



APPROVED BY 

2011-11

DATE 8/23/2011

START ACTION NOTICE

1. TYPE OF ACTION: Adopt new federal area source standard into Regulation 1138, Emission Standards for Hazardous Air Pollutants for Source Categories.
2. PURPOSE OF ACTION: Congress sought to reduce cancer and non-cancer health risks due to the exposure to hazardous air pollutants (HAPs) in the 1990 Amendments to the Clean Air Act. Under Section 112(k) – Area Source Program, Congress mandated that the EPA identify 30 or more HAPs that posed the greatest threat to public health in urban areas, identify those area (i.e., small) sources that emit any of those 30 HAPs, and promulgate standards to address the emissions from those area sources.

In January 2010, the EPA promulgated another of these federal area source standards applicable to facilities in Delaware. This standard, found at 40 CFR Part 63 Subpart DDDDDDD, is applicable to new and existing prepared feeds manufacturing facilities located at area sources. Affected prepared feeds manufacturing facilities include facilities primarily engaged in manufacturing animal feeds, except cat and dog feeds, and add chromium or manganese compounds to the animal feeds.

This area source standard addresses the emissions of chromium and manganese compounds. Chromium and manganese compounds are micronutrients added to animal feeds to provide the animal's daily nutrient requirements. The major health effects from chronic inhalation exposure are diseases associated with the respiratory tract (chromium compounds) and central nervous system (manganese compounds).

3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
4. LIKELY AFFECTED PUBLIC: Prepared feeds manufacturing facilities owned or operated by Allen Family, Amick Farms, Mountaire Farms, and Perdue may be affected by this planned adoption.
5. PROPOSED SCHEDULE OF ACTIVITIES:
  - Public workshop – Fall 2011
  - Proposal in Delaware Register – Winter 2011
  - Public Hearing – Winter 2011
  - Effective Date – Spring 2011
6. REVIEW COMMITTEE: Because the Department intends to propose requirements that are substantively the same as the federal requirements, it knows of no issues which require review committee discussion. The Department plans to conduct a public workshop to educate the public and regulated community. In addition, the Department will establish and maintain an informative web site throughout the regulatory development process.

7. RESPONSIBLE STAFF MEMBER:
 

Jim Snead	302-323-4542 (phone)
Delaware – DNREC	302-323-4598 (fax)
715 Grantham Lane	
New Castle, DE 19720	jsnead@state.de.us

8. APPROVALS:

J R Snead                      8/11/11  
 Responsible Staff Member      Date

                      8/11/11  
 Division Director              Date