

Maryland Register

Issue Date: August 23, 2024

Volume 51 • Issue 17 • Pages 769—800

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General Notices

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before August 5, 2024, 5 p.m.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 August 5, 2024.

Gail S. Klakring
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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Wes Moore, Governor; **Susan C. Lee**, Secretary of State; **Gail S. Klakring**, Administrator; **Mary D. MacDonald**, Senior Editor, Maryland Register and COMAR; **Tarshia N. Neal**, Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

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

Illustrations by Carolyn Anderson, Dept. of General Services

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Individuals with disabilities who desire assistance in using the publications and services of the Division of State Documents are encouraged to call (410) 974-2486, or (800) 633-9657, or FAX to (410) 974-2546, or through Maryland Relay.

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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.maryland.gov, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

Availability of Monthly List of Maryland Documents

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

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

CLOSING DATES AND ISSUE DATES THROUGH December 2025[†]

Issue Date	Emergency and Proposed Regulations 5 p.m.*	Notices, etc. 10:30 a.m.	Final Regulations 10:30 a.m.
2024			
September 6	August 19	August 26	August 28
September 20	August 30**	September 9	September 11
October 4	September 16	September 23	September 25
October 18	September 30	October 7	October 9
November 1	October 11**	October 21	October 23
November 15	October 28	November 4	November 6
December 2***	November 8**	November 18	November 20
December 13	November 25	December 2	December 4
December 27	December 9	December 16	December 18
2025			
January 10	December 23	December 30	December 31**
January 24	January 6	January 13	January 15
February 7	January 17**	January 27	January 29
February 21	February 3	February 10	February 12
March 7	February 14**	February 24	February 26
March 21	March 3	March 10	March 12
April 4	March 17	March 24	March 26
April 18	March 31	April 7	April 9
May 2	April 14	April 21	April 23
May 16	April 28	May 5	May 7
May 30	May 12	May 19	May 21
June 13	May 23**	June 2	June 4
June 27	June 9	June 16	June 18
July 11	June 23	June 30	July 2
July 25	July 7	July 14	July 16
August 8	July 21	July 28	July 30
August 22	August 4	August 11	August 13
September 5	August 18	August 25	August 27
September 19	August 29**	September 8	September 10
October 3	September 15	September 22	September 24
October 17	September 29	October 6	October 8
October 31	October 10**	October 20	October 22
November 14	October 27	November 3	November 5
December 1***	November 10	November 17	November 19
December 12	November 24	December 1	December 3
December 26	December 8	December 15	December 17

[†] Please note that this table is provided for planning purposes and that the Division of State Documents (DSD) cannot guarantee submissions will be published in an agency's desired issue. Although DSD strives to publish according to the schedule above, there may be times when workload pressures prevent adherence to it.

* Also note that proposal deadlines are for submissions to DSD for publication in the Maryland Register and do not take into account the 15-day AELR review period. The due date for documents containing 8 to 18 pages is 48 hours before the date listed; the due date for documents exceeding 18 pages is 1 week before the date listed.

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

** Note closing date changes due to holidays.

*** Note issue date changes due to holidays.

The regular closing date for Proposals and Emergencies is Monday.

REGULATIONS CODIFICATION SYSTEM

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

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

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 and corrections pertaining to proposed regulations are listed, followed by “(err)” or “(corr),” respectively. Regulations referencing a document incorporated by reference are followed by “(ibr)”. None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

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 51:15 Md. R. 713 (7-26-24) (corr)
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33.05.02.02 • 51:16 Md. R. 762 (8-9-24)
33.17.06.05 • 51:16 Md. R. 762 (8-9-24)

The Governor

EXECUTIVE ORDER 01.01.2024.26

Declaration of a State of Preparedness-Severe Weather Impact of Hurricane Debby

WHEREAS, State of Maryland is subject to a variety of hazards and disasters, including an impending emergency as defined in Section 14-10 l(c) of the Public Safety Article of the Maryland Code;

WHEREAS, Pursuant to Executive Order 01.01.2023.20, the Governor may declare a State of Preparedness when he determines that there is a significant risk of a public emergency as defined in the Maryland Emergency Management Act, Md. Code, Public Safety Article, §14-301;

WHEREAS, The declaration of a State of Preparedness ensures a proactive, collaborative and forward-leaning State response to potential or actual emergencies;

WHEREAS, Having been advised and informed by the Maryland Department of Emergency Management that there is a significant risk of Hurricane Debby causing severe weather throughout the State, including a significant risk of intense rain, strong winds and flooding in all areas of Maryland beginning Wednesday, August 7th;

WHEREAS, Action is needed to prepare to protect the lives and property of Maryland residents and visitors that may be impacted by the severe weather;

WHEREAS, Transportation, power utility, water utility, and other critical infrastructures may be negatively affected by the impact of the storm including intense rain, strong winds and flooding;

WHEREAS, State and local government agencies may require additional resources and support to implement proactive actions and meet the public safety and welfare needs of Maryland residents who may be negatively impacted by the storm;

NOW, THEREFORE, I, WES MOORE, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, INCLUDING BUT NOT LIMITED TO TITLE 14 OF THE PUBLIC SAFETY ARTICLE OF THE MARYLAND CODE, AND BASED ON THE ABOVE FINDINGS, HEREBY DECLARE THAT A STATE OF PREPAREDNESS EXISTS IN THE STATE AND THAT PREPARATIONS MUST BE MADE FOR THE ANTICIPATED SEVERE WEATHER, AND HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. The Maryland Department of Emergency Management is hereby directed to coordinate the State preparedness and response to the impacts of the severe weather anticipated to begin on August 7th.

B. All other appropriate State authorities are hereby authorized to activate their emergency preparedness plans and engage, deploy, use, and coordinate available resources in furtherance of those plans.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 5th Day of August 2024.

WES MOORE
Governor

ATTEST

SUSAN C. LEE
Secretary of State

[24-17-17]

The Judiciary

SUPREME COURT OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Opinion & Order of this Court dated August 1, 2024, **STEPHEN E. WHITTED** (CPF# 9506210429), as of August 1, 2024, Stephen E. Whitted has been indefinitely suspended, effective immediately, and his name has been stricken from the register of attorneys in this Court. Notice of this action is given in accordance with Maryland Rule 19-761(b).

* * * * *

This is to certify that by an Order of this Court dated July 29, 2024, **ROBERT EDWIN GLENN, IV** (CPF# 8706010161), as of July 29, 2024, Robert Edwin Glenn, IV has been disbarred, effective immediately, and his name has been stricken from the register of attorneys in this Court. Notice of this action is given in accordance with Maryland Rule 19-761(b).

[24-17-10]

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

08.02.26 Shell Recycling Tax Credit

Authority: *Natural Resources, §4-1019.1*, Annotated Code of Maryland

Notice of Final Action

[23-264-F]

On August 7, 2024, the Secretary of Natural Resources adopted amendments to Regulations **.01** and **.02**, the repeal of existing Regulations **.03—05**, and amendments to and the recodification of existing Regulation **.06** to be Regulation **.03** under **COMAR 08.02.26 Shell Recycling Tax Credit**. This action, which was proposed for adoption in 51:1 Md. R. 30—32 (January 12, 2024), has been adopted as proposed.

Effective Date: September 2, 2024.

JOSH KURTZ
Secretary of Natural Resources

Title 09

MARYLAND DEPARTMENT OF LABOR

Subtitle 09 MARYLAND BOARD OF ELECTRICIANS

09.09.02 Continuing Education

Authority: Business Occupations and Professions Article, §§6-205, 6-310(c)(3) and (4), and 6-311(b)(3), Annotated Code of Maryland

Notice of Final Action

[24-044-F]

On June 25, 2024, the Maryland Board of Electricians adopted amendments to Regulation **.01** under **COMAR 09.09.02 Continuing Education**. This action, which was proposed for adoption in 51:9 Md. R. 444 (May 3, 2024), has been adopted as proposed.

Effective Date: September 2, 2024.

CHET BROWN
Chairman
Maryland Board of Electricians

Title 12

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Subtitle 10 CORRECTIONAL TRAINING COMMISSION

12.10.01 General Regulations

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

Notice of Final Action

[24-065-F]

On July 31, 2024, the Correctional Training Commission adopted amendments to Regulations **.21** and **.22** under **COMAR 12.10.01 General Regulations**. This action, which was proposed for adoption in 51:12 Md. R. 628—629 (June 14, 2024), has been adopted as proposed.

Effective Date: September 2, 2024.

CAROLYN J. SCRUGGS
Secretary of Public Safety and Correctional Services

Title 14

INDEPENDENT AGENCIES

Subtitle 40 MARYLAND CENTER FOR SCHOOL SAFETY

14.40.06 Data Collection and Reporting

Authority: *Education Article, §7-1503(g)(12)*, Annotated Code of Maryland

Notice of Final Action

[24-068-F]

On August 13, 2024, the Maryland Center for School Safety adopted new Regulations **.01** and **.02** under a new chapter, **COMAR 14.40.06 Data Collection and Reporting**. This action, which was proposed for adoption in 51:13 Md. R. 654—655 (June 28, 2024), has been adopted as proposed.

Effective Date: September 2, 2024.

KATE BRYAN
Executive Director

Title 24
DEPARTMENT OF
COMMERCE

Subtitle 05 ECONOMIC
DEVELOPMENT

24.05.22 Maryland E-Nnovation Initiative
Program

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

Notice of Final Action

[24-052-F]

On August 13, 2024, the Department of Commerce adopted amendments to Regulations ~~.01—.11~~ under **COMAR 24.05.22 Maryland E-Nnovation Initiative Program**. This action, which was proposed for adoption in 51:13 Md. R. 656—659 (June 28, 2024), has been adopted as proposed.

Effective Date: September 2, 2024.

KEVIN ANDERSON
Secretary of Commerce

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, 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

MARYLAND DEPARTMENT OF HEALTH

Subtitle 37 HEALTH SERVICES COST REVIEW COMMISSION

10.37.01 Uniform Accounting and Reporting System for Hospitals and Related Institutions

Authority: Health-General Article, §§19-207 [and], 19-215, and 19-303,
Annotated Code of Maryland

Notice of Proposed Action

[24-091-P]

The Health Services Cost Review Commission proposes to amend Regulation .03 under **COMAR 10.37.01 Reporting Requirements; Hospitals**.

Statement of Purpose

The purpose of this action is to provide the Commission with the flexibility for determining the appropriate due dates for hospitals to submit their annual reports on community benefit activities and to simplify access to the submission instructions for these reports.

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 Megan Renfrew, Deputy Director, Policy and Consumer Protection, Health Services Cost Review Commission, 4160 Patterson Avenue, Baltimore, MD 21215, or call 410-764-3451,

or email to megan.renfrew1@maryland.gov. Comments will be accepted through September 23, 2024. A public hearing has not been scheduled.

.03 Reporting Requirements; Hospitals.

A.—L. (text unchanged).

M. Annual Nonprofit Hospital Community Benefit Report.

(1) Beginning on December 15, 2009, each nonprofit hospital shall submit the Annual Nonprofit Hospital Community Benefit Report to the Commission by [December 15 of every calendar year] *the date prescribed by the Commission* in the format prescribed by the Commission.

(2) Hospitals shall complete the report on the basis of actual data covering the reporting period of the previous July 1 through June 30 *or other time period as specified by the Commission*.

(3) The Commission shall provide instructions for completing the report [in its "Accounting and Budget Manual for Fiscal and Operating Management"] *on its public website*.

N.—U. (text unchanged).

JOSHUA SHARFSTEIN

Chair

Health Services Cost Review Commission

Title 14

INDEPENDENT AGENCIES

Subtitle 22 COMMISSION ON CRIMINAL SENTENCING POLICY

Notice of Proposed Action

[24-099-P]

The Maryland State Commission on Criminal Sentencing Policy proposes to amend:

(1) Regulations .12 and .14 under **COMAR 14.22.01 General Regulations**; and

(2) Regulations .01 and .02 under **COMAR 14.22.02 Criminal Offenses and Seriousness Categories**.

Statement of Purpose

The purpose of this action is to modify Regulations .12 and .14 under COMAR 14.22.01 General Regulations to specify how the mandatory consecutive sentence offense rule works in combination with two or more seriousness category I or II offenses and the multiple victims stacking rule. The mandatory consecutive sentence rule provides that the upper limit of the guidelines range for an offense with a mandatory consecutive sentence shall stack with the upper limit of the guidelines range for its underlying offense. To avoid the excessive stacking of guidelines ranges in scenarios where multiple rules may apply, the proposed action specifies the following: (1) the mandatory consecutive sentence rule does not apply when there is more than one seriousness category I or II offense in the same criminal event; and (2) when the multiple victims stacking rule and mandatory consecutive sentence rule apply to the same criminal event, the overall upper guidelines limit shall be calculated based on the one rule that results in the greatest upper guidelines limit.

Additionally, the purpose of this action is to modify Regulations .01 and .02 under COMAR 14.22.02 Criminal Offenses and Seriousness Categories to reflect (1) new and revised penalties from the 2024 Legislative Session; (2) one previously unclassified offense (“Receive proceeds from CDS offense, subsequent”); (3) revised seriousness categories for two offenses (“Receive proceeds from CDS offense, 1st offense; Malfeasance, misconduct in office”); and (4) minor edits to the table.

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 David Soule, Executive Director, Maryland State Commission on Criminal Sentencing Policy, 4511 Knox Rd., Suite 309, College Park, MD 20740, or call 301-403-4165, or email to dsoule@umd.edu. Comments will be accepted through September 23, 2024. A public hearing has not been scheduled.

14.22.01 General Regulations

Authority: Criminal Procedure Article, §6-211, Annotated Code of Maryland

.12 Multiple Offense Scoring.

A. Single Criminal Event, Not More Than One Seriousness Category I or II Offense.

(1) (text unchanged)

(2) The individual completing the worksheet shall determine the overall guideline range by:

(a) Identifying the highest of the lower guidelines limit of all the offenses; and

(b) [Except as provided in §A(2)(c) of this regulation, identifying the highest of the upper guidelines limit of all the offenses; and] *Identifying the greater of:*

(i) *The highest of the upper guidelines limits;*

[(c)] (ii) If there are separate offenses involving different victims, adding or “stacking” the highest of the upper guidelines limit for each offense with a unique victim. Only one offense per distinct victim may be used to calculate the overall guidelines range. Animals

may not be considered victims for the purposes of applying the multiple victims stacking rule[.]; or

(iii) *If the sentence for one of the offenses is statutorily required to run consecutive to the sentence for another offense, adding the upper limit of the guidelines range for the offense whose sentence is required to run consecutive to another offense to the upper limit of the guidelines range for the eligible other offense with the highest upper guidelines limit.*

B.—D. (text unchanged)

.14 Mandatory Sentences.

A.—C. (text unchanged)

D. **Mandatory Consecutive Sentences.** When there is a criminal event with multiple offenses, *no more than one seriousness category I or II offense*, and the sentence for one of the offenses is statutorily required to run consecutive to the sentence for another offense in the same criminal event, the person completing the sentencing guidelines worksheet shall add the upper limit of the guidelines range for the offense whose sentence is required to run consecutive to another offense to the upper limit of the guidelines range for the eligible other offense to obtain the upper limit of the overall guidelines range. Whenever the sentence for an offense is statutorily required to run consecutive to the sentence for more than one other offense in the criminal event, the person filling out the worksheet shall add the upper limit of the guidelines range for that offense to the upper limit of the guidelines range for the eligible offense with the highest upper guidelines limit. *When there is a criminal event with multiple offenses with mandatory consecutive sentences, the upper limit of the overall guidelines range shall equal the sum of the upper limits of the one pair of offenses whose sum is the greatest.*

14.22.02 Criminal Offenses and Seriousness Categories

Authority: Criminal Procedure Article, §6-211, Annotated Code of Maryland

.01 List of Offense Headings.

A—B (text unchanged)

C

Cannabis License or Registration

CDS and Paraphernalia[, Crimes]

CDS — Registration

Cemeteries and Funerary Objects, Crimes Involving

Commercial Fraud, Other

Conspiracy

Consumer Protection Laws

Counterfeiting

Credit Card Crimes

Crimes Against the Person, Generally

Criminal Organizations

D—O (text unchanged)

P

Perjury

Prescription Drugs and Other Substances

Pretrial Release, Crimes Involving

Prostitution and Related Crimes

Protected Individuals, Protected Information

Public Fraud

Public Health and Safety, Crimes Against

R—W (text unchanged)

.02 Seriousness Categories.

	Offense Literal	CJIS Code	Source	Felony or Misd.	Max Term	Min Term	Offense Type	Ser. Category	Fine
1—30-5 (text unchanged)									
31	Assault Weapons Use of assault weapon, rapid fire [trigger] activator, or magazine with a capacity of more than 10 rounds in the commission of a felony or crime of violence, subsequent	3-5260	CR, §4-306(b)(3)	Misd.	20Y	10Y	Person	II	
32	Assault Weapons Use of assault weapon, rapid fire [trigger] activator, or magazine with a capacity of more than 10 rounds in the commission of a felony or crime of violence, 1 st offense	3-5260	CR, §4-306(b)(2)	Misd.	20Y	MM* = 5Y	Person	III	
33	Assault Weapons Unlawfully possess, sell, offer to sell, etc., an assault weapon; manufacture, sell, offer to sell, etc., a detachable magazine with a capacity of more than 10 rounds; manufacture, possess, sell, etc., a rapid fire [trigger] activator	3-5250 3-5255 1-1448	CR, §4-303(a) CR, §4-305(b) CR, §4-305.1(a) CR, §4-306(a) (penalty)	Misd.	3Y		Person	VI	\$5,000
34—36-4 (text unchanged)									
36-5	Boating Offenses <i>Operate a vessel while prohibited from operating a vessel under NR, §8-738(e)(3)(i), 1st offense</i>		NR, §8-738.3(c)(1)	Misd.	1Y		Property	VII	\$1,000
36-6	Boating Offenses <i>Operate a vessel while prohibited from operating a vessel under NR, §8-738(e)(3)(i), 2nd offense</i>		NR, §8-738.3(c)(2)	Misd.	2Y		Property	VI	\$2,000
36-7	Boating Offenses <i>Operate a vessel while prohibited from operating a vessel under NR, §8-738(e)(3)(i), 3rd or subsequent offense</i>		NR, §8-738.3(c)(3)	Misd.	3Y		Property	V	\$3,000
37—48 (text unchanged)									
48-1	Cannabis License or Registration <i>Use of straw ownership to apply for or hold a cannabis license or registration</i>		AB, §36-1103	Misd.	1Y		Property	VII	\$2,500
49—62 (text unchanged)									
63	CDS and Paraphernalia [Give, sell, transfer, trace, invest, conceal, etc.; receive, acquire, engage in, etc. knowing that the proceeds were derived from CDS offense] <i>Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense, 1st offense</i>	1-0673 1-0675	[CR, §5-623(b)] CR, §5-623(c)(1)	Felony	5Y		Drug	[IV] V	[1 st = \$250,000 Sub= \$500,000] <i>Greater of \$250,000 or twice the value of the proceeds</i>

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	Offense Literal	CJIS Code	Source	Felony or Misd.	Max Term	Min Term	Offense Type	Ser. Category	Fine
64 [Vacant]	CDS and Paraphernalia <i>Receive, acquire, give, sell, transfer, etc., proceeds knowing that the proceeds are derived from a CDS offense, subsequent</i>	1-0673 1-0675	CR, §5-623(c)(2)	Felony	10Y		Drug	IV	Greater of \$500,000 or 5 times the value of the proceeds
65—71 (text unchanged)									
71-1	CDS and Paraphernalia <i>Distribute, sell, expose for sale, or advertise for sale a tianeptine product</i>		HG, §21-2D-02	Misd.	90D		Drug	VII	\$5,000
71-2	CDS and Paraphernalia <i>Preparation, distribution, or sale of kratom products to an individual under 21; without proper label disclosures; or that contain certain other substances</i>		HG, §21-2D-02(f)	Misd.	90D		Drug	VII	\$5,000
72—119-5 (text unchanged)									
119-6	Deceased Human Body, Crimes Involving [Bury or dispose of body in unauthorized place] <i>Unauthorized burial or disposal of body; unauthorized use or disposal of soil remains</i>	1-0932	HG, §5-514	Misd.	1Y		Person	VII	\$5,000
120—136-7 (text unchanged)									
136-8	Election Offenses <i>Threaten election official or immediate family member of election official</i>	1-1804 1-1805	EL, §16-904	Misd.	3Y		Person	V	\$2,500
137—159-12 (text unchanged)									
159-13	Fraud, Miscellaneous <i>Aiding or abetting the unauthorized practice of massage therapy in violation of HO, §6-501(b), 1st offense</i>	1-1834	HO, §6-504(b)(1) (penalty)	Felony	1Y		Person	VII	\$5,000 per day
159-14	Fraud, Miscellaneous <i>Aiding or abetting the unauthorized practice of massage therapy in violation of HO, §6-501(b), subsequent</i>	1-1834	HO, §6-504(b)(2) (penalty)	Felony	5Y		Person	VI	\$20,000 per day
160—189 (text unchanged)									
190 [Vacant]	Harboring, Escape, and Contraband <i>Operate unmanned aircraft over a correctional facility to photograph or record images of facility without authorization</i>	1-1836	CS, §8-804	Misd.	3Y		Property	VI	\$1,000
191 [Vacant]	Harboring, Escape, and Contraband <i>Contraband—deliver contraband using an unmanned aircraft</i>	1-1837	CR, §9-417.1	Misd.	3Y		Property	VI	\$1,000
192—215-3 (text unchanged)									

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	Offense Literal	CJIS Code	Source	Felony or Misd.	Max Term	Min Term	Offense Type	Ser. Category	Fine
216	Interference with or Misuse of Government Operations Malfeasance, misconduct in office	1-0157 2-0645	Common law	Misd.	LIFE		Person Drug Property	[V] IV	
217—244-6 (text unchanged)									
245	Motor Vehicle Offense Driving while impaired by alcohol, while transporting a minor, 1 st offense		TR, §21-902(b)(2)(ii)(1)	Misd.	1Y		Person	VII	[\$1,000] \$1,200
245-1	Motor Vehicle Offense Driving while impaired by alcohol, while transporting a minor, 2 nd offense		TR, §21-902(b)(2)(ii)(2)	Misd.	2Y		Person	VI	[\$2,000] \$2,400
245-2—245-7 (text unchanged)									
245-8	Motor Vehicle Offense Driving while impaired by drugs or drugs and alcohol, while transporting a minor, 1 st offense		TR, §21-902(c)(2)(ii)(1)	Misd.	1Y		Person	VII	[\$1,000] \$1,200
245-9	Motor Vehicle Offense Driving while impaired by drugs or drugs and alcohol, while transporting a minor, 2 nd offense		TR, §21-902(c)(2)(ii)(2)	Misd.	2Y		Person	VI	[\$2,000] \$2,400
245-10—245-11 (text unchanged)									
245-12	Motor Vehicle Offense Driving while impaired by controlled dangerous substance, 1 st offense		TR, §21-902(d)(1)(ii)(1)	Misd.	1Y		Person	VII	[\$1,000] \$1,200
245-13	Motor Vehicle Offense Driving while impaired by controlled dangerous substance, 2 nd offense		TR, §21-902(d)(1)(ii)(2), (f)(3)(i)	Misd.	2Y	Within 5 years of prior conviction —MM 5 days	Person	VI	[\$2,000] \$2,400
245-14—245-19 (text unchanged)									
245-20	Motor Vehicle Offense Driving while under the influence of alcohol, 1 st offense		TR, §21-902(a)(1)(iii)(1)	Misd.	1Y		Person	VII	[\$1,000] \$1,200
245-21	Motor Vehicle Offense Driving while under the influence of alcohol, 2 nd offense		TR, §21-902(a)(1)(iii)(2), (f)(2)(i)	Misd.	2Y	Within 5 years of prior conviction —MM 5 days	Person	VI	[\$2,000] \$2,400
245-22—250-2 (text unchanged)									
250-3	Motor Vehicle Offense <i>Driver failing to render reasonable assistance to person injured in an accident</i>		TR, §20-104	Misd.	2M		Person	VII	\$500
251—283 (text unchanged)									
284	Nudity and Related Sexual Displays Indecent exposure	1-3605	[CR, §11-107] CR, §11-107(d)(1)	Misd.	3Y		Person	VI	\$1,000
284-1 (text unchanged)									

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284-2	Nudity and Related Sexual Displays <i>Indecent exposure when person knows or should know that a minor is present</i>	1-1807	CR, §11-107(d)(2)	Misd.	5Y		Person	V	\$10,000
285—316 (text unchanged)									
317 [Vacant]	Protected Individuals, Protected Information <i>Publish personal information of protected individual knowing that publishing the information poses a threat to protected individual; and its publishing results in assault, harassment, trespass, or malicious destruction of property</i>	1-1833	CJ, §3-2304	Misd.	18M		Person	V	\$5,000
318—361-1 (text unchanged)									
361-2	Sexual Crimes <i>Sex Offender—violation of restriction barring sex offenders from specified locations where children gather and certain school employment</i>	1-1478 1-1479	[CP, §11-722(d)] CP, §11-722	Misd.	5Y		Person	V	\$5,000
361-3—421 (text unchanged)									

Footnotes (text unchanged)
General Rules: (text unchanged)

DAVID SOULE
Executive Director

Subtitle 26 MARYLAND ENERGY ADMINISTRATION

14.26.03 Maryland [Energy] Efficiency Standards

Authority: State Government Article, §9-2006, Annotated Code of Maryland

Notice of Proposed Action
[24-059-P]

The Maryland Energy Administration proposes to amend Regulations .01, .03—.06 and .08—.13, repeal existing Regulation .02, and adopt new Regulation .02 under **COMAR 14.26.03 Maryland Efficiency Standards**.

Statement of Purpose

The purpose of this action is to implement the Maryland Efficiency Standards Act by establishing minimum efficiency standards for certain new products sold or installed in the State and to establish testing, certification, inspection, and enforcement procedures for ensuring compliance with established standards.

Estimate of Economic Impact

I. Summary of Economic Impact. In FY25 expenditures will increase by \$150,000 to initiate compliance procedures within the agency.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:		
Maryland Energy Administration	(E+)	150000
B. On other State agencies: NONE		
C. On local governments: NONE		
D. On regulated industries or trade groups: NONE		
E. On other industries or trade groups: NONE		
F. Direct and indirect effects on public: NONE		

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

A. Agency expenditures increase for the purposes of enforcing compliance and providing access to an appliance efficiency database and for outreach efforts.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows:

Small businesses will be limited in the supply of certain retail items available from wholesale and for resale. Impacts are mitigated by an allowance for business owners to retain any stock on hand prior to the effective date of the relevant efficiency standards.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Landon Fahrig, Asst. Dir. of Policy, Maryland Energy Administration, 1800 Washington Blvd., Suite 755, Baltimore, MD 21230, or call 410-537-4000, or email to SEIFComments.MEA@Maryland.gov. Comments will be accepted through September 23, 2024. A public hearing has not been scheduled.

.01 Purpose.

This chapter:

A. Implements the Maryland [Energy] Efficiency Standards Act [(Act)] by establishing minimum efficiency standards for certain new products sold or installed in the State; *and*

B. Establishes testing, certification, inspection, and enforcement procedures for [insuring] *ensuring* compliance with established standards; *and*

C. Identifies the date on which these regulations will be preempted by the federal Energy Policy Act of 2005].

.02 Incorporation by Reference.

In this chapter, the following documents are incorporated by reference:

A. 42 U.S.C. §6294a;

B. 42 U.S.C. §6294b;

C. 10 CFR Part 430, Subpart B, Appendix S; *and*

D. 10 CFR Part 430, Subpart C.

.03 Definitions.

A.(text unchanged)

B. Terms Defined.

(1) “Act” means the [Energy] *Maryland* Efficiency Standards Act.

(2) (text unchanged)

[(3) Commercial Refrigeration Cabinet.

(a) “Commercial refrigeration cabinet” means a refrigerator, freezer, or refrigerator-freezer, designed by the manufacturer for the purpose of storing food products, ice, or other perishable items at specified temperatures, which may be configured with either solid or transparent doors as a:

(i) Reach-in cabinet;

(ii) Pass-through cabinet;

(iii) Roll-in cabinet; or

(iv) Roll-through cabinet.

(b) “Commercial refrigeration cabinet” does not include a:

(i) Product with 85 cubic feet or more of internal volume;

(ii) Walk-in refrigerator or walk-in freezer;

(iii) Consumer product regulated under the National Appliance Energy Conservation Act of 1987 (Public Law 100-12); or

(iv) Refrigerator, freezer, or refrigerator-freezer designed and marketed exclusively for medical, scientific, or research purposes.

(4) “Distributor of new products” means a person:

(a) Whose primary business is the wholesale distribution of commercial goods for resale;

(b) Who maintains an inventory of commercial goods for resale;

(c) Who has the right to sell or distribute commercial goods in Maryland for resale to retailers or other resellers or to an industrial or commercial manufacturer; and

(d) Who conducts substantial business in Maryland.

(5) “Installer” means a person engaged in the attachment of a product that the installer has either purchased or been contracted to attach to a structure by means of the electrical, plumbing, or ventilation systems.

(6) “Large packaged air-conditioning equipment” means packaged air-conditioning equipment with at least 20 tons, but not more than 80 tons, of cooling capacity.

(7) Low-Voltage Dry-Type Distribution Transformer.

(a) “Low-voltage dry-type distribution transformer” means a distribution transformer that:

(i) Has an input voltage of 600 volts or less;

(ii) Is air-cooled; and

(iii) Does not use oil as a coolant.

(b) “Low-voltage dry-type distribution transformer” does not include any of the following transformers:

(i) An autotransformer in which the primary and secondary windings are not electronically isolated and at least a portion of the secondary voltage is derived from the primary winding;

(ii) A drive transformer designed only to provide power to operate an electronic variable speed motor drive;

(iii) A grounding transformer designed only to provide a system ground reference point;

(iv) A harmonic transformer designed to supply a load with a higher than normal harmonic current level and that has a k-rating of k-4 or greater;

(v) An impedance transformer that has a specified impedance of less than 4 percent or greater than 8 percent;

(vi) A machine tool transformer designed only to provide power to machine tool equipment;

(vii) A rectifier transformer designed to provide power only to a rectifier circuit and that has a nameplate rating for both the fundamental frequency power rating and the root mean square (rms) power rating;

(viii) A regulating transformer with automatic tap changers;

(ix) A sealed and nonventilating transformer designed to prevent airflow through the transformer;

(x) A testing transformer designed only as part of, or to supply power to, electrical test equipment;

(xi) A ups transformer designed only as an integral part of an uninterruptible power system; or

(xii) A welding transformer designed only to provide power to welding equipment.

(8) “Manufacturer of new product” means a person who makes new products by hand or machinery.

(9) “Maryland business” means a corporation organized under the laws of the State.

(10) “Maryland consumer” means an individual who:

(a) Is solicited to purchase, or who purchases for personal, family, or household purposes; and

(b) Resides in Maryland.

(11) “New product” means any manufactured good at the time when it is sold for consumption or use other than resale, further processing, or manufacture for the first time.

(12) “Packaged air-conditioning equipment” means air-conditioning equipment that is built as a package and shipped as a whole to end-user sites.

(13) “Pass-through cabinet” means a commercial refrigerator or commercial freezer with hinged or sliding doors on both the front and rear of the refrigerator or freezer.

(14) Reach-in cabinet.

(a) “Reach-in cabinet” means a commercial refrigerator, freezer, or refrigerator-freezer with hinged or sliding doors or lids.

(b) “Reach-in cabinet” does not include a roll-in or roll-through cabinet or a pass-through cabinet.

(15) “Retailer” means a person engaged in the business of making retail sales within the State.

(16) “Roll-in cabinet” means a commercial refrigerator or freezer with hinged or sliding doors that allow wheeled racks of product to be rolled into the refrigerator or freezer.

(17) “Roll-through cabinet” means a commercial refrigerator or freezer with hinged or sliding doors that allows wheeled racks of product to be rolled through the refrigerator or freezer.

(18) “Transformer” means a device consisting essentially of two or more coils of insulated wire that transfers alternating current by electromagnetic induction from one coil to another in order to change the original voltage or current value.

(19) Unit Heater.

(a) “Unit heater” means a self-contained fan-type heater that:

(i) Is designed to be installed within the heated space; and

(ii) Includes an apparatus or appliance to supply heat and a fan for circulating air over a heat exchange surface, all enclosed in a common casing.

(b) “Unit heater” does not include a warm air furnace as defined under the Federal Energy Policy Act of 1992 (42 U.S.C. § 6311(11)(a)).

(20) “Widely available in Maryland” means a conforming product available in the State from three or more manufacturers.]

(3) “Air purifier” means an air cleaner subject to 10 CFR Part 430, Subpart C.

(4) “Commercial dishwasher” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(5) “Commercial steam cooker” or “compartment steamer” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(6) “Covered product” means an item listed in Regulation .04 of this chapter.

(7) “ENERGY STAR” means the U.S. Environmental Protection Agency program established under 42 U.S.C. §6294a.

(8) “Faucet” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(9) “Person” has the meaning stated in State Government Article, §1-101, Annotated Code of Maryland.

(10) “Portable electric spa” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(11) “Public lavatory faucet” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(12) “Replacement aerator” means an aerator that is:

(a) Designed as a replacement part for a faucet; and

(b) Packaged and sold separately from a faucet to which it is designed to attach.

(13) Residential Ventilating Fan.

(a) “Residential ventilating fan” means a fan designed to:

(i) Be ceiling mounted, wall mounted, or remotely mounted; and

(ii) Move air from inside a building to the outdoors.

(b) “Residential ventilating fan” includes fans commonly used in a bathroom or utility room to expel odors or fumes.

(14) “Retailer” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(15) “Showerhead” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(16) “Spray sprinkler body” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(17) “Urinal” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(18) “Water closet” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(19) “Water cooler” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

(20) “WaterSense” means the U.S. Environmental Protection Agency program established under 42 U.S.C. §6294b.

(21) “Widely available in Maryland” has the meaning stated in State Government Article, §9-2006, Annotated Code of Maryland.

.04 Applicability of Standards.

A. This chapter applies to the testing, certification, and enforcement of efficiency standards for the following types of new products sold, offered for sale, or installed for profit in the State:

- [(1) Unit heaters;
- (2) Low-voltage dry-type distribution transformers;
- (3) Commercial refrigeration cabinets; and
- (4) Large packaged air-conditioning equipment.]
- (1) Portable electric spas;
- (2) Air purifiers;
- (3) Commercial dishwashers;
- (4) Commercial steam cookers;
- (5) Faucets;
- (6) Residential ventilating fans;
- (7) Showerheads;
- (8) Spray sprinkler bodies;
- (9) Urinals;
- (10) Water closets; and
- (11) Water coolers.

B. This chapter does not apply to:

- (1)—(2) (text unchanged)
- (3) Products installed in mobile manufactured homes at the time of construction; [or]
- (4) Products designed expressly for installation and use in recreational vehicles or marine vessels; or
- (5) Products to be sold at retail that are in stock at the retail establishment before the effective date of any efficiency standard regulation for that item.

[C. This chapter only applies to the following products until the following dates:

- (1) Unit heaters: August 1, 2008;
- (2) Low-voltage dry-type distribution transformers: January 1, 2007;
- (3) Commercial refrigeration cabinets: January 1, 2010;
- (4) Large packaged air-conditioning equipment of at least 20 tons and not more than 63.3 tons of cooling capacity: January 1, 2010.

D. For large packaged air-conditioning equipment with capacities from 63.4 tons to 80 tons of cooling capacity, the Act will remain in effect.]

.05 Minimum Efficiency Standards.

A. On or after the date specified in Regulation .06 of this chapter, a person may not sell or install for profit a [listed] covered product that does not meet or exceed the corresponding minimum efficiency standards listed in this regulation.

[B. Unit heaters shall be equipped with an intermittent ignition device and shall have either power venting or an automatic flue damper.

C. The efficiency of all low-voltage dry-type distribution transformers may not be less than the values shown in table 4-2 of National Electrical Manufacturers Association Standard TP-1-2002.

D. Commercial refrigeration cabinets shall meet the requirements shown in the following table:

Equipment Type	Maximum Daily Energy Consumption (kilowatt hours)
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are refrigerators with solid doors	0.125V + 2.76
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are refrigerators with transparent doors	0.172V + 4.77
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are freezers with solid doors	0.398V + 2.28
Reach-in cabinets, pass-through cabinets, and roll-in or roll-through cabinets that are freezers with transparent doors	0.940V + 5.10
Reach-in cabinets that are refrigerator-freezers with solid doors	0.273AV + 1.65
Where: V = total volume in cubic feet; and AV = adjusted volume, which is the sum of the volume of refrigerated space, and 1.63 times the volume of freezer space.	

E. Large packaged air-conditioning equipment shall meet the Tier II requirements of the “minimum equipment efficiencies for unitary commercial air conditioners” or “minimum equipment efficiencies for heat pumps”, as appropriate, developed by the Consortium for Energy Efficiency, Boston, Massachusetts, as in effect on January 1, 2002.]

B. Air purifiers shall comply with federal standards for air cleaners under 10 CFR Part 430, Subpart C.

C. Commercial dishwashers shall meet the applicable qualification criteria specified in the ENERGY STAR program requirements product specification for commercial dishwashers.

D. Commercial steam cookers shall meet the requirements specified in the ENERGY STAR program requirements product specification for commercial steam cookers.

E. Faucets shall meet the following standards when tested in accordance with 10 CFR Part 430, Subpart B, Appendix S, compliance with which shall be verified by using the uniform test method for measuring the water consumption of faucets and showerheads:

(1) Private lavatory faucets and replacement aerators may not exceed a maximum flow rate of 1.5 gallons per minute at 60 pounds per square inch;

(2) Residential kitchen faucets and replacement aerators may not exceed a maximum flow rate of 1.8 gallons per minute at 60 pounds per square inch, with optional temporary flow of 2.2 gallons per minute, provided the faucet defaults to a maximum flow rate of 1.8 gallons per minute at 60 pounds per square inch after each use; and

(3) Public lavatory faucets and replacement aerators may not exceed a maximum flow rate of 0.5 gallons per minute at 60 pounds per square inch.

F. Portable electric spas shall meet the requirements of the ANSI/ASPS/ICC 14-2019.

G. Residential ventilating fans shall meet the following requirements when tested in accordance with the Home Ventilation Institute’s airflow test procedure stated in Home Ventilation Institute Publication 916:

(1) In-line residential ventilating fans shall be equipped with a fan motor with an efficiency of at least 2.8 cubic feet per minute per watt; and

(2) Non-in-line residential ventilating fans shall be equipped with a fan motor with an efficiency of at least 1.4 cubic feet per minute

per watt for airflows less than 90 cubic feet per minute and at least 2.8 cubic feet per minute per watt for airflows greater than or equal to 90 cubic feet per minute.

H. Showerheads may not exceed a maximum flow rate of 2.0 gallons per minute at 80 pounds per square inch when tested in accordance with 10 CFR Part 430, Subpart B, Appendix S, compliance with which shall be verified by using the uniform test method for measuring the water consumption of faucets and showerheads.

I. Spray sprinkler bodies that are not specifically excluded from the scope of the WaterSense specification for spray sprinkler bodies shall include an integral pressure regulator and meet the water efficiency, performance criteria, and other requirements specified in the WaterSense specification for spray sprinkler bodies.

J. Urinals shall have a maximum flush volume of 0.5 gallons per flush when tested in accordance with 10 CFR Part 430, Subpart B, Appendix T, compliance with which shall be verified by using the uniform test method for measuring the water consumption of water closets and urinals.

K. Water closets shall meet the following standards when tested in accordance with 10 CFR Part 430, Subpart B, Appendix T, compliance with which shall be verified by using the uniform test method for measuring the water consumption of water closets and urinals:

(1) Subject to §K(2) of this regulation, water closets shall have a maximum flush volume of 1.28 gallons per flush; and

(2) Dual-flush tank-type water closets shall have a maximum dual-flush effective volume of 1.28 gallons per flush.

L. Water coolers included in the scope of the ENERGY STAR program’s water coolers specification shall have an on mode with no water draw energy consumption that is less than or equal to the following values as measured in accordance with the on mode with no water draw test mode specified in the water coolers specification:

(1) 0.16 kilowatt-hours per day for cold only units and cook and cold units;

(2) 0.87 kilowatt-hours per day for storage type hot and cold units; and

(3) 0.18 kilowatt-hours per day for on-demand hot and cold units.

.06 Effective Dates for Minimum Efficiency Standards [Requirement].

A. The effective date for efficiency standards for covered products sold or offered for sale in the State [and subject to Regulation .04A of this chapter is as follows:

(1) Unit heaters: September 1, 2005;

(2) Low-voltage dry-type distribution transformers: March 1, 2005;

(3) Commercial refrigeration cabinets: August 1, 2005;

(4) Large packaged air-conditioning equipment: August 1, 2005] is January 1, 2024.

B. A covered product [subject to Regulation .04A of this chapter] that does not meet or exceed the corresponding minimum efficiency standards listed in this regulation may not be installed for profit after January 1, [2006] 2025.

.08 Testing Procedures.

[The manufacturer of a product for which certification is required shall test each model of each product required under Regulation .04 of this chapter consistent with the testing standards established by the federal government in accordance with the requirements of the Energy Policy Act of 2005] A covered product shall be tested in accordance with the requirements of Regulation .05 of this chapter.

.09 Manufacturers’ Certification of New Products.

[A. Before the effective date of the applicable standard specified in Regulation .06 of this chapter and before a new product listed in Regulation .04 of this chapter may be sold in Maryland, a manufacturer

of the new product shall certify to the Administration that the product is in compliance with the performance standard in Regulation .05 of this chapter.]

A. A covered product may not be sold in the State on or after its respective minimum efficiency standard effective date unless:

(1) The Administration has accepted a certification provided by the manufacturer of the covered product demonstrating the covered product meets or exceeds its respective minimum efficiency standard under Regulation .05 of this chapter; or

(2) Efficiency of a covered product can be verified by an alternative method, including via the:

(a) California Energy Commission Modernized Appliance Efficiency Database System;

(b) Northeast Energy Efficiency Partnerships State Appliance Standards Database;

(c) Federal ENERGY STAR program;

(d) Federal WaterSense Program; or

(e) Use of another official state database or other nationally recognized database.

B. The [manufacturer shall file] certification required under §A(1) of this regulation shall be filed with the Administration [a statement] stating that each covered product that is sold or offered for sale in Maryland complies with the requirements of the [Energy] Efficiency Standards Act. [The statement shall contain all the information described in §§D and E of this regulation and shall meet all the requirements of §C of this regulation and all other applicable requirements.

[C. General Rules.

(1) Format and Categories. Each statement shall be in a format and in categories specified and made publicly available by the Administration. Specific information on these formats and categories may be obtained from the Administration.

(2) When Different Statements are Required.

D. Manufacturer Information. The statement shall contain the name, address, telephone number, fax number, and email address of the individual to contact concerning the statement.

E. Testing and Performance Information.

(1) The statement shall verify that each product has been tested in accordance with all applicable requirements.

(2) The statement shall contain the name, address, telephone number, fax number, website address, and email address of the laboratory or other institution where the testing was performed.

(3) Proof of testing pursuant to another state's certification program is acceptable to the Administration for this requirement if the other state's standards and requirements are substantially the same as this chapter. The Administration may request copies of materials related to this testing.

F. Any manufacturer that has certified a product to another state or to the federal Energy Star Program may provide the Administration with a copy of the certification that the manufacturer made to the other state or agency in place of a separate certification, if:

(1) The other state's standards or the Energy Star specifications are equivalent to or more stringent than the standards of Maryland; and

(2) All information required under §§D and E of this regulation is included in the certification.]

C. The certification required under §A(1) of this regulation shall:

(1) Be in a format and in categories specified and made publicly available by the Administration;

(2) Verify that each product has been tested in accordance with all applicable requirements and specify the standard by which the product has been tested;

(3) Contain the name, address, telephone number, website address, and email address of the laboratory or other institution where the testing was performed;

(4) Contain the name, address, telephone number, and email address of the individual to contact concerning the statement; and

(5) Meet all other applicable requirements.

D. The Administration may establish, modify, and enforce schedules for the submittal of statements for the orderly processing of submittals.

.10 Product Verification Testing by the Administration.

A. To ensure compliance with adopted standards, the Administration may test [products listed in Regulation .04 of this chapter] a covered product to verify compliance with its applicable minimum efficiency standard.

B. If [the] a covered product tested is [not] found to be [in] out of compliance with [the] its applicable minimum efficiency standards [established under Regulation .05 of this chapter], the Administration shall:

(1) (text unchanged)

(2) Make information available to the public on products found [not] to be [in] out of compliance with the standards by appropriate means.

.11 Labeling.

[A. Manufacturers of new products listed in Regulation .04 of this chapter shall identify each product offered for sale or installation, through retailers, in Maryland as being in compliance with the minimum efficiency standards established under Regulation .05 of this chapter by means of a mark, label, or tag consisting of the letter "M" within a circle not less than 1/2 inch in diameter on the product or packaging at the time of sale or installation. The mark, label or tag shall consist of the letter "M" within a circle. The circle may not be less than 1/2 inch in diameter.

B. Labels may be permanently affixed or may be temporary or removable labels of any kind including hanging labels.

C. All display models of products shall be displayed with a mark, label, or tag on the product.

D. Manufacturers offering products for sale or installation in Maryland are not required to place a mark, label, or tag on a covered product, if a mark is already on the product or packaging that reflects that the product meets an efficiency standard at least equal to the one required by the Act.

E. If a national efficiency standard is established by Federal law or regulation for a product, this labeling requirement does not apply to that product.]

A. Once a manufacturer has certified a new product as outlined in Regulation .09 of this chapter, a manufacturer may mark, label, or tag the product or packaging as meeting the relevant minimum efficiency level outlined in Regulation .04 of this chapter.

B. The mark, label, or tag shall consist of the letter "M" within a circle no less than 3/8 inch in diameter.

.12 Inspection and Enforcement.

A.—C. (text unchanged)

D. The Administration may set up a process for receiving complaints concerning potential violations of Regulation .05 of this chapter.

.13 Fines for Noncompliance.

A. The Administration may investigate complaints received concerning potential violations of Regulation .05 of this chapter and shall report the results of an investigation to the Attorney General.

B.—E. (text unchanged)

PAUL G. PINSKY
Director

**Subtitle 35 MARYLAND HEALTH
BENEFIT EXCHANGE**

14.35.18 Small Business Health Options Program

Authority: Insurance Article, §§31-106(c)(1)(iv), 31-108(b)(13), and 31-111, Annotated Code of Maryland

Notice of Proposed Action

[24-096-P]

The Maryland Health Benefit Exchange proposes to amend Regulations .03 and .04 under COMAR 14.35.18 **Small Business Health Options Program**. This action was considered at the regular session of the MHBE Board of Trustees on July 15, 2024.

Statement of Purpose

The purpose of this action is to reduce the minimum participation rate and reduce the maximum waiting period under the Small Business Health Options program.

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 Becca Lane, Senior Health Policy Analyst, Maryland Health Benefit Exchange, 750 E. Pratt St., 6th Floor, Baltimore, MD 21202, or call 410-547-7371, or email to mhbe.publiccomments@maryland.gov. Comments will be accepted through September 23, 2024. A public hearing has not been scheduled.

.03 Eligibility for SHOP Exchange.

A.—H. (text unchanged)

I. Minimum Participation. A qualified employer shall meet the following minimum participation requirements:

(1) At least [75] 60 percent minimum participation is required for qualified employers[, if the qualified employer designates a coverage level within which its employees may choose any qualified health plan in the SHOP Exchange;

(2) If the qualified employer selects one carrier from which eligible employees may choose a plan, the carrier may not impose a minimum participation requirement that exceeds 75 percent of eligible employees]; and

[(3)] (2) (text unchanged)

J.—Q. (text unchanged)

.04 Enrollment.

A.—G. (text unchanged)

H. Waiting Period.

(1) A small employer may implement a waiting period of no more than [90] 60 days for any qualified employee.

(2) Coverage will be effective the first of the month following the end of the waiting period.

I.—K. (text unchanged)

MICHELE EBERLE
Executive Director

**Title 20
PUBLIC SERVICE
COMMISSION**

**Subtitle 50 SERVICE SUPPLIED BY
ELECTRIC COMPANIES**

**20.50.09 Small Generator Facility
Interconnection Standards**

Authority: Public Utilities Article, §§2-113, 2-121, 5-101, 5-303, and 7-306, Annotated Code of Maryland

Notice of Proposed Action

[24-084-P]

The Public Service Commission proposes to amend Regulations .02, .06, .09, .10, and .12—.14, repeal existing Regulation .07, and adopt new Regulation .07 under COMAR 20.50.09 **Small Generator Facility Interconnection Standards**. This action was considered by the Maryland Public Service Commission at a scheduled rule-making (RM 81) meeting held on June 4, 2024, notice of which was given under General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

(1) Establish a modified definition for a “hosting capacity upgrade plan” under Regulation .02;

(2) Establish new definitions for “limited export interconnection customer agreement,” “meter collar adapter,” “primary voltage hosting capacity upgrade cost,” “primary voltage interconnection customer,” “rightsizing,” “secondary voltage hosting capacity upgrade cost,” and “secondary voltage interconnection customer” under Regulation .02;

(3) Expand flexible interconnection options for interconnection customers under Regulation .06;

(4) Establish new requirements for hosting capacity upgrade plans under Regulation .06;

(5) Propose a new cost allocation methodology for interconnection upgrades for primary voltage (i.e., greater than 600 volts) interconnection customers and secondary voltage (i.e., 600 volts or less) interconnection customers under Regulation .06;

(6) Eliminate and update regulations that have become outdated with the establishment of certified smart inverter requirements which became effective January 1, 2024, under Regulation .07;

(7) Establish new requirements related to public service company approval of meter collar adapter devices for small generator facility interconnection under Regulation .07;

(8) Establish new requirements for the use of power flow analysis associated with Level 1 and Level 2 small generator interconnection studies under Regulations .09 and .10;

(9) Remove financial requirements for interconnection customers associated with delays in electric distribution system upgrades for Level 4 small generator interconnection projects to be compatible with the proposed action for Regulation .06R under Regulation .12;

(10) Improve the dispute resolution process under Regulation .13; and

(11) Include additional reporting requirements for public service companies beginning on April 1, 2025, that are associated with the proposed action for Regulation .06R and remove one outdated reporting requirement associated with Solar Renewable Energy Credits (SRECs) under Regulation .14.

Estimate of Economic Impact

I. Summary of Economic Impact. These proposed amendments to expand flexible interconnection options, implement hosting capacity upgrade plan improvements, improve interconnection study requirements’ facilitate the use of meter collar adapters, remove financial requirements for interconnection customers associated with delays in electric distribution system upgrades, and add a new cost allocation methodology for primary and secondary voltage interconnection upgrades will remove inestimable cost obstacles to interconnection of clean energy to the electric grid thereby helping to achieve State policy goals. Other aspects of the proposed action involving dispute resolution and reporting requirements are administrative in nature and will have minimal or no economic impact.

Secondary voltage interconnection customers (i.e., 600 volts or less) will participate in the future in a cost allocation methodology that may result in interconnection fee costs of approximately \$100 or less for residential customers and approximately \$10/kW or less for non-residential customers. Primary voltage interconnection customers (i.e., greater than 600 volts) will participate in the future in a cost allocation methodology that may result in approximate interconnection fee costs between \$2/kW and \$400/kW, depending on location of the interconnection request.

II. Types of Economic Impact.

Impacted Entity	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Maryland electric utilities	(-)	Inestimable
E. On other industries or trade groups:		
Distributed energy developers	(+)	Inestimable
F. Direct and indirect effects on public:		
Maryland electric utility residential and small business customers	(+)	Inestimable

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

D. Maryland electric utilities may incur inestimable additional costs to implement these regulations and associated processes.

E. Since this proposed action changes the methodology by which interconnection upgrade costs are allocated among all interconnection customers, interconnection costs will be reduced for some distributed energy (e.g., solar) developers where these costs were previously an obstacle to interconnection with the tradeoff of adding a fee for other interconnection customers who previously were allowed to access available capacity (i.e., hosting capacity) on the grid for free. These fees and reduced interconnection upgrade costs will vary depending on many factors, and the total impacts are inestimable.

F. Since this proposed action changes the methodology by which interconnection upgrade costs are allocated among all interconnection customers, interconnection costs will be reduced for some residential

and small business customers where these costs were previously an obstacle to interconnection with the tradeoff of adding a fee for other interconnection customers who previously were allowed to access available capacity (i.e., hosting capacity) on the grid for free. These fees and reduced interconnection upgrade costs will vary depending on many factors, and the total impacts are inestimable.

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 Andrew S. Johnston, Executive Secretary, Public Service Commission, 6 St. Paul Street, 16th Floor, Baltimore, MD 21202, or call 410-767-8067, or email to psc.rmcomments@maryland.gov. Comments will be accepted through September 23, 2024. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1)—(16) (text unchanged)

(17) “Hosting capacity” means the amount of aggregate generation that can be accommodated on [the] an electric distribution system or area, or a system component, without requiring infrastructure upgrades.

(18) (text unchanged)

(19) “Hosting capacity upgrade plan” means a utility plan to promote clean energy interconnection for a particular area or a proposal to open multiple restricted and closed circuits or areas on an electric system in the aggregate through proactive distribution system investments that includes a cost allocation and recovery [method.] proposal, under conditions that are approved by the Commission.

(20)—(29) (text unchanged)

(30) “Limited export agreement” means an agreement for energy supplied to the grid by an interconnection customer that may be managed to specified ramp rates and generation levels for operating conditions, as specified in the interconnection agreement or in a separate limited export agreement.

[(30)] (31)—[(31)] (32) (text unchanged)

(33) “Meter collar adapter” means an electronic device that is installed between a residential electric meter and the meter socket, for the purpose of facilitating the deployment of customer-owned or customer-leased technology.

[(32)] (34)—[(41)] (43) (text unchanged)

(44) “Primary voltage hosting capacity upgrade cost” means the equipment upgrade costs of all interconnection equipment, interconnection facilities, protective devices and associated communications systems, and other upgrades that directly increase hosting capacity for multiple primary voltage and secondary voltage interconnection customers while excluding equipment upgrade costs that solely benefit a single interconnection customer, to the extent practicable and material.

(45) “Primary voltage interconnection customer” means an interconnection customer with a point of interconnection at greater than 600 nominal volts.

[(42)] (46)—[(46)] (50) (text unchanged)

(51) “Rightsizing” means to increase the size, scope, and cost of an electric utility hosting capacity upgrade project, following a distributed energy resource interconnection request, to account for both the immediate interconnection customer’s needs and future hosting capacity needs that are identified by the electric utility through a distributed energy resource forecast.

[(47)] (52)—[(48)] (53) (text unchanged)

(54) “Secondary voltage hosting capacity upgrade cost” means the costs of all primary voltage and secondary voltage interconnection equipment upgrades that directly increase secondary voltage hosting capacity available to multiple secondary voltage interconnection customers while excluding all primary voltage and secondary voltage interconnection equipment upgrade costs that solely benefit a single interconnection customer, to the extent practicable and material.

(55) “Secondary voltage interconnection customer” means an interconnection customer with a point of interconnection at less than or equal to 600 nominal volts.

[(49)] (56)—[(57)] (64) (text unchanged)

.06 General Requirements.

A.—K. (text unchanged)

L. Witness Test of Small Generator Facility.

(1)—(7) (text unchanged)

(8) For interconnection equipment that has not been [lab-certified] certified or [field-approved] approved under Regulation .07 of this chapter, the witness test may also include the verification by the utility specified in Section 8 of IEEE Standard 1547.1-2020.

(9)—(11) (text unchanged)

M.—O. (text unchanged)

[P. Inadvertent Export, Net System Capacity, and Proposed Use for Small Generator Facilities with Energy Storage Devices. Utilities shall approve interconnection requests for inadvertent export, net system capacity, and proposed use for small generator facilities subject to the following requirements:

(1) Small generator facilities using Level 3 interconnection requests are by definition nonexporting systems, and are not allowed to utilize inadvertent exports.

(2) Small generator facilities may inadvertently export power of a magnitude and duration as evaluated and allowed by the utility and as specified in their interconnection agreement. 30 seconds shall be used as a default inadvertent export duration unless the utility determines that this level duration will violate utility evaluation criteria.

(3) There are no limits on the number of times inadvertent exports occur in any given customer billing cycle.

(4) Small generator facilities may not have total inadvertent exports greater than the generating facility nameplate capacity multiplied by 1 hour per customer in each billing cycle.

(5) In the event that a small generator facility exceeds approved inadvertent export magnitude or duration limits, the small generator facility shall immediately cease to export real power to the grid until acceptable output control has been reestablished.

(6) If required by the utility, the small generator facility shall be subject to a verification reporting plan to monitor the small generator facility’s compliance with any inadvertent export or net system capacity requirements as documented in the interconnection agreement. A verification reporting plan may include periodic reports, online monitoring, or other verification methods, or it may be waived as agreed by the utility and interconnection customer.

(7) Failure of a small generator facility to demonstrate compliance with the facility’s verification reporting plan may result in the suspension of utility approvals in this section until the small generator facility agrees and implements an acceptable corrective action plan with the utility.]

P. Flexible Interconnection Options.

(1) Utilities shall approve interconnection requests while considering flexible interconnection options under a limited export agreement or, for inadvertent export, net system capacity and a proposed use subject to the requirements of this section.

(2) Inadvertent Export for Energy Storage Devices.

(a) Small generator facilities using Level 3 interconnection requests are non-exporting systems and are not allowed to utilize inadvertent exports.

(b) A utility may not approve an inadvertent export option if the interconnection customer lacks the appropriate standardized controls to ensure that the small generator facility operates as agreed upon in interconnection agreements.

(c) Small generator facilities may inadvertently export power of a magnitude and duration as evaluated and allowed by the utility and as specified in their interconnection agreement. Thirty seconds shall be used as a default inadvertent export duration unless the utility determines that this level duration violates utility evaluation criteria.

(d) There are no limits on the number of times inadvertent exports occur in any given customer billing cycle.

(e) Small generator facilities may not have total inadvertent exports greater than the generating facility nameplate capacity multiplied by 1 hour per customer in each billing cycle.

(f) In the event that a small generator facility exceeds approved inadvertent export magnitude or duration limits, the small generator facility shall immediately cease to export power to the grid until acceptable output control has been reestablished.

(3) Net System Capacity and Proposed Use.

(a) An interconnection customer may request that its interconnection request be based on the proposed use of the small generator facility and the impact of its proposed use on net system capacity.

(b) A utility may not approve a proposed use if the interconnection customer lacks the appropriate standardized controls to ensure that the small generator facility operates as agreed upon in interconnection agreements.

(c) In the event that a small generator facility exceeds the approved net system capacity for the proposed use, the small generator facility shall immediately cease to export power to the grid until acceptable output control has been reestablished.

(4) Limited Export Agreements.

(a) By January 1, 2025, a utility shall publish on its interconnection website a description of their limited export agreement policies and provide a process for interconnection customers to request these agreements to avoid the need for a hosting capacity upgrade project to accommodate an interconnection request, including the following:

(i) Limited export agreements shall be made available upon request only to Level 2 and Level 4 interconnection customers;

(ii) Limited export agreement terms shall be mutually agreed upon between a utility and an interconnection customer for operating conditions as specified in the interconnection agreement or in a separate limited export interconnection customer agreement; and

(iii) The method of implementation and control of the limited export agreement terms shall be mutually agreed upon between a utility and the interconnection customer and specified in the interconnection agreement or in a separate limited export interconnection customer agreement.

(b) A utility may not approve a limited export agreement if the interconnection customer lacks the appropriate standardized controls to ensure that the small generator facility operates as agreed upon in interconnection agreements.

(c) In the event that a small generator facility does not curtail and exceeds the approved limited export parameters stated in the interconnection agreement or a separate limited export interconnection customer agreement, the small generator facility shall immediately cease to export real power to the grid until acceptable output control has been reestablished.

(5) If required by the utility, the small generator facility shall be subject to a verification reporting plan to monitor the small generator facility's compliance with any flexible interconnection option limits involving net system capacity, inadvertent export, proposed use, and limited export agreement requirements as documented in the interconnection agreement. A verification reporting plan may include periodic reports, online monitoring, or other verification methods, or it may be waived as agreed upon by the utility and interconnection customer.

(6) Utilities may include a recurring administrative fee in utility tariffs as a term in flexible interconnection option agreements to reimburse the utility for estimated additional costs to administer these agreements and the stated limiting conditions.

(7) Failure of a small generator facility to demonstrate compliance with the facility's verification reporting plan may result in the suspension of utility approvals in this section until the small generator facility agrees and implements an acceptable corrective action plan with the utility within 30 calendar days of notification by the utility.

(8) A small generator facility shall cease to export power if it fails to provide an acceptable corrective action plan to the utility, pursuant to §P(7) of this regulation.

Q. Hosting Capacity.

(1) Utilities shall establish hosting capacity policies subject to the following requirements:

(a)—(b) (text unchanged)

(c) A utility [may] shall determine the amount of reserve hosting capacity on a restricted circuit based on a circuit-specific assessment of distributed energy resource forecasts or other factors, including customer density, type of area served, and customer demographics of the circuit.

(d)—(e) (text unchanged)

[(2) To open multiple closed or restricted circuits in the aggregate, a utility may submit, or the Commission may require a utility to submit, a hosting capacity upgrade plan for the Commission's review and approval.]

(2) A utility may submit for the Commission's review and approval a hosting capacity upgrade plan or multiple plans to address or otherwise increase the utility's existing distribution aggregate circuit hosting capacity limits across the system, or in a specific area of an electric utility's system, that are forecasted to be congested in the future if the utility's forecast of distributed energy resource growth exceeds existing hosting capacity. These plans may be considered by the Commission if primary voltage hosting capacity upgrade fees, pursuant to §R of this regulation, exceed a threshold of the utility's average cost per kilowatt for their aggregate customer funded hosting capacity upgrade projects completed in the previous year, unless good cause exists for a utility to request a waiver of this requirement.

(3) Hosting capacity upgrade plans that are submitted by a utility shall include:

(a) A description of the electric system areas to be included in the hosting capacity upgrade plan at the feeder and substation level;

(b) A description of the assumptions used for establishing and prioritizing the area covered by the hosting capacity upgrade plan and associated forecasts and timeline for hosting capacity utilization;

(c) A description of the assumptions used for modeling and establishing the cost of the hosting capacity upgrade plan;

(d) If the plan proposes that ratepayers bear any costs that would not be paid by future interconnection customers, a justification for the percentage cost allocation proposed between interconnection customers and ratepayers, including descriptions of:

(i) How the proposed cost allocation was developed and what alternatives were considered, explaining and quantifying the benefits ratepayers are expected to receive from the upgrade; and

(ii) How the utility engaged with stakeholders, particularly the ratepayer advocate's office, the Maryland Office of People's Counsel, in the development of the utility's cost allocation proposal;

(e) A description of the proposed cost allocation method in terms of dollars per kilowatt for a primary voltage hosting capacity fee for an interconnection customer;

(f) A description of the proposed cost allocation to ratepayers and the risks to ratepayers of unallocated hosting capacity upgrade costs if the hosting capacity upgrade does not become fully utilized; and

(g) A proposal for utility cost recovery that describes how hosting capacity upgrade costs shall be offset by future utility revenues from interconnection customers.

[(3)] (4)—[(4)] (5) (text unchanged)

R. Maryland Cost Allocation Method.

(1) Within 1 year of the effective date of this regulation, electric utilities shall submit an electric utility service tariff for Commission approval for a primary voltage hosting capacity cost sharing and allocation methodology for interconnection customers, as follows:

(a) The default hosting capacity cost sharing and allocation methodology for primary voltage interconnection customers shall be based on locational pricing to incentivize interconnection in areas with higher available hosting capacity and disincentivize interconnection in areas with lower available hosting capacity.

(b) A utility may petition the Commission to implement a hosting capacity cost sharing and allocation methodology for primary voltage interconnection customers that is not locationally based for "good cause" in their tariff filing.

(c) An interconnection request shall be eligible for hosting capacity cost sharing and allocation under this section unless they are exempted for the following reasons:

(i) The interconnection request is subject to the PJM Interconnection, LLC Tariff;

(ii) The interconnection request is in an area with its cost allocation governed by a hosting capacity upgrade plan approved by the Commission;

(iii) The interconnection is on a dedicated primary voltage feeder that may not benefit any other interconnection customer;

(iv) The interconnection is on a dedicated secondary voltage facility that may not benefit any other interconnection customer;

(v) The interconnection request is on an AC distribution grid or spot network; or

(vi) Other good cause as documented by the utility and reported, pursuant to Regulation .14 of this chapter.

(d) If an interconnection request is exempted, pursuant to §R(1)(c) of this regulation, the interconnection customer shall pay all interconnection costs as determined by the utility, unless the interconnection request is subject to the PJM Tariff or the interconnection request is in an area with its cost allocation governed by a hosting capacity upgrade plan approved by the Commission.

(e) If sufficient hosting capacity is not available at a point of interconnection for a primary voltage interconnection customer, an electric utility may propose a hosting capacity upgrade project to the interconnection customer or customers, as follows:

(i) The utility shall charge the primary voltage interconnection customer a hosting capacity fee for its share of the primary voltage hosting capacity upgrade cost proportional to the interconnection customer's utilization of hosting capacity.

(ii) If more than one interconnection request exists in the interconnection queue that shall benefit from the electric utility proposed hosting capacity upgrade project, these interconnection customers shall be clustered together for the purpose of calculating hosting capacity fees.

(iii) *Hosting capacity fees for clustered interconnection customers shall be calculated proportional to each interconnection customer's utilization of the hosting capacity created by the hosting capacity upgrade project.*

(iv) *All hosting capacity upgrade costs in excess of hosting capacity fees collected shall be accumulated in a separate unallocated primary voltage hosting capacity upgrade cost account for future allocation to primary voltage interconnection customers.*

(v) *Unallocated hosting capacity upgrade costs for primary voltage interconnection customers shall be shared and allocated to other primary voltage interconnection customers using a primary voltage hosting capacity cost sharing and allocation methodology in an electric utility service tariff approved by the Commission.*

(2) *Within 1 year of the effective date of this regulation, electric utilities shall submit an electric utility service tariff for Commission approval for a secondary voltage cost sharing and fee for both residential and commercial interconnection customers, as follows:*

(a) *If sufficient hosting capacity is not available at a point of interconnection for a secondary voltage interconnection customer, an electric utility may construct a hosting capacity upgrade project for the interconnection customer or customers.*

(b) *All secondary voltage hosting capacity upgrade costs shall be accumulated in separate unallocated accounts for both residential and commercial secondary voltage interconnection customers for future allocation in hosting capacity fees.*

(c) *Unallocated hosting capacity upgrade costs for both residential and commercial secondary voltage interconnection customers shall be shared and allocated to other secondary voltage interconnection customers using a hosting capacity cost sharing and allocation fee in an electric utility service tariff approved by the Commission.*

(3) *Hosting capacity fees for primary voltage interconnection customers shall be reset using a cost sharing and allocation methodology approved by the Commission in an electric utility service tariff filing whenever a change in methodology is proposed, unless the fee is zero or the fee change is less than \$1 per kilowatt.*

(4) *Hosting capacity fees for secondary voltage interconnection customers shall be reset annually using a cost sharing and allocation methodology approved by the Commission unless the fee is zero or the fee change is less than \$1 per kilowatt from the current fee in the electric utility's service tariff.*

(5) *A utility may submit for Commission approval an administrative charge in its service tariff to recover its administrative costs for managing the cost sharing and allocation methodology for primary and secondary voltage interconnection customers.*

(6) *A utility shall describe all hosting capacity upgrade project rightsizing projects describing their forecasts, inputs, and assumptions in their next rate case to assist stakeholders in a prudency review.*

.07 Certified and Approved Equipment.

A. *After January 1, 2024, any small generator facility inverter for which an interconnection request is submitted shall be deemed certified and approved if it meets the requirements of IEEE Standard 1547-2018 and UL Standard 1741-SB, except for inverters purchased pursuant to Regulation .06N(2) of this chapter.*

B. *After January 1, 2024, any small generator facility shall be deemed approved if the interconnection equipment including interface components such as switchgear, multifunction relays, or other interface devices are compatible with the interconnection equipment, pursuant to witness test requirements pursuant to Regulation .06L of this chapter.*

C. *An electric utility shall approve a meter collar adapter model for installation in its Maryland service area for specific compatible meter*

configurations and customer applications, provided that the meter collar adapter model meets the following criteria:

(1) *The meter collar adapter model is approved or listed by a nationally recognized testing laboratory;*

(2) *The meter collar adapter model is approved for use in utility service areas, unless sufficient rationale for disapproval is provided by an electric utility;*

(3) *All meter collar model installations, access, testing, inspections, servicing, and removals shall only be performed by a qualified person as agreed between the utility and the meter collar manufacturer;*

(4) *The meter collar adapter model design does not impede access to the sealed meter socket compartment, or to the meter itself by a qualified person;*

(5) *The meter collar adapter model is compatible with the National Electric Code; and*

(6) *The meter collar adapter model is compatible to the specific meter configurations and customer applications to ensure that the meter collar adapter is capable of being safely and reliably inserted into a meter socket to maintain a secure connection with both the meter socket and the utility meter.*

D. *An electric utility shall approve or disapprove a meter collar adapter model for installation in its service area no later than 90 days after a meter collar manufacturer submits a request for approval of the meter collar adapter, and a utility's procedures shall be updated within 90 days of utility approval.*

E. *An electric utility shall provide an explanation to the requesting meter collar manufacturer explaining the reasons any meter collar adapter model application was denied.*

F. *A requesting meter collar adapter manufacturer may appeal the utility decision to the Commission using the dispute resolution process in Regulation .13 of this chapter.*

G. *An electric utility shall provide public notice of all decisions approving a meter collar adapter model by posting the information on the utility's website.*

H. *An electric utility shall authorize the installation and operation of a utility-approved meter collar adapter for a customer installation, provided the meter collar adapter meets the following criteria:*

(1) *The meter collar adapter is qualified to be connected to the supply side of the service disconnect, pursuant to the applicable provisions of the National Electric Code;*

(2) *The meter collar adapter is rated for the meter socket into which it is intended to be installed;*

(3) *The meter collar adapter does not exceed the weight bearing limits of a meter socket;*

(4) *Multiple meter collar adapters are not stacked in a meter socket; and*

(5) *The meter collar adapter does not disable this excessive heating detection capability of AMI meters.*

I. *A utility shall uninstall an approved meter collar adapter in the aggregate if any deficiencies are found after installation that result in safety or operational concerns, if these concerns cannot be remediated by a customer for a specific installation or by a meter collar adapter manufacturer, in the aggregate.*

J. *The determination of violations in this regulation and the assessment of related civil penalties and corrective action plans shall be delegated to the Engineering Division.*

.09 Level 1 Review.

A. *The utility shall evaluate a Level 1 small generator facility for the potential for adverse system impacts using net system capacity, pursuant to Regulation .06A and B of this chapter, unless nameplate capacity is specifically required using the following:*

(1)—(3) (text unchanged)

(4) As an alternative *non-mandatory* method to evaluate the adverse system impacts of a proposed Level 1 small generator facility on the distribution system, as described in §A(1)—(3) of this regulation, *or as a mandatory next step prior to rejecting an interconnection request, pursuant to §E of this regulation, for Level 1 Review Failure*, a utility may use a power-flow based analysis system [if the utility has submitted] *with modeling of IEEE 1547-2018 inverter capabilities as follows, if its use may change the analysis result as determined by the utility:*

(a) A plan, subject to Commission approval, that describes its methodology for its power-flow based modeling system and includes reasoning for each screen used to evaluate an application; and

(b) Information about the system’s results, as required in Regulation .14 of this chapter;]

(a) *For primary voltage systems, within 6 months of the effective date of this regulation; and*

(b) *For secondary voltage systems, within 2 years of the effective date of this regulation;*

(5)—(6) (text unchanged)

B.—E. (text unchanged)

.10 Level 2 Review.

A. The utility shall evaluate a Level 2 small generator facility for the potential for adverse system impacts *using net system capacity, pursuant to Regulation .06A and B of this chapter, unless nameplate capacity is specifically required* using the following:

(1)—(8) (text unchanged)

(9) As an alternative *non-mandatory* method to evaluate the adverse system impacts of a proposed Level 2 small generator facility on the distribution system, as described in §A(1)—(8) of this regulation, *or as a mandatory next step prior to rejecting an interconnection request, pursuant to §E of this regulation, for Level 1 Review Failure*, a utility may use a power-flow based analysis system [if the utility has submitted] *with modeling of IEEE 1547-2018 inverter capabilities as follows, if its use may change the analysis result as determined by the utility:*

(a) A plan, subject to Commission approval, that describes its methodology for its power-flow based modeling system and includes reasoning for each screen used to evaluate an application; and

(b) Information about the system’s results, as required in Regulation .14 of this chapter;]

(a) *For primary voltage systems, within 6 months of the effective date of this regulation; and*

(b) *For secondary voltage systems, within 2 years of the effective date of this regulation;*

(10) (text unchanged)

(11) If the proposed interconnection facility requires a *site-specific utility required inverter settings profile review* or a minor system [modification,] *modification without further study review needed*, the utility shall notify the applicant of that requirement when it provides the Level 2 evaluation result, as follows:

(a) (text unchanged)

(b) If the applicant makes such an election, the utility shall provide an interconnection agreement, along with a non-binding good faith cost estimate and construction schedule for [those upgrades,] *any minor system modifications* to the applicant within 30 calendar days after the utility receives such an election; and

(c) (text unchanged)

B.—E. (text unchanged)

F. Failure to Meet Level 2 Criteria.

(1) (text unchanged)

(2) A utility shall:

(a) Within 30 calendar days, offer to perform additional review to determine whether minor *system* modifications [to the electric distribution system] *or a site-specific utility required inverter*

settings profile would enable the interconnection to be made consistent with safety, reliability, and power quality criteria; [and]

(b) Provide the applicant with a nonbinding, good faith estimate of the costs of *the* additional review and minor *system* modifications[.]; *and*

(c) *Advise the applicant if a limited export customer agreement could be used to facilitate reliable and safe interconnection to the electric distribution system.*

(3)—(4) (text unchanged)

G.—H. (text unchanged)

.12 Level 4 Study Review.

A.—D. (text unchanged)

E. Interconnection Feasibility, Interconnection System Impact, and Interconnection Facilities Studies.

(1)—(2) (text unchanged)

(3) Interconnection Facilities Study.

(a)—(d) (text unchanged)

(e) Delay in Electric Distribution System Upgrades.

(i) In the event that electric distribution system upgrades are identified in the impact study that will be required to be added only in the event that higher queue position customers not yet interconnected eventually will complete and interconnect their small generator facilities, an applicant may elect to interconnect without paying for such upgrades at the time of the interconnection under the condition that the customer shall pay for such upgrades at the time the higher queue position customer is ready to interconnect.

(ii) If the applicant does not pay for the cost of the electric distribution system upgrades at that time, the utility shall require the customer to immediately disconnect its small generator facility so that interconnection of the higher-queued customer can be accommodated.]

(f) (e)—(h) (g) (text unchanged)

F.—G. (text unchanged)

.13 Dispute Resolution.

A. (text unchanged)

B. Dispute Resolution Before the Commission.

(1) If a dispute arises, the applicant or utility may seek immediate resolution through the procedures of COMAR 20.32.01[, or an alternative dispute resolution process approved by the Commission, by providing written notice to the Commission and the other party stating the issues in dispute].

(2) (text unchanged)

(3) [If available, dispute resolution may be conducted by phone.] *If a dispute arises involving technical matters regarding the interconnection process, dispute resolution shall be delegated to the Commission’s Engineering Division.*

[C. Dispute Resolution by Technical Master.

(1) If disputes relate to the technical matters regarding the interconnection process, upon the request of the applicant and utility and at their cost, the Commission may designate a technical master to resolve the dispute.

(2) The Commission may designate a Department of Energy National Laboratory, PJM Interconnection, LLC, a college or university with electric distribution system engineering expertise, or another electric distribution system expert unaffiliated with the interconnection process in dispute as the technical master.

(3) Upon Commission designation, the applicant and utility shall use the technical master to resolve disputes related to interconnection.

(4) Responsibility for the costs for a dispute resolution conducted by the technical master shall be determined either prior to submission of the dispute to the technical master by the applicant and utility, or by the technical master after the resolution of the dispute.]

[D.] C.—[E.] D. (text unchanged)

E. If a satisfactory resolution is not achieved between the applicant and utility, the applicant or utility may request a hearing, pursuant to Public Utilities Article, §3-102, Annotated Code of Maryland.

(2) Contain the name of the customer, the address, the size of the facility (kW DC) and the date of final approval (net meter set).]

ANDREW S. JOHNSTON
Executive Secretary

.14 Record Retention and Reporting Requirements.

A.—B. (text unchanged)

C. A utility shall file not later than April 1 of each year a report entitled “Annual Small Generator Interconnection Report” to the Commission containing the following information for the preceding calendar year:

(1) The total number of [and the nameplate capacity of the] interconnection requests received, approved, and denied under Level 1, Level 2, Level 3, and Level 4 reviews;

[(2) The number of evaluations of interconnections requests approved and denied using any alternate process under Level 1, Level 2, Level 3, and Level 4 reviews;]

[(3)] (2)—[(9)] (8) (text unchanged)

[(10)] (9) Beginning April 1, 2021, a utility shall also report annually for the previous year:

(a)—(c) (text unchanged)

(d) The number of interconnection requests for [net system capacity] *flexible interconnection options* totaled for Level 1, Level 2, Level 3, and Level 4 that were approved, denied, or suspended due to non-compliance;

(e) (text unchanged)

(f) The number of small generator facility projects that delay payment for a distribution system upgrade until the time a first higher small generator facility project in an interconnection queue is ready to interconnect; [and]

[(11)] (10) Beginning April 1, 2024, if Volt-Watt control is implemented in a utility’s default utility required inverter settings profile, a utility shall also report for the electric distribution system annually for the previous year:

(a)—(c) (text unchanged)

(d) Number of smart inverter related interconnection customer curtailment complaints unresolved[.]; *and*

(11) *Beginning April 1, 2025, an electric utility shall report exemptions to Regulation .06R of this chapter annually for the previous year, including:*

(a) *The number of interconnection requests subject to the PJM Interconnection, LLC Tariff;*

(b) *The number of interconnection requests in an area governed by a hosting capacity upgrade plan approved by the Commission;*

(c) *The number of interconnection requests on a dedicated primary voltage feeder that may not benefit any other interconnection customer;*

(d) *The number of interconnection requests on a dedicated secondary voltage facility that may not benefit any other interconnection customer;*

(e) *The number of interconnection requests on an AC distribution grid or spot network;*

(f) *The number of interconnection requests exempted for other good cause; and*

(g) *The reason for good cause for each interconnection request exempted from Regulation .06R of this chapter.*

D.—F. (text unchanged)

[G. The utility shall send a weekly electronic confidential report to Commission Staff of all solar facilities successfully interconnected. The weekly electronic confidential report shall:

(1) Be compatible with the format requirements of PSC and MD State IT departments to facilitate the processing of Solar Renewable Energy Credits (SRECs); and

Special Documents

DEPARTMENT OF THE ENVIRONMENT

SUSQUEHANNA RIVER BASIN COMMISSION

Commission Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: The Susquehanna River Basin Commission will conduct its regular business meeting on September 12, 2024 in Harrisburg, Pennsylvania. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice. Also the Commission published a document in the Federal Register on July 9, 2024, concerning its public hearing on August 1, 2024, in Harrisburg, Pennsylvania.

DATES: The meeting will be held on Thursday, September 12, 2024, at 9 a.m.

ADDRESSES: This public meeting will be conducted in person and digitally from the Lord Baltimore Hotel, 20 W Baltimore Street, Baltimore, Maryland.

FOR FURTHER INFORMATION CONTACT: Jason E. Oyler, General Counsel and Secretary to the Commission, telephone: 717-238-0423; fax: 717-238-2436.

SUPPLEMENTARY INFORMATION: The business meeting will include actions or presentations on the following items: (1) Adoption of the FY 2026 current expense budget; (2) Adoption of the member allocation for FY 2026; (3) approval of contracts and grants; (4) action on rulemaking for agency procurement, bid protest procedures and other changes to Part 801 (tabled at June Meeting); and (5) actions on 24 regulatory program projects.

This agenda is complete at the time of issuance, but other items may be added, and some stricken without further notice. The listing of an item on the agenda does not necessarily mean that the Commission will take final action on it at this meeting. When the Commission does take final action, notice of these actions will be published in the Federal Register after the meeting. Any actions specific to projects will also be provided in writing directly to project sponsors.

The meeting will be conducted both in person at the Lord Baltimore Hotel, 20 W. Baltimore Street, Baltimore, Maryland and digitally. The public is invited to attend the Commission's business meeting. The public may access the Business Meeting remotely via Zoom : [https://us02web.zoom.us/j/89292000071?pwd=\\$1E2Qi9QNHUyTkhjY3ZoRUJJeXpqUT09](https://us02web.zoom.us/j/89292000071?pwd=$1E2Qi9QNHUyTkhjY3ZoRUJJeXpqUT09) Meeting ID 892 9200 0071; Passcode: SRBC4423! or via telephone: 305-224-1968 or 309-205-3325; Meeting ID 892 9200 0071.

Written comments pertaining to 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 at the link Business Meeting Comments. Comments are due to the Commission for all items on the business meeting agenda on or before September 9, 2024. Comments will not be accepted at the business meeting noticed herein.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 801, 806, and 808.

DATED: August 9, 2024.

JASON E. OYLER
General Counsel And Secretary To The Commission
[24-17-11]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Approvals by Rule for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: July 1 - 31, 2024.

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

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

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

Water Source Approval - Issued Under 18 CFR 806.22(f):

RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Baumunk North B Drilling Pad; ABR-201406004.R2; Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.

RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Benscoter ; ABR-20090601.R3; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.

RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Clark Drilling Pad; ABR-201406008.R2; Springville Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.

RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Evanchick; ABR-20090604.R3; Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.

RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Mowry; ABR-20090527.R3; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.

- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Otten; ABR-20090526.R3; Asylum Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Przybyszewski; ABR-20090555.R3; Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: SGL 12 O PAD; ABR-201906002.R1; Franklin Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Strom; ABR-20090602.R3; Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: VanNoy; ABR-20090535.R3; Granville Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Vargson; ABR-20090605.R3; Granville Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: WGC; ABR-201205014.R2; Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Wissler Drilling Pad; ABR-201406005.R2; McNett Township, Lycoming County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: SHEDDEN (01 013/043) D; ABR-20090603.R3; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Seneca Resources Company, LLC; Pad ID: CRV D08-Pad G; ABR-201406007.R2; Norwich and Sargeant Townships, McKean County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 15, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Czop Drilling Pad; ABR-201406009.R2; Fox Township, Sullivan County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: MTL; ABR-201906003.R1; Wyalusing Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 26, 2024.
- RENEWAL - EQT ARO LLC; Pad ID: C.O.P. Tract 285 (1000); ABR-20090408.R3; Grugan Township, Clinton County, Pa.; Consumptive Use of Up to 5.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - EQT ARO LLC; Pad ID: COP Tr 252 #1000H; ABR-20090444.R3; Grugan Township, Clinton County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - EQT ARO LLC; Pad ID: COP Tract 285 (1001H, 1002H); ABR-20090413.R3; Grugan Township, Clinton County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: DCNR 587 (02 001); ABR-20090609.R3; Ward Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: Guillaume 714; ABR-201206009.R2; Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - Repsol Oil & Gas USA, LLC; Pad ID: WILLIAMS (01 041/042) R; ABR-20090611.R3; Troy Township, Bradford County, Pa.; Consumptive Use of Up to 6.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - Seneca Resources Company, LLC; Pad ID: CRV Pad C08-X; ABR-201406010.R2; Shippen Township, Cameron County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - SWN Production Company, LLC; Pad ID: Humbert Pad (RU-8); ABR-201206003.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 26, 2024.
- RENEWAL - XTO Energy Inc.; Pad ID: Jenzano; ABR-20090713.R3; Franklin Township, Lycoming County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 26, 2024.
- RENEWAL - XTO Energy Inc.; Pad ID: Temple; ABR-20090714.R3; Moreland Township, Lycoming County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 26, 2024.
- Blackhill Energy LLC; Pad ID: Black Sam Bellamy Well Pad; ABR-202407001; Springfield Township, Bradford County, Pa.; Consumptive Use of Up to 6.5000 mgd; Approval Date: July 29, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Welles 1; ABR-20090610.R3; Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 29, 2024.
- RENEWAL - XTO Energy Inc.; Pad ID: Marquardt; ABR-20090712.R3; Penn Township, Lycoming County, Pa.; Consumptive Use of Up to 3.0000 mgd; Approval Date: July 29, 2024.
- RENEWAL - Chesapeake Appalachia, L.L.C.; Pad ID: Deremer; ABR-201407001.R2; Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.5000 mgd; Approval Date: July 30, 2024.
- RENEWAL - SWN Production Company, LLC; Pad ID: KOZIOL PAD; ABR-201206016.R2; New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.9990 mgd; Approval Date: July 30, 2024.
- RENEWAL - EQT ARO LLC; Pad ID: COP Tract 289 Pad A; ABR-20090410.R3; McHenry Township, Lycoming County, Pa.; Consumptive Use of Up to 4.0000 mgd; Approval Date: July 31, 2024.
- AUTHORITY: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.
- DATED: August 9, 2024.

JASON E. OYLER
 General Counsel and Secretary to the Commission
 [24-17-12]

SUSQUEHANNA RIVER BASIN COMMISSION

Grandfathering Registration Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists Grandfathering Registration for projects by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: July 1-31, 2024.

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

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

SUPPLEMENTARY INFORMATION: This notice lists GF Registration for projects, described below, pursuant to 18 CFR Part 806, Subpart E, for the time period specified above:

Team Ten LLC dba American Eagle Paper Mills, GF Certificate No. GF-202407278, Warriors Mark Township, Huntingdon County, and Snyder Township and Tyrone Borough, Blair County, Pa.; Hundred Springs, Cold Springs, Stover Springs, and South Bald Eagle Creek and consumptive use; Issue Date: July 18, 2024.

AUTHORITY: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

DATED: August 9, 2024.

JASON E. OYLER
General Counsel and Secretary to the Commission
[24-17-15]

SUSQUEHANNA RIVER BASIN COMMISSION

General Permit Notice

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists General Permits approved by the Susquehanna River Basin Commission during the period set forth in DATES.

DATES: July 1-31, 2024

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

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

SUPPLEMENTARY INFORMATION: This notice lists General Permits for projects, described below, pursuant to 18 CFR § 806.17(c)(4), for the time period specified above.

Furman Foods, Inc., dba Furmano's – Well 9, General Permit Approval of Coverage No. GP-02-20240707, Point Township, Northumberland County, Pa.; emergency or maintenance activity groundwater withdrawal approved up to 0.504 mgd (30-day average) Approval Date: July 16, 2024.

AUTHORITY: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR parts 806 and 808.

DATED: August 9, 2024.

JASON E. OYLER
General Counsel and Secretary to the Commission
[24-17-14]

WATER AND SCIENCE ADMINISTRATION

Water Quality Certification 23-WQC-0035

Maryland Coastal Bays Program
c/o Kevin Smith
8219 Stephen Decatur Hwy
Berlin, MD 21811

Add'l. Info: Pursuant to COMAR 26.08.02.10F(3)(c), The Maryland Department of the Environment is providing notice of its issuance of a Water Quality Certification 23-WQC-0035

Location: 38.077222 N—75.334167 W, Girdletree, MD 21829

The purpose of the project is to control shoreline erosion, to establish/enhance habitat, and to provide coastal resiliency.

Description of Authorized Work:

1. Construct 6 segmented headland breakwaters with cobble toes measuring between 163 and 465 feet long and between 32 and 39 feet wide, all associated with tombolo style living shoreline with segmented breakwaters extending 122 to 422 feet channelward of the mean high water line; fill and grade with approximately 8,433 cubic yards of a sand/woodchip mix and a sand/cobble mix for tombolo/habitat construction and plant with 29,032 square feet of low marsh vegetation and 33,053 of high marsh vegetation;

2. Construct three channel blocks with inlet elevation set a mean lower low water as follows: Channel Block 1 measures 95 feet long by 10 feet wide; Channel Block 2 measures 63 feet long by 10 feet wide; and Channel Block 3 measures 22 feet long by 10 feet wide.

The WQC and its attachments may be viewed at the following link:
<https://mde.maryland.gov/programs/Water/WetlandsandWaterways/Pages/WQC.aspx>

Appeal of Final Decision. This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision to issue this WQC may appeal such decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision, and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800

Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC.

Contact: Miles Simmons at robertm.simmons@maryland.gov or at 410-901-4044.

[24-17-09]

MARYLAND HEALTH CARE COMMISSION

SCHEDULE FOR CERTIFICATE OF ONGOING PERFORMANCE REVIEWS — PERCUTANEOUS CORONARY INTERVENTION SERVICES

The Maryland Health Care Commission provides the following schedule for the review of applications for Certificates of Ongoing Performance of percutaneous coronary intervention (PCI) services.

Applications must be submitted no later than the published due date and will only be received and reviewed in accordance with this published schedule. All applications, including the required number of copies, must be received at the offices of the Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215, no later than 4:30 p.m. on the scheduled date of submission. For further information about the review schedules or procedures, contact Eileen Fleck, Chief, Acute Care Policy and Planning, at eileen.fleck@maryland.gov or 410-764-3287.

Percutaneous Coronary Intervention Services

Hospitals	Application Submission Date
Holy Cross Silver Spring University of Maryland Capital Region Medical Center	September 27, 2024
Adventist Shady Grove Medical Center UPMC Western Maryland Meritus Medical Center	February 21, 2025

Note: The application submission dates for some other hospitals' PCI programs will be published in a subsequent notice because the submission dates are over six months away.

[24-17-08]

DEPARTMENT OF NATURAL RESOURCES

FISHING AND BOATING SERVICES

Public Notice — Spanish Mackerel Commercial Fishery Season and Catch Limit — Effective 8/5/2024

WHAT THIS NOTICE DOES

The Secretary of the Maryland Department of Natural Resources announces:

1. A change to the commercial catch limit for Spanish mackerel; and
2. A change to the commercial season for Spanish mackerel.

NEW CATCH LIMIT

Not more than 500 pounds of Spanish mackerel may be landed per vessel per day or trip, whichever is longer, regardless of the number of licensees on board the vessel.

COMMERCIAL SEASON

The commercial season for Spanish mackerel will close at 12:01 a.m. November 16, 2024. The season will reopen at 12:01 a.m. January 1, 2025, with no additional restrictions.

WHY THIS IS NECESSARY

Commercial landings have reached the commercial quota for the Atlantic migratory group Spanish mackerel northern zone. The northern zone for Atlantic migratory group Spanish mackerel includes federal waters from North Carolina through New York. The commercial harvest of the Atlantic migratory group Spanish mackerel northern zone in federal waters closed July 28, 2024. The Atlantic States Marine Fisheries Commission Fishery Management Plan for Spanish Mackerel allows states to implement a bycatch in state waters. This step must be taken to prevent the quota from being further exceeded, while allowing a minimal bycatch amount of Spanish mackerel to be landed to avoid dead discards.

WHO THIS NOTICE AFFECTS

This closure applies to all individuals who catch Spanish mackerel commercially.

EFFECTIVE DATE

This notice is effective at 12:01 a.m. August 5, 2024, and will remain in effect through and including December 31, 2024.

AUTHORITY

Code of Maryland Regulations 08.02.05.14C

JOSH KURTZ

Secretary of Natural Resources

[24-17-06]

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.

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting
Date and Time: September 10, 2024, 10 a.m. — 1 p.m.
Place: University of Maryland College Park, Van Munching Hall, 7699 Mowatt Ln., Rm. VMH 2333ABC, College Park, MD 20742
Contact: Christopher Dorsey 410-230-6318
 [24-17-16]

STATE COLLECTION AGENCY LICENSING BOARD

Subject: Public Meeting
Date and Time: September 10, 2024, 2 — 3 p.m.; thereafter the public meetings will take place the second Tuesday of every month, accessed via the Google Meet information below.
Place: Virtual Meeting
Add'l. Info: Google Meet joining info:
 Video call link:
<https://meet.google.com/ahz-mgnk-jsu>
 Or dial: (US) +1 530-738-1353
 PIN: 815 799 863 #
 If necessary, the Board will convene in a closed session to seek the advice of counsel or review confidential materials, pursuant to General Provisions Article, §3-305, Annotated Code of Maryland
Contact: Ayanna Daugherty 410-230-6019
 [24-17-04]

COMMISSION ON CRIMINAL SENTENCING POLICY

Subject: Public Meeting
Date and Time: September 10, 2024, 5:30 — 7:30 p.m.
Place: Via Livestream
Add'l. Info: A livestream of the meeting is available at:
<https://www.youtube.com/live/K77LgwO4-Os>
Contact: David A Soule 301-403-4165
 [24-17-03]

MARYLAND DEPARTMENT OF HEALTH/HARM REDUCTION STANDING ADVISORY COMMITTEE (HRSAC)

Subject: Public Meeting
Date and Time: September 6, 2024, 10 a.m. — 12 p.m.
Place: Via Zoom — please see details below.
Add'l. Info: Zoom joining info:
 Link:
<https://us06web.zoom.us/j/7336339359?pwd=gkWo3XZcqIEdAQhdFwCJba8Oo9OPCZ.1>
 Meeting ID: 733 633 9359
 Passcode: 537109
Contact: Elizabeth Spradley 479-871-4439
 [24-17-07]

MARYLAND DEPARTMENT OF HEALTH/PHARMACY AND THERAPEUTICS (P&T) COMMITTEE

Subject: Public Meeting
Date and Time: November 7, 2024, 9 a.m. — 1 p.m.
Place: Virtual meeting — please see details below.
Add'l. Info: As soon as available, classes of drugs to be reviewed, speaker registration guidelines, and procedure to register to attend the virtual meeting will be posted on the Maryland Pharmacy Program website at:
<https://health.maryland.gov/mmcp/pap/Pages/Public-Meeting-Announcement-and-Procedures-for-Public-Testimony.aspx>
 Submit questions to
mdh.marylandpdlquestions@maryland.gov.
Contact: Deborah Washington 410-767-1455
 [24-17-13]

DEPARTMENT OF INFORMATION TECHNOLOGY

Subject: Public Meeting
Date and Time: September 5, 2024, 10 a.m. — 12 p.m.
Place: 100 Community Pl., 1st Fl. Conf. Rm. B, Crownsville, MD
Contact: Cindy Cole 410-697-9639
 [24-17-01]

DEPARTMENT OF INFORMATION TECHNOLOGY

Subject: Public Meeting
Date and Time: September 18, 2024, 1 — 3 p.m.
Place: 100 Community Pl., 1st Fl. Conf. Rm. B, Crownsville, MD
Contact: Cindy Cole 410-697-9639
 [24-17-02]

MARYLAND STATE LOTTERY AND GAMING CONTROL COMMISSION

Subject: Public Meeting
Date and Time: August 29, 2024, 10 a.m. — 12 p.m.
Place: Montgomery Park Business Center, 1800 Washington Blvd, Ste. 330, Baltimore, MD
Add'l. Info: The August meeting has been rescheduled to August 29, 2024 at 10 a.m. The meeting will be in person and via livestream. The link to the meeting will be available on the day of the meeting on the website
<https://www.mdgaming.com/commission-meeting-8-29-2024/>.
Contact: Kathy Lingo 410-230-8790
 [24-17-05]

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| Forest Conservation Technical Manual 3 <sup>rd</sup> Edition, 1997 | \$30  | _____        | _____ |
| Preventive Maintenance Handbook (PM Handbk) (green cover 4/18)     | \$25  | _____        | _____ |
| Vehicle Inspection Handbook (Feb 2012) (incl. binder)              | \$65  | _____        | _____ |
| Child Care Regulations (13A.14 – 13A.18) opt. binder addl. \$20    | \$60  | _____        | _____ |
| Notaries Handbook (Jan 2024)                                       | \$23  | _____        | _____ |
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**Title 10 Maryland Department of Health**

**Part 1**

- 01 Procedures
- 02 Division of Reimbursements
- 03 Health Statistics
- 04 Fiscal
- 05 Freestanding Ambulatory Care Facilities
- 06 Diseases
- 07 Hospitals
- 08 Health Facilities Grants

**Part 2**

- 09 Medical Care Programs

**Part 3**

- 10 Laboratories
- 11 Maternal and Child Health
- 12 Adult Health
- 13 Drugs
- 14 Cancer Control
- 15 Food
- 16 Housing
- 17 Swimming Pools and Spas
- 18 Human Immunodeficiency Virus (HIV) Infection and Acquired Immunodeficiency Syndrome (AIDS)
- 19 Dangerous Devices and Substances
- 20 Kidney Disease Program
- 21 Mental Hygiene Regulations
- 22 Developmental Disabilities

**Part 4**

- 23 Advance Directive Registry
- 24 Maryland Health Care Commission
- 25 Maryland Health Care Commission
- 26 Board of Acupuncture
- 27 Board of Nursing
- 28 Board of Examiners in Optometry
- 29 Board of Morticians and Funeral Directors
- 30 Maryland Commission on Kidney Disease
- 31 Health Occupation Boards
- 32 Board of Physicians
- 33 Board of Examiners of Nursing Home Administrators
- 34 Board of Pharmacy
- 35 Postmortem Examiners Commission
- 36 Board of Examiners of Psychologists

**Part 5**

- 37 Health Services Cost Review Commission
- 38 Board of Physical Therapy Examiners
- 39 Board of Nursing – Certified Nursing Assistants
- 40 Board of Podiatric Medical Examiners
- 41 Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists
- 42 Board of Social Work Examiners
- 43 Board of Chiropractic Examiners
- 44 Board of Dental Examiners
- 45 Maryland Community Health Resources Commission
- 46 Board of Occupational Therapy Practice
- 47 Alcohol and Drug Abuse Administration
- 48 Child Abuse and Neglect Medical Reimbursement Program
- 49 State Anatomy Board
- 50 Tissue Banks
- 51 Forensic Laboratories
- 52 Preventive Medicine

**Part 6**

- 53 Board of Nursing – Electrology Practice Committee
- 54 Special Supp Nutrition Prg for Women, Infants, and Children (WIC)
- 55 State Board of Spinal Cord Injury Research
- 56 Board of Dietetic Practice
- 57 Board for Certification of Residential Child Care Program Profess.
- 58 Board of Professional Counselors and Therapists
- 59 Catastrophic Health Emergencies
- 60 Board of Environmental Health Specialists
- 61 Health Enterprise Zone Initiative
- 62 Natalie Laprade Medical Marijuana Commission
- 63 Community-Based Behavioral Health Programs and Services
- 64 Practice of Licensed Direct-Entry Midwives
- 65 Board of Massage Therapy Examiners

- 66 Office of the Inspector General
- 67 Maryland HealthChoice Program
- 68 Community Health Workers

**Title 11 Department of Transportation**

**Part 1**

- 01 Office of the Secretary
- 02 Transportation Service Human Resources System
- 03 Maryland Aviation Administration
- 04 State Highway Administration
- 05 Maryland Port Administration
- 06 Maryland Transit Administration
- 07 Maryland Transportation Authority
- 08 State Rail Safety Oversight
- 09 Vacant
- 10 Vacant

**Part 2**

- 11 Motor Vehicle Administration – Administrative Procedures
- 12 MVA – Licensing of Businesses and Occupations
- 13 MVA – Vehicle Equipment
- 14 MVA – Vehicle Inspections
- 15 MVA – Vehicle Registration
- 16 MVA – Vehicle Operations
- 17 MVA – Driver Licensing and Identification Documents
- 18 MVA – Financial Responsibility Requirements
- 19 MVA – School Vehicles
- 20 MVA – Motorcycle Safety Program
- 21 MVA – Commercial Motor Vehicles
- 22 MVA – Preventive Maintenance Program
- 23 MVA – Drivers' Schools, Instructors & Driver Education Program

**Title 26 Department of the Environment**

**Part 1**

- 01 General Provisions
- 02 Occupational, Industrial, and Residential Hazards
- 03 Water Supply, Sewerage, Solid Waste, and Pollution Control Planning and Funding
- 04 Regulation of Water Supply, Sewage Disposal, and Solid Waste
- 05 Board of Well Drillers
- 06 Waterworks and Waste Systems Operators
- 07 Board of Environmental Sanitarians

**Part 2**

- 08 Water Pollution
- 09 Maryland CO<sub>2</sub> Budget Trading Program
- 10 Oil Pollution and Tank Management
- 11 Air Quality
- 12 Radiation Management

**Part 3**

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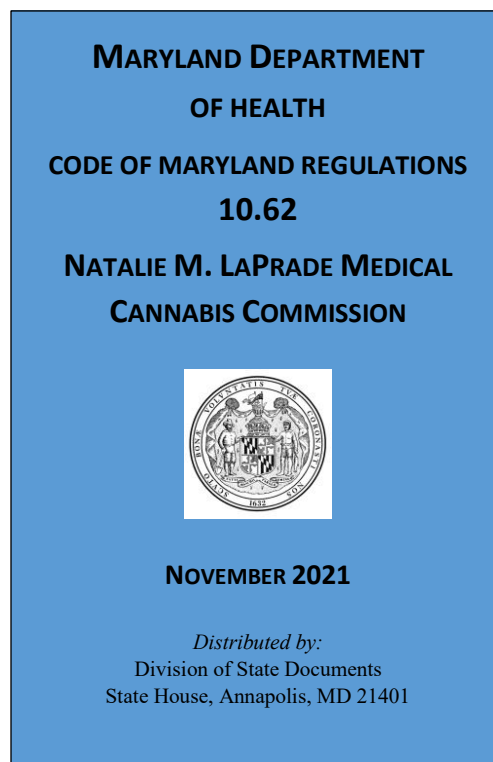
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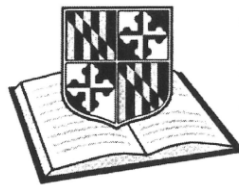
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