

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL
CONTROL**

DIVISION OF WASTE AND HAZARDOUS SUBSTANCES

Statutory Authority: 7 Delaware Code, Chapter 74B (7 Del.C. Ch. 74B)
7 DE Admin. Code 1353

PROPOSED

**REGISTER NOTICE
SAN # 2016-10**

1351 Underground Storage Tank Systems

1. TITLE OF THE REGULATIONS:

Administrative Code Section 1351, Underground Storage Tank Systems

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

The proposed regulations reflect regulatory changes promulgated at the federal level as well as advances in UST system technologies. The State of Delaware regulations must be at least as stringent as the federal regulations under the requirements of 40 CFR 281, State Program Approval. The proposed regulatory requirements will clarify and improve installation, operation and maintenance, release detection and remedial requirements.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

There is no sunset date related to the proposed regulations.

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

The statutory basis for these regulations is Title 7 Delaware Code Chapter 74, Section 7406, 7407, and 7408.

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

The Division of Air Quality is revising 7 DE Admin. Code 1124 Section 26 and Section 36 that regulate vapor recovery systems associated with gasoline dispensing facilities.

6. NOTICE OF PUBLIC COMMENT:

Two workshops were held on April 16 on the proposed amendments to 7 DE Admin. Code 1351 Regulations for Underground Storage Tank Systems. All questions were answered at the workshops; however formal public comments were accepted at the workshops and on April 17, 2019. Upon considering the comments that were submitted, the Department has made no substantive changes to the proposed amendments, and has scheduled a public hearing set for August 27, 2019 beginning at 6:00 PM in the Pat Ellis conference room at the Division of Waste and Hazardous Substances office at 391 Lukens Drive in New Castle. Written comments may be submitted at the hearing and up to September 11, 2019. Individuals desiring to provide comment may submit written comments regarding the proposed changes via email to Lisa.Vest@delaware.gov or via the USPS to Lisa Vest, Hearing Officer, DNREC, 89 Kings Highway, Dover, DE 19901 (302) 739-9042.

7. PREPARED BY:

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