

**Intended Change to
Provide More Appropriate Submittal Date versus the Date
Appearing in the 6/1/13 Delaware Register of Regulations**

Initial Notification - Submittal Date for New and Reconstructed Sources.

Original adoption language – Nov. 11, 2009

10.8.1.4 The owner or operator of an affected source that started up after July 1, 2008 shall submit an initial notification not later than 120 calendar days after startup of the affected source or November 11, 2009, whichever is later.

Proposed amendment language as submitted for June 1, 2013 Register (Note 1)

10.8.1.4 The owner or operator of an new or reconstructed affected source that started up after July 1, 2008 shall submit an initial notification ~~not later than 120 calendar days after~~ upon startup of the affected source or November 11, 2009, whichever is later.

Note 1: The changes made to 10.8.1.4 (shown above) in the submitted proposed amendment were consistent with the federal changes the EPA made to Subpart WWWW at 63.11509(a)(4) on September 19, 2011.

Intended and non-substantive change to June 1, 2013 published proposed amendment

10.8.1.4 The owner or operator of an new or reconstructed affected source that started up after July 1, 2008 shall submit an initial notification ~~not later than 120 calendar days after~~ upon startup of the affected source or [~~November 11, 2009~~] [**September 11, 2013**], whichever is later.

Rational for change

While the Delaware revision that appeared in the June 1, 2013 is consistent with the federal changes the EPA made in the Subpart WWWW amendment on September 19, 2011, it inadvertently created the situation of requiring a regulated source to comply (i.e. on Nov. 11, 2009) with a provision prior to the completion of the regulatory process on that requirement.

This intended change is **non-substantive** and rectifies this situation by incorporating the effective date of the amendment into the requirement. September 11, 2013 is the anticipated effective date.