



STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES
AND ENVIRONMENTAL CONTROL

OFFICE OF THE
SECRETARY

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MEMORANDUM TO: Office of the Governor
Members of the Senate Natural Resources and Environmental
Control Committee
Members of the House Environment and Natural Resources
Committee

FROM : Collin P. O'Mara, Secretary 

SUBJECT : **START ACTION NOTICE**

DATE : August 20, 2013

Enclosed for your information is **APPROVED** Start Action Notice:

2013-25 to revise 7 DE Admin Code 1124, Section 30 "Petroleum Liquid Storage in External Floating Roof Tanks, Section 31 "Petroleum Liquid Storage in Fixed Roof Tanks" and Section 49, "Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels".

Division Directors
Public Affairs
Those on Start Action Approval List
Responsible Staff Member

Delaware's Good Nature depends on you!



APPROVED BY

[Signature]

START ACTION NOTICE

DATE

8-21-13

SAN # 2013-25

Type of Action: To revise 7 DE Admin Code 1124 Section 30 "Petroleum Liquid Storage in External Floating Roof Tanks," Section 31 "Petroleum Liquid Storage in Fixed Roof Tanks," and Section 49 "Control of Volatile Organic Compound Emissions from Volatile Organic Liquid Storage Vessels."

Purpose of Action: Delaware's ambient air does not meet the health based National Ambient Air Quality Standard (NAAQS) for the pollutant ozone (O₃). The purpose of this action is to revise the above-mentioned sections in Delaware 7 DE Admin Code 1124 to implement additional necessary control measures for above-ground volatile organic liquid storage vessels, thus reducing volatile organic compound (VOC) emissions from those vessels. Since VOC is a precursor for formation of ozone in the ambient air, such reduction in VOC emissions will aid in the attainment and maintenance of Delaware's air quality relative to the ground-level ozone NAAQS. Other Ozone Transport Region (OTR) States are taking similar actions as committed in a memorandum of understanding (MOU) signed jointly in 2010. Delaware is one of the states that signed the MOU, and this rulemaking on the afore-mentioned sections will follow a model rule agreed upon by the undersigned OTR states.

In addition, Delaware will submit the revision of 7 DE Admin Code 1124 Sections 30, 31 and 49 to the US Environmental Protection Agency (EPA) as a revision to Delaware's state implementation plan (SIP).

- 3. **Statutory Basis:** 7 Del. C. Chapter 60, Environmental Control.
- 4. **Likely Affected Public:** Facilities in Delaware which store volatile organic liquids in above-ground vessels will likely be affected by the proposed revisions to the afore-mentioned three sections of 7 DE Admin Code 1124.

5. **Proposed Schedule of Activities:**

Stakeholder Committee Meeting(s):	August-October 2013
Public Hearing:	November-December 2013
Finalization Date:	Spring 2014

- 6. **Review Committee:** A review committee with stakeholders will be formed to discuss issues of concern. A public hearing will be conducted. The Department will solicit comments from the public prior to the hearing and during the comment period of the hearing.

7. **Responsible Staff Member:**

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8. **Approvals:**

<u>/Frank F. Gao/</u>	<u>05/20/2013</u>	_____
Responsible Staff Member	Date	Division Director