

- Section 4.1.6 on page 16 is being expanded to provide specific examples of unusual events so water system owners/operators have a more clear idea of when they need to contact DPH.
- Incorporate revisions identified by EPA when they reviewed the previous regulations.
- Sections that are no longer relevant or that have been superseded by more recent regulations have been deleted.

Any person who wishes to make written suggestions, testimony, briefs or other written materials concerning the proposed regulation should submit such comments by Tuesday, August 11, 2015 to:

Jamie Mack, Executive Assistant
Office of the Director
Delaware Division of Public Health
Jesse Cooper Building
417 Federal St.
Dover, DE 19901
Email: jamie.mack@state.de.us
Fax: 302-739-3984

***Please Note: Due to the size of the proposed regulation, it is not being published here. A copy of the regulation is available at:**

4462 Public Drinking Water Systems

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

DIVISION OF AIR QUALITY

Statutory Authority: 7 Delaware Code, Chapter 60; (7 Del.C., Ch. 60)
7 DE Admin. Code 1138

REGISTER NOTICE
SAN # 2015-01

1138 Emission Standards for Hazardous Air Pollutants for Source Categories

1. TITLE OF THE REGULATIONS:

Amendment to 7 DE Admin Code 1138 Emission Standards for Hazardous Air Pollutants for Source Categories

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

The Clean Air Act Amendments of 1990 stipulated a 2-phase rulemaking process that the EPA must use to protect the public health from exposure to hazardous air pollutants (HAPs). Consistent with this 2-phase process, the EPA adopted the maximum achievable control technology (MACT) standard (phase 1) applicable chromium electroplating and chromium anodizing facilities on January 25, 1995 as Subpart N in 40 CFR Part 63 and later amended those requirements (phase 2) by promulgating the more health-protective residual risk requirements on September 19, 2012.

Delaware adopted the federal MACT standard, i.e. the Subpart N requirements, as Section 6 of 7 DE Admin. Code 1138 on November 1, 2001 and later, amended Section 6 on September 1, 2013 to incorporate the more health-protective residual risk requirements.

On February 27, 2014, the EPA finalized, under a single rulemaking, over 80 additions to and revisions of the test methods and the testing provisions in various standards in order to improve the quality of test data and to provide testers the additional flexibility of using these newly approved alternative procedures. Subpart N was one of the changed standards.

Prior to that February 27 rulemaking, subsection §63.344(c) of Subpart N provided the owners or operators of

PROPOSED REGULATIONS

affected chromium electroplating and chromium anodizing facilities up to 4 test methods to demonstrate compliance with the standard. In the February 27th final rule, the EPA provided the owners or operators subject to Subpart N with an optional 5th test method to select from by adding the South Coast Air Quality Management District "Test Method 205.1". The Department is proposing to amend Section 6 by adding the same optional, alternative test method, in order (1) to maintain the consistency of Delaware's air regulatory requirements under Section 6 with the national requirements under Subpart N and (2) to give owners or operators of Delaware's affected facilities and their testers the additional flexibility to use the EPA's newly approved testing alternative.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

None

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 Delaware Code, Chapter 60

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

None

6. NOTICE OF PUBLIC COMMENT:

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Tuesday, August 4, 2015 starting at 6:00 PM in the DNREC Richardson & Robbins Auditorium, 89 Kings Highway, Dover, DE. If you are unable to attend or wish to submit your comments in advance of the public hearing, please send your comments to address below. Interested parties may also submit written comments to the Department, to the same address below, up until the end of the comment period, which will extend through August 19, 2015, unless a longer period is designated by the hearing officer at the public hearing.

DNREC – Division of Air Quality
 Subject: August 4 Public Hearing
 715 Grantham Lane
 New Castle, DE 19720

7. PREPARED BY:

James R. Snead (302) 323-4542 jsnead@state.de.us May 14, 2015

1138 Emission Standards for Hazardous Air Pollutants for Source Categories
(Break in Continuity of Sections)

~~9/11/13~~ 10/11/15

6.0 Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

(Break in Continuity Within Section)

6.5 Performance test requirements and test methods.

(Break in Continuity Within Section)

6.5.3 Test methods. Each owner or operator subject to the provisions of 6.0 of this regulation and required in 6.4.2 of this regulation to conduct an initial performance test shall use the test methods identified in 6.0 to demonstrate compliance with the standards in 6.3 of this regulation.

(Break in Continuity Within Section)

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.

*Please Note: As the rest of the sections were not amended, they are not being published. A copy of the

regulation is available at:

1138 Emission Standards for Hazardous Air Pollutants for Source Categories

DIVISION OF AIR QUALITY

Statutory Authority: 7 Delaware Code, Chapter 60 (7 Del.C. Ch. 60)
7 DE Admin. Code 1141

REGISTER NOTICE

SAN #2014-09

1141 Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products

1. TITLE OF THE REGULATION:

Amendments to Regulation 1141 "Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products", Section 2.0 "Consumer Products".

2. BRIEF SYNOPSIS OF THE SUBJECT SUBSTANCE AND ISSUES:

New Castle and Sussex Counties are in non-attainment under the 2008 ground-level ozone National Ambient Air Quality Standards (NAAQS) and further reduction in the emissions of volatile organic compounds (VOC), a precursor to ground-level ozone, is needed to meet the NAAQS. The amendments include adding 10 more products and/or product types to be regulated for VOC content and lowering the VOC content limits for 14 existing products and/or product types. This brings the total product types regulated under this regulation to 120 and will show a reduction in Delaware VOC emissions of 330 tons per year.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

None.

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 Delaware Code, Chapter 60.

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL: None.

6. NOTICE OF PUBLIC COMMENT:

There will be a hearing on this proposed amendment on August 4, 2015 beginning at 6pm in the DNREC Auditorium in the Richardson & Robbins Building located at 89 Kings Highway in Dover, Delaware. Interested parties may submit comments in writing to David Fees, Division of Air Quality, Blue Hen Corporate Center, Suite 5N, 655 South Bay Road, Dover, DE 19901 and/or statements and testimony may be presented either orally or in writing at the public hearing.

7. PREPARED BY:

David Fees
May 24, 2015

***Please Note: Due to the size of the proposed regulation, it is not being published here. A copy of the regulation is available at:**

1141 Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products
