

CHAPTER 430
FORMERLY
HOUSE BILL NO. 480
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLES 3, 7, AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE :

Section 1. Amend § 2222, Chapter 22, subsection (a), of Title 3 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsection.

Section 2. Amend § 3921, Chapter 39, of Title 7 of the Delaware Code by deleting the name “Soil and Water Conservation Division” and replacing it with “Division of Watershed Stewardship” in the title of the section.

Section 3. Amend § 3921, Chapter 39, subsections (1), (2), and (3), of Title 7 of the Delaware Code by deleting the name “Soil and Water Conservation Division” and replacing those references with “Division of Watershed Stewardship”.

Section 4. Amend § 3922, Chapter 39, of Title 7 of the Delaware Code by deleting the name “Soil and Water Conservation Division” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 5. Amend § 3923, Chapter 39, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” where it appears in the body of the section.

Section 6. Amend § 4106, Chapter 41, subsections (e) of Title 7 of the Delaware Code by deleting the reference to the name “Division of Soil and Water Conservation” and replacing that reference with “Division of Watershed Stewardship” in that subsection.

Section 7. Amend § 4110, Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 8. Amend § 4117, Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the title of the section.

Section 9. Amend § 4117, Chapter 41, subsection (b), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the subsection.

Section 10. Amend § 4121 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 11. Amend § 4122 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 12. Amend § 4123, Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the title of the section and the body of the section.

Section 13. Amend § 4125 Chapter 41, subsection (a), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsection.

Section 14. Amend § 4126, Chapter 41, subsection (b), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsection.

Section 15. Amend § 4130 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 16. Amend § 4132 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 17. Amend § 4140, Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 18. Amend § 4142, Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 19. Amend § 4151, Chapter 41, subsections (a) and (b), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship”.

Section 20. Amend § 4152 Chapter 41, subsections (a) and (b) of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in those subsections.

Section 21. Amend § 4153 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 22. Amend § 4161, Chapter 41, subsection (9), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsection.

Section 23. Amend § 4162, Chapter 41, subsections (4), (5) and (6) of Title 7 of the Delaware Code by deleting all references to the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in those subsections.

Section 24. Amend § 4171, Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the title of the section.

Section 25. Amend § 4171, Chapter 41, subsection (b), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in that subsection.

Section 26. Amend § 4181 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 27. Amend § 4187 Chapter 41, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 28. Amend § 4189, Chapter 41, subsections (1), (2)a, (2)b, and (3) of Title 7 of the Delaware Code by deleting all references to the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in those subsections.

Section 29. Amend § 4304, Chapter 43, subsections (a) and (e), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in those subsections.

Section 30. Amend § 4307, Chapter 43, subsection (a), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsection.

Section 31. Amend § 4308, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 32. Amend § 4311 , Chapter 43, of Title 7 of the Delaware Code by deleting the reference to the name “Division of Soil and Water Conservation” in the title of the section and replacing that reference with “Division of Watershed Stewardship”.

Section 33. Amend § 4311, Chapter 43, subsections (a) and (b) of Title 7 of the Delaware Code by deleting all references to the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in those subsections.

Section 34. Amend § 4312 Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 35. Amend § 4314, Chapter 43, subsections (a), (b), and (c), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” as it appears six (6) times throughout subsections (a), (b) and (c) and replacing those references with “Division of Watershed Stewardship”.

Section 36. Amend § 4315, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the title and body of the section.

Section 37. Amend § 4316, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” as it appears twice (2) in said section and replacing it with “Division of Watershed Stewardship”.

Section 38. Amend § 4317, Chapter 43, subsections (a) and (b) of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsections.

Section 39. Amend § 4318, Chapter 43, subsections (a) and (b) of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of those subsections.

Section 40. Amend § 4322, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 41. Amend § 4324, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” as it appears twice (2) in said section and replacing it with “Division of Watershed Stewardship”.

Section 42. Amend § 4332, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” as it appears twice (2) in said section and replacing it with “Division of Watershed Stewardship”.

Section 43. Amend § 4334, Chapter 43, of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the section.

Section 44. Amend § 4341, Chapter 43, subsections (a) and (b), of Title 7 of the Delaware Code by deleting all references to the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in those subsections.

Section 45. Amend § 4342 Chapter 43, subsections (a) and (b) of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in those subsections.

Section 46. Amend § 4350, Chapter 43, subsection (9), of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of the subsection.

Section 47. Amend § 4351, Chapter 43, subsections (4), (5), and (6) of Title 7 of the Delaware Code by deleting all references to the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in those subsections.

Section 48. Amend §4361, Chapter 43, of Title 7 of the Delaware Code by deleting the reference to the name “Division of Soil and Water Conservation” in the title of the section and replacing that reference with “Division of Watershed Stewardship”.

Section 49. Amend § 4361, Chapter 43, subsection (b) of Title 7 of the Delaware Code by deleting the reference to the name “Division of Soil and Water Conservation” and replacing that reference with “Division of Watershed Stewardship” in that subsection.

Section 50. Amend § 4369, Chapter 43 of Title 7 of the Delaware Code by deleting the reference to the name “Division of Soil and Water Conservation” and replacing that reference with “Division of Watershed Stewardship” in that section.

Section 51. Amend § 4385, Chapter 43, subsections (1), (2), and (3) of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in those subsections.

Section 52. Amend § 4383, Chapter 43 of Title 7 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in that section.

Section 53. Amend § 4387, Chapter 43, of Title 7 of the Delaware Code by deleting all references to the name “Division of Soil and Water Conservation” and replacing those references with “Division of Watershed Stewardship” in that section.

Section 54. Amend § 6097, Chapter 60, subsection (j) of Title 7 of the Delaware Code by striking the names “Air Quality Management section” and “Division of Air and Waste Management” where they appear and replacing them with “Division of Air Quality”.

Section 55. Amend § 6097, Chapter 60, subsection (j) of Title 7 of the Delaware Code by striking the language “Air Quality Management Section’s” and substituting in lieu thereof “Division of Air Quality’s”.

Section 56. Amend § 6099, Chapter 60, of Title 7 of the Delaware Code by deleting the phrase “Director of Air and Waste Management” and replacing it with “Director of the Division of Air Quality” in the body of the section.

Section 57. Amend § 6102A, Chapter 61, subsection (g) of Title 29 of the Delaware Code by deleting the name “Division of Water Resources” and replacing it with “Division of Water” in paragraphs (2) and (3) of that subsection.

Section 58. Amend § 6102A, Chapter 61, subsections (h)(1) and (2), of Title 29 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” and replacing it with “Division of Watershed Stewardship” in the body of those subsections.

Section 59. Amend § 6302, Chapter 63, subsection (5) of Title 7 of the Delaware Code by deleting the name “Division of Air and Waste Management” and replacing it with “Division of Waste Management” in that subsection.

Section 60. Amend § 6319, Chapter 63, subsection (d) of Title 7 of the Delaware Code by deleting the name “Division of Air and Waste Management” and replacing it with “Division of Waste Management” in that subsection.

Section 61. Amend § 8003, Chapter 80, Title 29 of the Delaware Code by striking paragraph (1) in its entirety and replacing it with the following:

“(1) Supervise, direct and account for the administration and operation of the Department, its divisions, subdivisions, offices, including an Office of Natural Resources and an Office of Environmental Protection, functions, and employees. The Office of Natural Resources may include the Divisions of Fish and Wildlife, Parks and Recreation, and Watershed Stewardship. The Office of Environmental Protection may include the Divisions of Air Quality, Waste Management, and Water”.

Section 62. Amend § 8003(2), Chapter 80, paragraph (d), Title 29 of the Delaware Code by deleting the names “Soil and Water Conservation” in paragraph (d) and replacing it with “Watershed Stewardship”.

Section 63. Amend § 8003(2), Chapter 80, paragraph (e), Title 29 of the Delaware Code by deleting the names “Air and Waste Management” and replacing them with “Air Quality”.

Section 64. Amend § 8003(2), Chapter 80, Title 29 of the Delaware Code by adding a new paragraph (g) to read: “A Director of the Division of Waste Management who shall be known as the Director of Waste Management and who shall be qualified by training and experience to perform the duties of the office;” and relettering paragraphs (g) and (h) to (h) and (i) respectively.

Section 65. Amend § 8003(2), Chapter 80, paragraph (f), Title 29 of the Delaware Code by deleting the words “Resources”.

Section 66. Amend § 8011, Chapter 80, subsection (c), of Title 29 of the Delaware Code by deleting the phrase “Directors of the Divisions of Water Resources and Soil and Water Conservation” in the first sentence and replacing it with “Directors of the Divisions of Water and Watershed Stewardship”.

Section 67. Amend § 8012, Chapter 80, Title 29 of the Delaware Code by deleting the name “Division of Soil and Water Conservation” as it appears in its title and throughout the section and replacing it with “Division of Watershed Stewardship” in all places it appears.

Section 68. Amend § 8014, Chapter 80, Title 29 of the Delaware Code by deleting the language “Division of Air and Waste Management and Division of Water Resources” in its entirety as it appears in the title and replacing it with “Division of Air Quality, Division of Waste Management and Division of Water”.

Section 69. Amend § 8014, Chapter 80, Title 29 of the Delaware Code by deleting the phrase “The Division of Air and Waste Management and Division of Water Resources” as it first appears in the first sentence and replacing it with “The Division of Air Quality, Division of Waste Management and Division of Water”; by deleting in paragraph (1) the phrase “The Division of Air and Waste Management and Division of Water Resources” and replacing it with “The Division of Air Quality, Division of Waste Management and the Division of Water”; by deleting in paragraph (2) the phrase “the Division of Air and Waste Management and Division of Water Resources” and replacing it with “Division of Air Quality, the Division of Waste Management and the Division of Water”; by deleting in paragraph (3) the phrase “The Division of Air and Waste Management and Division of Water Resources” and replacing it with “The Division of Air Quality, the Division of Waste Management and the Division of Water”; by deleting in paragraph (4) the phrase “The Division of Air and Waste Management and Division of Water Resources” and replacing it with “The Division of Air Quality, the Division of Waste

Management and the Division of Water”; and by deleting in paragraph (5) the phrase “The Division of Air and Waste Management” and replacing it with “The Division of Air Quality and the Division of Waste Management” and deleting the phrase “Division of Water Resources” and replacing it with “Division of Water”.

Section 70. Amend § 8018, Chapter 80, Title 29 of the Delaware Code by deleting subsections (4) through (7) of Title 29 of the Delaware Code and substituting with the following list:

- “(4) Director of Watershed Stewardship;
- (5) Director of Air Quality;
- (6) Director of Waste Management;
- (7) Director of Water;
- (8) Director of Boiler Safety.”.

Section 71. Amend § 8226, Chapter 82, subsection (a) of Title 29 of the Delaware Code by deleting the phrase “Director of Air and Waste Management” and replacing it with “Director of the Division of Waste Management” in that subsection.

Approved July 23, 2010