eligibility

determinations for justice-involved individuals leaving a correctional facility.

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 Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.reg@maryland.gov, or fax to 410-767-6483. Comments will be accepted through June 26, 2017. A public hearing has not been scheduled.

.01 Purpose and Scope.

This chapter establishes requirements for qualified State and local corrections facilities to make presumptive eligibility determinations effective July 1, 2017.

.02 Definitions.

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

B. Terms Defined.

(1) "Applicant" means an individual who has applied for presumptive eligibility at a participating qualified correctional facility.

(2) "Application" means the presumptive eligibility application.

(3) "Correctional facility" has the meaning stated in Correctional Services Article, §1-101, Annotated Code of Maryland, and includes:

(a) Correctional facilities under the direction of the Department of Public Safety and Correctional Services; and

(b) Local correctional facilities within the State's 24 local jurisdictions.

(4) "Department" means the Department of Health and Mental Hygiene, which is the single State agency designated to administer the Maryland Medical Assistance Program pursuant to Title XIX of the Social Security Act, 42 U.S.C. §1396 et seq.

(5) "Determination" means a decision regarding an applicant's presumptive eligibility.

(6) "Federal poverty level" means the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. §9902(2).

(7) "Former foster care" means an individual who:

(a) Is younger than 26 years old;

(b) Is not eligible and enrolled for coverage under a mandatory Medical Assistance group other than childless adult; and

(c) Was formerly in a Maryland out-of-home placement, including categorical Medical Assistance:

(i) On attaining age 18 and leaving out-of-home placement; or

(ii) On attaining age 19—21 during extended out-of-home placement under COMAR 07.02.11.04B.

(8) "Incarcerated inmate" means an individual who resides in a public institution involuntarily as a result of being accused or

found guilty of a criminal offense, including the duration of time in which the individual is involuntarily residing in the public institution in a preadjudication or pretrial status.

(9) "Income" means property or a service received by an individual in cash or in-kind that can be applied directly, or by sale or conversion, to meet basic needs for food, shelter, and medical expenses.

(10) "Medical Assistance" means the program administered by the State under Title XIX of the Social Security Act, which provides comprehensive medical and other health-related care for eligible individuals.

(11) "Medicare" means the medical insurance program administered by the federal government under Title XVIII of the Social Security Act, 42, §U.S.C. 1395 et seq.

(12) "Memorandum of understanding" means the agreement by which the correctional facility has contracted with the Department and been deemed a qualified entity eligible to make presumptive eligibility decisions.

(13) "Presumptive eligibility" means temporary eligibility for Medical Assistance as determined by a presumptive eligibility worker at a participating qualified correctional facility in accordance with this chapter.

(14) "Presumptive eligibility worker" means an individual who is trained to make presumptive eligibility determinations and includes an employee of a:

(a) Local health department who is physically present at a participating correctional facility at the time of the presumptive eligibility determination; or

(b) Correctional facility.

.03 Requirements.

A. A correctional facility based in Maryland is eligible to participate as a presumptive eligibility entity.

B. To participate as a presumptive eligibility entity, the correctional facility shall enter a memorandum of understanding with the Department.

C. The memorandum of understanding required under §B of this regulation shall require correctional facilities to:

(1) Comply with Departmental policies and procedures supplied by the Department at the time of application and training;

(2) Meet accuracy and timeliness standards established by the Department;

(3) Submit a list to the Department of presumptive eligibility workers who will attend presumptive eligibility training developed by the Department; and

(4) Report the requested information on a form designated by the Department.

D. Before assisting an applicant in filing a presumptive eligibility application, the presumptive eligibility worker shall:

(1) Using the Department's eligibility verification system, verify the individual is not actively enrolled in the Maryland Medical Assistance Program; and

(2) Complete the full Medical Assistance application process;

E. If the individual's full Medical Assistance application is not approved, the presumptive eligibility worker shall:

(1) Fill out the presumptive eligibility application based on information supplied by the applicant;

(2) Make a presumptive eligibility determination based on the following information:

(a) Residency;

(b) Citizenship;

(c) Family size and composition; and

(d) Gross family income;

(3) Sign the application; and

(4) Inform the applicant in writing of the presumptive eligibility determination, which includes an explanation of the presumptive eligibility coverage span.

F. In order to ensure the applicant has temporary Medical Assistance coverage, the presumptive eligibility worker shall submit the presumptive eligibility application to the Department on the date the application is completed.

G. After the application has been submitted, the correctional facility shall:

(1) Keep all written and signed presumptive eligibility applications on file for 6 years; and

(2) Make the file available to the Department on request.

H. On finding that a qualified correctional facility has failed to meet the requirements of §§A—G of this regulation, the facility shall take reasonable corrective action measures, as determined by the Department, to address the noncompliance.

.04 Presumptive Eligibility Criteria.

A. An individual shall apply for presumptive eligibility through a participating correctional facility.

B. An individual who applies for presumptive eligibility shall attest to:

(1) The citizenship requirements in COMAR 10.09.24.05;

(2) The residency requirements in COMAR 10.09.24.05-3;

(3) The individual's pregnancy status;

(4) The individual's family size; and

(5) The individual's household's gross monthly income.

.05 Eligible Populations.

If an incarcerated inmate in a Maryland-based correctional facility is determined to be eligible for one of the following coverage groups, the individual may qualify for presumptive eligibility for correctional facilities:

A. Parents and other caretaker relatives whose household income is equal to or less than 133 percent of the federal poverty level;

B. Pregnant women whose income is equal to or less than 250 percent of the federal poverty level;

C. Childless adults 19 years old or older and younger than 65 years old whose household income is equal to or less than 133 percent of the federal poverty level; and

D. Former foster care individuals who are younger than 26 years old.

.06 Limitations.

Presumptive eligibility may not be granted to an individual who:

A. Is currently enrolled in the Maryland Medical Assistance Program or Medicare;

B. With the exception of pregnant women, had a prior presumptive eligibility period during the last 12 months;

C. Does not meet the residency requirements stated in COMAR 10.09.24.05-3; or

D. Does not meet the citizenship requirements stated in COMAR 10.09.24.05.

.07 Coverage Span.

A. Presumptive eligibility begins on the day the presumptive eligibility worker determines the individual is presumptively eligible.

B. Presumptive eligibility ends on the earlier of:

(1) The day the individual is determined eligible for Medical Assistance; or

(2) The last day of the month following the month in which the correctional facility determined presumptive eligibility, if an individual:

(a) Is found ineligible for Medical Assistance; or

(b) Failed to apply for Medical Assistance.

C. A non-pregnant individual may be determined presumptively eligible once per a 12-month period.

D. A pregnant individual may be determined presumptively eligible once per pregnancy.

.08 Presumptive Eligibility Appeal Rights.

An individual or an organization does not have appeal rights for presumptive eligibility determinations.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 27 BOARD OF NURSING

10.27.07 Practice of the Nurse Practitioner

Authority: Health Occupations Article, §§205(a)(1), (2), (4), and (5), Annotated Code of Maryland; Ch. 342, Acts of 2015

Notice of Proposed Action

[17-141-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulation .02 under **COMAR 10.27.07 Practice of the Nurse Practitioner**. This action was considered by the Board at its regular monthly meeting on January 25, 2017, notice of which was given by publication on the Board’s website in November and December of 2016 and January 1, 2017, pursuant to General Provisions Article, §3-302(c) Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to amend the Board of Nursing’s regulation to correspond to Ch. 342, Acts of 2015, which repealed the authority of the Department of Health and Mental Hygiene (DHMH) to conduct educational training programs for the administration of emergency epinephrine in order to certify individuals under the “Insect Sting Emergency Treatment Program” which is now the “Emergency and Allergy Treatment Program”. This legislation also repealed the requirement that physicians and nurse practitioners conduct the educational training program to certify individuals in the administration of emergency epinephrine. Accordingly, this amendment repeals the provision authorizing certified registered nurse practitioners to conduct education and training for certifying individuals under the “Insect Sting Emergency Treatment Program” in the Department.

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 Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through June 26, 2017. A public hearing has not been scheduled.

.02 Nurse Practitioner — Scope and Standards of Practice.

A. A nurse practitioner may independently perform the following functions:

(1)—(5) (text unchanged)

[(6) In accordance with Health General Article, §13-704, Annotated Code of Maryland, conduct education and training to certify individuals for the Insect Sting Emergency Treatment Program;]

[(7)] (6)—[(16)] (15) (text unchanged)

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Subtitle 32 BOARD OF PHYSICIANS

10.32.21 Licensure, Regulation, and Discipline of Naturopathic Doctors

Authority: Health Occupations Article, §§14-5F-1—14-5F-32, Annotated Code of Maryland

Notice of Proposed Action

[17-139-P]

The Secretary of Health and Mental Hygiene proposes to amend Regulations .02, .04, .06, and .11, repeal existing Regulation .10, and adopt new Regulations .10 and .21 under **COMAR 10.32.21 Licensure, Regulation, and Discipline of Naturopathic Doctors**. This action was considered at a public hearing held on January 25, 2017, notice of which was provided by posting on the Board’s website, <http://www.mbp.state.us/forms/mar17FULLagenda.pdf>, from January 11, 2017— January 25, 2017, pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

- (1) Establish criminal history record checks and detail those requirements pursuant to Chapter 34, Acts of 2015;
- (2) Clarify the minimum number of continuing education credits prior to expiration of the naturopathic doctor license and prior to reinstatement; and
- (3) Establish a pathway by reciprocity for applicants who hold a license in another state.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The cost the criminal history records check would be paid by the applicant to the Central Repository of the Criminal Justice Information System (CJIS) within the Department of Public Safety and Correctional Services. The Board cannot estimate the number of applicants per year, so the impact to the profession and CJIS is unknown.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:		
Criminal Justice Information System (CJIS)	(R+)	Indeterminable
C. On local governments:	NONE	

	Benefit(+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)	Indeterminable
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. and D. The cost of the criminal history records check (approximately \$30) would be paid by the applicant applying for licensure to the Central Repository of the Criminal Justice Information System (CJIS) within the Department of Public Safety and Correctional Services. CJIS will realize an increase in revenue, but given that the Board cannot estimate how many applicants will apply per year the amount of the revenue 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

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499 (TTY 800-735-2258), or email to dhmh.regs@maryland.gov, or fax to 410-767-6483. Comments will be accepted through June 26, 2017. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(4) (text unchanged)

(5) “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

[(5)] (6)—[(9)] (10) (text unchanged)

(11) “Criminal history records check” means the performance of both a State criminal history check by the Central Repository, and a national criminal history check by the Federal Bureau of Investigation.

(12) “Criminal history records information” means information provided by the criminal history records check regarding an applicant’s criminal arrests, charges, and convictions, and the disposition of pending criminal charges.

[(10)] (13)—[(28)] (31) (text unchanged)

.04 Qualifications for Initial Licensure.

A.—B. (text unchanged)

C. Additional Requirements. An applicant shall submit to a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland, by submitting to the Central Repository:

(1) Two complete sets of legible fingerprints taken on forms approved by the Central Repository and the Federal Bureau of Investigation; and

(2) All fees required by the Central Repository and the Federal Bureau of Investigation.

[C.] D. (text unchanged)

.06 Documentation for Initial Licensure.

A. (text unchanged)

B. A completed application shall include:

(1)—(18) (text unchanged)

(19) Certificates and verifications from the certifying or verifying authority sent directly from: the national licensing authority, the naturopathic educational institution, and other state’s licensing boards to the Board for applicants; [and]

(20) The certified translation of any of the documents required under this chapter, at the applicant’s expense, for any documents required by this chapter that are in a language other than English; and

(21) *The criminal history records information received from the Central Repository in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland, and Regulation .04C(1) of this chapter.*

C. Application Processing.

(1) The Board has designated a 4-month period for acting on applications as follows:

[(1)] (a)—[(3)] (c) (text unchanged)

[(4)] (d) If the applicant fails to correct the deficiency within the required period, the application will be closed and the applicant shall be required to:

[(a)] (i)—[(b)] (ii) (text unchanged)

(2) *The Board may not issue a license until the Board has:*

(a) Received and reviewed the criminal history records information; and

(b) Approved the application.

D. (text unchanged)

.10 Renewals and Reinstatement.

A. Renewals.

(1) *The Board may not renew a license until the Comptroller of Maryland has verified that the individual has paid all undisputed taxes and unemployment insurance contributions, or arranged for repayment.*

(2) *The term of a license renewed by the Board is 2 years from the date of renewal.*

(3) *A license expires at the end of its term unless the license is renewed as provided by the Board.*

(4) *At least 1 month before the license expires, the Board shall send to the licensee a renewal notice that states:*

(a) *The date on which the current license expires;*

(b) *The date by which the renewal application shall be received by the Board for the renewal to be issued before the license expires; and*

(c) *The amount of the renewal fee as specified in Regulation .20 of this chapter.*

(5) *The Board shall renew the license of a licensee who:*

(a) *Submits a renewal application on the form that the Board requires;*

(b) *Pays a renewal fee as specified in Regulation .20 of this chapter;*

(c) *Is otherwise entitled to be licensed;*

(d) *Meets the continuing education requirements as set forth in Regulation 11 of this chapter;*

(e) *Provides evidence of biennial cardiopulmonary resuscitation certification; and*

(f) *Attests that the licensee submitted to a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland, but only if the licensee was licensed by the Board before October 1, 2016, and only as a requirement for the March 31, 2018, renewal cycle.*

(6) *The failure to receive a renewal notice does not excuse a licensee from complying with §A(3) of this regulation.*

B. Reinstatement after a Revocation or Suspension of a License or After a Lapse in Renewal.

(1) If a license is revoked or suspended, the naturopathic doctor shall surrender the license to the Board on demand. At the end of a suspension period, the Board shall return to the licensee any license surrendered under this regulation.

(2) If the disciplinary panel has revoked or suspended the license of a licensee, the Board may not reinstate the license until the Board is satisfied that the individual:

(a) Has complied with all the terms and conditions in the final order; and

(b) Is capable of safely engaging in the practice of naturopathic medicine.

(3) The Board may not reinstate the license of an individual whose license was revoked by the Board within 6 months after the date of the revocation.

(4) The applicant shall document completion of at least 50 hours of approved continuing education earned during the 2-year period preceding the date of the submission of the application for reinstatement.

(5) The applicant shall submit to a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland, by submitting to the Central Repository:

(a) Two complete sets of legible fingerprints taken on forms approved by the Central Repository and the Federal Bureau of Investigation; and

(b) All fees required by the Central Repository and the Federal Bureau of Investigation.

(6) The Board may reinstate a license only after the Board has received an attestation that the applicant has submitted to a criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland.

C. After the expiration date of the license, the naturopathic doctor is no longer licensed to practice naturopathic medicine.

.11 Continuing Education Requirements.

A. Requirements. A licensed naturopathic doctor shall take at least 50 hours of continuing education credits during every 2-year renewal period:

(1) For license renewal, preceding the expiration of the license for a naturopathic doctor; or

(2) For license reinstatement, preceding the date of the submission of the application for reinstatement.

B. (text unchanged)

.21 Initial Licensure by Reciprocity.

A. Requirements. An applicant for initial licensure by reciprocity shall:

(1) Have an active, unrestricted license to practice naturopathic medicine in another jurisdiction that, at the time the applicant was licensed, had licensure requirements that were equivalent to or exceeded those set forth in Regulation .04A;

(2) Be in good standing under the laws of every jurisdiction where the individual is licensed; and

(3) Submit to a State and national criminal history records check in accordance with Health Occupations Article, §14-308.1, Annotated Code of Maryland.

B. Documentation. An applicant for initial licensure by reciprocity shall submit to the Board:

(1) An application for reciprocity on a form provided by the Board;

(2) The application fee as set by the Board;

(3) Evidence of compliance with §A of this regulation;

(4) A written attestation as provided in Regulation .05 of this chapter;

(5) Any additional documentation set forth in Regulation .06 of this chapter that is needed for the Board to evaluate an application;

(6) Any evidence relating to any disciplinary action taken or any administrative penalties assessed against the applicant by the appropriate state licensing, certification, or registration authority; and

(7) Any consent agreements into which the applicant entered that contain conditions placed on the applicant's professional conduct and practice, including any voluntary surrender of a license.

C. The Board may not issue a license if the criminal history records information, pursuant to §A of this regulation, has not been received and reviewed.

D. After a license is issued, the licensee is subject to the Board's jurisdiction and shall comply with all laws and regulations governing the practice of naturopathic medicine in the State.

DENNIS R. SCHRADER
Secretary of Health and Mental Hygiene

Title 26
DEPARTMENT OF THE
ENVIRONMENT
Subtitle 08 WATER POLLUTION

Notice of Proposed Action

[17-134-P]

The Secretary of the Environment proposes to amend:

(1) Regulations .03-1, .03-3, .04-1, and .08 under **COMAR 26.08.02 Water Quality**; and

(2) Regulations .01, .04, .06, .07, and .08 under **COMAR 26.08.09 Public Bathing Beaches**.

Statement of Purpose

The purpose of this action is to revise water standards as a result of the Triennial Review process. The review revealed the following necessary amendments and additions to the water quality standards:

(1) Update recreational criteria;

(2) Update list of Tier II waters;

(3) Update beach regulations;

(4) Incorporate minor corrections to Use Class identification;

and

(5) Incorporate minor corrections to Chesapeake Bay boundary units.

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

Comments may be sent to Timothy M. Fox, Natural Resource Planner IV, Maryland Department of the Environment, 1800 Washington Blvd., Baltimore, Maryland 21230, or call 410-537-3958, or email to tim.fox@maryland.gov, or fax to 410-537-3873. Comments will be accepted through June 26, 2017.

Public Hearing

Final action on the proposal will be considered by the Maryland Department of the Environment during a public hearing to be held on June 13, 2017, at 3 p.m., at Maryland Department of the Environment, 1800 Washington Blvd., Terra Conference Room, Baltimore, Maryland 21230.

26.08.02 Water Quality

Authority: Environment Article, §§9-303.1, 9-313—9-316, 9-319, 9-320—9-325, 9-327, and 9-328, Annotated Code of Maryland

.03-1 Toxic Substance Water Quality Criteria for Surface Waters.

A. General (text unchanged)

B. Fresh Water, Estuarine, and Salt Water Boundaries.

(1) —(2) (text unchanged)

(3) For the purposes of applying numerical toxic substance criteria, the following are designated as the boundaries between fresh waters and estuarine or salt waters:

(a) — (s) (text unchanged)

(t) Chesapeake Bay Proper (Sub-Basin 02-13-99) boundary is a line connecting Booby Point ([39°17'4.5" 39.284206 north latitude, [76°10'54"]-76.381400 west longitude) with Handy's Point ([39°17'31" 39.291944 north latitude, [76°10'54"]-76.181388 west longitude).

.03-3 Water Quality Criteria Specific to Designated Uses.

A. Criteria for Class I Waters — Water Contact Recreation and Protection of Nontidal Warmwater Aquatic Life.

(1) Bacteriological.

[a] Table 1. Bacteria Indicator Criteria for Frequency of Use.

Steady State Geometric Mean Indicator Density		Single Sample Maximum Allowable Density			
Indicator	All Areas	Frequent Full Body Contact Recreation (Upper 75% CL)	Moderately Frequent Full Body Contact Recreation (Upper 82% CL)	Occasional Full Body Contact Recreation (Upper 90% CL)	Infrequent Full Body Contact Recreation (Upper 95% CL)
Freshwater (Either apply)					
Enterococci	33	61	78	107	151
E. coli	126	235	298	410	576
Marine water					
Enterococci	35	104	158	275	500

CL = confidence level

All numbers are counts per 100 milliliters

(b) In freshwater for E. coli, the following formula is used to calculate the upper 75 percent confidence interval for single sample maximum allowable density: $\text{antilog}[(\log 126) + 0.675 * \log(\text{SD})]$.

(c) In freshwater for enterococci, the following formula is used to calculate the upper 75 percent confidence interval for single sample maximum allowable density: $\text{antilog}[(\log 33) + 0.675 * \log(\text{SD})]$, where $\log(\text{SD})$ is the standard deviation of the log transformed E. coli or enterococci data. If the site data are insufficient to establish a log standard deviation, then 0.4 is used as the log standard deviation for both indicators. At the default log standard deviation, the values are 235 for E. coli and 61 for enterococci.

(d) In saltwater, for enterococci, the following formula is used to calculate the upper 75 percent confidence interval for single sample maximum allowable density: $\text{antilog}[(\log 35) + 0.675 * \log(\text{SD})]$, where $\log(\text{SD})$ is the standard deviation of the log transformed enterococci data. If the site data are insufficient to establish a log standard deviation, then 0.7 is used as the log standard deviation. At the default log standard deviation, the value is 104.

(e) Confidence Level Factors.

(i) The factors in Table 2 are used in the formulas in this subsection to calculate the appropriate confidence limits when site-specific standard deviations are used.

(ii) Table 2.

Confidence Level	Factor
75%	0.675
82%	0.935
90%	1.280
95%	1.650

(f) Establishment of a Site-Specific Standard Deviation. A site-specific standard deviation for use in the formulas in this subsection shall be based on at least 30 samples, taken over not more than one recreational season, at base flows.]

(a) Table 1. Bacteria Indicator Criteria Magnitudes

		Geometric Mean	Statistical Threshold Value
Indicator	<i>Enterococci (fresh or marine) — culturable</i>	35	130
	<i>E. coli (fresh) — culturable</i>	126	410

All magnitudes in Table 1 are expressed as counts per 100 milliliters

(b) The geometric mean of samples taken over a 90 day period shall not exceed the steady state geometric mean values for the given indicator.

(c) 10 percent of samples taken over a 90 day period shall not exceed the statistical threshold value.

[(g)] (d) When a sanitary survey and an epidemiological study approved by the Department disclose no significant health hazard, the criteria in Table 1 do not apply.

(2) —(7) (text unchanged)

B.—H. (text unchanged)

.04-1 Antidegradation Policy Implementation Procedures.

A.—N. (text unchanged)

O. List of Tier II Waters.

Date	Stream Name	County	12-Digit Watershed	From Lat	From Long	To Lat	To Long	Baseline: Fish IBI	Benthic IBI
	Black Sulphur Run 1—Fifteenmile Creek 1 (text unchanged)								
[2007	Fifteenmile Creek 2	Allegany	021405110137	39.69293	-78.45128	39.67463	-78.45777	4.67	4.00]
2003	Fifteenmile Creek 3—Fifteenmile Creek 5 (text unchanged)	Allegany	021405110135	39.64046	-78.39719	39.63082	-78.38600	5.00	4.25
2011	Fifteenmile Creek 6	Allegany	021405110135	39.65610	-78.40009	39.65591	-78.39701	4.67	4.00
[2007	Mudlick Hollow 1	Allegany	021405110141	39.69590	-78.39292	39.65611	-78.40011	4.33	4.50
2007	Murley Branch 1	Allegany	021405120130	39.66398	-78.61768	39.66340	-78.61151	4.33	4.00]
	Town Creek 1 (text unchanged)								
[2007	Town Creek 2	Allegany	021405120131	39.71306	-78.53643	39.69388	-78.54752	4.33	4.00]
2007	White Sulphur Run 1—Lyons Creek 1 (text unchanged)								
[2007	Lyons Creek 2	Anne Arundel, Calvert	021311020909	38.76498	-76.65334	38.76474	-76.65903	4.67	5.00]
2011	Lyons Creek 3	Anne Arundel, Calvert	021311020909	38.76472	-76.65905	38.75572	-76.67206	4.33	4.00
2009	Patuxent River 1—Beetree Run 1 (text unchanged)								
[2012	Bens Run 1	Baltimore	021309061018	39.31682	-76.79279	39.31402	-76.79400	4.44	4.00]
2007	Blackrock Run 1	Baltimore Co.	021308050303	39.54230	-76.73384	39.52739	-76.72217	4.67	4.00
2007	Cooks Branch 1	Baltimore Co.	021309071048	39.43616	-76.84026	39.43789	-76.86894	4.67	4.84
2007	Cooks Branch 2	Baltimore Co.	021309071048	39.43792	-76.86879	39.43825	-76.87277	4.84	5.00

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[2007	Deer Creek 1	Baltimore Co.	021202020332	39.72289	-76.61175	39.70730	-76.59021	4.67	4.00]
2007	Delaware Run 1 (text unchanged)								
2011	<i>Harris Mill Creek 1</i>	<i>Baltimore Co.</i>	<i>021202020332</i>	<i>39.71528</i>	<i>-76.62412</i>	<i>39.71307</i>	<i>-76.59763</i>	<i>4.67</i>	<i>4.00</i>
[2007	Indian Run 1	Baltimore Co.	021308050307	39.54821	-76.74264	39.54230	-76.73384	4.00	4.33]
2003	Keysers Run 1— Timber Run 1 (text unchanged)								
[2007	Western Run 1	Baltimore Co.	021308050303	39.51503	-76.74060	39.52739	-76.72217	4.00	4.00]
2007	Gunpowder Falls 1 (text unchanged)								
2011	<i>Murphy Run 1</i>	<i>Baltimore Co., Carroll</i>	<i>021308060314</i>	<i>39.62639</i>	<i>-76.83087</i>	<i>39.62004</i>	<i>-76.81855</i>	<i>5.00</i>	<i>4.00</i>
2007	First Mine Branch 1— Little Gunpowder Falls 3 (text unchanged)								
2011	<i>Little Gunpowder Falls 4</i>	<i>Baltimore Co., Harford</i>	<i>021308040298</i>	<i>39.47306</i>	<i>-76.40243</i>	<i>39.46108</i>	<i>-76.39091</i>	<i>4.00</i>	<i>4.33</i>
2007	Choptank River UT 1 (text unchanged)								
[2007	Choptank River UT 2	Caroline	021304040487	38.88450	-75.87640	38.87218	-75.85988	4.33	4.14]
2007	Faulkner Branch 1— Tuckahoe River 1 (text unchanged)								
2016	<i>Tuckahoe River 2</i>	<i>Caroline, Queen Anne's</i>	<i>021304050533</i>	<i>38.98128</i>	<i>-75.93486</i>	<i>38.97278</i>	<i>-75.93518</i>	<i>4.67</i>	<i>5.00</i>
2007	Beaver Run 1— North Branch Patapsco River 1 (text unchanged)								
[2007	North Branch Patapsco River 2	Carroll	021309071048	39.52579	-76.87790	39.52245	-76.87527	4.00	4.00]
2009	Piney Branch 2 (Carroll Co.)— Jennie Run 1 (text unchanged)								
2016	<i>Marbury Run 1</i>	<i>Charles</i>	<i>021401110780</i>	<i>38.56780</i>	<i>-77.14674</i>	<i>38.57919</i>	<i>-77.15872</i>	<i>4.33</i>	<i>4.14</i>
2007	Mattawoman Creek UT 1— Potomac River UT 1 (text unchanged)								
2011	<i>Potomac River UT 2</i>	<i>Charles</i>	<i>021401020789</i>	<i>38.48546</i>	<i>-77.23682</i>	<i>38.47495</i>	<i>-77.25927</i>	<i>4.00</i>	<i>4.43</i>
2007	Reeder Run 1— Reeder Run 2 (text unchanged)								
2016	<i>Reeder Run 3</i>	<i>Charles</i>	<i>021401020789</i>	<i>38.50269</i>	<i>-77.18977</i>	<i>38.50940</i>	<i>-77.20911</i>	<i>4.78</i>	<i>4.52</i>
2012	Swanson Creek 4— Swanson Creek 3 (text unchanged)								
2016	<i>Wolf Den Branch 2</i>	<i>Charles, Prince George's</i>	<i>021401080769</i>	<i>38.67283</i>	<i>-76.80444</i>	<i>38.63902</i>	<i>-76.81987</i>	<i>4.00</i>	<i>4.43</i>

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2007	Smoots Pond Run 1— Weldon Creek 1 (text unchanged)								
2003	Bear Creek 1	Garrett	050202010018	39.65018	-79.28886	[39.65101] 39.65046	[-79.29905] -79.298011	4.43	4.07
2007	Bear Creek 2— Bear Creek 4 (text unchanged)								
2007	Bear Creek 5	Garrett	050202010018	[39.65482] 39.65593	[-79.36370] -79.33884	[39.65593] 39.65482	[-79.33884] -79.36370	4.67	4.00
2003	Bear Creek UT 1— Bear Pen Run 1 (text unchanged)								
2016	<i>Big Run 1</i>	<i>Garrett</i>	<i>021410060078</i>	<i>39.58348</i>	<i>-79.17124</i>	<i>39.55629</i>	<i>-79.15005</i>	<i>4.88</i>	<i>4.13</i>
2007	Big Run UT 1	Garrett	021410060078	[39.57855] 39.57835	[-79.19347] -79.19349	39.58348	-79.17124	4.00	4.75
2007	Blacklick Run 1— Hoyes Run 1 (text unchanged)								
2011	<i>Laurel Run UT 1</i>	<i>Garrett</i>	<i>021410050050</i>	<i>39.47897</i>	<i>-79.15120</i>	<i>39.47772</i>	<i>-79.11977</i>	<i>4.00</i>	<i>4.25</i>
2003	Little Bear Creek 1— Middle Fork Crabtree Creek 2 (text unchanged)								
2011	<i>Middle Fork Crabtree Creek 3</i>	<i>Garrett</i>	<i>021410060076</i>	<i>39.53507</i>	<i>-79.18800</i>	<i>39.51565</i>	<i>-79.16892</i>	<i>4.00</i>	<i>4.50</i>
2003	Mill Run 1 (Garrett Co.)	Garrett	050202010021	[39.71883] 39.71553	[-79.30088] -79.34541	39.70909	-79.34891	4.21	4.56
2003	Mill Run 2 (Garrett Co.) (text unchanged)								
2003	<i>Mill Run 4 (Garrett Co.)</i>	<i>Garrett</i>	<i>050202010021</i>	<i>39.71883</i>	<i>-79.30088</i>	<i>39.71553</i>	<i>-79.34541</i>	<i>5.00</i>	<i>4.58</i>
2011	<i>Mill Run UT 2 (Garrett Co.)</i>	<i>Garrett</i>	<i>050202010021</i>	<i>39.71594</i>	<i>-79.27141</i>	<i>39.71849</i>	<i>-79.30071</i>	<i>4.50</i>	<i>4.50</i>
2003	Monroe Run 1— Savage River 2 (text unchanged)								
[2007	Savage River 3	Garrett	021410060075	39.50101	-79.10657	39.48643	-79.08279	4.33	4.13]
2009	Savage River 4— South Branch Casselman River 2 (text unchanged)								
2011	<i>Spring Lick Run 1</i>	<i>Garrett</i>	<i>021410060074</i>	<i>39.50365</i>	<i>-79.20005</i>	<i>39.49073</i>	<i>-79.17532</i>	<i>4.00</i>	<i>4.25</i>
2011	<i>Toms Spring Run 1</i>	<i>Garrett</i>	<i>021410060076</i>	<i>39.51704</i>	<i>-79.20115</i>	<i>39.51565</i>	<i>-79.16893</i>	<i>4.50</i>	<i>4.75</i>
2016	<i>Wolf Den Run 1</i>	<i>Garrett</i>	<i>021410050047</i>	<i>39.39655</i>	<i>-79.21193</i>	<i>39.38905</i>	<i>-79.19443</i>	<i>4.00</i>	<i>4.00</i>
2016	<i>Wolf Den Run UT 1</i>	<i>Garrett</i>	<i>021210050047</i>	<i>39.41259</i>	<i>-79.22063</i>	<i>39.39655</i>	<i>-79.21193</i>	<i>4.00</i>	<i>4.00</i>
2007	Youghioghny River UT 1— Little Deer Creek 2 (text unchanged)								
2011	<i>Little Deer Creek UT 1</i>	<i>Harford</i>	<i>021202020328</i>	<i>39.62878</i>	<i>-76.48475</i>	<i>39.66009</i>	<i>-76.48109</i>	<i>4.67</i>	<i>4.33</i>

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2008	Otter Point Creek 1— Blockston Branch UT 1 (text unchanged)								
[2008	Browns Branch 1	Queen Anne's	021305080401	39.11759	-75.95646	39.11650	-75.96562	4.33	4.71
2008	Browns Branch 2	Queen Anne's	021305080401	39.11651	-75.96563	39.13035	-75.97788	4.44	4.71]
2003	<i>Browns Branch 3</i>	<i>Queen Anne's</i>	<i>021305080403</i>	<i>39.15968</i>	<i>-75.92076</i>	<i>39.16360</i>	<i>-75.95177</i>	<i>4.33</i>	<i>5.00</i>
2007	Granny Finley Branch 1 (Text Unchanged)								
2011	<i>Gravel Run 1</i>	<i>Queen Anne's</i>	<i>021305070397</i>	<i>39.03535</i>	<i>-76.03710</i>	<i>39.05027</i>	<i>-76.06391</i>	<i>4.00</i>	<i>4.02</i>
2011	<i>Island Creek 1</i>	<i>Queen Anne's</i>	<i>021305080398</i>	<i>39.08896</i>	<i>-76.05355</i>	<i>39.11732</i>	<i>-76.06863</i>	<i>4.33</i>	<i>4.14</i>
2008	Mill Stream Branch 1— Norwich Creek 1 (text unchanged)								
2011	<i>Norwich Creek 3</i>	<i>Queen Anne's</i>	<i>021304050522</i>	<i>38.94203</i>	<i>-75.99741</i>	<i>38.92547</i>	<i>-75.97541</i>	<i>4.00</i>	<i>4.14</i>
2003	Red Lion Branch 1— Southeast Creek 2 (text unchanged)								
[2003	Southeast Creek UT 1	Queen Anne's	021305080403	39.15968	-75.92076	39.16360	-75.95177	4.33	5.00]
2008	<i>Southeast Creek UT 2</i>	<i>Queen Anne's</i>	<i>021305080401</i>	<i>39.11759</i>	<i>-75.95646</i>	<i>39.11650</i>	<i>-75.96562</i>	<i>4.33</i>	<i>4.71</i>
2008	<i>Southeast Creek UT 3</i>	<i>Queen Anne's</i>	<i>021305080401</i>	<i>39.11651</i>	<i>-75.96563</i>	<i>39.13035</i>	<i>-75.97788</i>	<i>4.44</i>	<i>4.71</i>
2007	Three Bridges Branch 1— Wye East River UT2 (text unchanged)								
2011	<i>Norwich Creek 2</i>	<i>Queen Anne's/Talbot</i>	<i>021304050522</i>	<i>38.92547</i>	<i>-75.97541</i>	<i>38.91998</i>	<i>-75.96930</i>	<i>4.33</i>	<i>4.71</i>
2007	Burnt Mill Creek 1— McIntosh Run 1 (text unchanged)								
2008	McIntosh Run 2	Saint Mary's	021401040721	[38.31354] 38.32555	[-76.65517] -76.64337	[38.32555] 38.31354	[-76.64337] -76.65517	4.00	4.43
[2007	Persimmon Creek 1	Saint Mary's	021311010880	38.42150	-76.71305	38.44077	-76.69696	4.00	4.14]
2007	Saint Clements Bay UT 1— Saint Mary's River 1 (text unchanged)								
[2007	Saint Mary's River UT 1	Saint Mary's	021401030710	38.21487	-76.43063	38.21155	-76.45141	4.00	4.00
2007	Saint Mary's River UT 2	Saint Mary's	021401030712	38.21065	-76.40308	38.19760	-76.41921	5.00	4.14]
2010	Saint Mary's River UT 3— Adkins Race 1 (text unchanged)								
[2007	Aydelotte Branch 1	Wicomico	021302030653	38.41395	-75.44652	38.40576	-75.38133	4.67	4.14]

2008	Little Burnt Branch 1—Nassawango Creek 3 (text unchanged)								
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P. (text unchanged)

.08 Stream Segment Designations.

A. General.

(1) All geographic coordinates provided within this regulation are expressed in decimal degrees latitude and longitude using the North American Datum of 1983. *In this Regulation, Maryland’s waters are organized by sub-basin.* For most Class I, I-P, III, III-P, IV, or IV-P waters, the limits indicate the most downstream *boundary* point or line for the segment. In some cases, an upstream point and a downstream point are provided to describe those uses that may apply only to a limited segment of a water body. *In tidal areas, the segments are defined by polygons defined by three or more points as numbered and expressed in narrative format in column four and defined by latitude and longitude point locations in columns two and three.* Any waterbody not specifically listed in the table is a Class I water.

(2)—(5) (text unchanged)

B. Sub-Basin 02-12-02: Lower Susquehanna River Area.

Designated Use Class and Waterbody	Latitude	Longitude	Limits
(1)—(2) (text unchanged)			
(3) Class III: <i>None</i>			
[(a) Rock Run and all tributaries (Cecil County)]	39.613544	-76.126972	Upstream of mouth]
(4) Class III-P:			
(a)—(q)			
(r) <i>Rock Run and all tributaries (Cecil County)</i>	39.613544	-76.126972	Upstream of mouth
(5)—(6) (text unchanged)			

C.—J. (text unchanged)

K. Sub-Basin 02-13-09: Patapsco River Area.

Designated Use Class and Waterbody	Latitude	Longitude	Limits
(1)—(2) (text unchanged)			
(3) Class III:			
(a)—(h) (text unchanged)			
[(i) Roaring Run (Carroll County) and all tributaries]	39.510061	-76.887278	Upstream from mouth]
(j)—(k) (text unchanged)			
(4) Class III-P:			
(a)—(n) (text unchanged)			
(o) <i>Roaring Run (Carroll County) and all tributaries</i>	39.510061	-76.887278	Upstream from mouth
(5)—(6) (text unchanged)			

L.—M. (text unchanged)

N. Sub-Basin 02-14-01: Lower Potomac River Area.

Designated Use Class and Waterbody	Latitude	Longitude	Limits
(1) (text unchanged)			
(2) Class II:			
(a) Lower Potomac River Tidal Fresh (POTTF):	38.524168	-77.284804	(1) MLW midway between Shipping Pt. and Quantico Pier
Designated Uses Present in Segment:	38.523266	-77.256630	(2) 1,000 feet SW of Moss Pt.
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.554722	-77.220268	(3) Stump Neck, E of radio towers & W of Roach Rd.
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive	38.566856	-77.209755	(4) Cornwallis Neck, 0.25 miles NW of Deep Pt.
Application Depth: 2.0 meters, NGZ present	38.702038	-77.044693	(5) Mockley Pt., 500 feet west of tip
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive	38.711002	-77.036736	(6) West of Fort Washington
Shellfish Harvest: See [§N(2)(h)] §N(2)(g) of this regulation	38.809449	-77.016184	(7) DC/MD State Line-northern shore of Oxon Creek
	38.805753	-77.020951	(8) DC/MD State Line-southern shore of Oxon Creek
	38.802464	-77.025166	(9) DC/MD State Line-near Fox Ferry Pt.
	38.791836	-77.038923	(10) DC/MD/VA State line, 200’ east of Jones Point Park
	38.711002	-77.036736	(11) West of Ft. Washington

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	38.702038	-77.044693	(12) Mockley Pt., 500 west of tip
	38.566856	-77.209755	(13) Cornwallis Neck, 0.25 miles NW of Deep Pt.
	38.554722	-77.220268	(14) Stump Neck, E of radio towers and W of Roach Rd.
Following the mean low water (MLW) line which defines the Maryland/Virginia State boundary to the first point described above, except for the following Virginia embayments where the boundary is the confluence of the mouth of the embayment with the Potomac River; Hunting Creek, Little Hunting Creek, Dogue Creek, Gunston Cove, the unnamed embayment in Mason Neck NWR, Occoquan Bay, Powells Creek, and Quantico Creek.			
(b) Lower Potomac River Oligohaline 1 (POTOH1):	38.389680	-77.029268	(1) MLW 1 mile SE of Mathias Pt., just north of 639
Designated Uses Present in Segment:	38.407509	-76.997322	(2) 0.65 miles NW of the town of Popes Creek
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.444935	-77.016396	(3) 1.5 miles SE of Chapel Pt., due E of Windmill Pt.
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive	38.444565	-77.040695	(4) Windmill Pt.
Application Depth: 2.0 meters, NGZ present	38.408894	-77.110886	(5) Blossom Pt.
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive	38.408745	-77.124855	(6) 0.15 miles SW of Benny Gray Pt.
Shellfish Harvest: See [§N(2)(h)] §N(2)(g) of this regulation	38.523266	-77.256630	(7) 1,000 feet SW of Moss Pt.
	38.524168	-77.284864	(8) MLW midway between Shipping Pt. and Quantico Pier
Following the Mean Low Water (MLW) line which defines the Maryland/Virginia State boundary to the first point described above, except for the following Virginia embayments where the boundary is the confluence of the mouth of the embayment with the Potomac River; Unnamed embayment (Chopawamsic Island), Unnamed embayment (near Arkendale Road), Aquia Creek, and Potomac Creek.			
(c) Lower Potomac River Oligohaline 2 (POTOH2): Port Tobacco River	38.444565	-77.040695	(1) Windmill Pt.
Designated Uses Present in Segment:	38.444935	-77.016396	(2) 1.5 miles SE of Chapel Pt., due E of Windmill Pt.
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.500164	-77.026306	(3) Port Tobacco Marina (edge of 7.5 foot quad sheet)
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive			
Application Depth: 1.0 meters, NGZ present			
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive			
Shellfish Harvest: See [§N(2)(h)] §N(2)(g) of this regulation			
(d) Lower Potomac River Oligohaline 3 (POTOH3): Nanjemoy Creek	38.408745	-77.124855	(1) 0.15 miles SW of Benny Gray Pt.
Designated Uses Present in Segment:	38.408894	-77.110886	(2) Blossom Pt.
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.475391	-77.130676	(3) Wards Run, 0.25 miles upstream of Hill Top Fork
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive			
Application Depth: 1.0 meters, NGZ present			
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive			
Shellfish Harvest: See [§N(2)(h)] §N(2)(g) of this regulation			
(e) Lower Potomac River Mesohaline (POTMH):	37.909777	-76.263700	(1) MLW East of Ophelia, 300 feet NW of light
Designated Uses Present in Segment:	38.038605	-76.321442	(2) Point Lookout
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.407509	-76.997322	(3) 0.65 miles NW of the town of Popes Creek
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive	38.389680	-77.029268	(4) MLW 1 mile SE of Mathias Pt., just north of 639
Application Depth: meters, NGZ present			
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive			

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Seasonal Deep Water Fish and Shellfish Use: Upper pycnocline to lower pycnocline from June 1 to September 30, inclusive			
Seasonal Deep Channel Refuge Use: Lower pycnocline boundary to bottom from June 1 to September 30, inclusive			
Shellfish Harvest: See [§N(2)(h)] §N(2)(g) of this regulation			
Following the mean low water (MLW) line which defines the Maryland/Virginia State boundary to the first point described above, except for the following Virginia embayments where the boundary is the confluence of the mouth of the embayment with the Potomac River: Upper Machodoc Creek, Rosier Creek, Monroe Bay, Mattox Creek, Popes Creek, Nomini Bay, Lower Machodoc Creek, unnamed embayment (south of Ragged Pt.), Gardner Creek, Jackson Creek, Bonum Creek, Yeocomico River, Coan River, Presley Creek, Hull Creek, and Hock Creek.			
[(f) Piscataway Creek Tidal Fresh (PISTF): Designated Uses Present in Segment:	38.711002 38.702038	-77.036736 -77.044693	(1) West of Ft. Washington (2) Mockley Point, 500 feet west of tip
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.697979	-76.996788	(3) Piscataway Creek Park, north of sewage disposal plant
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive. Application depth: 2.0 meters, NGZ Absent			
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive. Shellfish Harvest: See §N(2)(h) of this regulation]			
[(g) (f) Mattawoman Creek Tidal Fresh (MATTF): Designated Uses Present in Segment:	38.566856 38.554722	-77.209755 -77.220268	(1) Cornwallis Neck, 0.25 miles northwest of Deep Point (2) Stump Neck, east of radio towers and west of Roach Road
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.591194	-77.124672	(3) 2300 feet downstream of Routes 224/225
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive. Application depth: 1.0 meters, NGZ Absent			
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive. Shellfish Harvest: See [§N(2)(h)] §N(2)(g) of this regulation			
[(h) (g) Shellfish Harvest Subcategory. All estuarine portions of tributaries except Potomac River and tributaries	38.415027	-77.265037	Above line from Smith Pt. to Simms Pt.
	38.397067	-77.311346	
(3) —(6) (text unchanged)			

O. Sub-Basin 02-14-02: Washington Metropolitan Area.

Designated Use Class and Waterbody	Latitude	Longitude	Limits
(1) (text unchanged)			
(2) Class II:			
(a) Anacostia River Tidal Fresh (ANATF): Designated Uses Present in Segment:	38.938805 38.918850	-76.942162 -76.941951	(1) DC/MD State Line-eastern side of Rt. 50 bridge (2) 100 feet below Bladensburg Road bridge
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.918261	-76.941198	(3) DC/MD State Line-western shore
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive Application Depth: 0.5 meters, NGZ present			
Open Water Fish and Shellfish Use: January 1 to December 31, inclusive			
(b) Piscataway Creek Tidal Fresh (PISTF): Designated Uses Present in Segment:	38.711002 38.702038	-77.036736 -77.044693	(1) West of Ft. Washington (2) Mockley Point, 500 feet west of tip
Migratory Spawning and Nursery Use: February 1 to May 31, inclusive	38.697979	-76.996788	(3) Piscataway Creek Park, north of sewage disposal plant
Shallow Water Submerged Aquatic Vegetation Use: April 1 to October 30, inclusive.			

<i>Application depth: 2.0 meters, NGZ Absent</i>			
<i>Open Water Fish and Shellfish Use: January 1 to December 31, inclusive.</i>			
(3) —(6) (text unchanged)			

P.—Q. (text unchanged)

R. Sub-Basin 02-14-10: North Branch Potomac River Area.

Designated Use Class and Waterbody	Latitude	Longitude	Limits
(1) [Use] Class I-P:			
(a)—(d) (text unchanged)			
(2) [Use] Class II: None.			
(3) [Use] Class III: None.			
(4) [Use] Class III-P:			
(a) (text unchanged)			
(b) All other waters are [Use] Class III-P except:			From confluence of North and South Branches of the Potomac River to the MD/WV state line
(i) Those designated above as [Use] Class I-P			
(ii) Those designated below as [Use] Class IV-P waters			
Note: Mill Run and all tributaries upstream from the Route 220 McMullen Highway road crossing (near intersection with Hansel Drive) are designated as [Use] Class III-P.			
(5) [Use] Class IV: None.			
(6) [Use] Class IV-P:			
(a)—(c) (text unchanged)			

S. Sub-Basin 05-02-02: Youghiogheny River Area.

Designated Use Class and Waterbody	Latitude	Longitude	Limits
(1) [Use] Class I-P:			
(a)—(b) (Text unchanged)			
(2) [Use] Class II: None.			
(3) [Use] Class III:			
(a)—(f) (text unchanged)			
(g) <i>Bucks Run and all tributaries</i>	39.721831	-79.242819	
(4) [Use] Class III-P:			
(a)—(b) (text unchanged)			
(5) Class IV: Casselman River	39.722386	-79.111767	Mainstem only, from Pennsylvania line upstream to the confluence of the South and North Branches of the Casselman
(6) Class IV-P: None.			

T.—U. (text unchanged)

26.08.09 Public Bathing Beaches

Authority: §§9-252, 9-313—9-315, and 9-319, Annotated Code of Maryland

.01 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) “Beach Action Value” (BAV) means the value the approving authority uses to issue beach notifications and is defined as follows:

(a) BAV is 235 colony forming units (cfu) using *E. coli* indicator at freshwater beaches.

(b) BAV is 104 cfu using *Enterococci* indicator at marine beaches.

[(2)] (3) — [(6)] (7) (text unchanged)

.04 Drinking Water at Permitted Beaches.

An adequate supply of potable drinking water shall be available to bathers at [the] each permitted beach.

.06 Sanitary Quality of Permitted Beaches.

A.—D. (text unchanged)

E. An operating permit may be issued if a sanitary survey reveals no dangerous sources of pollution and if the microbiological samples collected during the sanitary survey satisfy the [criteria listed in Table 1 of COMAR 26.08.02.03-3] *Beach Action Value (BAV)*.

F. When results of the samples show an exceedance of the [criteria listed in Table 1 of COMAR 26.08.02.03-3] BAV, a permit may be issued only if it is further determined by the approving authority, after additional sampling and analysis, that the bathing water poses no significant health risk to the bathers.

G. The approving authority shall periodically sample the bathing waters under permit for microbiological quality. Sampling shall be consistent with Regulation .07 of this chapter. All permitted beaches are considered Tier I and shall be monitored at least weekly unless a justification for lower priority is provided by the approving authority. The approving authority may order restrictions, including suspension of the permit and closing of the bathing water to use, as necessary,

when the results of the bacterial indicator density exceed the [limits established in Table 1 of COMAR 26.08.02.03-3] *BAV*. A permit may be reinstated when the bacterial indicator densities return to acceptable limits.

H. (text unchanged)

.07 Tiered Monitoring—Applicable Memorial Day Through Labor Day.

A. (text unchanged)

B. Bacteriological Monitoring.

(1) (text unchanged)

(2) Sampling Frequency.

(a)—(c) (text unchanged)

[(d) Water quality shall be assessed using the criteria values in Table 1 of COMAR 26.08.02.03-3.]

(3) [Assessment for Public Notification.] *Evaluation of water quality using Beach Action Values (BAV)*.

[(a) Tier 1 and Tier 2 beaches shall apply the geometric mean and the upper 75 percent Confidence Limit (CL) single sample maximum from Table 1 of COMAR 26.08.02.03-3.]

(b) Tier 3 beaches shall apply the geometric mean and the upper 82 percent Confidence Limit (CL) single sample maximum from Table 1 of COMAR 26.08.02.03-3.]

[(c)](a) Sampling events shall consist of at least three indicator bacteria samples per sampling event.

[(d)](b) In addition to the application of the [criteria in §B(3)(a) and (b) of this regulation] *BAV*, the approving authority may consider other factors, including the results of sanitary surveys, prior rainfall, and other environmental conditions in making public health decisions.

.08 Public Notification.

A. When results of the samples show an indicator organism density that exceeds the [standards in Regulation .08 of this chapter] *Beach Action Value*, the Approving Authority shall issue a public notification unless there is reason to doubt the accuracy or certainty of the first sample. The approving authority shall then *promptly* resample and, if standards are being exceeded, prompt public notification of the advisory or closure if required. If a known pollution source exists, such as combined sewer overflow, failing sewer infrastructure, wastewater treatment discharge, or other source, the approving authority shall close the beach and provide prompt public notification of the closing.

B. The beach may be opened or the advisory lifted only after subsequent bacteriological sampling results in indicator densities that satisfy the [applicable water quality standards] *Beach Action Value*.

C. (text unchanged)

BENJAMIN H. GRUMBLES
Secretary of the Environment

Subtitle 11 AIR QUALITY

26.11.32 Control of Emissions of Volatile Organic Compounds from Consumer Products

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

Notice of Proposed Action

[17-143-P-I]

The Secretary of the Environment proposes to amend Regulations .01—.05, .06, .08, .12, .14, and .16 and adopt new Regulation .05-1 under COMAR 26.11.32 Control of Emissions of Volatile Organic Compounds from Consumer Products.

Statement of Purpose

The purpose of this action is to amend existing regulations and add a new regulation under COMAR 26.11.32 to establish new volatile organic compound (“VOC”) standards for 11 new consumer products and to strengthen

VOC standards for 15 existing consumer products. The compliance date for these categories of consumer products is January 1, 2018.

This action will be submitted to the U.S. Environmental Protection Agency (EPA) for approval as part of Maryland’s SIP.

Background

The EPA has designated Maryland as nonattainment for the 2008 national ambient air quality standard (“NAAQS”) for ground-level ozone. Therefore, Maryland must continue to enact regulations to gain further reductions of the emissions of VOCs, a class of compounds that are precursors to ground-level ozone. Ground-level ozone is formed through the reaction of VOCs and other compounds in the ambient air, particularly on hot, sunny days. High concentrations of ozone can cause or exacerbate difficulty in breathing, asthma and other serious respiratory problems, a health problem that could be more severe to children and the elderly.

Maryland is a member state of the Ozone Transport Commission (“OTC”), an organization set up by Congress under the Clean Air Act (“CAA”), which is comprised of 13 entities in the Northeast and mid-Atlantic regions. These entities include the states from Virginia to Maine including the District of Columbia. The OTC region is generally in nonattainment of the ozone NAAQS established by the EPA. The OTC develops model rules for the member states to use to reduce the emissions of ground-level ozone precursors.

This action proposes amendments to COMAR 26.11.32 that institute the requirements of the 2010 and 2014 OTC model rules for consumer products. The 2010 and 2014 OTC model rules were developed as part of a regional effort to attain and maintain the eight-hour ozone standard, and reduce eight-hour ozone levels. The 2010 OTC model rule reflected changes made by the 2006 California Air Resources Board (“CARB”) rule. The 2014 OTC model rule reflected changes made by the 2009 CARB rule.

Consumer products, as a pollution source, were originally addressed by Federal regulations under 40 CFR Part 59 Subpart C, which covered 24 product categories representing 48 percent of the consumer products inventory nationwide. The Federal regulations, effective on September 11, 1998, provided an overall reduction of 10 percent of VOC emissions from consumer products nationwide. In the late 1990s, the CARB developed a more stringent rule covering a larger percentage of consumer product categories. The OTC developed a model rule for consumer products based on the CARB rule on November 1, 2001, which covered nearly 80 percent of the consumer product categories. The 2001 OTC model rule set technology-forcing emission limits, to be in effect by 2005, to address shortfalls identified by EPA in achieving the one-hour ozone standard. The emission reductions for the 2001 OTC model rule were estimated to reduce VOC emissions throughout the OTC region by 14 percent from the total consumer product inventory beyond the reductions achieved from the 1998 federal regulations.

Maryland adopted the 2001 OTC model rule for consumer products under COMAR 26.11.32 -Control of Emissions of Volatile Organic Compounds from Consumer Products on August 18, 2003. The OTC model rule for consumer products was further amended on September 19, 2006, based upon changes by CARB in 2005, which were then adopted by Maryland on June 8, 2007. The 2007 amendments adopted by Maryland were predicted to result in an additional two percent of VOC emission reductions from the 2003 regulations.

“Consumer products” are generally products sold to retail customers for personal, household, or automotive use, along with the products marketed by wholesale distributors for use in commercial or institutional organizations. VOC emissions from these products come from the evaporation of propellant and organic solvents during use. Consumer products cover a wide gamut of individual products, including personal care products, household products, automotive aftermarket products, adhesives and sealants, insecticides, coatings and other miscellaneous products.

The definitions for “paint thinner” and “multi-purpose solvents” adequately define the situation that marine and automotive coatings, for either original equipment manufacturer or refinish applications, where solvents and reducers are labeled exclusively for that use, are not subject to the consumer products regulation. Therefore, coatings and solvents subject to COMAR 26.11.19.23 - Control of VOC Emissions from Vehicle Refinishing and COMAR 26.11.19.27 Control of VOC Emissions from Marine Vessel Coating Operations are exempt from this regulatory action.

In an effort to provide greater clarity and to meet the Style Manual for Maryland Regulations, the Department has amended the structure of the definition, exemptions, and VOC standard for the artist’s thinner/solvent consumer product category. However, the Department’s regulatory language for artist’s thinner/solvent is intended to be fully consistent with 2009 CARB rule and the 2014 OTC Model Rule.

In 2006, CARB eliminated the “hair styling gel” category and now considers gels to fall under “hair styling product- all other forms”. Moving gels under the “hair styling product-all other forms” category reduced the VOC Limit from 6 to 2. The 2014 OTC model rule did not address this amendment as intended. The Department proposes to include this amendment and bring the VOC limit for “hair styling gel” in line with CARB. “Hair styling gels” will now fall under the category of “hair styling product - all other forms” and will need to meet the VOC limit of 2.

Sources Affected and Location

The standards and requirements of the proposed regulation amendments apply to a person who sells, supplies, offers for sale, or manufactures for sale in the State a consumer product on or after the effective date of the regulation.

Regulation Amendments

The proposed action amends the existing Maryland consumer products regulations under COMAR 26.11.32 by establishing VOC standards for 11 new consumer product categories. The proposed amendments further strengthen the VOC standards for 15 consumer product categories based on improved reformulations of these products which are capable of achieving lower VOC emissions and demonstrating an ability to maintain performance specifications for the products. The proposed amendments incorporate new definitions and numerous modifications to existing definitions for clarity.

The following substantial amendments are included in the proposed regulation:

- A. New Consumer Products Categories and VOC Standards
 1. Dual Purpose Air Freshener/Disinfectant, Aerosol- 60
 2. Anti-Static Product, Aerosol- 80
 3. Artist’s Solvent/Thinner- 3
 4. Automotive Windshield Cleaner- 35
 5. Disinfectant, Aerosol- 70
 6. Disinfectant, Non-Aerosol- 1
 7. Multi-Purpose Solvent- 3
 8. Paint Thinner- 3
 9. Sanitizer, Aerosol- 70
 10. Sanitizer, Non-Aerosol- 1
 11. Temporary Hair Color, Aerosol- 55

B. Existing Consumer Products Categories and Enhanced VOC Standards

1. Adhesive - Construction, Panel and Floor- 7
2. Automotive Brake Cleaner* - 10
3. Bathroom and Tile Cleaner, All Other Forms† - 1
4. Carburetor or Fuel-Injection Air Intake Cleaner- 10
5. Engine Degreaser, Aerosol- 10
6. Floor Polish/Wax, Resilient Flooring Material- 1
7. Floor Polish/Wax, Non-Resilient Flooring Material- 1
8. Furniture Maintenance Product, All Other Forms† - 3
9. General Purpose Cleaner, Aerosol- 8
10. General Purpose Degreaser, Aerosol- 10
11. Laundry Starch/Sizing/Fabric Finish Product- 4.5
12. Nail Polish Remover- 1
13. Oven or Grill Cleaner, Non-Aerosol† - 4
14. Oven or Grill Cleaner, Aerosol- 8
15. Shaving Gel- 4

* Category changed to Brake Cleaner

† Subcategory changed to Non-Aerosol

In addition to strengthening VOC limits for consumer products, the proposed regulations prohibit the sale, offer for sale, supply, or manufacture for use in the State of any bathroom and tile cleaner, construction panel and floor covering adhesive, electronic cleaner labeled “Energized Electronic Equipment use only”, general purpose cleaner, or oven or grill cleaner manufactured on or after January 1, 2018 that contains any of the following compounds: methylene chloride; perchloroethylene; or trichloroethylene.

CARB regulations address these compounds as Toxic Air Contaminants (TACs). A TAC is an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. CARB has prohibited the use of the TACs perchloroethylene, methylene chloride, trichloroethylene, and para-dichlorobenzene from use in several consumer product categories because these compounds are potential carcinogens. CARB continues to evaluate the presence of TACs in consumer products to ensure that public health and the environment are protected.

While the 2014 OTC Consumer Products rule was developed as part of a regional effort to attain and maintain the eight-hour ozone standard, and reduce eight-hour ozone levels, the model rule also includes toxic prohibitions as developed by CARB. The 2014 OTC Consumer Products rule notes in the preamble that certain compounds affected by this model rule may not cause or contribute to formation of ozone, but due to their hazardous natures are included in this model for convenience of the States, which may regulate such compounds under other State authorities. Maryland consumer product regulations include the toxic prohibitions as included in the OTC model rules for consumer products.

Projected Emissions Reductions

Applying the emissions benefit methodology of CARB and OTC model rules, the Department projects the proposed amendments to COMAR 26.11.32 have an estimated statewide VOC emissions reduction potential of approximately 6.3 tons per day through the implementation of standards for new and existing forms of consumer products.

The following methodology has been used to project emission reduction benefits for 2018:

$$\begin{aligned}
 & \text{MD VOCR Tons/day} = \\
 & \text{Where:} \\
 & \text{OTC VOCR MOD} = \text{OTC VOC Region-wide Reduction from} \\
 & \text{OTC Model Rule for Consumer} \\
 & \text{Products, Tons/day;} \\
 & \text{OTC POP} = \text{OTC Region Population, Millions;} \\
 & \text{MD POP} = \text{Maryland Population, Millions;}
 \end{aligned}$$

MD VOCR = Maryland VOC Reductions, Tons/day.

For the following values projected to 2018:

OTC VOCR MOD = 63.8 Tons/day;

OTC POP = 63.7 Million;

MD POP = 6.3 Million;

MD VOCR = 6.3 Tons/day starting in 2018.

The OTC estimated regional VOC emission reductions if all OTC states adopt the 2010 and 2014 model rules equates to approximately 15 percent.

Comparison to Federal Standards

In compliance with Executive Order 01.01.1996.03, this proposed regulation is more restrictive or stringent than corresponding federal standards as follows:

(1) Regulation citation and manner in which it is more restrictive than the applicable federal standard:

Consumer products as a pollution source were originally addressed by Federal regulations under 40 CFR Part 59 Subpart C which covered 24 product categories representing 48 percent of the consumer (and commercial) products inventory nationwide. The Federal regulations provided an overall reduction of 10 percent of VOC emissions from consumer products nationwide. The Ozone Transport Commission (OTC) developed a model rule in 2001 which covered nearly 80 percent of the consumer products categories and set technology-forcing emission limits. Maryland adopted the OTC model rule into COMAR in 2003. The OTC model rule for consumer products was further amended in 2006, based upon changes by CARB in 2005, which were then adopted by Maryland in 2007. OTC has again updated their model rule in 2014, which is the version being adopted in Maryland's proposed regulation amendments. The 2014 OTC model rule further enhances VOC standards for specific consumer products and introduces VOC standards for new products.

(2) Benefit to the public health, safety or welfare, or the environment:

The Environmental Protection Agency (EPA) has designated Maryland as nonattainment for the 2008 national ambient air quality standard (NAAQS) for ground-level ozone. Therefore, Maryland must continue to enact regulations to gain further reductions of the emissions of VOCs, a class of compounds that are precursors to ground-level ozone. Ground-level ozone is formed through the reaction of VOC and other compounds in the ambient air, particularly on hot, sunny days. High concentrations of ozone can cause or exacerbate difficulty in breathing, asthma and other serious respiratory problems, a health problem that could be more severe to children and the elderly.

The Department projects the proposed regulation amendments have an estimated statewide VOC emissions reduction potential of approximately 6.3 tons per day through the implementation of standards for new and existing forms of consumer products.

(3) Analysis of additional burden or cost on the regulated person:

Commercial, industrial, institutional organizations and businesses that sell, supply, offer for sale, or manufacture for sale in Maryland a consumer product will be impacted by the amendments in this action. The Department believes that the implementation date of January 1, 2018 will give manufacturers sufficient time to reformulate products and make products compliant with the VOC content limits and standards in COMAR 26.11.32 available to the public. Since the OTC consumer product standards are implemented in other states, such as New Hampshire and Delaware, the costs of compliance for manufacturers are expected to be reduced. The standards for 11 new consumer product categories and 15 existing categories can be met with reformulations and cost-effective technologies, which is how they have been implemented in California.

(4) Justification for the need for more restrictive standards:

The federal Clean Air Act, 42 U.S.C. § 7401 *et seq.*, requires EPA to establish health-based NAAQS to protect people with an "adequate margin of safety." States are responsible for developing enforceable state implementation plans (SIPs) to meet the standards. This regulation is proposed pursuant to Maryland's obligation under the Clean Air Act to attain and maintain the ozone NAAQS. The proposed regulations will be submitted to EPA as part of the Maryland SIP.

For purposes of attaining and maintaining the eight-hour ozone standard, the existing 1998 federal consumer products regulation is not sufficient to protect public health or match the VOC limit performance capabilities of current consumer products. While the Federal regulations addressed 24 consumer product categories, Maryland's proposed consumer product regulations build upon existing State regulations and now address 120 consumer product categories and provide greater public health protection and VOC emission reductions. These proposed emission reductions help Maryland attain and maintain the National Ambient Air Quality Standards.

Estimate of Economic Impact

I. Summary of Economic Impact. Commercial, industrial, institutional organizations and businesses that sell, supply, offer for sale, or manufacture for sale in Maryland a consumer product will be impacted by the amendments to COMAR 26.11.32. The Department believes that the implementation date of January 1, 2018 will give manufacturers sufficient time to reformulate products and make products compliant with the VOC content limits and standards in the regulation available to the public. While the majority of the consumer products affected by the amendments to COMAR 26.11.32 are already commercially available, the Department believes that additional time may be needed for manufacturers to make necessary changes in product distribution channels to ensure that compliant products are supplied to retailers.

Since the OTC consumer product standards are implemented in other states, such as New Hampshire and Delaware, the costs of compliance for manufacturers are expected to be reduced. Based upon projections derived from the 2006 and 2009 CARB reports (Initial Statement of Reasons, Chapter VII), the cost effectiveness of meeting the VOC limits is projected to be a range of \$500/ton to \$4,000/ton of VOC reduced.

The 2006 and 2009 CARB reports further estimate that the increase in cost to the manufacturer ranges from \$ 0.00 to \$1.57 per unit with an average increase of \$0.17 per unit. These cost estimates are based on the assumptions specific to each category depending on reformulation needs. For some categories it was assumed that some manufacturers would either drop the products or undergo minor reformulation changes, and for other categories, manufacturers would undergo complete production line overhaul and equipment replacement rather than simple retooling. These costs are likely to be less in the OTR because some of the research and reformulation costs to develop compliant products for California need not be incurred again for many nationally distributed products sold in the OTR. These cost estimates are consistent with estimates for previous CARB regulations and amendments.

The standards for 11 new consumer product categories and 15 existing categories can be met with reformulations and cost-effective technologies, as they have been implemented in California. Also, there will be no impact on the Department or other State agencies or local government as a result of this action.

II. Types of Economic Impact.

	Revenue (R+/R-)	
	<hr/>	
	Expenditure (E+/E-) Magnitude	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	
	Cost (-)	Magnitude
	<hr/>	
D. On regulated industries or trade groups:	(-)	Minimal
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.)

D. Commercial, industrial, institutional organizations and businesses that sell, supply, offer for sale, or manufacture for sale in Maryland a consumer product will be impacted by the amendments in this action. The Department believes that the implementation date of January 1, 2018 will give manufacturers sufficient time to reformulate products and make products compliant with the VOC content limits and standards in the regulation available to the public. Since the OTC consumer product standards are implemented in other states, such as New Hampshire and Delaware, the costs of compliance for manufacturers are expected to be reduced. The standards for 11 new consumer product categories and 15 existing categories can be met with reformulations and cost-effective technologies, which is how they have been implemented in California.

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 June 27, 2017, at 2 p.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 no later than 5 p.m. on June 27, 2017, 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/recomments.aspx>;

- The Air and Radiation Management Administration; and
- Regional offices of the Department of the Environment in Cumberland and Salisbury.

Anyone needing special accommodations at the public hearing should contact the Department of the Environment's Fair Practices Office at (410) 537-3964. TTY users may contact the Department of the Environment through the Maryland Relay Service at 1-800-735-2258.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the following have been declared documents generally available to the public and appropriate for incorporation by reference.

(1) ASTM Designation: D4359-90(2012) Standard Test Method for Determining Whether a Material is a Liquid or a Solid;

(2) ASTM Designation: E260-96(2011) Standard Practice for Packed Column Gas Chromatography; and

(3) ASTM Designation: D4236-94(2011) Standard Practice for Labeling Art Materials for Chronic Health Hazards.

For this reason, the documents listed above will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of these documents are filed in special public depositories located throughout the State. A list of these depositories was published in 44:1 Md. R. 9 (January 6, 2017), and is available online at www.dsd.state.md.us. These documents may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.01 Applicability and Exemptions.

- A. — C. (text unchanged)
- D. The VOC limits specified in Regulation .04B of this chapter do not apply to the following:
- (1) — (8) (text unchanged)
- (9) Fabric protectants that are:
- (a) Designed for use solely on *leather and* fabrics that are labeled "for dry cleaning only"; and
- (b) (text unchanged)
- (10) *Artist's solvent/thinner packaged and sold in a container equal to or less than 34 fluid ounces.*
- D-1. (text unchanged)
- E. The requirements in Regulation .13A of this chapter do not apply to consumer products that:
- (1) Are registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. [§]§136 *et seq.*; or
- (2) (text unchanged)
- F. (text unchanged)

.02 Incorporation by Reference.

- A. In this chapter, the following documents are incorporated by reference.
- B. Documents Incorporated.
- (1) (text unchanged)
- (2) ASTM Designation: D4359-90 (Reapproved [2000]e1] 2012), Standard Test Method for Determining Whether a Material is a Liquid or a Solid.
- (3) ASTM Designation: E260-96 (Reapproved [2001] 2011), Standard Practice for Packed Column Gas Chromatography.
- (4) CARB Method 310, Determination of Volatile Organic Compounds (VOC) in Consumer Products, adopted September 25, 1997, and as [last] amended on [September 3, 1999] *August 6, 2010*.
- (5) (text unchanged)
- (6) *ASTM Designation: D4236-94(Reapproved 2011), Standard Practice for Labeling Art Materials for Chronic Health Hazards.*

.03 Definitions.

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

B. Terms Defined.

(1) — (2) (text unchanged)

(3) "ACP emissions" means the sum of the VOC emissions from every ACP product subject to an ACP agreement during the compliance period specified in the ACP agreement, expressed to the nearest pound of VOC and calculated according to the following equation:

$$\text{ACP Emissions} = (\text{Emissions})_1 + (\text{Emissions})_2 + \dots + (\text{Emissions})_N$$

where:

(a) — (b) (text unchanged)

(c) For charcoal lighter material products only:

$$\text{VOC Content} = (\text{Certified Emissions} \times 100) / \text{Certified Use Rate}$$

Rate

where:

(i) Certified Emissions = the emissions level for products approved by the Department under Regulation .05 of this chapter, as determined under the South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. [27]28, 1991), expressed to the nearest 0.001 pound CH₂ per start; and

(ii) Certified Use Rate = the usage level for products approved by the Department under Regulation .05 of this chapter, as determined under the South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. [27]28, 1991), expressed to the nearest 0.001 pound certified product used per start.

(4) — (7) (text unchanged)

(8) "ACP VOC standard" means the maximum allowable VOC content for an ACP product, determined as follows:

(a) (text unchanged)

(b) For charcoal lighter material products only, the VOC standard for the purposes of this chapter shall be calculated according to the following equation:

$$\text{VOC Standard} = (0.020 \text{ pound CH}_2 \text{ per start} \times 100) / \text{Certified Use Rate}$$

where:

(i) (text unchanged)

(ii) Certified Use Rate = the usage level for products approved by the Department under Regulation .05 of this chapter, as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. [27]28, 1991), expressed to the nearest 0.001 pound certified product used per start.

(9) — (14) (text unchanged)

(15) Air Freshener.

(a) "Air freshener" means [a consumer] any product designed or labeled for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air [, including sprays, wicks, powders, and crystals].

(b) "Air freshener" includes sprays, wicks, wipes, diffusers, powders, crystals, liquids, semisolids, solids, or aerosol or pump sprays, and dual purpose air freshener/disinfectant products.

[(b)] (c) "Air freshener" does not include:

(i) A product that is used on the human body; or

(ii) A product that functions primarily as a cleaning product, as indicated on a product label, odor remover/eliminator product or [toilet and urinal] toilet/urinal care product[s;].

[(iii)] A disinfectant product claiming to deodorize by killing germs on surfaces; or

(iv) An institutional and industrial disinfectant offered for sale solely through institutional or industrial channels of distribution.

(c) "Air freshener" includes spray disinfectants and other products that are expressly represented for use as air fresheners, unless offered for sale through institutional and industrial channels of distribution.

(d) To determine whether a product is an air freshener, all verbal and visual representations regarding product use on the label or packaging and in the product's literature and advertising may be considered. The presence of, and representations about, a product's fragrance and ability to deodorize resulting from surface application is not a claim of air freshening.]

(16) (text unchanged)

(17) All Other Forms.

(a) (text unchanged)

(b) "All other forms" includes, unless specified otherwise by the applicable VOC standard, solids, liquids, including pre-moistened cloth or paper wipes (towelettes), wicks, powders[,] and crystals. [, and cloth or paper wipes (towelettes).]

(18) — (22) (text unchanged)

(22-1) Aromatic compound.

(a) "Aromatic compound" means a carbon-containing compound that contains one or more benzene or equivalent heterocyclic rings and has an initial boiling point less than or equal to 280 degrees C.

(b) "Aromatic compound" does not include compounds excluded from the definition of Volatile organic compound (VOC) under COMAR 26.11.01.01B.

(22-2) Artist's solvent/thinner. "Artist's solvent/thinner" means any liquid product that:

(a) Has a label that meets the requirements of ASTM D4236-94(Reapproved 2011), Standard Practice for Labeling Art Materials for Chronic Health Hazards; and

(b) Is labeled to reduce the viscosity of, or remove, art coating compositions or components.

(23) — (25) (text unchanged)

(26) "Automotive brake cleaner" means[,] a cleaning product manufactured before January 1, 2018 that is designed or labeled to remove oil, grease, brake fluid, brake pad material, or dirt from motor vehicle brake mechanisms.

(27) — (31) (text unchanged)

(31-1) Automotive Windshield Cleaner.

(a) "Automotive windshield cleaner" means a product manufactured on and after January 1, 2018 that:

(i) Is labeled and packaged as an automotive windshield cleaner in the form of a pre-moistened towellete;

(ii) Is labeled "automotive use only"; and

(iii) Is designed to be used on automotive windshields, automotive mirrors, and automotive headlights.

(b) "Automotive windshield cleaner" does not include automotive windshield washer fluid.

(32) — (33) (text unchanged)

(34) Bathroom and Tile Cleaner.

(a) "Bathroom and tile cleaner" means a product designed or labeled to clean tile or surfaces in bathrooms.

(b) "Bathroom and tile cleaner" does not include [products specifically designed primarily to clean toilet bowls, toilet tanks, or urinals] odor remover/eliminator and toilet/urinal care products.

(34-1) "Brake cleaner" means a cleaning product manufactured on or after January 1, 2018 that is designed or labeled to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.

(35) — (36) (text unchanged)

(37) Carburetor or Fuel-Injection Air Intake Cleaner.

(a) "Carburetor or fuel-injection air intake cleaner" means a product designed or labeled to remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle body of a fuel-injection system, or associated linkages.

(b) "Carburetor or fuel-injection air intake cleaner" does not include [a product]:

(i) *Products designed or labeled exclusively to be introduced directly into the fuel lines or fuel storage tank before introduction into the carburetor or fuel injectors; or*

(ii) *Products designed or labeled exclusively to be introduced during engine operation directly into air intake vacuum lines by using a pressurized sprayer wand.*

(38) — (39) (text unchanged)

(39-1) *"Clear coating" means a transparent coating usually applied over a colored opaque coating, metallic substrate, or placard to give improved gloss and protection to the color coat.*

(40) — (42) (text unchanged)

(43) Construction, Panel, and Floor Covering Adhesive.

(a) "Construction, panel, and floor covering adhesive" means a *non-aerosol* one-component adhesive that is designed or labeled [exclusively] for the installation, remodeling, maintenance, or repair of:

(i) Structural and building components including beams, trusses, studs, ceiling and acoustical tile, molding, fixtures, countertops or countertop laminates, cove or wall bases, flooring or subflooring, and paneling [such as drywall or drywall laminates, fiberglass reinforced plastic, plywood, particle board, insulation board, predecorated hardboard or tileboard]; or

(ii) (text unchanged)

(b) (text unchanged)

(44) — (45) (text unchanged)

(46) Contact Adhesive.

(a) "Contact adhesive" means [an] *a non-aerosol* adhesive that:

(i) — (iv) (text unchanged)

(b) (text unchanged)

(47) — (55) (text unchanged)

(56) Disinfectant.

(a) "Disinfectant" means a product [intended] that is *designed or labeled as a disinfectant, or is labeled for use to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and for which the label is registered as a disinfectant* under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. §136 *et seq.*

(b) *Disinfectant" includes products that are designed or labeled as both a sanitizer and a disinfectant.*

[(b)] (c) "Disinfectant" does not include:

(i) [Designed] Products *designed or labeled solely for use on humans or animals;*

(ii) [Designed] Products *designed or labeled solely for agricultural use;*

(iii) [Designed] Products *designed or labeled solely for use in swimming pools, therapeutic tubs, or hot tubs; [and]*

(iv) [Which, as indicated on the principal display panel or label, are designed primarily for use as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or metal polishes.] *Products designed or labeled to be used on heat sensitive critical or semi-critical medical devices or medical equipment surfaces;*

(v) *Products that are pre-moistened wipes or towelettes sold exclusively to medical, convalescent, or veterinary establishments;*

(vi) *Products designed or labeled to be applied to food-contact surfaces that are not required to be rinsed off prior to contact with food; or*

(vii) *Products designed or labeled as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet/urinal care products, metal polishes, carpet cleaners, or fabric refreshers regardless of any disinfecting or anti-microbial claims on the label.*

(57) — (59) (text unchanged)

(59-1) *"Dual purpose air freshener/disinfectant" means an aerosol product that is designed or labeled for use as both a disinfectant and an air freshener, or is so represented on any sticker, packaging, or literature attached to the product container.*

(60) — (61) (text unchanged)

(62) Electronic Cleaner.

(a) — (b) (text unchanged)

(c) *"Electronic cleaner" does not include any product that meets both the following criteria:*

(i) *The product is designed or labeled to clean or degrease electronic equipment, where cleaning or degreasing is accomplished when electrical current exists, or when there is residual electrical potential from a component; and*

(ii) *The product label clearly displays the statement: "Energized Electronic Equipment use only."*

(63) Energized Electrical Cleaner.

(a) (text unchanged)

(i) (text unchanged)

(ii) *Whose label clearly displays the statements: "Energized Electronic Equipment [equipment] use only. Not to be used for motorized vehicle maintenance, or their parts."*

(b) "Energized electrical cleaner" does not include electronic cleaner.

(64) — (65) (text unchanged)

(66) "Engine degreaser" means a cleaning product designed or labeled to remove grease, grime, oil, and other contaminants from the external surfaces of engines and other mechanical parts.

(66-1) *"Exempt compound" means any carbon-containing compound listed as an exception to the definition of "Volatile organic compound (VOC)" under COMAR 26.11.01.01B.*

(66-2) *"Extremely Flammable" means a product that is labeled "Extremely Flammable" on the product container or meets the criteria for the term as specified in 16 CFR §1500.3(c)(6).*

(67) Fabric Protectant.

(a) "Fabric protectant" means, *for products manufactured before January 1, 2018, a product designed to be applied to fabric substrates to:*

(i) — (ii) (text unchanged)

(b) "Fabric protectant", *for products manufactured before January 1, 2018, does not include waterproofer, or products designed for use solely on leather or on fabrics that are labeled "for dry clean only" and sold in containers of 10 fluid ounces or less.*

(c) *"Fabric protectant" means, for products manufactured on and after January 1, 2018, a product designed or labeled to be applied to fabric substrates to protect the surface from soiling from dirt or other impurities or to reduce absorption of liquid into the fabric's fibers.*

(d) *"Fabric protectant", for products manufactured on and after January 1, 2018, does not include:*

(i) *Waterproofer;*

(ii) *Products labeled for use solely on leather, pigmented products that are designed to be used primarily for coloring;*

(iii) *Products used for construction, reconstruction, modification, structural maintenance or repair of fabric substrates; or*

(iv) *Products that renew or restore fabric and qualifying as either clear coating or vinyl/fabric/leather/polycarbonate coating.*

(68) Fabric Refresher.

(a) (text unchanged)

(b) "Fabric refresher" does not include anti-static product, carpet and upholstery cleaner, [soft household surface sanitizers], footwear or leather care product, spot remover, or disinfectant, or products labeled for application to both fabric and human skin.

[(c) For the purposes of this definition only, soft household surface sanitizer means a product labeled to neutralize or eliminate odors on surfaces listed in §B(68)(a) of this regulation whose label is registered as a sanitizer under the Federal Insecticide, Fungicide, and Rodenticide Act, (FIFRA, 7 U.S.C. 136 et seq.).]

(69) — (70) (text unchanged)

(70-1) "Flammable" means a product that is labeled "Flammable" on the product container or meets the criteria for the term as specified in 16 CFR §1500.3(c)(6).

(71) (text unchanged)

(72) "Flexible flooring material" means[,] a product manufactured before January 1, 2018, including asphalt, cork, linoleum, no-wax, rubber, seamless vinyl, and vinyl composite flooring.

(73) — (75) (text unchanged)

(76) Floor Polish or Wax.

(a) "Floor polish or wax" means, for products manufactured before January 1, 2018, a wax, polish, or other product designed or labeled to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished.

(b) "Floor polish or wax", for products manufactured before January 1, 2018, does not include spray buff products, products designed or labeled solely for the purpose of cleaning floors, floor finish strippers, products designed for unfinished wood floors, or coatings subject to architectural coatings regulations.

(c) "Floor polish or wax" means, for products manufactured on or after January 1, 2018, a product designed or labeled to polish, wax, condition, protect, temporarily seal, or otherwise enhance floor surfaces by leaving a protective finish that is designed or labeled to be periodically replenished.

(d) "Floor polish or wax", for products manufactured on or after January 1, 2018, is divided into the following three categories:

(i) Products for resilient flooring materials;

(ii) Products for nonresilient flooring materials; and

(iii) Wood floor wax.

(e) "Floor polish or wax", for products manufactured on or after January 1, 2018, does not include spray buff products, floor wax strippers, products designed or labeled for unfinished wood floors, or architectural and industrial maintenance coatings subject to COMAR 26.11.39.

(77) — (81) (text unchanged)

(82) Furniture Maintenance Product.

(a) "Furniture maintenance product" means a wax, polish, conditioner, or other product designed or labeled for the purpose of polishing, protecting, or enhancing finished wood surfaces other than floors, and other furniture surfaces, including acrylics, ceramic, plastics, stone surfaces, metal surfaces, and fiberglass.

(b) (text unchanged)

(83) — (87) (text unchanged)

(88) General Purpose Cleaner.

(a) "General purpose cleaner" means a product designed or labeled to clean a variety of hard surfaces, including small appliances [general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations].

(b) "General purpose cleaner" includes:

(i) Products designed or labeled for general floor cleaning, kitchen, countertop, or sink cleaning; and

(ii) Cleaners designed or labeled to be used on a variety of hard surfaces such as stovetops, cooktops, or microwaves.

[(c) "General purpose cleaner" does not include general purpose degreasers or electronic cleaners.]

(89) General Purpose Degreaser.

(a) (text unchanged)

(b) "General purpose degreaser" does not include:

(i) Engine degreaser, general purpose cleaner, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, [or] metal polish or cleanser, or oven or grill cleaner;

(ii) Products used exclusively in solvent cleaning tanks or related equipment [such as], including, cold cleaners, vapor degreasers, conveyORIZED degreasers, film cleaning machines, or products designed to clean miscellaneous metallic parts by immersion in a container; [or]

(iii) Products [that are labeled "not for retail sale" and sold] exclusively sold directly or through distributors to establishments that manufacture or construct goods or commodities[.]; or

(iv) Products labeled exclusively for "use in the manufacturing process only".

(90) — (96) (text unchanged)

(97) Repealed.

(98) — (101) (text unchanged)

(101-1) "High-temperature coating" means a high performance coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 204 degrees C (400 degrees F).

(102) — (105) (text unchanged)

(105-1) Industrial Maintenance Coating.

(a) "Industrial maintenance coating" means a high performance architectural coating formulated for application to substrates exposed to one or more of the following extreme environmental conditions:

(i) Immersion in water, wastewater, chemical solutions (aqueous and non-aqueous solutions), or chronic exposures of interior surfaces to moisture condensation;

(ii) Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;

(iii) Frequent exposure to temperatures above 121°C (250°F);

(iv) Frequent and heavy abrasion, including mechanical wear and scrubbing with industrial solvents, cleansers, or scouring agents; or

(v) Exterior exposure of metal structures and structural components.

(b) "Industrial maintenance coating" includes primers, sealers, undercoaters, intermediate coats, and topcoats.

(106) — (112) (text unchanged)

(113) Laundry Starch/Sizing/Fabric Finish Product.

(a) "Laundry starch/sizing/fabric finish product" means a product that is designed or labeled for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look.

(b) "Laundry starch/sizing/fabric finish product" includes, fabric finish, sizing, and starch.

(114) (text unchanged)

(115) Liquid.

(a) "Liquid" means a substance or mixture of substances that is capable of a visually detectable flow as determined under ASTM D4359-90[(2000)e1](Reapproved 2012).

(b) (text unchanged)

(116) Lubricant.

(a) (text unchanged)

(b) "Lubricant" does not include:

(i) — (iii) (text unchanged)

(iv) Products for use on the human body or animals; [or]

(v) Products that are [labeled "not for retail sale" and sold] exclusively *sold directly by or through distributors* to establishments that manufacture or construct goods or commodities [.]]; or

(vi) *Products that are labeled exclusively for "use in the manufacturing process only"*.

(117) — (119) (text unchanged)

(120) Medicated Astringent/Medicated Toner.

(a) — (b) (text unchanged)

(c) "Medicated astringent/medicated toner" does not include: hand, face, or body cleaner or soap products, *personal fragrance products*, astringent/toner, cold creams, lotions, antiperspirants, or products that must be purchased with a doctor's prescription.

(121) — (127) (text unchanged)

(128) Multi-Purpose Solvent.

(a) "Multi-purpose solvent" means, *for products manufactured before January 1, 2018*, an organic liquid designed or labeled to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing, or dissolving other organic materials.

(b) "Multi-purpose solvent", *for products manufactured before January 1, 2018*, includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific, or other laboratories.

(c) "Multi-purpose solvent", *for products manufactured before January 1, 2018*, does not include solvents:

(i) — (ii) (text unchanged)

(d) "Multi-purpose solvent" means, *for products manufactured on or after January 1, 2018*, any liquid product designed or labeled to be used for thinning, dispersing or dissolving or removing contaminants or other organic materials.

(e) "Multi-purpose solvent", *for products manufactured on or after January 1, 2018*, includes:

(i) *Products that do not display specific use instructions on the product container or packaging;*

(ii) *Products that do not specify an end-use function or application on the product container or packaging;*

(iii) *Solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories;*

(iv) *Paint clean-up products; and*

(v) *Products designed or labeled to prepare surfaces for painting.*

(f) "Multi-purpose solvent", *for products manufactured on or after January 1, 2018*, does not include:

(i) *Solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines;*

(ii) *Solvents designed or labeled exclusively for the clean-up of application equipment used for polyaspartic and polyurea coatings;*

(iii) *Solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment; or*

(iv) *Products that are designed or labeled exclusively to clean a specific contaminant on a single substrate in specific situations.*

(129) — (131) (text unchanged)

(132) "Non-[a]Aerosol product" means a consumer product that is not dispensed by a pressurized spray system.

(133) (text unchanged)

(134) Nonresilient Flooring.

(a) "Nonresilient flooring" means *a flooring product manufactured before January 1, 2018* of a mineral content that is not flexible.

(b) (text unchanged)

(135) (text unchanged)

(135-1) Odor Remover/Eliminator.

(a) "Odor remover/eliminator" means *a product that is designed or labeled to be applied exclusively to hard surfaces to inhibit the ability of soils to create malodors, or functions to entrap, encapsulate, neutralize, convert or eliminate malodor molecules.*

(b) "Odor remover/eliminator" does not include:

(i) *Products designed or labeled for use in cleaning soils from hard surfaces, laundering, softening, de-wrinkling or cleaning fabrics, or dishwashing; or*

(ii) *Products designed or labeled as air freshener, bathroom and tile cleaner, carpet/upholstery cleaner, disinfectant, fabric refresher, general purpose cleaner, sanitizer, or toilet/urinal care product.*

(136) (text unchanged)

(137) Oven or Grill Cleaner. ["Oven cleaner" means a cleaning product designed to clean and remove dried food deposits from oven walls.]

(a) "Oven or grill cleaner" means *a product designed or labeled exclusively to clean and to remove baked on greases or deposits from food preparation surfaces or food cooking surfaces.*

(b) "Oven or grill cleaner" does not include *a product where representation is made on the product's label or packaging that the product is suitable for cleaning or degreasing other hard surfaces.*

(138) (text unchanged)

(138-1) "Paint clean-up product" means *any liquid product designed or labeled for cleaning oil-based or water-based paint, lacquer, varnish, or related coatings from items not intended to be painted, including painting equipment, tools, plastics, and metals.*

(139) (text unchanged)

(139-1) Paint Thinner.

(a) "Paint thinner" means *any liquid product used for reducing the viscosity of coating compositions or components, that is manufactured on or after January 1, 2018, and that prominently displays the term "Paint Thinner", "Lacquer Thinner", "Thinner", or "Reducer" on the front panel of its packaging.*

(b) Paint thinner does not include:

(i) *Products that are sold in containers with a capacity of 5 gallons or more and labeled exclusively for the thinning of industrial maintenance coatings, zinc-rich primers, or high-temperature coatings;*

(ii) *Products where the principal display panel of the product displays, in a font size as large or larger than the font size of all other words on the principal display panel (not including the font size used for the company name, brand name, or logo), language that the product is used exclusively for the thinning of industrial maintenance coatings, zinc-rich primers, or high-temperature coatings;*

(iii) *Products where no representation is made on the product container or packaging, or any attached label or sticker that the product is suitable for use or may be used for any other purpose except the thinning of industrial maintenance coatings, zinc-rich primers, or high-temperature coatings; or*

(iv) *Products that are labeled and used exclusively as an ingredient in a specific coating or coating brand line, where the coating would not be complete or useable without the specific ingredient.*

(140) — (142) (text unchanged)

(143) "Plasticizer" means a material, such as a high boiling point organic solvent, that:

(a) (text unchanged)

(b) May be determined using ASTM Method E260-96 (ReapproveD 2011) or from product formulation data.

(144) — (157) (text unchanged)

(157-1) “Resilient flooring material” means flexible flooring material, including asphalt, cork, linoleum, no-wax, rubber, seamless vinyl, and vinyl composite flooring.

(158) — (163) (text unchanged)

(164) [Rubber and Vinyl] *Rubber/Vinyl* Protectant.

(a) “[Rubber and vinyl protectant] *Rubber/vinyl protectant*” means, for products manufactured before January 1, 2018, a product designed or labeled to protect, preserve or renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, or household products such as vinyl covers, clothing, and accessories.

(b) “[Rubber and vinyl protectant] *Rubber/vinyl protectant*”, for products manufactured before January 1, 2018, does not include products primarily designed or labeled to clean the wheel rim, such as aluminum or magnesium wheel cleaners, or tire cleaners that do not leave an appearance-enhancing or protective substance on the tire.

(c) “*Rubber/vinyl protectant*” means, for products manufactured on or after January 1, 2018, any product designed or labeled to protect, preserve, or renew vinyl or rubber on vehicles, tires, luggage, furniture, or household products such as vinyl covers, clothing, or accessories.

(d) “*Rubber/vinyl protectant*”, for products manufactured on or after January 1, 2018, does not include:

(i) Products designed or labeled to clean the wheel rim, such as aluminum or magnesium wheel cleaners;

(ii) Products designed or labeled as tire cleaners that do not leave an appearance-enhancing or protective substance on the tire;

(iii) Pigmented products designed or labeled to be used primarily for coloring;

(iv) Products used for construction, reconstruction, modification, structural maintenance or repair of rubber or vinyl substrates; or

(v) Products not designed or labeled to be used on vehicle tires, qualifying as either clear coating or vinyl coating or fabric coating or leather coating or polycarbonate coating.

(165) (text unchanged)

(165-1) *Sanitizer*.

(a) “*Sanitizer*” means a product manufactured on and after January 1, 2018 that is labeled as a “sanitizer,” or that is labeled to reduce, but not necessarily eliminate, microorganisms in the air, on surfaces, or on inanimate objects, and whose label is registered as a “sanitizer” under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. §136 et seq.

(b) “*Sanitizer*” does not include:

(i) *Disinfectants*;

(ii) Products designed or labeled as both a “sanitizer” and a “disinfectant”;

(iii) Products designed or labeled solely for use on humans or animals;

(iv) Products designed or labeled solely for agricultural use;

(v) Products designed or labeled for use in swimming pools, therapeutic tubs, or hot tubs;

(vi) Products designed or labeled to be used on heat sensitive critical or semi-critical medical devices or medical equipment surfaces;

(vii) Products that are pre-moistened wipes or towelettes sold exclusively to medical, convalescent or veterinary establishments;

(viii) Products designed or labeled to be applied to food-contact surfaces and are not required to be rinsed prior to contact with food; or

(ix) Products designed or labeled as bathroom and tile cleaners; glass cleaners; general purpose cleaners; toilet/urinal care

products; metal polish; carpet and upholstery cleaners; or fabric refreshers that may also make sanitizing or anti-microbial claims on the product’s label.

(166) — (172) (text unchanged)

(173) “Solid” means a substance or mixture of substances that, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under ASTM D4359-90[(2000)e1] (*Reapproved 2012*).

(174) — (182) (text unchanged)

(183) “Table B compound” means a carbon-containing compound that is an exception to the definition of VOC in COMAR 26.11.01.01B[(53)].

(183-1) *Temporary Hair Color*.

(a) “*Temporary hair color*” means a product manufactured on or after January 1, 2018 that applies color, glitter, or UV-active pigments to hair, wigs, or fur and is removable when washed.

(b) “*Temporary hair color*” includes hair color mousses and products designed or labeled to add texture or thickness to cover thinning or balding areas.

(c) “*Temporary hair color*” does not include hair spray, hair styling products or hair mousse.

(184) — (185) (text unchanged)

(186) [Toilet and Urinal] *Toilet/Urinal* Care Product.

(a) “[Toilet and urinal] *Toilet/urinal* care product” means any product designed or labeled to clean or to deodorize toilet bowls, toilet tanks, or urinals.

(b) (text unchanged)

(c) “[Toilet and urinal] *Toilet/urinal* care product” does not include bathroom and tile cleaner or general purpose cleaner.

(187) “Total maximum historical emissions (TMHE)” means the total VOC emissions from all ACP products for which the responsible ACP party has failed to [submit] record the required VOC content or enforceable sales records [and] that are:

(a) Determined by calculating emissions of each ACP product during each portion of a compliance period for which the responsible ACP has failed to [provide] record the required VOC content or enforceable sales records;

(b) Expressed to the nearest pound and calculated according to the following calculation:

$$TMHE = (MHE)_1 + (MHE)_2 + \dots + (MHE)_N$$

where:

(i) — (iv) (text unchanged)

(v) *Missing data days* are estimated as 1, 2, . . . , N = each product in an ACP, up to the maximum N, for which the responsible ACP party has failed to [submit] record the required enforceable sales records or VOC content data as specified in the ACP agreement.

(188) — (193) (text unchanged)

(194) VOC Content.

(a) (text unchanged)

(b) “VOC content” means, for charcoal lighter material products only,

$$VOC\ Content = (Certified\ Emissions \times 100) / Certified\ Use\ Rate$$

where:

(i) Certified Emissions = the emissions level for products approved by the Department under Regulation .05 of this chapter, as determined under South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. [27]28, 1991), expressed to the nearest 0.001 pound CH₂ per start;

(ii) Certified Use Rate = the usage level for products approved by the Department under Regulation .05 of this chapter, as determined under South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. [27]

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28, 1991), expressed to the nearest 0.001 pound certified product used per start.

(195) — (201) (text unchanged)

(202) “Zinc-rich primer” means a coating that:

(a) Contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids;

(b) Is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of coatings; and

(c) Is designed for professional use only and labeled “For Professional Use Only”, “For Industrial Use Only”, “Not for Residential Use”, or “Not Intended for Residential Use.”

.04 Standards — General.

A. Except as provided in Regulations .01, .04D, [.08, .09, .10] .11, .12, .15, and .17—.26 of this chapter, a person may not sell, supply, offer for sale, or manufacture for sale in the State a consumer product manufactured on or after the effective date in §B of this regulation that contains volatile organic compounds (VOC) in excess of the limits specified in §B of this regulation.

B. (text unchanged)

Table 1.VOC Standards.

Product Category	VOC Limits Effective 1/1/2005	VOC Limits Effective 1/1/2009	VOC Limits Effective 1/1/2018
[Adhesive Removers:			
Floor or Wall Covering		5	
Gasket or Thread Locking		50	
General Purpose		20	
Specialty		70]	
Adhesive[s]:			
<i>Aerosol:</i>			
Aerosol Mist Spray	65		
Aerosol Web Spray	55		
Special Purpose Spray Adhesive[s]:			
Mounting, Automotive Engine Compartment, and Flexible Vinyl	70		
Polystyrene Foam and Automotive Headliner	65		
Polyolefin and Laminate Repair/Edge Banding	60		
Construction, Panel, and Floor Covering	15		7
Contact	80	NA	
Contact General Purpose		55	
Contact Special Purpose		80	
General Purpose	10		
Structural Waterproof	15		
Adhesive Remover:			
Floor or Wall Covering		5	
Gasket or Thread Locking		50	
General Purpose		20	
Specialty		70	
Air Freshener[s]:			
Single[-]Phase Aerosol[s]	30		
Double[-]Phase Aerosol[s]	25		
Dual Purpose Air Freshener/Disinfectant, Aerosol			60

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	Liquid[s]/Pump Spray[s]	18		
	Solid[s]/Semisolid[s]	3		
Antiperspirant[s]:				
	Aerosol	40 HVOC		
		10 MVOC		
	Non-Aerosol	0 HVOC		
		0 MVOC		
Anti-Static Product:[,]				
	<i>Aerosol</i>			80
	Non-[a]Aerosol		11	
<i>Artist's solvent/thinner</i>				
				3
Automotive Brake Cleaner[s]				
		45		NA
Automotive Rubbing or Polishing Compound				
		17		
Automotive Wax, Polish, Sealant or Glaze:				
	Hard Paste Wax[es]	45		
	Instant Detailer[s]	3		
	All Other Forms	15		
<i>Automotive Windshield Cleaner</i>				
				35
Automotive Windshield Washer Fluid[s]				
		35		
Bathroom and Tile Cleaner[s]:				
	Aerosol[s]	7		
	All Other Forms	5		NA
	<i>Non-Aerosol</i>			1
<i>Brake Cleaner</i>				
				10
Bug and Tar Remover				
		40		
Carburetor or Fuel-Injection Air Intake Cleaner[s]				
		45		10
Carpet and Upholstery Cleaner[s]:				
	Aerosol[s]	7		
	Non-Aerosol[s] (Dilutables)	0.1		
	Non-Aerosol[s] (Ready-to-Use)	3.0		
Charcoal Lighter Material		Regulation .05 of this chapter		
Cooking Sprays, Aerosol[s]		18		
Deodorant[s]:				
	Aerosol	0 HVOC		
		10 MVOC		
	Non-Aerosol	0 HVOC		
		0 MVOC		
<i>Disinfectant:</i>				
	<i>Aerosol</i>			70
	<i>Non-Aerosol</i>			1
Dusting Aid[s]:				
	Aerosol[s]	25		
	All Other Forms	7		

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Electrical Cleaner		45	
Electronic Cleaner		75	
Engine Degreaser[s]:			
Aerosol	35		10
Non-Aerosol	5		
Fabric Protectant[s]	60		
Fabric Refresher:			
Aerosol		15	
Non-Aerosol		6	
Floor Polish[es]/Wax[es]:			
[Products for Flexible] <i>Resilient</i> Flooring Material[s]	7		1
[Products for] Nonresilient Flooring <i>Material</i>	10		1
Wood Floor Wax	90		
Floor Wax Stripper[s], Non-Aerosol	Regulation .07 of this chapter		
Footwear or Leather Care Product:[s]			
Aerosol		75	
Solid		55	
All Other <i>F[f]orms</i>		15	
Furniture Maintenance Product[s]:			
Aerosol[s]	17		
All Other Forms (Except Solid or Paste)	7		NA
Non-Aerosol (Except Solid or Paste)			3
General Purpose Cleaner[s]:			
Aerosol[s]	10		8
Non-Aerosol[s]	4		
General Purpose Degreaser[s]:			
Aerosol[s]	50		10
Non-Aerosol[s]	4		
Glass Cleaner[s]:			
Aerosol[s]	12		
Non-Aerosol[s]	4		
Graffiti Remover:			
Aerosol		50	
Non-Aerosol		30	
Hair Mousse[s]	6		
Hairshine[s]	55		
Hairspray[s]	55		
[Hair Styling Gel]	[6]		
Hair Styling Product[s]:			
Aerosol and pump spray[s]		6	
All <i>O[o]ther F[f]orms</i>		2	
Heavy-Duty Hand Cleaner or Soap	8		
Insecticide[s]:			

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	Crawling Bug (Aerosol)	15		
	Crawling Bug (All O[other F]orms)	20		
	Flea and Tick	25		
	Flying Bug (Aerosol)	25		
	Flying Bug (All O[other F]orms)	35		
	Fogger[s]	45		
	Lawn and Garden (All O[other F]orms)	20		
	Lawn and Garden (Non-Aerosol)	3		
	Wasp and Hornet	40		
Laundry Prewash:				
	Aerosol[s]/Solid[s]	22		
	All Other Forms	5		
	Laundry Starch/Sizing/Fabric Finish Product[s]	5		4.5
	Metal Polish[es/] or Cleanser[s]	30		
	Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Product[s])	50		
	<i>Multi-Purpose Solvent</i>			3
	Nail Polish Remover	75		1
Non-Selective Terrestrial Herbicide:				
	Non-Aerosol[s]	3		
Oven or Grill Cleaner[s]:				
	Aerosols/Pump Spray[s]	8		NA
	Liquid[s]	5		NA
	<i>Non-Aerosol</i>			4
	<i>Aerosol</i>			8
	Paint Remover or Stripper[s]	50		
	<i>Paint Thinner</i>			3
	Penetrant[s]	50		
[Rubber and Vinyl] Rubber/Vinyl Protectant[s]:				
	Non-Aerosol[s]	3		
	Aerosol[s]	10		
<i>Sanitizer:</i>				
	<i>Aerosol</i>			70
	<i>Non-aerosol</i>			1
	Sealant[s] and Caulking Compound[s]	4		
	Shaving Cream[s]	5		
	Shaving Gel		7	4
	Silicone-Based Multi-Purpose Lubricant[s] (Excluding Solid or Semi-Solid Product[s])	60		
Spot Remover[s]:				
	Aerosol[s]	25		
	Non-Aerosol[s]	8		
	<i>Temporary Hair Color, Aerosol</i>			55

Tire Sealant[s] and Inflator[s]	20		
Toilet/Urinal Care:			
Aerosol		10	
Non-Aerosol		3	
Undercoating[s], Aerosol[s]	40		
Wood Cleaner:			
Aerosol		17	
Non-Aerosol		4	

NA = Not applicable [after January 1, 2009]

B-1.— C. (text unchanged)

D. Products Registered under Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). For a consumer product that is registered under the *Federal Insecticide, Fungicide, and Rodenticide Act*, (FIFRA), [(7 U.S.C. §§136-136y)] §136 *et seq.*, the effective date of the VOC standards is 1 year after the date specified in §B of this regulation.

E. — F. (text unchanged)

.05 Standards — Requirements for Charcoal Lighter Materials.

A. — B. (text unchanged)

C. Certification Requirements.

(1) A charcoal lighter material formulation may not be certified under this regulation unless the applicant for certification demonstrates to the Department's satisfaction that the VOC emissions from the ignition of charcoal with the charcoal lighter material are less than or equal to 0.02 pound of VOC per start, using the procedures specified in the South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol, dated February [27]28, 1991 (the "South Coast Air Quality Management District Rule 1174 Testing Protocol").

(2) — (5) (text unchanged)

D. — F. (text unchanged)

.05-1 Requirements for Flammable and Extremely Flammable Multi-Purpose Solvent and Paint Thinner.

Effective January 1, 2018, no person shall sell, supply, offer for sale, or manufacture for use in the State any "flammable" or "extremely flammable" multi-purpose solvent or paint thinner named, on the principal display panel as paint thinner, multi-purpose solvent, clean-up solvent, or paint clean-up unless the product:

A. Contains less than 1 percent by weight aromatic compound;

B. Contains methylene chloride, perchloroethylene, or trichloroethylene in a combined amount equal to or less than 0.01 percent by weight; and

C. Includes an attached hang tag, sticker, or contrasting square or rectangular area on the principal display panel that displays:

(1) At a minimum, the following statements or information in font size as large as, or larger than, the signal word, DANGER, WARNING, or CAUTION (not including the font size used for the company name, brand name or logo), as specified in 16 CFR §1500.121;

(2) That the product is "formulated to meet California VOC limits; see warnings on label"; or

(3) The common name of the chemical compound, in large font, that results in the product meeting the criteria for flammable or extremely flammable, such as acetone or methyl acetate.

.06 Standards — Requirements for Aerosol Adhesives.

A. The standards for aerosol adhesives under Regulation .04B of this chapter apply to all uses of aerosol adhesives, including consumer, industrial, and commercial uses. Except as otherwise provided in Regulations .01, [.08.] .11, .12, and .15 of this chapter, a person may not sell, supply, offer for sale, use, or manufacture for sale in the State an aerosol adhesive which, at the time of sale, use, or manufacture, contains VOCs in excess of the specified standard.

B. — D. (text unchanged)

.08 Requirements for Contact Adhesives, Electronic Cleaners, Footwear[,] or Leather Care Products, [and] General Purpose Degreasers, Bathroom and Tile Cleaners, Construction Panel and Floor Covering Adhesives, Electronic Cleaner Labeled "Energized Electronic Equipment Use Only", General Purpose Cleaners, and Oven or Grill Cleaners.

A. Except as provided in §§[B and D] C and E of this regulation, effective January 1, 2009, a person may not sell, supply, offer for sale, or manufacture for use in the State any contact adhesive, electronic cleaner, footwear or leather care product, or general purpose degreaser that contains any of the following compounds:

(1) [Ethylene] Methylene chloride;

(2) — (3) (text unchanged)

B. Except as provided in §E of this regulation, a person may not sell, supply, offer for sale, or manufacture for use in the State any bathroom and tile cleaner, construction panel and floor covering adhesive, electronic cleaner labeled "Energized Electronic Equipment use only", general purpose cleaner, or oven or grill cleaner manufactured on or after January 1, 2018, that contains any of the following compounds:

(1) Methylene chloride;

(2) Perchloroethylene; or

(3) Trichloroethylene.

[B.] C. (text unchanged)

[C.] D. (text unchanged)

[D.] E. Impurities. The requirements in §§A, B, and C of this regulation do not apply to any contact adhesive, electronic cleaner, footwear[,] or leather care product, [or] general purpose degreaser, bathroom and tile cleaner, construction panel and floor covering adhesive, electronic cleaner labeled "Energized Electronic Equipment Use Only", general purpose cleaner, or oven or grill cleaner containing methylene chloride, perchloroethylene, or

trichloroethylene that is present as an impurity in a combined amount equal to or less than 0.01 percent by weight.

.12 Innovative Products — Department Exemption.

- A. — C. (text unchanged)
- D. Application Information.
 - (1) — (2) (text unchanged)
 - (3) All information submitted by a manufacturer under this section shall be maintained in accordance with the confidentiality requirements in [State Government Article, §10-617.] *General Provisions Article, Title 4*, Annotated Code of Maryland.
- E. — J. (text unchanged)

.14 Reporting Requirements.

- A. Upon 90 days written notice, the Department may require a responsible party to report the following information for a consumer product:
 - (1) (text unchanged)
 - (2) Any claim of confidentiality made under [State Government Article, §10-617.] *General Provisions Article, Title 4*, Annotated Code of Maryland;
 - (3) — (12) (text unchanged)
- B. All information submitted by any person under this regulation shall be maintained in accordance with the confidentiality requirements in [State Government Article, §10-617.] *General Provisions Article, Title 4*, Annotated Code of Maryland.
- C. — E. (text unchanged)

.16 Test Methods.

- A. VOC Compliance Test Method.
 - (1) Testing to determine compliance with the requirements of this chapter shall be performed using CARB Method 310, Determination of Volatile Organic Compounds (VOC) in Consumer Products, adopted September 25, 1997, and *as [last] amended on [May 5, 2005] August 6, 2010.*
 - (2) (text unchanged)
- B. (text unchanged)
- C. Determination of Liquid or Solid. Testing to determine whether a product is a liquid or solid shall be performed using ASTM D4359-90 [(2000)el]/ *Reapproved 2012*, *Standard Test Method for Determining Whether a Material is a Liquid or a Solid.*
- D. (text unchanged)
- E. Testing to determine distillation points of petroleum distillate-based charcoal lighter materials shall be performed using ASTM [D86-014b] *D86-04b.*
- F. *Testing to determine whether a material is a plasticizer, may be performed using ASTM Designation: E260-96 (Reapproved 2011), Standard Practice for Packed Column Gas Chromatography.*
- G. *Testing to determine whether an art material label provides appropriate precautions concerning chronic health hazards related to the use of art materials, may be performed using ASTM Designation: D4236-94(Reapproved 2011), Standard Practice for Labeling Art Materials for Chronic Health Hazards.*
- [F.] H. (text unchanged)

BENJAMIN H. GRUMBLES
Secretary of the Environment

Title 30
MARYLAND INSTITUTE
FOR EMERGENCY
MEDICAL SERVICES
SYSTEMS (MIEMSS)
Subtitle 08 DESIGNATION OF
TRAUMA AND SPECIALTY
REFERRAL CENTERS

30.08.15 Freestanding Emergency Medical Facilities

Authority: Education Article, §13-509; Health-General Article, §19-120(o)(3); Annotated Code of Maryland

Notice of Proposed Action
[17-142-P]

The Maryland Emergency Medical Services Board proposes to adopt new Regulation .03 under COMAR 30.08.15 Freestanding Emergency Medical Facilities. Also, the Board withdraws the proposal to adopt new Regulation .03 under COMAR 30.08.15 Freestanding Emergency Medical Facilities that was published in 43:23 Md. R. 1316—1317 (November 14, 2016). This action was considered at an open meeting held on April 11, 2017, notice of which was given through publication in the Maryland Register, under General Provisions Article, §3-302(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to establish the criteria and process for determining whether the conversion of a general hospital to a freestanding medical facility will maintain adequate and appropriate delivery of emergency care within the Statewide emergency medical services system.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. New regulation COMAR 30.08.15.03 is expected to have a minimal impact on the issuing agency. The affected industry is hospitals. The impact on each hospital will vary. Overall, the benefit to the public is expected to be positive.

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

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public: (+) Moderate

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

A. Staff will review determination requests. Staff anticipates receiving only a small number of determination requests. The review of these requests can be accommodated by current staff within budget.

C. Emergency medical services may increase or decrease depending on the specific proposal. The regulation is designed to assess and balance any potential impact.

D. The proposed regulations are expected to have a positive impact on Maryland hospitals due to the reduced costs to the health care system.

F. Overall, the public should benefit from the regulation. The applicant seeking a determination must address how the proposed conversion of the facility will affect the efficient delivery of health care 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 Lisa Myers, Director, Cardiac and Special Programs, MIEMSS, 653 West Pratt Street, Baltimore, Maryland, 21201, or call 410-706-4740, or email to lmyers@gmail.com, or fax to 410-706-0853. Comments will be accepted through June 26, 2017. A public hearing has not been scheduled.

.03 Determination of Adequacy and Appropriateness of Emergency Care Delivery Associated with Conversion of a Hospital to a Freestanding Medical Facility.

A. The EMS Board shall consider the following factors in determining whether the conversion of a general hospital to a freestanding medical facility under COMAR 10.24.19.04C will maintain adequate and appropriate delivery of emergency care within the Statewide emergency medical services system:

(1) The EMS resources in the jurisdictions affected by the proposed hospital conversion, including staffing, equipment, and units;

(2) Any additional resources which will be provided by the hospital seeking to convert to augment the resources available in the affected jurisdiction.

(3) The EMS call volume of affected jurisdictions by priority;

(4) The projected number of patients who could require transport to a general acute hospital rather than the proposed freestanding medical facility for appropriate medical care;

(5) EMS transport times in the jurisdictions affected by the proposed hospital conversion and the potential for extended transport and out-of-service times resulting from the proposed conversion to a freestanding medical facility, relative to the current pattern of transport times;

(6) Commercial ambulance services availability and response times in the jurisdictions affected by the proposed hospital conversion;

(7) The number of general hospitals likely to be affected by the proposed hospital conversion and the distance to the closest general

hospital ED for appropriate patients if the hospital converts to a freestanding medical facility relative to current patterns of hospital use;

(8) The expected additional ED visit volume and associated increases in admission and observation patient volumes for the general hospitals likely to be affected by the proposed hospital conversion;

(9) Recent diversion utilization at the converting hospital and other general hospitals likely to be affected by the proposed hospital conversion and the potential impact of the proposed conversion on diversion utilization;

(10) The size, scope, configuration, services, and staffing of the proposed project; and

(11) Reasonable changes in the EMS system that are planned or can be made to maintain adequate and appropriate delivery of emergency care within the Statewide emergency medical services system if the hospital converts to a freestanding medical facility.

B. A general hospital seeking an exemption from a certificate of need to convert to a freestanding medical facility shall:

(1) Notify MIEMSS in writing of its intent to seek an exemption at least 14 days prior to a public informational hearing required by the Maryland Health Care Commission;

(2) Notify and seek input from EMS providers in jurisdictions affected by the proposed conversion at least 14 days prior to a public informational hearing required by the Maryland Health Care Commission, by publishing a physical address and email address on its website for receipt of comments;

(3) Provide to MIEMSS the information required in COMAR 10.24.19C(8)(a),(b), (d), (e), (i), and (j) to MIEMSS within 7 days of the public informational hearing required by Maryland Health Care Commission regulations; and

(4) Submit all notices and information required pursuant to COMAR 10.24.19.04(C) simultaneously to both the Maryland Health Care Commission and MIEMSS.

C. MIEMSS will continue to accept direct input from stakeholders for a period of 10 business days following the public informational hearing. MIEMSS will provide any direct input from stakeholders to the hospital proposing the conversion and allow the hospital 5 business days to respond.

D. The EMS Board will issue the determination concerning the proposed hospital conversion under §A of this regulation within 45 days of the required public informational hearing held by the hospital proposing the conversion, in consultation with the Maryland Health Care Commission.

E. MIEMSS will provide a copy of any determination issued by the EMS Board under this regulation to the Maryland Health Care Commission upon its issuance.

RICHARD L. ALCORTA, M.D., F.A.C.E.P.
PATRICIA S. GAINER, J.D., M.P.A.
Acting Co-Executive Directors

Errata

COMAR 10.07.04.04

At 44:5 Md. R. 298 (March 3, 2017), column 2, line 22 from the top:

For: B.—F. (text unchanged)

Read: B.—D. (text unchanged)

[17-11-20]



Special Documents

MARYLAND DEPARTMENT OF THE ENVIRONMENT SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will hold its regular business meeting on June 16, 2017, in Entriken, Pennsylvania. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

DATES: The meeting will be held on Friday, June 16, 2017, at 9 a.m.

ADDRESSES: The meeting will be held at the Lake Raystown Resort, River Birch Ballroom, 3101 Chipmunk Crossing, Entriken, PA 16638.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel, 717-238-0423, ext. 1312.

SUPPLEMENTARY INFORMATION: The business meeting will include actions or presentations on the following items: (1) informational presentation of interest to the Juniata Subbasin area; (2) election of officers for FY2018; (3) the proposed Water Resources Program for fiscal years 2018 and 2019; (4) amendment of the *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*; (5) the proposed FY2018 Regulatory Program Fee Schedule; (6) adoption of a preliminary FY2019 budget; (7) treasury management services agreement with First National Bank; (8) ratification/approval of contracts/grants; (9) rulemaking action to amend Commission regulations to clarify application requirements and standards for review of projects, amend the rules dealing with the mitigation of consumptive uses, add a subpart to provide for registration of grandfathered projects, and revise requirements dealing with hearings and enforcement actions; (10) report on delegated settlements; (11) EOG Resources Inc. request for waiver of application required by 18 CFR §§806.3 and 806.4; (12) Middletown Borough request for waiver of application required by 18 CFR §806.6(a)(5) and (b); and (13) Regulatory Program projects and requests for extension of emergency certificates, including for Susquehanna Nuclear, LLC.

Projects, the fee schedule, the request of waiver by EOG Resources Inc., and amendments to the Comprehensive Plan listed for Commission action are those that were the subject of a public hearing conducted by the Commission on May 11, 2017, and identified in the notice for such hearing, which was published in 82 FR 17497, April 11, 2017. The rulemaking was published in 81 FR 64814, September 21, 2016, and subject to four public hearings on November 3, 2016; November 9, 2016; November 10, 2016; and December 8, 2016, and a public comment period that closed on January 30, 2017.

The public is invited to attend the Commission's business meeting. Comments on the Regulatory Program projects, the fee schedule, the request for waiver by EOG Resources Inc., and amendments to the Comprehensive Plan were subject to a deadline of May 22, 2017. Written comments pertaining to other items on the agenda at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pennsylvania 17110-1788, or submitted electronically through <http://www.srbcc.net/pubinfo/publicparticipation.htm>. Such comments are due to the Commission on or before June 9, 2017. Comments will not be accepted at the business meeting noticed herein.

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

Dated: May 11, 2017.

STEPHANIE L. RICHARDSON
Secretary to the Commission

[17-11-29]

WATER MANAGEMENT ADMINISTRATION

Notice of Final Determination

General Permit for Discharges from Marinas Including Boat Yards and Yacht Basins

State Discharge Permit: 16MA, NPDES Permit: MDG99

The Maryland Department of the Environment is reissuing the State/National Pollution Discharge Elimination System (NPDES) General Permit for Discharges from Marinas Including Boat Yards and Yacht Basins, Permit No. 15MA (NPDES No. MDG99). This permit replaces the one issued effective March 1, 2011, Permit No. 10MM.

A public notice on the tentative determination to reissue the discharge permit was published on October 28, 2016 in the Maryland Register and in newspapers throughout Maryland. The Department held one public hearing concerning the tentative determination on **December 2, 2016** and received comments through **Friday, December 9, 2016**. After considering all comments received either in writing or through oral testimony during the comment period, the Department has made a final determination to issue the permit. A public notice on this final determination to reissue the discharge permit was published on **May 26, 2017** in the Maryland Register and on various dates between May 26, 2017 and June 2, 2017 in newspapers serving all Maryland counties and Baltimore City.

One significant revision to the tentative determination is included in the Department's final determination as follows. We have revised the new chlorine limits for dock washing to only apply when greater than 350 gpd per pier will be used. We also added a definition for plume, corrected minor typographical errors and provided clarifications to make the permit consistent with other general permits. All other terms and conditions of the tentative determination remain unchanged. The tentative determination notice is incorporated by reference into this notice and may be found here: <http://9nl.at/MD-MAGP>.

Any person adversely affected by this final determination may file a petition for judicial review. Petitions for judicial review of a final determination or permit decision subject to judicial review must be filed in accordance with §1-605 of the Environment Article no later

than **June 26, 2017**, and must be filed in a circuit court in Maryland. Petitions for judicial review must conform to the applicable Maryland Rules of Civil Procedure. Failure to file a petition for judicial review by **June 26, 2017**, will constitute a waiver of any right to a judicial review of this final determination. The permit is issued as final with an effective date of **August 1, 2017**.

To view and print the final permit and any other documents, you may use this link <http://9nl.at/MD-MAGP>.

Any questions regarding this final determination should be directed to Robert Pudmericky at the Maryland Department of the Environment, Water Management Administration, at

rob.pudmericky@maryland.gov or by telephone at 410- 537-3323 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

Persons seeking to review the final permit and associated file may do so by contacting Mr. Pudmericky to make an appointment. Copies of documents may be obtained at a cost of \$0.36 per page.

[17-11-30]

OFFICE OF THE SECRETARY OF STATE

INTERNATIONAL AND INTERSTATE AGREEMENTS

IAIS Multilateral Memorandum of Understanding on Cooperation and Information Exchange (IAISMMOU)
February 2007
Revised July 2014

Art. 1 Preamble

With the increasing integration of financial markets and the growing number of internationally active insurance companies there is an increased need for mutual cooperation and information exchange between insurance industry supervisors;

The Signatory Authorities to this Multilateral Memorandum of Understanding (MMoU) on cooperation and information exchange have reached the understanding in this memorandum recognising that:

- practical arrangements concerning cross-border cooperation and information exchange are essential not only in crisis situations, but also in insurance industry supervisors' day-to-day business, especially given their significant role in preserving financial stability;
- the ability to share information and provide assistance requires a high standard of confidentiality protection; and
- it is important to acknowledge and emphasise observance of the IAIS Insurance Core Principles (ICPs).

Art. 2 Definitions

For the purposes of this MMoU:

1. "Signatory Authority" means any insurance industry supervisor who is an IAIS member or is represented by an IAIS member¹ and – following a successful qualification procedure – has acceded to this MMoU by its signature. All Signatory Authorities are listed in Annex A.
2. "Requesting Authority" means the authority making a request under this MMoU.
3. "Requested Authority" means the authority to whom a request is made under this MMoU.
4. "Insurance Company" means insurer, reinsurer and (re)insurance group or a part thereof.
5. "Regulated Entity" means any company or other person engaged in insurance activities subject to the supervision of a Signatory Authority or applying for a license to provide such services.
6. "Person" means a natural person, legal entity, partnership or unincorporated association.
7. "Applicable Law" means any laws, regulation or requirement applicable in the jurisdictions of Signatory Authorities relevant to insurance supervision.
8. "Confidential Information" means any information regarded as confidential by the domestic Applicable Law in the jurisdictions of Signatory Authorities.

Art. 3 Objective and Scope

1. The objective of this MMoU is to establish a formal basis for cooperation and information exchange between the Signatory Authorities regarding the supervision of Insurance Companies where cross-border aspects arise.
2. It includes requesting and providing information on operations of Insurance Companies supervised by all Signatory Authorities having a legitimate interest.

3. This MMoU shall cover all issues related to the supervision of Insurance Companies such as licensing, ongoing supervision and winding-up processes (wherenecessary).
4. Beyond the licensing, ongoing supervision and winding-up of Insurance Companies, this MMoU shall also be applicable to the supervision of other Regulated Entities such as insurance intermediaries, and to AML / CFT² matters, in such cases where the Requesting and Requested Authority have those responsibilities.
5. The provisions of this MMoU are not intended to create any legally binding obligations or to modify or supersede any jurisdictional law. Nor does this MMoU create any directly or indirectly enforceable rights.
6. This MMoU does not affect any provisions under other multilateral or bilateral agreements.
7. This MMoU does not affect the freedom of Signatory Authorities to cooperate and exchange information on an informal basis or beyond the scope of thisMMoU.

Art. 4 Principles

1. The Signatory Authorities acknowledge their ability to obtain and provide information and agree on the need to enhance their cooperation and exchange of information on cross- border aspects to carry out their supervisoryresponsibilities.
2. Subject to domestic Applicable Law, the Signatory Authorities under this MMoU will provide each other with the fullest assistance possible consistent with their regulatory functions. They will consider requests from one another seriously and reply without undue delay.
3. Signatory Authorities rely on each other’s compliance with the strict confidentiality regime as set out in Art. 5 and Annex B which each of them has confirmed and evidenced before acceding to the MMoU.
4. Signatory Authorities agree that any passing on to third parties of Confidential Information received under this MMoU will require prior explicit consent from the Requested Authority.
5. Where Confidential Information is involved, the Requested Authority shall make its own judgement and decide in its sole discretion whether or not to disclose Confidential Information on a case-by-case basis.
6. Signatory Authorities will only make requests under this MMoU where they have a legitimate interest in information about Regulated Entities. Requests shall be addressed primarily to the Supervisory Authority with the greatest measure of regulatory responsibility for the Regulated Entity.
7. Signatory Authorities may provide information, including Confidential Information, on their own initiative subject to the Confidentiality Regime of thisMMoU.

Art. 5 Valid Purpose and Confidentiality

1. It is a valid purpose under this MMoU for a Requesting Authority to seek information relevant to its lawful supervision of a Regulated Entity which is subject to the supervision and responsibilities of the Requested Authority.
2. It is not a valid purpose under this MMoU for a Requesting Authority to seek information on individuals unless the request is related to the fulfilment of supervisoryfunctions.
3. The existence and content of any request for information made under this MMoU will be treated as confidential by both the Requested and the Requesting Authorities unless both Authorities agree otherwise.
4. Any Confidential Information exchanged belongs to, and will remain the property of, the Requested Authority. It shall be subject to professional secrecy rules at least equivalent to the confidentiality regime outlined in Annex B.
5. The Requested Authority will decide according to its domestic Applicable Law whether or not information requested and provided under this MMoU qualifies asconfidential.
6. The Requesting Authority will use Confidential Information received under this MMoU only for the purposes specified in the request.
7. The Requesting Authority will take all actions necessary to preserve, protect and maintain the confidentiality of information received from a RequestedAuthority.
8. The Requesting Authority will restrict access to Confidential Information received from a Requested Authority to those persons working for the Requesting Authority or acting on its behalf who:
 - a. are subject to the Requesting Authority’s professional secrecy requirements;
 - b. are under its direct supervision and control; and
 - c. have a need for such information that is consistent with, and directly related to, the purposes for which the information was requested.

9. Where it becomes necessary for a Requesting Authority to share Confidential Information provided under this MMoU with other local, regional, state, federal or international law enforcement or regulatory officials who have authority over the Regulated Entity, the Requesting Authority shall:

- a. notify the Requested Authority promptly;
- b. obtain prior consent; and
- c. prior to passing on the information, ensure that each recipient agrees to maintain the confidential status of the information provided and has the legal authority to do so.

10. Where Confidential Information provided under this MMoU is subject to a legally enforceable request in the jurisdiction of the Requesting Authority, the Requesting Authority will notify the Requested Authority prior to complying with such demand. Where consent to passing on is not given, the Requesting Authority will use all reasonable legal means to resist such a demand or protect the confidentiality of the information.

11. Such legal means include asserting such appropriate legal exemptions or legal privileges with respect to that information as may be available and affording the Requested Authority the opportunity to take whatever action it deems appropriate to preserve, protect and maintain the confidential nature of the information provided. This includes consenting to any application by the Requested Authority to intervene in any action to preserve the confidentiality of Requested Authority Confidential Information.

Art. 6 Procedures

1. To facilitate an appropriate and timely response, any request made under this MMoU shall be made in writing and preferably through the use of the Request Sheet in Annex D covering at least the following elements:

- a. the Signatory Authorities involved, the field of supervision concerned and the purpose for which the information is sought;
- b. details of the request comprising information on the person or entity concerned, such as a description of the facts underlying the request, specific questions to be asked and an indication of any sensitivity about the request;
- c. a statement as to whether details provided by the Requesting Authority should be confirmed or verified and if so what kind of confirmation or verification is sought; and
- d. a statement on whether, to whom and for what reasons Confidential Information is likely to be passed on.

2. The Requested Authority will confirm the receipt of the request. It may require further details in accordance with its domestic Applicable Law.

3. The Requested Authority will assess each request on a case-by-case basis. In deciding whether and to what extent to fulfil a request, the Requested Authority may take into account:

- a. whether the request conforms with this MMoU;
- b. whether compliance with the request would be so burdensome as to disrupt the proper performance of the Requested Authority's functions;
- c. whether it would be otherwise contrary to the essential interest of the Requested Authority's jurisdiction to provide the information requested;
- d. any other matters specified by the domestic Applicable Law of the Requested Authority's jurisdiction (in particular those relating to confidentiality and professional secrecy, data protection and privacy, and procedural fairness); and
- e. whether complying with the request may otherwise be prejudicial to the performance by the Requested Authority of its functions.

4. Where the Requested Authority cannot entirely fulfil the request it will cooperate with and assist the Requesting Authority to the extent possible.

5. For urgent cases in which the use of the prescribed form is not appropriate, a request can be presented orally subject to written confirmation within 10 business days.

Art. 7 Points of Contact

1. To facilitate cooperation and information exchange under this MMoU, the Signatory Authorities hereby designate principal points of contact which shall be kept in a list on the IAIS website.

2. All communications between the Requesting and Requested Authorities shall take place between the relevant points of contact unless agreed otherwise in a particular case.

3. The Signatory Authorities will notify the IAIS Secretariat promptly of changes with regard to the principal point of contact. The IAIS Secretariat will update the points of contact list on a regular basis.

Art. 8 Costs

If the costs of fulfilling a request are likely to be substantial, the Requested Authority may, as a condition of agreeing to provide assistance under this MMoU, require the Requesting Authority to make a contribution to costs.

Art. 9 Participation in the MMoU, competent IAIS bodies, commencement, and termination of the MMoU

1. Participation in this MMoU is open to any insurance industry supervisor which is an IAIS member or is represented by an IAIS member³. All Signatory Authorities must have fulfilled all accession requirements as defined in detail in Annex C.
2. The IAIS Implementation Committee shall be the competent body within the IAIS structure for the implementation and monitoring of the processes and smooth functioning of this MMoU as outlined in Annex C.
3. This MMoU will take effect once it has been officially signed by at least three Supervisory Authorities. It will continue to have effect until there are fewer than two Signatory Authorities.
4. Any Signatory Authority may retire from its participation in this MMoU at any time by giving at least 30 days prior notice to the IAIS Secretariat which shall inform all other Signatory Authorities without undue delay.
5. Signatory Authorities will cooperate and exchange information according to this MMoU during the 30 days notice period until the actual retirement / termination date.
6. Termination or retirement by any Signatory Authority will not in any way affect:
 - a. the rights or obligations of any Signatory Authority with respect to Confidential Information previously received or provided under this MMoU,
 - b. any privileges associated with such information.
7. A Signatory Authority may be excluded from this MMoU in exceptional cases (for example where a Signatory Authority is held to have abused provisions of the MMoU for its own or a third party's purpose and in particular where it contravenes the confidentiality regime). Details are outlined in Annex C.

Art. 10 Review and Amendment

1. The Signatory Authorities will periodically review the functioning and effectiveness of cooperation and information exchange under this MMoU.
2. Any amendment to this MMoU requires the consent of all Signatory Authorities and shall be done in writing. This requirement does not apply to the list of Signatory Authorities in Annex A, which will be updated by the IAIS Secretariat.

Annex A:	List of Signatory Authorities to the IAIS Multilateral Memorandum of Understanding on Cooperation and Information Exchange
Annex B:	IAIS MMoU Confidentiality Regime
Annex C:	Application and Accession to the IAIS Multilateral Memorandum of Understanding on Cooperation and Information Exchange
Annex D:	IAIS MMoU Request Sheet

Annex A : List of Signatory Authorities to the IAIS Multilateral Memorandum of Understanding on Cooperation and Information Exchange

1. Bermuda Monetary Authority, Bermuda (25 June 2009)
2. Financial Supervisory Commission, Chinese Taipei (25 June 2009)
3. Bundesanstalt für Finanzdienstleistungsaufsicht (BaFin), Germany (25 June 2009)
4. Australia Prudential Regulation Authority, Australia (23 October 2009)
5. Autorité de contrôle prudentiel - ACP, France (23 October 2009)
6. De Nederlandsche Bank, The Netherlands (13 November 2009)
7. Financial Market Authority, Austria (26 February 2010)
8. Insurance Supervisory Commission, Romania (26 February 2010)
9. Comision Nacional de Seguros y Fianzas, Mexico (16 June 2010)
10. Monetary Authority of Singapore, Singapore (25 June 2010)
11. Jersey Financial Services Commission, Jersey (21 October 2010)

12. Malta Financial Services Authority, Malta (27 October 2010)
13. Guernsey Financial Services Commission, Guernsey (28 October 2010)
14. Dubai Financial Services Authority (DFSA), United Arab Emirates (28 October 2010)
15. Financial Services Commission (FSC), British Virgin Islands (17 June 2011)
16. Cayman Islands Monetary Authority, Cayman Islands (17 June 2011)
17. Financial Services Agency, Japan (17 June 2011)
18. Swiss Financial Market Supervisory Authority (FINMA), Switzerland (22 September 2011)
19. Insurance Supervisory Commission of the Republic of Lithuania, Lithuania (27 September 2011)
20. Autoridade Monetaria de Macau, Macau (2 November 2011)
21. Banque Nationale de Belgique / Nationale Bank van België, Belgium (12 December 2011)
22. Connecticut Department of Insurance, USA (20 February 2012)
23. Office of the Commissioner of Insurance, China Hong Kong (6 June 2012)
24. Superintendencia de Valores y Seguros, Chile (14 June 2012)
25. Qatar Financial Centre Regulatory Authority, Qatar (15 June 2012)
26. Financial Services Authority, United Kingdom (21 June 2012)
27. Isle of Man Insurance and Pensions Authority, Isle of Man (10 July 2012)
28. Commissariat aux assurances, Luxembourg (24 July 2012)
29. Office of the Superintendent of Financial Institutions, Canada (25 July 2012)
30. Komisja Nadzoru Finansowego - KNF (Polish Financial Supervisory Authority), Poland (31 July 2012)
31. Financial Market Authority, Liechtenstein (18 September 2012)
32. Washington State Office of the Insurance Commissioner, USA (18 September 2012)
33. Istituto per la Vigilanza sulle Assicurazioni Private e di Interesse Collectivo (ISVAP), Italy (26 November 2012)
34. Central Bank of Ireland, Ireland (14 February 2013)
35. Prime Ministry, Undersecretariat of Treasury of Turkey (20 March 2013)
36. Nebraska Department of Insurance, USA (12 April 2013)
37. Insurance Regulatory and Development Authority, India (1 May 2013)
38. Capital Markets, Insurance and Savings Division, Israel (29 November 2013)
39. Financial Services Commission, Mauritius (20 December 2013)
40. Superintendencia de Seguros Privados (SUSEP), Brazil (14 March 2014)
41. State Corporation Commission, Bureau of Insurance, Virginia, USA (14 August 2014)
42. California Department of Insurance, California, USA (14 August 2014)

Annex B: IAIS MMoU Confidentiality Regime

Any Signatory Authority to this MMoU must guarantee compliance with the strict Confidentiality Regime below:

1. As a general rule any information received under this MMoU shall be treated as confidential except where otherwise indicated or where information is passed on in summary or aggregate form such that individual Regulated Entities cannot be identified.
2. The MMoU is not aimed at requests for information that has been or is publicly available (public information). Such requests should remain limited to cases where confirmation is sought or where public information proves difficult to obtain from other sources, when it may be readily delivered by the Requested Authority.

A. Confidentiality and Guarantee of Professional Secrecy

The legal system of a Signatory Authority's jurisdiction must provide incorporated rules protecting Confidential Information which are at least equivalent to the following:

3. The exchange of Confidential Information shall serve no other purposes than those directly related to the fulfilment of a Signatory Authority's supervisory functions (valid purpose).
4. To achieve confidential treatment of information received, any Signatory Authority to the MMoU must provide that all persons gaining access to this information in the course of their duties are bound by an obligation of professional secrecy.
5. The obligation of professional secrecy means that - as a basic rule - all Confidential Information received may not be divulged to any person or authority whatsoever, except in certain circumstances and subject to requirements outlined in this Annex.
6. The professional secrecy requirements apply to any person currently or previously employed by or acting on behalf of a Signatory Authority.
7. Confidential Information originating from another Signatory Authority must remain subject to equivalent confidentiality protections. Therefore any further passing on of Confidential Information requires that the person receiving the information is bound by professional secrecy rules at least equivalent to those outlined in provisions 4, 5 and 6 of this Annex.
8. Any passing on of Confidential Information in breach of professional secrecy must be unlawful in the relevant jurisdiction of the Signatory Authority.

B. Passing on of Confidential Information

9. Any passing on of Confidential Information exchanged under this MMoU, including information that shall be forwarded by way of official reporting, necessitates prior explicit agreement of the Signatory Authority from whom the information originates and must be subject to the terms of this agreement, in particular regarding the purpose for which the information shall be used.
10. Passing on of Confidential Information shall be decided on a case-by-case basis by the Requested Authority.
11. Without prejudice to provisions 9 and 10 and provided that Confidential Information received under this MMoU shall:
 - serve no other purposes than those specified in the request; and
 - remain subject to equivalent confidentiality protection the Signatory Authorities consent to passing on of information where it will assist:
 - Signatory Authorities in the fulfilment of their supervisory functions; and
 - other domestic bodies competent in the financial services field (including central banks), law enforcement agencies and relevant courts in the performance of their duties.
12. Specified purposes cover in particular requests in relation to:
 - licensing;
 - fit and proper criteria;
 - ongoing supervision including auditing matters;
 - winding up, liquidation and bankruptcy;
 - criminal and regulatory proceedings; and
 - the administration of guarantee funds.
13. Furthermore Signatory Authorities shall generally consent to any passing on of Confidential Information where the individual Regulated Entity to whom the information relates explicitly agrees.

C. Confirmation Statement

14. Compliance with the strict confidentiality regime as outlined in this Annex B is a key prerequisite for joining the MMoU and becoming a Signatory Authority. Therefore every applicant must sign the following confirmation statement in the following terms at an appropriate level of responsibility:

"I confirm, on behalf of my organisation, that:

- on our understanding, information to be disclosed to us will be subject to equivalent professional secrecy to that outlined in the IAIS MMoU confidentiality regime as set out above; and
- we will notify all Signatory Authorities of this MMoU and the IAIS Secretariat of any changes in the guarantees of professional secrecy applying to such information which could affect the assessment of the equivalence of these guarantees according to the IAIS MMoU confidentiality regime.

I also confirm, on behalf of my organisation, that in relation to information disclosed by another Signatory Authority:

- we will obtain the prior consent of the Signatory Authority from whom the information originated before voluntarily passing on such information; and
- we will, as far as practicable, notify that Signatory Authority promptly of any passing on of information or disclosure prescribed by law, and use our best endeavours to resist such demand in practice if requested by that Signatory Authority.

Date and Signature"

Annex C: Application and Accession to the IAIS Multilateral Memorandum of Understanding on Cooperation and Information Exchange**A. Application to become a Signatory Authority to the MMoU**

1. All insurance industry supervisors who are IAIS members or are represented by an IAIS member⁴ are eligible to become a Signatory Authority to the MMoU at any time. Applications should be submitted to the IAIS Secretariat. The applications for accession to the MMoU shall be kept confidential by all parties involved in the application procedure.
2. The application consists of a written request for accession accompanied by a full set of assessment documentation as set out in Part C below and copies of all relevant supporting laws, rules and regulations. It should identify and explain the applicant's legal authority to meet the specific MMoU provisions which are essential to mutual cooperation and the exchange of information in order to seek to ensure that insurance supervision is effective.
3. The Secretariat will ensure that the application has been properly completed and signed, and that the assessment documentation has been attached. The application will be verified by a validation team, with administrative support provided by the Secretariat. Validation teams are established by the Signatories Working Group (SWG). The teams include members who are well-versed in legal processes and procedures and insurance regulatory law. The SWG has discretion to invite other IAIS members that are potential Signatory Authorities to participate in the validation process.
4. The verification of the assessment documentation will be limited to an assessment as to whether the application accurately complies fully with all MMoU provisions. Based on its review the validation team will make specific recommendations on a consensual basis to the SWG concerning the suitability of the applicant to become a Signatory Authority.
5. Prior to making any recommendation to the SWG that an application does not fully comply with all MMoU provisions, the validation team will notify the applicant in writing, identifying the specific MMoU provisions with which the applicant does not comply, or for which the applicant lacks legal powers.
6. Each member of the SWG is entitled to express dissent from a positive recommendation of the applicant's assessment by the validation team. This dissent must be expressed in writing, identifying the MMoU provisions with which the applicant does not comply and the reasons for non-compliance (e.g. lack of legal responsibility). Based on any dissent received, the SWG will ask the validation team to notify the applicant in writing of the specific MMoU provisions with which the applicant is considered not to comply and the reasons for non-compliance. The applicant may then provide further documentation and explanation with regard to the expressed dissent.
7. Where dissent continues to be expressed and the applicant disagrees with the views of the SWG it may write to the Chairman of the Implementation Committee (IC) in order for the Chairman to commence mediation. Where no dissent has been expressed or where expressed dissent has been resolved, the SWG will forward its recommendation to the High Level Committee (HLC). The HLC consists of the Chairmen of the IC, the Technical Committee and the Executive Committee. It acts on the recommendation of the SWG and will formally endorse the accession. Exceptions to endorsement are expected to be extremely limited due to the prior steps of validation.
8. Upon the endorsement of the HLC the applicant will be invited to sign the MMoU. Annex A will contain the names of all Signatory Authorities.
9. If the validation team raises with the applicant issues which cannot be resolved immediately, the applicant may ask that the application be put into suspense for up to six months. This period may be extended for further periods of up to six months, at the request of the applicant.
10. If an application is in suspense, and the period expires without a request from the applicant to extend it, the application will be treated as withdrawn.

B. Monitoring of the Operation of the MMoU

12. The IC will regularly review the implementation of the MMoU and monitor the operational processes of the MMoU upon receipt of reports from the SWG according to Art. 10 (1) of the MMoU.
13. The IC will report to the Executive Committee about the integrity of all relevant MMoU processes in place and the overall performance of the involved bodies.
14. In order to ensure the effective monitoring of the operation of the MMoU, Signatory Authorities will update as appropriate their assessment documentation posted on the IAIS members-only website and notify any substantial changes in relevant domestic legislation to the Secretariat. The Secretariat shall inform all Signatory Authorities of such notifications.
15. If the SWG determines that there has been a demonstrable change in the willingness or ability of a Signatory Authority to meet the provisions of the MMoU, it will inform the IC and the HLC that appropriate remedial measures should be undertaken. The SWG will not take steps unless it has first provided appropriate notice to the Signatory Authority and the Signatory Authority has had an opportunity to make representations to the SWG. Upon the written recommendation of the SWG the HLC may take such remedial actions as are appropriate to encourage the Signatory Authority's compliance with provisions of the MMoU, or it may terminate the Signatory Authority's participation in the MMoU as set forth in Art. 9 (7) of the MMoU.

C. Assessment Documentation

16. In order to prove its ability to comply with all provisions under the MMoU, an applicant to become a Signatory Authority should identify and explain the general or specific relevant provisions of its Applicable Law (and provide copies of all relevant supporting laws, rules and regulations) with regard to the following issues:

- a. provisions that enable the applicant to
 - i. sign this MMoU as competent authority within the scope of the MMoU according to Art. 3 of the MMoU;
 - ii. obtain information from Regulated Entities;
 - iii. provide information to and share it with foreign insurance industry supervisors;
 - b. provisions with respect to confidentiality and professional secrecy which comply with the MMoU strict confidentiality regime as set out in the MMoU, in particular in Annex B.
 - c. any provisions restricting the use of information provided to a foreign supervisor on the basis of the MMoU.
 - d. provisions relevant to the case-by-case assessment following Art. 6 (3) of the MMoU.
 - e. a signed copy of the Confirmation Statement as set out in Annex B.
 - f. a declaration stating that the submitted documentation is complete.
17. All assessment documentation shall be provided in English and sent to the Secretariat.

D. Legal Succession and Transfer of Membership

18. If a Signatory Authority is renamed, restructured, or merged with another authority, its legal successor may furthermore participate in the MMoU subject to the conditions set out below in Section 20 et seq.

19. If a Signatory Authority is split up, each succeeding authority may furthermore participate in the MMoU subject to the conditions set out below in Section 20 et seq.

20. The Signatory Authority shall, as early as possible, notify the Secretariat and the SWG of the nature of the measures affecting the Authority's legal regime, confirm in writing the legal successor's obligations and purview including confirmation of the successor body's eligibility for Signatory Authority status, and provide supporting information and documents.

21. Continuation of an Authority's participation in the MMoU requires a seamless transition of IAIS membership on the legal successor(s). Art. 9.1 of the MMoU applies accordingly. A legal successor will not be able to exert the rights and obligations which accrue from the Signatory status as long as the IAIS membership rests or is suspended in order to clarify legal issues.

22. For the purpose of this Part D, sections B.14. and B.15. apply accordingly in all other aspects.

Annex D: IAIS MMoU Request Sheet

This request is being made under the IAIS MMoU on Cooperation and Information Exchange.

I. Signatory Authorities involved (Art. 7 of the MMoU):

1. Point of Contact of the Requested Authority:

Name:

Telephone and Fax numbers:

E-mail address:

2. Point of Contact of the Requesting Authority:

Name:

Telephone and Fax numbers:

E-mail address:

II. Issue concerned (Art. 3 (1) to (4) of the MMoU):

1. Information is requested concerning the supervision of a(n)

- Insurer Reinsurer
- Insurance or reinsurance group Insurance intermediary
- Other, please specify:

2. Information is based on a valid purpose according to Art. 5 (1) of the MMoU and relates to

- Licensing
- Fit and proper criteria
- Ongoing supervision, including auditing matters Winding up, liquidation or bankruptcy
- Anti-money laundering (AML) or combating the financing of terrorism (CFT) Supervisory practices
- Other, please specify:

Please provide sufficient and detailed information to enable the Requested Authority to verify your responsibility and your legitimate interest in the information requested.

- 4. Criminal proceedings have been initiated: Yes No
If yes, please specify:
- 5. Priority of the issue: Normal Urgent

III. Details of request (Art. 6 of the MMoU)

- 1. Name of Regulated Entity on which information is requested: Person or Entity:
Name: _____
Address: _____
Postal Code: _____
Town: _____
Jurisdiction: _____
- 2. Specific description of the kind of information needed or assistance sought, including sources of information that could be explored:
- 3. Brief description of relevant facts underlying the request including statement regarding suspected violation of Applicable Law where relevant:
- 4. The Requested Authority shall confirm or verify the facts provided:
 - a. Confirmation: Yes No
 - b. Verification: Yes No
 - c. If yes, please provide further details:
- 5. Dates of previous requests on this matter:

IV. Passing on of information (Art. 4 (4), Art. 5 MMoU and Annex B)

The Requesting Authority hereby confirms that confidential information is treated in compliance with the MMoU and with Annex B.

- 1. If the information is likely to be passed on, please name the body concerned and give the reasons for the potential passing on of the information:
- 2. In case information is likely to be passed on:
 - a. Please name the purposes for which the information will be used:
 - Licensing
 - Fit and proper matters
 - Ongoing supervision, including auditing matters Winding up, liquidation and bankruptcy Criminal and regulatory proceedings
 - The administration of (compulsory) guarantee funds Official reporting
 - Other purpose, please specify:
 - b. Please provide additional information regarding the potential use for the requested information that might be useful to the Requested Authority in evaluating the request for information:

End Notes:

¹ Reference is made to Art. 6 No. 2 b) of the IAIS By-Laws
² Anti Money Laundering and Combating the Financing of Terrorism
³ Reference is made to Art. 6 No. 2 b) of the IAIS By-Laws
⁴ Reference is made to Art. 6 No. 2 b) of the IAIS By-Laws

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.

ADVISORY COUNCIL ON CEMETERY OPERATIONS

Subject: Public Meeting
Date and Time: June 22, 2017, 10 a.m. — 1 p.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Deborah Rappazzo (410) 230-6229

[17-11-08]

COMPTROLLER OF THE TREASURY/ADMINISTRATION AND FINANCE

Subject: Reduction of Bond Authorization Announcement

Add'l. Info: Pursuant to State Finance and Procurement Article, §8-128, Annotated Code of Maryland, which provides that, if within 2 years after the date of an authorization of State debt no part of the project or program for which the enabling act authorized the State debt is under contract and the Board of Public Works has not committed money for any part of the project or program, the authorization terminates unless:

(1) The enabling act provides otherwise; or

(2) In an emergency, the Board unanimously grants a temporary exception for a period of 1 year.

Therefore, with Board of Public Works approval of item, #7C dated May 10, 2017, we submit for publication the following cancellation of bond authorization in accordance with the above-referenced articles:

Supplemental Assistance Program: Ch. 463, Acts of 2014; \$28,682; Provide assistance to grant and loan recipients to meet the local share of construction costs. Of these funds, \$50,000 shall be used to provide a grant to the Town of Federalsburg for the design and construction of improvements to the Town of Federalsburg Railroad Avenue Combined Sewer Overflow Removal and Water Main Replacement Project.

Re Rentuma

Fiscal Specialist

Administration and Finance

Contact: Re Rentuma (410) 260-7909

[17-11-23]

MARYLAND CYBERSECURITY COUNCIL

Subject: Public Meeting
Date and Time: June 1, 2017, 10 a.m. — 12 p.m.
Place: College Park Marriott, University of Maryland University College, 3501 University Blvd., East, Adelphi, MD
Add'l. Info: For more information go to www.umuc.edu/mdcybersecuritycouncil or email marylandcybersecuritycouncil@umuc.edu.
Contact: Greg von Lehmen (301) 985-7077

[17-11-14]

EMERGENCY MEDICAL SERVICES BOARD

Subject: Public Meeting
Date and Time: June 13, 2017, 9 — 11 a.m.; part of the meeting may include a closed session
Place: 653 W. Pratt St., Ste. 212, Baltimore, MD
Add'l. Info: The State Emergency Medical Services Board (EMS Board) meets regularly on the 2nd Tuesday of each month.

Contact: Leandrea Gilliam (410) 706-4449

[17-11-09]

STATEWIDE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL (SEMSAC)

Subject: Public Meeting
Date and Time: June 1, 2017, 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

[17-11-10]

DEPARTMENT OF THE ENVIRONMENT/AIR AND RADIATION MANAGEMENT ADMINISTRATION

Subject: Public Hearing
Date and Time: June 27, 2017, 12:30 — 1 p.m.
Place: 1800 Washington Blvd., 1st Fl. Conf. Rm., Baltimore, MD
Add'l. Info: The Maryland Department of the Environment will hold a public hearing concerning the State's intention to request approval for the Maryland State implementation plan (SIP) revision certifying that the existing COMAR 26.11.01.05-1 "Emission Statements" satisfies the Clean Air Act (CAA) section 182(a)(3)(B) requirements for the 2008 National Ambient Air Quality Standard (NAAQS) for Ozone.

The public hearing will be held on June 27, 2017, at 12:30 p.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 Randy Mosier, Chief, Regulations Development Division, Air and Radiation Management Administration, Department of the Environment, 1800 Washington Boulevard, Suite 730, Baltimore, Maryland 21230-1720, or emailed to randy.mosier@maryland.gov. Comments must be received not later than 5 p.m. on June 27, 2017, or be submitted at the hearing.

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

- The Air and Radiation Management Administration Baltimore office; and The Department of the Environment's website Air Quality Planning Program at: <http://mde.maryland.gov/programs/Air/AirQualityPlanning/Pages/index.aspx>

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. The public library system in Maryland may be used for Internet access to view the document.

Contact: Carolyn Jones (410) 537-4210
[17-11-21]

FIRE PREVENTION COMMISSION

Subject: Public Meeting
Date and Time: June 20, 2017, 11:30 a.m.
Place: Rowland E. Powell Convention Center, 4001 Coastal Hwy., Mezzanine Board Rm. 201, Ocean City, MD
Add'l. Info: Portions of the meeting may be held in closed session.
Contact: Heidi Ritchie (877) 890-0199

[17-11-12]

HALL OF RECORDS COMMISSION

Subject: Public Meeting
Date and Time: June 6, 2017, 12 — 1:30 p.m.
Place: Maryland State Archives, Annapolis, MD
Contact: Liz Coelho (410) 260-6401

[17-11-07]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subject: Formal Start of Review
Date and Time: June, 2017 — August 1, 2017, Monday — Friday, 8:30 a.m. — 4:30 p.m.
Place: Spring Grove Hospital Center, Mitchell Bldg., 55 Wade Ave., Catonsville, MD, 21228

Add'l. Info: The Behavioral Health Administration (BHA) is in the process of developing the FY 2018 Behavioral Health Plan as part of its application for the FY 2018 — 2019 Federal Mental Health (MHBG) and Substance Abuse (SABG) Block Grant funds. Final submission of the FY 2018 — 2019 MHBG and SABG applications to the federal Substance Abuse and Mental Health Services Administration, Centers for Mental Health Services, Substance Abuse Prevention and Treatment will occur by September 1, 2017. Drafts of the FY 2018 Behavioral Health Plan can be reviewed in June 2017 at the above address. Any general comments regarding the Behavioral Health Plan or specific comments regarding drafts to the finalization of the MHBG/SABG applications will be considered and incorporated as appropriate. The

documents will be available after their due dates, and will be posted on the BHA website: <http://bha.dhmfh.maryland.gov>. Comments on the plan may also be made after submission of the plan to the Federal Government.

Contact: Greta Carter (410) 402-8473
[17-11-22]

DEPARTMENT OF INFORMATION TECHNOLOGY

Subject: Public Meeting
Date and Time: June 21, 2017, 1 — 3 p.m.
Place: 100 Community Pl., 1st Fl. Conf. Rm., Side B, Crownsville, MD
Add'l. Info: Statewide Interoperability Radio Control Board Quarterly Meeting
Contact: Diane Jennings (410) 697-9407

[17-11-25]

DEPARTMENT OF INFORMATION TECHNOLOGY

Subject: Public Meeting
Date and Time: June 23, 2017, 10 a.m. — 12 p.m.
Place: 100 Community Pl., 1st Fl. Conf. Rm., Side A, Crownsville, MD
Add'l. Info: Maryland Open Data Council Quarterly Meeting
Contact: Diane Jennings (410) 697-9407

[17-11-26]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting
Date and Time: June 15, 2017, 1 — 4 p.m.
Place: 4160 Patterson Ave., Rm. 100, Baltimore, MD
Contact: Valerie Wooding (410) 764-3570

[17-11-02]

MARYLAND HEALTH CARE COMMISSION

Subject: Request for Determination of Coverage
Add'l. Info: The Maryland Health Care Commission received a request on April 14, 2017 from MedStar Health, who filed a request for a determination of coverage under Certificate of Need regulations for their plan to relocate the Greater Chesapeake Surgery Center, an ambulatory surgery facility with two operating rooms and one procedure room, from its current location at 1212 York Road in Lutherville, Maryland to 2118 Greenspring Drive in Timonium, Maryland. Parties wishing more information may contact Kevin McDonald, Chief, Certificate of Need Program, at 410-764-5982.

Kevin McDonald, Chief, Certificate of Need, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215-2299.

Contact: Ruby Potter (410) 764-3276
[17-11-13]

MARYLAND HEALTH CARE COMMISSION

Subject: Notice of Receipt of Letter of Intent for Residential Treatment Services in Maryland

Add'l. Info: On May 2, 2017, the Maryland Health Care Commission received from Season's Residential Treatment Program, LLC, a Letter of Intent to establish a 72-bed residential treatment center to provide a range of comprehensive therapeutic services to treat the unmet need of patients with behavioral health challenges and diagnosed mental illness to be located at a 16-acre undeveloped site on Allentown Road, in Fort Washington, Maryland, Prince George's County.

Pursuant to COMAR 10.24.01.08A(3) the Commission hereby initiates a 30-day period in which additional Letters of Intent to apply for a Certificate of Need may be submitted to establish a Residential Treatment Facility in Maryland. Additional Letters of Intent should be submitted to the MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215, and are due by the close of business, June 26, 2017.

Contact: Ruby Potter (410) 764-3276
[17-11-15]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Application
Add'l. Info: Add'l Info: On May 5, 2017 the Maryland Health Care Commission (MHCC) received three Certificate of Need applications submitted by:

- Adventiat Home Health Care Services — Matter No. 17-R2-2397 — Provide home health services in Frederick County; Proposed Cost: \$75,000.
- Amedisys Home Health and Hospice — Matter No. 17-R2-2398 — Provide home health services in Frederick County; Proposed Cost: \$40,000.
- Bayada Home Health — Matter No. 17-R2-2399 — Provide home health services in Frederick, Washington, Allegany and Garrett Counties; Proposed Cost: \$0.

The MHCC shall review the applications under Health-General Article, §19-101 et

GENERAL NOTICES

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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. Copies 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

[17-11-18]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Subject: Listing of Comprehensive Stroke Center Requesting Reverification of Status and Call for Applications from Those Wishing to Be Considered for Designation

Add'l. Info: Pursuant to COMAR 30.08.02C, the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospital has requested reverification as a Comprehensive Stroke Center:

The Johns Hopkins Hospital

Any person with knowledge of any reason why the above listed hospital should not be reverified and redesignated is requested to submit a written statement of the reason to Anna Aycock, Chief Health Facilities and Special Programs, 653 W. Pratt Street, Baltimore, MD 21201, by June 12, 2017.

In addition, pursuant to COMAR 30.08.02.03C, hospitals not designated but who wish to be considered for designation as a Comprehensive Stroke Center should submit a written letter of intent to MIEMSS Office of Hospital Programs, 653 W. Pratt Street, Baltimore, MD 21201. Letters of intent are due to MIEMSS by July 6, 2017. For more information contact Anna Aycock, Chief, Health Facilities and Special Programs, at (410) 706-3930 or email aaycock@miemss.org.

Contact: Anna Aycock (410) 706-3930

[17-10-09]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Subject: Listing of Primary Stroke Center Requesting Reverification of Status and Call for Applications from Those Wishing to Be Considered for Designation

Add'l. Info: Pursuant to COMAR 30.08.02C, the Maryland Institute for Emergency Medical Services Systems gives notice that the following hospitals have requested reverification as Primary Stroke Centers:

- Calvert Memorial Hospital
- University of Maryland Charles Regional Medical Center
- Howard County General Hospital
- Shady Grove Adventist Hospital

Any person with knowledge of any reason why any of the above listed hospitals should not be reverified and redesignated is requested to submit a written statement of the reason to MIEMSS, 653 W. Pratt Street, Baltimore, MD 21201, by May 26, 2017.

In addition, pursuant to COMAR 30.08.02.03C, hospitals not designated but who wish to be considered for designation as a Primary Stroke Center should submit a written letter of intent to the office listed above. Letters of intent are due to MIEMSS by July 6, 2017. For more information contact Anna Aycock, Chief, Health Facilities and Special Programs at (410) 706-3930 or email aaycock@miemss.org.

Contact: Anna Aycock (410) 706-3930

[17-10-10]

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Subject: Public Meeting

Date and Time: June 16, 2017, 9 a.m. — 12 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 also may be discussed. An Executive Session is possible. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 1-800-735-2255. The meeting may take place by teleconference. Please call the office for information.

Contact: Lauren Murray (410) 402-8556

[17-11-06]

RACING COMMISSION

Subject: Public Meeting

Date and Time: June 22, 2017, 12:30 — 1 p.m.

Place: Laurel Park, Laurel, MD

Contact: J. Michael Hopkins (410) 296-9682

[17-11-11]

COMMISSION OF REAL ESTATE APPRAISERS AND HOME INSPECTORS

Subject: Public Meeting

Date and Time: June 13, 2017, 10:30 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Patti Schott (410) 230-6165

[17-11-04]

DEPARTMENT OF TRANSPORTATION/AVIATION ADMINISTRATION

Subject: Public Meeting

Date and Time: August 16, 2017, 6 p.m.;
Additional Date: Wednesday, November 15, 2017, 6 p.m.

Place: 991 Corporate Blvd., Assembly Rm., Linthicum, MD

Add'l. Info: Senate Bill 276 established the Citizens Committee for the Enhancement of Communities Surrounding Baltimore/Washington International Thurgood Marshall (BWI) Airport. The intent of this legislation is to provide benefit to those citizens living in the communities impacted by the daily operations of BWI Airport, by allowing them the opportunity to apply for grants for transportation related projects. Typical projects include speed humps, streetscapes, bus shelters, and sidewalk repairs. These communities must be located within the most recently certified Airport Noise Zone or within 2 miles of the outermost noise contour. The Community Enhancement Committee (Committee) reviews and evaluates the grant applications from eligible communities to ensure that all grant requirements are met. The Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA) and MDOT Legal Office represent the Department on the Committee. Representatives from the Maryland Department of Transportation State Highway Administration (MDOT SHA) and Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) also provide comments and recommendations on projects associated with their agencies, as well as local government, before the

recommendations are then forwarded to the MDOT Secretary for approval.

The program funding comes from the Maryland Transportation Trust Fund and is budgeted through The Secretary's Office. The yearly funding formula is equal to \$1 for every aircraft take-off and landing at BWI Airport for the most recently available calendar year. The program is divided into four grant cycles with application deadlines the first of August, November, February, and May.

Transportation Community
Enhancement Grant (CEG) Committee
Remaining 2017 Meeting Dates:

- Wednesday, August 16
- Wednesday, November 15

Meetings begin at 6 p.m. in the Assembly Room at 991 Corporate Boulevard in Linthicum, Maryland unless otherwise noted. For additional information regarding CEG Committee meetings, please contact Kim Davidson at 410-859-7456.

Contact: Kim Davidson (410) 859-7456
[17-11-31]

**MARYLAND DEPARTMENT OF
TRANSPORTATION/MARYLAND
BOARD OF AIRPORT ZONING
APPEALS**

Subject: Public Hearing

Date and Time: June 5, 2017, 10 a.m.

Place: MDOT Headquarters, 7201 Corporate Center Dr., Board Rm., Hanover, MD

Add'l. Info: The Maryland Board of Airport Zoning Appeals (BAZA) will hear the following case:

Docket Number 403 Extension

Liberty Property Limited Partnership is proposing to utilize a temporary crane at Liberty Ridge 1 for the construction of a warehouse at the Intersection of Ridge and Hanover Roads, Hanover, Maryland 21076. The site is approximately 5,200 feet northwest of Runway 10 at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall). The proposed crane elevation is 150 feet above ground level and 319 feet above mean sea level. The temporary crane elevation will exceed the Code of Federal Aviation Regulations (FAR) Part 77, Objects Affecting Navigable Airspace by 26 feet. Code of Maryland Regulations (COMAR) 11.03.06.03 and 11.03.06.04, Height Limits in Airport Districts enables the proponent to seek a variance from the Board of Airport Zoning Appeals for any proposed penetration of FAR Part 77. Therefore, the Maryland Aviation Administration will present BAZA Case

403 to the Board of Airport Zoning Appeals Monday, June 5, 2017 at 10 a.m.

For additional information, please contact Deborah Mahoney-Fowler, 410-865-1233.

Appropriate auxiliary aids and services for qualified individuals with disabilities will be provided upon request. Please call 410-865-1233 (voice) or MD Relay (TTY Users).

Contact: Deborah Mahoney-Fowler (410) 865-1233

[17-11-19]

**BOARD OF WATERWORKS AND
WASTE SYSTEMS OPERATORS**

Subject: Public Meeting

Date and Time: June 15, 2017, 10 a.m. — 12 p.m.

Place: Maryland Environmental Service, 259 Najoles Rd., Millersville, MD

Contact: Christine Nagle (410) 537-3584

[17-11-01]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting

Date and Time: June 8, 2017, 9:30 — 11:30 a.m.

Place: 10 E. Baltimore St., Baltimore, MD

Add'l. Info: Portions of this meeting may be held in closed session.

Contact: Amy S. Lackington (410) 864-5300

[17-11-03]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting on Regulations

Date and Time: June 22, 2017, 9:30 — 11:30 a.m.

Place: 10 E. Baltimore St., 7th Fl., Baltimore, MD

Add'l. Info: Portions of this meeting may be held in closed session.

Contact: Amy Lackington (410) 864-5300

[17-11-24]

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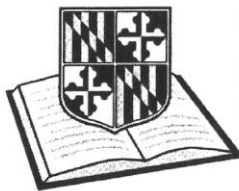
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