

Regulation 1138 (Formerly Reg. 38)

Emission Standards for Hazardous Air Pollutants for Source Categories

Section 5.0

Perchloroethylene Dry Cleaning Facilities

January 22, 2008

Public Hearing Handouts



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Regulatory Overview on Reducing Risk from Air Toxics

- Clean Air Act Amendments of 1990
- Reducing the risks of Hazardous Air Pollutants (HAPs), such as perchloroethylene
- A Two Step Process
 1. Existing technology-based requirements
 - EPA finalized national rule on September 23, 1993
 - The Department adopted on February 1, 1999
 2. If necessary, additional risk reducing requirements (Residual Risk)
 - EPA finalized national rule on July 27, 2007

Departmental Exhibits

DNREC - 1 Public Hearing Handouts

DNREC - 2 Listing of the Department's exhibits being entered into the hearing record

Current Regulatory Requirements

DNREC - 3 Current Regulation 1138 in the adoption of the federal standards by reference format, which includes Subpart M

DNREC - 4 Technical support document for current Subpart M that was the starting point for the conversion from adopted by reference format to full text format

Public Health Concerns

DNREC - 5 **Perchloroethylene Hazard Summary Fact Sheet based on EPA's Integrated Risk Information System (IRIS) database**

DNREC - 6 EPA's proposed residual risk rule from the December 21, 2005 Federal Register. The preamble provides . . .

- Congress's mandate to addressing risk
- EPA's residual risk determinations

Departmental Approval to Amend

DNREC - 7 Start Action Notice (SAN) No. 2007-3
approving the Department's plan to amend
Subpart M

Federal Changes to Subpart M

DNREC - 8 68 FR 37347, June 23, 2003

DNREC - 9 70 FR 75320, December 19, 2005

DNREC - 10 71 FR 42724, July 27, 2006

DNREC - 11 71 FR 55280, September 21, 2006

Known Sources Subject to Subpart M

DNREC - 12 Listing of known affected sources at the time of the public workshops

Informing Businesses of the Planned Changes

DNREC - 13 Brochure sent to Trade Associations about upcoming public workshops by Small Business Ombudsman

DNREC - 14 Letter sent to dry cleaners announcing Department's plan to amend Subpart B and upcoming public workshops

DNREC - 15 Post card sent to dry cleaners as a reminder of the upcoming public workshops

Additional Public Noticing of the Public Workshop

- DNREC - 16** Newspaper advertisement in the Delaware State News on September 30, 2007
- DNREC - 17** Newspaper advertisement in the Sunday State Journal on September 30, 2007
- DNREC - 18
to 20** The notice on the Statewide Calendar of Meetings Website for each of the three public workshops
- DNREC - 21** The notice of the public workshop as published in the October 19, 2007 AIR AND WASTE NEWS (DAWM's bi-monthly E-NEWS update)
- DNREC - 22** The Department's news release announcing the three public workshops.

Public Workshop

DNREC - 23 Public workshop handouts

Change and Impact of Proposed Amendment

DNREC - 24 Highlights the EPA's changes in the federal Residual Risk standard

DNREC - 25 Highlights the additional changes the Department is proposing beyond the federal requirements

DNREC - 26 The Department's analysis of the applicability and impact of additional Departmental changes under the Regulatory Flexibility Act

Public Noticing of the Proposed Amendment and Public Hearing

DNREC - 27 Department's submission of proposed Section 5.0 to the Delaware Register of Regulations (ROR)

DNREC - 28 Department's submission of the public hearing notice to the Delaware ROR

DNREC - 29 Proposed amendment as referenced in January 1, 2008 Delaware ROR

DNREC - 30 Public hearing notice as it appeared in January 1, 2008 Delaware ROR

Noticing of Hearing on Proposed Rulemaking

- DNREC - 31** Legal notice sent to people on the AQM mailing list
- DNREC - 32** Public hearing notice as published in the Delaware State News on Dec. 16, 2007
- DNREC - 33** Public hearing notice as published in the Sunday News Journal on Dec. 16, 2007
- DNREC - 34** The notice of the public hearing on the Statewide Calendar of Meetings Website
- DNREC - 35** The notice of the public hearing as published in the January 14, 2008 AIR AND WASTE NEWS

Other DNREC Public Accessible Information

DNREC - 36 Air Quality Management's Webpage describing the Department's perchloroethylene regulatory development activities

<http://www.awm.delaware.gov/Info/Regs/Reg1138+-+Subpart+M+page+2.htm>

