

The biweekly E-News Update features current information on the Divisions of Air Quality (DAQ) and Waste and Hazardous Substances (WHS) regarding public meetings, workshops, hearings, and regulatory documents available for public comment, as well as general news updates.

Suggestions? Additions? Please call Caroline Miller Horton at 302-739-9400, or send an email to caroline.miller-horton@delaware.gov

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Published by the Divisions of Air Quality and Waste and Hazardous Substances.

UPCOMING AIR & WASTE, RELATED HEARINGS, MEETINGS, & EVENTS

CANCELLED - Public Hearing on the Assessment and Order 2019-WH-0005

This meeting has been cancelled. On hold to possibly be rescheduled. Public Hearing on the Assessment and Order 2019-WH-0005, March 28, 2019 10:00 AM, 391 Lukens Drive, New Castle DE 19720. Contact: rebecca.mccormick@delaware.gov or 302-739-9403. You may also visit: <https://publicmeetings.delaware.gov/Meeting/62443>

(UPDATED) Boiler Safety Council Meeting

DNREC Division of Waste and Hazardous Substances / Waste and Hazardous Substances / Natural Resources and Environmental Control

To discuss proposed regulations, **March 27 at 10:00 AM**. Meeting to be held at Delaware Veterans Affairs Building, 802 Silver Lake Blvd, Dover, DE. Contact:

Eileen.Butler@delaware.gov or 302-395-2520. You may also

visit: <https://publicmeetings.delaware.gov/Meeting/62531>

LEGAL NOTICE - PUBLIC WORKSHOPS

The Department of Natural Resources and Environmental Control (DNREC), Division of Air Quality (DAQ) and Division of Waste and Hazardous Substances, Tank Management Section (TMS) will jointly conduct a public workshop to introduce to the public their current efforts on revising the following regulations:

- 7 DE Admin. Code 1124 Section 26 "Gasoline Dispensing Facility Stage I Vapor Recovery" and Section 36 "Vapor Emission Control at Gasoline Dispensing Facilities."
- 7 DE Admin. Code 1351 "Underground Storage Tank Systems"

The workshop will be held on **Tuesday, April 16, 2019 at two locations as follows**, and the public can participate at either location:

1. Beginning at 10:00 AM in TMS Conference Room, located at 391 Lukens Drive, New Castle, DE 19720.

2. Beginning at 6:30 PM in DNREC Auditorium, located at Richardson & Robbins Building, 89 Kings Highway, Dover, DE 19901.

The objectives of revising 7 DE Admin. Code 1124 Section 26 and Section 36 are (1) to phase out Stage II vapor recovery systems at Delaware Gasoline Dispensing Facilities (GDFs), and (2) to set up effective controls on vapor emission from GDFs' gasoline underground storage tanks (USTs) after phasing out Stage II.

The objective of revising 7 DE Admin. Code 1351 is to reflect advances in underground storage tank system technology and changes required due to promulgation of new federal underground storage tank regulations. The State of Delaware regulations must be at least as stringent as the federal regulations under the requirements of 40 CFR 281, State Program Approval.

The draft language of 7 DE Admin. Code 1124 Section 26 and Section 36 shall be available for public review prior to the workshop in DAQ's offices at (1) 715 Grantham Lane, New Castle, DE, and (2) 100 W. Water Street, Suite 6A, Dover, DE. The draft language will be also available from DAQ's website at <https://dnrec.alpha.delaware.gov/air/permitting/under-development/>.

The draft language of 7 DE Admin. Code 1351 shall be available for public review prior to the workshop date in TMS's offices 391 Lukens Drive, New Castle, DE. The draft language is also available at TMS' website at <http://www.dnrec.delaware.gov/tanks/Pages/default.aspx>.

Contact information:

Tracy Mattson, Division of Air Quality-DNREC
100 W. Water Street, Suite 6A, Dover, DE 19904
302-739-9402; Tracy.Mattson@delaware.gov
Eileen Butler, Tank Management Section-DNREC
391 Lukens Drive, New Castle, DE 19720.
302-395-2500, DNREC_USTRegulations@delaware.gov

You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4616&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

DIVISION OF AIR QUALITY

AIR QUALITY PERMITTING PROGRAM – Notice has been given that the facilities listed below have submitted applications for air quality management permits. The applications, the “draft/proposed” permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the “draft/proposed” permit, may be inspected at the offices of the Division of Air Quality, 100 W. Water Street, Suite 6A, Dover, 19904. **All comments and public hearing requests** should be mailed to the following address: DIVISION OF AIR QUALITY, 100 W. Water Street, Suite 6A, Dover 19904. To submit comments, for additional information, or for an appointment to inspect the application, please contact Tracy Mattson at (302) 739-9402.

LEGAL NOTICE - 7 DE Admin. Code 1102 NATURAL MINOR PERMIT APPLICATIONS

Notice has been given that:

DuPont Nutrition USA, Inc. - Newark Site (formerly FMC) having a facility at 1301 Ogletown Road, Newark, County of New Castle requests a construction permit to install a new bin vent filter and stack to replace the existing 600 sifter baghouse which is nearing the end of its life. The new bin vent filter will be identified as EP-145 and will be permitted to emit 0.05 ton of particulate matter (PM10) per year by Permit: APC-2019/0028-CONSTRUCTION.

The application for this permit may be reviewed at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware or 715 Grantham Lane, New Castle, Delaware. For additional information or for an appointment to review the application, please contact Tracy Mattson at (302) 739-9402.

A public hearing on any of the above applications will NOT be held unless the Secretary of DNREC receives a request for a hearing regarding that application within 15 days from the date of this notice, ending **March 25**. A request for a hearing shall be in writing. The request must also show a familiarity with the application and a reasoned statement of the permit’s probable impact. All comments and public hearing requests should be mailed to the following address: DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A, DOVER, DE 19904, (302) 739-9402. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4609&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

Title V Permit Renewal Applications

Notice is hereby given that Ameresco Delaware Energy having a facility at 1107 Willow Grove Road, in Sandtown, Delaware, has submitted a request for a permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for operating permit: AQM-001/00247. Based on the data and certifications contained in the application, the Division of Air Quality concludes that the applicant meets all applicable requirements promulgated by the Environmental Protection Agency (EPA) and the Department of Natural Resources and Environmental Control (DNREC). Therefore a “draft/proposed” permit renewal has been prepared. This “draft/proposed” permit renewal renews Ameresco’s operating permit and increases the facility-wide HAP emission limit from 15.8 tpy to 56.1 tpy. This increase is due to the inclusion of formaldehyde emissions that are unaccounted for in the existing permit.

The following 7 DE Admin.Code 1102 permits were amended to include the new HAP emission

limits:

Permit: APC-2013/0052-CONSTRUCTION (MNSR) (FE)

Permit: APC-2013/0053-CONSTRUCTION (MNSR) (FE)

Permit: APC-2005/0146-OPERATION (Amendment 1)(NSPS)(MACT)(PTE)

The application, the "draft/proposed" Pre-Draft Permit: AQM-001/00247 (Renewal 1), the 7 DE Admin.Code 1102 permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the "draft/proposed" permit renewal, may be inspected at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware and 715 Grantham Lane, New Castle, Delaware. To submit comments, for additional information or for an appointment to inspect the application, please contact Tracy Mattson at the Dover Office at 739-9402.

The "draft/proposed" permit renewal is being submitted to EPA for concurrent processing. If there are no significant comments, the "draft/proposed" permit renewal will be issued as a final permit after expiration of the EPA review period.

A public hearing concerning the permitting action will not be held unless the Secretary of the Department of Natural Resources and Environmental Control receives a request for such hearing within thirty (30) days from the date of this notice, ending **March 26**. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit renewal's probable impact.

DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A, DOVER, DE 19904, (302) 739-9402. You may also visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4594&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

Title V Permit Renewal Applications

Notice is hereby given that Magellan Terminals Holdings, L.P. (Magellan) having a facility at 1050 Christiana Avenue, in Wilmington, Delaware, has submitted a request for a permit renewal pursuant to 7 DE Admin. Code 1130, Section 7 for operating permit: AQM-003/00291. Based on the data and certifications contained in the application, the Division of Air Quality concludes that the applicant meets all applicable requirements promulgated by the Environmental Protection Agency (EPA) and the Department of Natural Resources and Environmental Control (DNREC). Therefore a "draft/proposed" permit renewal has been prepared. This "draft/proposed" permit renewal renews Magellan's operating permit, incorporates the requirements of permit: APC-2014/0050, and adds new operational and emission limits for the existing tank cleaning operation.

The following 7 DE Admin.Code 1102 permits were amended to reflect the changes to the Title V permit:

Permit: APC-2016/0008-CONSTRUCTION

Permit: APC-2016/0009-CONSTRUCTION

The application, the "draft/proposed" Permit: AQM-003/00291 (Renewal 4), the 7 DE Admin.Code 1102 permits, all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy of summary of other materials, if any, considered in preparing the "draft/proposed" permit renewal, may be inspected at the offices of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, Delaware and 715 Grantham Lane, New Castle, Delaware. To submit comments, for additional information or for an appointment to inspect the application, please contact Tracy Mattson at the Dover Office at 7399402.

The "draft/proposed" permit renewal is being submitted to EPA for concurrent processing. If there are no significant comments, the "draft/proposed" permit renewal will be issued as a final permit after expiration of the EPA review period.

A public hearing concerning the permitting action will not be held unless the Secretary of the Department of Natural Resources and Environmental Control receives a request for such hearing within thirty (30) days from the date of this notice, ending **April 2**. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit renewal's probable impact.

DIVISION OF AIR QUALITY, STATE STREET COMMONS 100 W. WATER STREET, SUITE 6A, DOVER, DE 19904, (302) 739-9402. For more information visit:

<http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4607&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - TITLE V SYNTHETIC MINOR PERMIT APPLICATIONS

Notice is hereby given that Orient Corporation of America has submitted an application, pursuant to 7 DE Admin. Code 1102, Section 2.1, 11.2.9, and 12.3 for operation of one (1) 20.412 MMBTU/hr natural gas-fired Cleaver Brooks Model CBLE 700-500-350 ST boiler equipped with low NOX burners (LNB) and flue gas recirculation (FGR) control technologies at 111 Park Avenue in Seaford, Delaware.

Orient Corporation of America has accepted limitations in order to limit the emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the major source threshold for Sussex County. These limits are necessary to restrict Orient Corporation of America potential to emit air pollutants, and the limit will be enforceable by the EPA and the state. The facility, as a whole, has potential estimated emissions up to 6.42 tons per year (TPY) of nitrogen oxides (NOX), 12.06 TPY of carbon monoxide (CO), 0.09 TPY of sulfur oxides (SOX), 0.89 TPY of particulate matter (PM), 0.54 TPY of VOCs/HAPs, and 25.10 TPY of ammonia (NH3). This includes the new boiler which is estimated to emit up to 0.71 pounds per hour and 3.13 TPY of NOX, 2.25 pounds per hour and 9.83 TPY of CO, 0.20 pounds per hour and 0.89 TPY of PM, 0.02 pounds per hour and 0.09 TPY of SOX, and 0.08 pounds per hour and 0.36 TPY of VOCs.

The application, the "draft" permit (Permit: APC-2019/0041-CONSTRUCTION/OPERATION (FE)), all materials that the applicant has submitted (other than those granted confidential treatment under DNREC rules), and a copy or summary of other materials, if any, considered in preparing the "draft" permit may be inspected at the office of the Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904. To submit comments, for additional information or for an appointment to inspect the public file, please contact Tracy Mattson in the Dover office at (302) 739-9402.

A public hearing concerning the permitting action will not be held unless the Secretary of the Department of Natural Resources and Environmental Control receives a request for such hearing within thirty (30) days from the date of this notice, ending after Monday, **April 11**. A request for a hearing shall be in writing and must show a familiarity with the application and a reasoned statement of the permit's probable impact.

Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904. For more information

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4611&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

DIVISION OF WASTE AND HAZARDOUS SUBSTANCES

SITE INVESTIGATION AND RESTORATION SECTION (SIRS) is responsible for the identification, evaluation, and remediation of sites in Delaware that have had past releases of hazardous substances. The section manages the contaminated sites under three major programs in accordance with the Hazardous Substance Cleanup Act (HSCA). The three programs are the **Brownfields Development Program, the Voluntary Cleanup Program (VCP), and the HSCA Enforcement Program** (for sites requiring enforcement action).

NOTIFICATION OF NEGOTIATIONS FOR A BROWNFIELDS DEVELOPMENT AGREEMENT FOR JOHN'S BODY SHOP, DE-1683

Pursuant to the Hazardous Substance Cleanup Act (HSCA), 7 Del. C. Chapter 91, §9126, the Department of Natural Resources and Environmental Control (DNREC) is required to issue a public notice within twenty days after entering into negotiations for a Brownfields Development Agreement (BDA). A BDA is an agreement between DNREC and a Brownfields developer with respect to a Certified Brownfield Site that sets forth a scope of work and schedule of remedial

activities during the development of the Site.

DNREC's Site Investigation and Restoration Section (DNREC-SIRS) is negotiating a BDA with West Third Properties LLC regarding the John's Body Shop Site (Site), located at 2318 W Third Street in Wilmington, Delaware. Identified by New Castle County as tax parcel number 26-026.10-096 the Site may have had a release of hazardous substances as a result of activities associated with the auto body operation on site. For more information, please see DNREC's navigator at: <http://www.nav.dnrec.delaware.gov/DEN3>. Learn more about this Site and other Brownfields sites by accessing DNREC-SIRS' web page at <http://www.awm.delaware.gov/SIRB/Pages/Brownfields.aspx> or by contacting the DNREC-SIRS Project Manager, John Costa at (302) 395-2600 or John.Costa@state.de.us. You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4613&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

The Brownfields Development Program encourages the cleanup and redevelopment of either the entire property, the expansion of the property, or the reuse of the property which may be hindered by the reasonable held belief that the property may be contaminated. A party seeking to develop such a property negotiates with SIRS for a **Brownfields Development Agreement (BDA)** to perform an investigation and, if necessary, a remedy, for the purpose of addressing the risks posed by past releases of hazardous substances at these sites. However, a BDA is only available to parties that are not current owners or operators of the site. The **Voluntary Cleanup Program (VCP) Agreement** is available to site owners who want to clean up their sites and are already liable as a potentially responsible party for the site.

The Proposed and Final Plans of Remedial Action listed below outline site cleanup activities and covenants and are available online at:

<http://www.dnrec.delaware.gov/whs/awm/SIRB/Pages/SIRBPlans.aspx> under "Announcements." For site-specific information, please see DNREC's Environmental Navigator at: <http://www.nav.dnrec.delaware.gov/DEN3>

LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE LIDL GROCERY STORE SITE (DE-1643)

The Department has adopted a plan regarding the clean-up of the Lidl Grocery Store Site in Dover, Delaware. The remedy consists of removal of underground storage tanks (USTs) and septic system, treatment of groundwater, a monitoring plan, and an environmental covenant to restrict use of the Site.

DNREC issued public notice of the Proposed Plan for the Lidl Grocery Store Site on February 10, 2019. There were no comments or questions from the public regarding the Proposed Plan.

Details of the Final Plan are available at the DNREC office located at 89 Kings Highway, Dover, DE 19901 or online at: <http://www.nav.dnrec.delaware.gov/DEN3/>

For additional information, please contact Rick Galloway, Project Manager at (302) 395-2600 or via email at rick.galloway@state.de.us. You may also

visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4610&Source=http%3A%2F%2Fwww%2Ednrec%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeId=0x010034FD6D348B0CF04392485E93FC15AB3A>

LEGAL NOTICE - FINAL PLAN OF REMEDIAL ACTION FOR THE 2002 – 2012 WEST NEWPORT PIKE (DE-1665)

The Department has adopted a plan regarding the clean-up of the 2002 – 2012 West Newport Pike Site located in outside the municipal boundaries of the City of Wilmington, New Castle County, Delaware. The Site, was historically occupied by a dry cleaning facility from the late 1960s to the early 1980s. Multiple environmental investigations of the Site identified a groundwater plume of chlorinated solvents in the southern and southwestern portions of the Site. Additional off-site environmental investigations have determined that the impacted groundwater has migrated onto the adjoining properties to the south and southwest, and is being addressed through land use restrictions.

DNREC issued public notice of the Proposed Plan for the 2002 – 2012 West Newport Pike Site

on February 17, 2019. There were no comments or questions from the public regarding the Proposed Plan. Details of the Final Plan are available at the office of DNREC-SIRS (391 Lukens Drive, New Castle, DE, 19720) or online at: <http://www.nav.dnrec.delaware.gov/DEN3/>
For additional information, please contact Morgan McGee-Solomon, Project Manager at (302) 395-2600 or via email at Morgan.McGee-Solomon@delaware.gov. You may also visit: <http://www.dnrec.delaware.gov/Lists/Public%20Notices/DispForm.aspx?ID=4612&Source=http%3A%2F%2Fwww%2Ednr%2Edelaware%2Egov%2FLists%2FPublic%2520Notices%2FAllItems%2Easpx&ContentTypeld=0x010034FD6D348B0CF04392485E93FC15AB3A>

CONTACT INFORMATION

24-Hour Environmental Report and Spill Notification Line - 1-800-662-8802

Aboveground Storage Tanks - 302-395-2500
Air Quality - New Castle Office - 302-323-4542
Air Quality – Kent & Sussex – 302-739-9402
Asbestos New Castle - 302-323-4542
Asbestos Kent & Sussex - 302-739-9402
Biosolids Permits - 302-739-9946
Boiler Safety - 302-395-2500
Brownfields - 302-395-2600
Community Ombudsman - 302-739-9040
Community Services - 302-739-9959
Delaware Estuary Program - 302-739-9283 (Delaware Coastal Management Program)
Division of Air Quality Director's Office - 302-739-9402
Division of Energy & Climate - 302-735-3480
Division of Waste and Hazardous Substances Director's Office - 302-739-9400
Division of Water Information - 302-739-9950
Dock/Dredging/Bulkheads/Rip-Rap/Wetlands & Subaqueous Lands - 302-739-9943
Emergency Prevention and Response - 302-739-9404
Environmental Crimes Unit - 302-739-9401 or 1-800-662-8802
Environmental Laboratory - 302-739-9942
Hazardous Waste - 302-739-9403
Hazardous Chemical and Toxic Release Inventories – 302-739-9404
Industrial Stormwater Permits - 302-739-9946
Loans & Grants for Wastewater and Septic's (Environmental Finance) - 302-739-9941
Medical Waste - 302-739-9403
Non-Hazardous Liquid Waste Transporters - 302-739-9948
On-site Wastewater Licensing Program - 302-739-9948
Open Burning - 302-739-9402
Outreach Ombudsman - 302-395-2600
Recycling - 302-739-9403
Septic System Permits - Large Systems (Community & I/A) Statewide - 302-739-9948
Septic System Permits - Small Systems for Kent & New Castle Counties - 302-739-9947
Septic System Permits - Small Systems for Sussex Co. & Holding Tank Compli. Program - 302-856-4561
Site Investigation & Restoration Section (Superfund/Brownfields) - 302-395-2600
Small Business Ombudsman - 302-739-9069
Solid Waste - 302-739-9403
Source Water Protection - 302-739-9945
Surface Water Discharge Permits (NPDES) - 302-739-9946
Underground Injection Control & Spray Irrigation - 302-739-9948
Underground Storage Tanks - 302-395-2500
Wastewater Collection, Conveyance, and/or Treatment Facility Construction Permits - 302-739-9946
Wastewater Treatment Facility Operators - 302-739-9946
Water Allocation Permits - 302-739-9945
Water Testing - Drinking Water (Division of Public Health) - 302-741-8630
Water Supply - 302-739-9945
Well Driller's License - 302-739-9944

Well Permits & Licensing - 302-739-9944

Wells - 302-739-9944

Wetlands and Subaqueous Lands Section - 302-739-9943