

**TITLE 7 NATURAL RESOURCES & ENVIRONMENTAL CONTROL
DELAWARE ADMINISTRATIVE CODE**

1

1100 Air Quality Management Section

1125 Requirements for Preconstruction Review

04/11/2010

3.0 Prevention of Significant Deterioration of Air Quality

3.1 Definitions - For the purposes of 3.0 of this regulation:

“Major Stationary Source” means:

- Any of the following stationary sources of air pollutants which emits or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the CAA: fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;
- Notwithstanding the stationary source size specified in the above paragraph, any stationary source which emits, or has the potential to emit, 250 tons per year or more of any air pollutant subject to regulation under the CAA; or
- Any physical change that would occur at a stationary source not otherwise qualifying under the preceding paragraph as a major stationary source, if the change would constitute a major stationary source by itself.

A major stationary source that is major for volatile organic compounds or nitrogen oxides shall be considered major for ozone.

3.7.7.1 The emissions increase of the pollutant from the new source or the net emissions increase of the pollutant from the modification would cause, in any area, air quality impacts less than the following amounts:

Carbon monoxide: 575 ug/m³, eight-hour average;
Nitrogen dioxide: 14 ug/m³, annual average;
Total suspended particulate: 10 ug/m³, 24-hour average;
Sulfur dioxide: 13 ug/m³, 24-hour average;
Ozone: (See Note 1)

**TITLE 7 NATURAL RESOURCES & ENVIRONMENTAL CONTROL
DELAWARE ADMINISTRATIVE CODE**

2

Lead: 0.1 ug/m³, 24-hour average;
Mercury: 0.25 ug/m³, 24-hour average;
Beryllium: 0.0005 ug/m³, 24-hour average;
Fluorides: 0.25 ug/m³, 24-hour average;
Vinyl chloride: 15 ug/m³, 24-hour average;
Total reduced sulfur: 10 ug/m³, one-hour average;
Hydrogen sulfide: 0.04 ug/m³, one-hour average;
Reduced sulfur compounds: 10 ug/m³, one-hour average;
PM₁₀ particulate: 10 ug/m³, 24-hour average

[Note 1: No de minimus air quality level is provided for ozone. However, any net increase of 100 tons per year or more of volatile organic compounds or nitrogen oxides subject to PSD would be required to perform an ambient impact analysis including the gathering of ambient air quality data.]

3.11.1.5 The owner or operator of a proposed stationary source or modification of volatile organic compounds or nitrogen oxides who satisfies all of the following conditions may provide post-approval monitoring data for ozone in lieu of providing preconstruction data as required under 3.11.1 of this regulation.

Condition 1: The new source is required to meet an emission limitation which specifies the lowest achievable emission rate for such source.

Condition 2: The applicant must certify that all existing major sources owned or operated by the applicant (or any entity controlling, controlled by, or under common control with the applicant) in Delaware are in compliance with all applicable emission limitations and standards under the CAA (or are in compliance with an expeditious schedule approved by the Department).

Condition 3: Emission reductions ("offsets") from existing sources in the area of the proposed source (whether or not under the same ownership) are required such that there will be reasonable progress toward attainment of the applicable NAAQS. Only intrapollutant emission offsets will be acceptable (e.g., hydrocarbon increases may not be offset against SO₂ (reductions)).

Condition 4: The emission offsets will provide a positive net air quality benefit in the affected area (see 40 CFR Part 51 App. S). Atmospheric simulation modeling is not necessary for volatile organic compounds and NO_x. Fulfillment of Condition 3 will be considered adequate to meet this condition for volatile organic compounds and NO_x.