



## DNREC/DIVISION OF AIR QUALITY

### LEGAL NOTICE PUBLIC HEARING

The Department of Natural Resources and Environmental Control (DNREC) will conduct a public hearing on a proposed amendment to Regulation 1138, Emission Standards for Hazardous Air Pollutants for Source Categories,

Under Section 112(k) of the 1990 Clean Air Act Amendments, Congress mandated that the EPA identify 30 or more hazardous air pollutants (HAPs) that pose the greatest threat to public health in urban areas, to identify the small area sources that emit those HAPs, and to develop regulations to reduce the emission of those HAPs. In 1999, the EPA identified 33 HAPs that posed the greatest threat to public health and has, since that time, identified over 60 new area source categories for which regulations would be developed.

On December 2, 2009, the EPA promulgated another of these area source category standards that will affect existing and future asphalt processing and asphalt roofing products manufacturing operations under 40 CFR Part 63 Subpart AAAAAAA.

Delaware is proposing to amend Regulation 1138 by adding a new Section 16 that covers asphalt processing and asphalt roofing products manufacturing operations. This proposed adoption does not apply to hot-mix asphalt operations or to built-up roofing operations that use asphalt.

The purpose of this proposed amendment to Regulation 1138 is to provide increased protection for Delaware citizens against a variety of potential adverse health effects linked to a long term exposure to polycyclic aromatic compounds. In addition, many of these compounds are classified as probable human carcinogens by the EPA. This amendment proposes to adopt requirements that are at least as health protective as requirements of the recently promulgated federal standard, as well as, existing requirements found in similar area source standards in Regulation 1138.

**The public hearing on this proposed amendment to Regulation 1138 will be held on Wednesday, September 22, 2010, beginning at 6:00PM in the DNREC's Division of Air Quality Office, 715 Grantham Lane, New Castle, DE.**

The proposed amendment may be inspected at the Department's offices located in the Blue Hen Corporate Center, 655 S. Bay Road, Dover and at 715 Grantham Lane, New Castle, or on <http://www.awm.delaware.gov/Info/Regs/Pages/1138Section16.aspx>. For additional information or any appointments to inspect the proposed amendment to Regulation 1138, please contact Jim Snead in New Castle at (302) 323-4542.

Interested parties shall submit comments in writing on this proposed amendment to Regulation 1138 by the end of the comment period, as designated by the hearing officer at this hearing, to Jim Snead and/or statements and testimony may be presented either orally or in writing at the September 22, 2010 public hearing. It is requested that those interested in presenting statements at the public hearing register in advance and that written statements and comments be addressed to:

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