


**Public Hearing**  
August 4, 2015

**Emission Standards for Chromium Electroplating and Anodizing Tanks**

**Section 6 of 7 DE Admin. Code 1138**




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**Department's Presentation**

- Provide **brief background** information on
  - EPA's regulatory efforts to control emission from chromium electroplating & anodizing tanks in 1995 and 2012 (40 CFR Part 63 **Subpart N**)
  - Department's adoption of comparable requirements in 1999 and 2013 (Regulation 1138 **Section 6**)
- Department's **currently proposed** regulatory action
- Introduce the public hearing **handouts**




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**Background**

On the Development of the Chromium Electroplating & Anodizing Standards (AKA Rules)

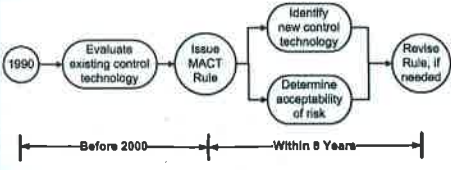


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**Clean Air Act Amendments of 1990**

- Congress prescribed EPA's rule-making "path forward" – A **2-Phase** Rulemaking Process



Phase 1: **Technology Driven** (Before 2000)

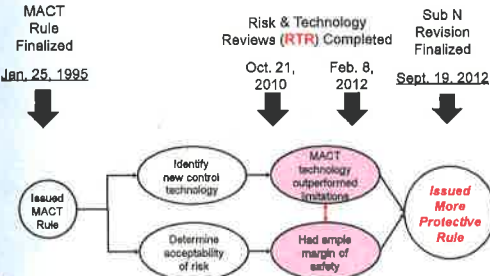
Phase 2: **Risk Driven** (Within 8 Years)




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**Federal Chromium Electroplating Rule**  
**40 CFR Part 63 Subpart N**



**Issued More Protective Rule**





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**Delaware's Adoption of MACT Standard**  
**Section 6 of Regulation 1138**

- July 1999**  
DNREC held **public hearings** on proposed Section 6
- September 11, 1999**  
Section 6 - **Final and Effective**

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## Delaware's Adoption of RTR Standard

### Section 6 of Regulation 1138

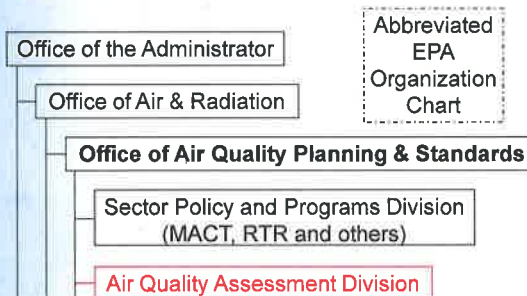
- **June 2013**  
DNREC held public hearings on proposed revision of Section 6
- **September 11, 2013**  
Section 6 - Final and Effective



Which Brings  
Us to the EPA Most Recent  
Change to Subpart N



## So Who Are These New EPA's Rule Writers?



Abbreviated  
EPA  
Organization  
Chart



## EPA's Air Quality Assessment Division

- **Conducts** periodic (~ 10 years) reviews of
  - Test methods
  - Performance specifications
  - Testing requirements in standards
- **Implements** changes to
  - Add newly approved alternatives
  - Delete errors and obsolete provisions



## Federal Air Emissions Testing Rule

- **February 27, 2014**  
EPA's Air Quality Assessment Division promulgated the Federal Air Emissions Testing Rule that updated . . .
  - 48 test methods
  - 11 performance specifications
  - Testing requirements in 29 emission standards



## Federal Chromium Electroplating Rule

- **February 27, 2014**  
40 CFR Part 63 Subpart N was one of the 29 standards identified



### Subpart N EPA Approved Test Methods

- 63.344(c)(1) • Method 306 in Appendix of 40 CFR Part 63
- 63.344(c)(1) • Method 306A in Appendix of 40 CFR Part 63
- 63.344(c)(2) • California Air Resources Board Method 425
- 63.344(c)(3) • Method 306B in Appendix of 40 CFR Part 63
- 63.344(c)(4) • Case by Case Approval by the EPA
- 63.344(c)(5) • South Coast Air Quality Management District Method 205.1



## Federal Chromium Electroplating Rule

### February 27, 2014

- 40 CFR Part 63 Subpart N**
- 63.344 Performance test requirements and test methods.
- (c) Test methods. Each owner or operator . . . . .
- (1) . . . . .
- (2) . . . . .
- (3) . . . . .
- (4) . . . . .
- (5) The South Coast Air Quality Management District (SCAQMD) Method 205.1 (which is available by contacting the South Coast AQMD, 21865 Copley Dr, Diamond Bar, CA 91765) may be used to determine the total chromium concentration from hard and decorative chromium electroplating tanks and chromium anodizing tanks.



## And Now to the Department's Current Activities to Amend Section 6 And to Today's Public Hearing

## Delaware's Adoption of Federal Change

- Upon consideration, the Department found the adopting of the Federal change appropriate
  - It provides **no burden** as the use of the newly approved test method is optional
  - It provides **additional flexibility** for the Delaware facilities and their testers
  - It **maintains the consistency** between Delaware requirements with National requirements
  - It **may provide** improved emissions data quality

## DNREC's Proposed Amendment to Section 6

- On **April 14, 2015**, the **Secretary approved** the Department's request to amend Section 6 consistent with the **Federal Air Emissions Testing Rule**
- The Department did not conduct public workshops; instead it **communicated the planned addition** directly to all affected sources and through DNREC website
- On **July 1, 2015**, the proposed amendment to **Section 6 appeared** in the Delaware Register of Regulations

## Delaware's Adoption of the Testing Change

- Regulation 1136 Section 6**
- 6.5 Performance test requirements and test methods.
- 6.5.3 Test methods. Each owner or operator . . . . .
- 6.5.3.1 . . . . .
- 6.5.3.2 . . . . .
- 6.5.3.3 . . . . .
- 6.5.3.4 . . . . .
- 6.5.3.5** The South Coast Air Quality Management District (SCAQMD) Method 205.1, dated August 1991, may be used to determine the total chromium concentration from hard and decorative chromium electroplating tanks and chromium anodizing tanks.

Public Notices Belong in Newspapers,  
Where People Will See Them.



## Public Noticing and Regulatory Requirements Met

## **Section 6 Public Notifications**



- Public hearing notices appeared in
  - The Delaware State News and Sunday News Journal
  - Delaware Register of Regulations
  - State Calendar of Public Meetings
  - The DNREC Public Notices Website
  - E-News Updates from Delaware's Office of Env. Protection
  - DAQ's Section 6 regulatory web page
- Verbal and email communications during development of draft and proposed amendment



## **Other information addressed in Exhibits**

- The Public Hearing handouts
- A listing of **existing facilities**
- The Department's determination that affected sources **do not qualify** for additional consideration for less stringent requirements as provided under the Regulatory Flexibility Act
- The South Coast Air Quality Management District **Method 205.1**



## **Other information addressed in Exhibits**

- Revision and enhancement to the previously developed **compliance assistance tool** reflecting the newly approved **alternative test method**
- The Section 6 **Regulatory web page**



For the latest information,  
follow the ongoing development on  
**Section 6 Regulatory Web Page**

<http://www.dnrec.delaware.gov/Air/Pages/Section6RTR.aspx>

