



2009-07

APPROVED BY DSJ

DATE 4/5/09

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 plating processes and polishing operations.
- 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 area (i.e., small) sources that emit any of those pollutants.

In July 2008, the EPA promulgated another of these federal area source standards applicable to facilities in Delaware. This standard, found at 40 CFR Part 63 Subpart WWWW, is applicable to a variety of electroplating and electroless plating processes and dry polishing operations.

This federal standard addresses the emissions of compound of five (5) heavy metals: cadmium, chromium, lead, manganese, and nickel. Compounds of each of these metals, except manganese, have been classified as probable carcinogens. The systematic impacts of the various metal compounds differ. Compounds of all these metals can pose non-cancerous risks to the exposed public.

- 3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
- 4. LIKELY AFFECTED PUBLIC: Procino Plating (Blades) and Industraplate (south Wilmington) are the known facilities affected by the plating requirements of this proposed regulatory action. Chromium Deposits (Newark) and Standard Engineering (Stanton) may be subject to the dry polishing requirements. The public, especially in the vicinity of these facilities, will benefit from the reduction of heavy metal emission from these and future affected facilities.
- 5. PROPOSED SCHEDULE OF ACTIVITIES: Public workshop – Spring 2009
Proposed rule in the Register – Summer 2009
Public Hearing – Summer 2009
Effective Date – Fall 2009
- 6. REVIEW COMMITTEE: Because the EPA relied heavily on the generally available control technology and best management practices in their promulgation of this area source standard, the Department knows of no issues which require review committee discussion. Because three of the four potentially affected sources are small business entities, the Department plans to work closely with them to facilitate their understanding of the requirements being adopted into Regulation 1138. The Department plans to conduct a public workshop to educate both the public and regulated communities. In addition, the Department will establish and maintain an informative web site throughout the regulatory development process.

7. RESPONSIBLE STAFF MEMBER: Jim Snead 302-323-4542 (phone)
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8. APPROVALS:

Jim Snead 2/20/09
Responsible Staff Member Date

[Signature] 16 MAR 2009
Division Director Date