



2008-09

APPROVED BY

DATE

[Signature]
5/14/08

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 applicable to new and existing hospital ethylene oxide sterilizers.
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 and to identify the small (i.e., area) sources that emit any of those pollutants.

In December 2007, the EPA promulgated the second of these federal area source standards affecting Delaware facilities. This standard, found at 40 CFR Part 63 Subpart WWWW, is applicable to new and existing area source hospital ethylene oxide sterilizers.

The federal standard addresses the emissions of ethylene oxide. Ethylene oxide is classified as a probable carcinogen and the long-term exposures to ethylene oxide is linked to irritation of eyes, nose and mucous membranes and an increased rate of miscarriages in female workers.

3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
4. LIKELY AFFECTED PUBLIC: Alfred I DuPont Hospital for Children, Christiana Hospital and St. Francis Hospital are the only known hospitals affected by this proposed regulatory action.
5. PROPOSED SCHEDULE OF ACTIVITIES: Proposal in the Register – Summer 2008
Public Hearing – Summer 2008
Effective Date – Fall 2008
6. REVIEW COMMITTEE: Because the EPA relied heavily on best management practices to reduce the number of sterilization cycles and, therefore, emissions in their federal standard, the Department knows of no issues which require review committee discussion or public workshop. The public hearing will provide adequate opportunities for the public education and comment. In addition, the Department will maintain an informative web site throughout the regulatory development process.
7. RESPONSIBLE STAFF MEMBER: Jim Snead 302-323-4542 (phone)
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New Castle, DE 19720 jsnead@state.de.us

8. APPROVALS:

[Signature]

4-23-08

Responsible Staff Member

Date

[Signature]

1 MAY 2008

Division Director

Date