



APPROVED BY Ali Mirzakhali

DATE 7/3/17

START ACTION NOTICE # 2017-10

1. TYPE OF ACTION: Revise 7 DE Admin Code 1136, Acid Rain Program.
2. PURPOSE OF ACTION: The purpose of this action is to update the Federal reference date, pursuant to an HB-147 review. DNREC reviewed this regulation and the corresponding Federal requirements and has determined that there have been a number of updates to portions of 40 CFR Parts 72 -78 (Acid Rain Program provisions) that should be adopted.
3. STATUTORY BASIS: 7 Del.C. Chapter 60 Environmental Control
4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE. Yes.  
<https://www.ecfr.gov> Title 40 – Protection of Environment; Parts 72-78.
5. DATE OF MOST RECENT REVIEW/AMENDMENT: Most recently amended on January 1, 2000; reviewed pursuant to EO-36 in 2013.
6. LIKELY AFFECTED PUBLIC: Electric Generating Units (EGUs) subject to the federal acid rain program. This revision will clarify the federal acid rain program regulatory requirements that Delaware EGUs are subject to.
7. PROPOSED SCHEDULE OF ACTIVITIES:  
Public Hearing – Summer/Fall 2017  
Effective Date – Fall 2017
8. REVIEW COMMITTEE: No review committee is necessary. The Department believes that holding of a public hearing will provide adequate opportunity for public education, review, and comment.
9. RESPONSIBLE STAFF MEMBER: Renae Held  
Division of Air Quality, DNREC  
State Street Commons  
100 West Water Street, 6A  
Dover DE 19904  
Phone: (302)-739-9402  
Fax: (302) 739-3106  
Email: renae.held@state.de.us

10. APPROVALS:

<u>Rena Held</u>	<u>5-22-17</u>	<u>Ali Mirzakhali</u>	<u>5/23/17</u>
Rena Held	Date	Ali Mirzakhali	Date
Responsible Staff Member		Director, Division of Air Quality	