



REGISTER NOTICE

SAN # 2010-24

1. TITLE OF THE REGULATIONS:

Amendment to Regulation 1138 Emission Standards for Hazardous Air Pollutants for Source Categories

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

In 2001, Delaware adopted by reference the federal Maximum Achievable Control Technology (MACT) standard applicable to halogenated solvent cleaning operations (40 CFR Part 63 Subpart T) into Section 8.0 of Regulation 1138. Since that initial adoption, the EPA has revised this federal MACT standard several times. The most significant of these revisions was the adoption of facility-wide 12-month rolling total halogenated solvent emission limits (72 FR 25138, May 3, 2007). This more stringent requirement was incorporated after the EPA determined that following the full implementation of the MACT requirements, the original MACT requirements did not protect the public's health with an ample margin of safety.

Delaware is proposing to amend Section 8.0 of Regulation 1138 by adding the facility-wide emission limits and their associated monitoring, recordkeeping and reporting requirements that the EPA promulgated on May 3, 2007. The purpose of this proposed amendment is to protect the public's health with an ample margin of safety and to provide greater consistency between Delaware's air toxics standards for halogenated solvent cleaning operations and the revised federal standard (40 CFR Part 63 Subpart T).

3. POSSIBLE TERMS OF THE AGENCY ACTION: None

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT: 7 Delaware Code, Chapter 60

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL: None

6. NOTICE OF PUBLIC COMMENT:

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Wednesday, August 24, 2011 beginning at 6:00 PM in DNREC's Richardson and Robbins Auditorium, 89 Kings Highway, Dover, DE. Interested parties may submit comments in writing to: Jim Snead, DNREC Division of Air Quality, 715 Grantham Lane, New Castle, DE 19720.

7. PREPARED BY:

James R. Snead (302) 323-4542 james.snead@state.de.us

Name/Phone #/email address

June 30, 2011

Date