

SAN 2008-09 Exhibits Listing

DNREC **Exhibit #**

1. Department's Public Hearing Handouts distributed at the December 3, 2008 public hearing on the proposed addition of Section 9.0 to Regulation 1138.
2. Listing of the Department's Exhibits that will be presented at the December 3 public hearing.
3. EPA's Hazard Summary Fact Sheet for ethylene oxide, which is based on information in EPA's IRIS database. The summary provides both the acute and chronic non-cancer effects and the chronic cancer effects due to the exposure to ethylene oxide.
4. EPA's proposed rulemaking applicable to hospital ethylene oxide sterilizers that appeared in the November 6, 2006 Federal Register. The preamble to this proposal provides a clear explanation of Congress mandate for reducing potential health risk from the emissions of the smaller area source facilities.
5. EPA's final rulemaking applicable to hospital ethylene oxide sterilizers that appeared in the December 28, 2007 Federal Register.
6. The Department's Start Action Notice 2008-09 approving the planned addition of Section 9.0 to Regulation 1138. Section 9.0 would be applicable to ethylene oxide sterilizers located a hospitals.
7. Listing identifying Christiana Hospital (Newark) and St. Francis Hospital (Wilmington) as the only known hospitals using ethylene oxide sterilizers in Delaware.
8. The August 8, 2008 email to Janice Sloniewski of St. Francis, an Interested Party, announcing that Air Quality was in process of adopting Section 9 into Reg. 1138.
9. The August 8, 2008 email to Gerry Watson of A I DuPont Hospital, an Interested Party, announcing that Air Quality was in process of adopting Section 9 into Reg. 1138.
10. The August 12, 2008 email to John Learish of Christiana Hospital, an Interested Party, announcing that Air Quality was in process of adopting Section 9 into Reg. 1138.
11. The October 29, 2008 email to Janice Sloniewski and Patricia Leicht of St Francis announcing that the proposed regulation and hearing notice would appear in the November 1, 2008 Delaware Register of Regulation.
12. The October 29, 2008 email to Gerry Watson of A I DuPont Hospital announcing that the proposed regulation and hearing notice would appear in the November 1, 2008 Delaware Register of Regulation.
13. The October 29, 2008 email to John Learish and Chuck Anderson of Christiana Hospital announcing that the proposed regulation and hearing notice would appear in the November 1, 2008 Delaware Register of Regulation.
14. The Regulatory Flexibility Analysis that concluded that the two affected Delaware hospitals are not qualified for additional consideration under the Regulatory Flexibility Act.
15. A comparison of the proposed Delaware proposed Section 9.0 requirements to the Federal requirements for hospital ethylene oxide sterilizers. The exhibit identifies those Delaware requirements that are more protective than the Federal requirements.
16. The Department's proposed amendment as it appeared in the November 1, 2008 Delaware Register of Regulations.
17. The public hearing notices as they appeared in the October 19, 2008 Delaware State News.
18. The public hearing notices as they appeared in the October 19, 2008 Sunday News Journal.
19. The legal notice that was mailed to people on Air Quality Management's mailing list, notifying the recipient of the December 3, 2008 public hearing.

20. The Department's Register Notice announcing the public hearing on December 3, 2008, as it appeared within the November 1, 2008 Delaware Register of Regulations.
21. The Statewide Calendar of Meeting notice announcing the public hearing on the proposed amendment to add Section 9.0 to Regulation 1138.
22. The AIR AND WASTE NEWS dated November 18, 2008. This bimonthly electronic E-News Update announced the December 3, 2008 public hearing on the proposed amendment to Regulation 1138.
23. The DNREC NEWS dated November 18, 2008. This press release announces the December 3, 2008 public hearing on the proposed amendment to Regulation 1138.
24. The Air Quality Management web page, as it appeared on December 1, 2008, that has been available since April for the public to access and to follow the development of the Department's rulemaking.
25. Proposed changes to correct errata or improve clarity and intent.
26. An "Initial Notification of Compliance Status" form that the Department developed to provide the information required of this notification as well as the appropriate current addresses to which it is to be sent to satisfy both Federal and Delaware requirements.
27. Revised proposed regulatory language incorporating the changes in Exhibit 25.