



APPROVED BY _____

DATE _____

SAU # 2006-22

START ACTION NOTICE

- 1. TYPE OF ACTION: Amend Subparts T and RRR of Regulation No. 38, Emission Standards for Hazardous Air Pollutants for Source Categories.
- 2. PURPOSE OF ACTION: Delaware adopted by reference the federal Maximum Achievable Control Technology (MACT) standards applicable to halogenated solvent degreasers (40 CFR Part 63 Subpart T) and aluminum sweat furnaces (40 CFR Part 63 Subpart RRR) into Regulation No. 38 on November 1, 2001 and June 1, 2003, respectively. When Delaware adopted these standards all sources subject to them were required to get a Title V operating permit.

In December 2005, the EPA revised the Title V permitting requirements to permanently exempt the smaller area sources from needing a Title V permit.

The purpose of this amendment to Subparts T and RRR of Regulation No. 38 is to, consistent with federal requirements, to permanently exempt the smaller area sources from Title V permitting requirements.

In addition, Subparts T and RRR of Regulation No. 38 will be renumbered consistent with the Code of Delaware Regulations format and format of the regulation will be changed from the adoption by reference format to a format that includes the complete regulatory text. This latter change will eliminate the need for the public or the regulated community to interpret between the adopted by reference federal standards and the changes the Department made upon adoption into Regulation No. 38.

- 3. STATUTORY BASIS: 7 Del. C., Chapter 60, Environmental Control
- 4. LIKELY AFFECTED PUBLIC: There will be no change in emissions under this proposed action. The only change will be that operating permits will be required only under Regulation No. 1102 and not Regulation No. 1102 and Regulation No. 30 for area sources subject to Subparts T and RRR of Regulation No. 38. There is one known facility subject to each subpart.
- 5. PROPOSED SCHEDULE OF ACTIVITIES: Publication in the Register – Spring 2007
Public Hearing – Spring 2007
Effective Date – Summer 2007
- 6. REVIEW COMMITTEE: Because this change is only to provide consistency with existing federal Title V permitting requirements, the Department knows of no issues which require review committee discussion or a public workshop. The public hearing will provide adequate opportunities for the public to comment.
- 7. RESPONSIBLE STAFF MEMBER: Jim Snead 302-323-4542 (phone)
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8. APPROVALS:

JSnead 11/30/06
Responsible Staff Member Date

[Signature] 20 Dec 2006
Division Director Date