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Division of Air Quality

AFFIDAVIT OF PUBLICATION

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DNREC- DIVISION OF AIR QUALITY

LEGAL NOTICE
Notice of Public Hearing

The Department of Natural Resources and Environmental Control (DNREC), Division of Air Quality (DAQ) will conduct a public hearing (Docket # 2023-R-A-0024 through 0027) on proposed amendments to Delaware air regulations. On June 12, 2015, the Environmental Protection Agency (EPA) identified the State Implementation Plans (SIP) of 36 states as inadequate because they allegedly allowed unregulated excess emissions (80 FR 33840). This EPA action is known as the "Startup, Shutdown, and Malfunction (SSM) SIP Call". On October 23, 2023 EPA issued a final rule disapproving Delaware's November 24, 2016 SSM SIP call submission for four of Delaware's regulations. Delaware is proposing to amend the regulations in response to EPA's disapproval, to comply with the 2015 SSM SIP Call. The hearing will address amendments to the following regulations regarding the startup, shutdown and malfunction of fuel burning equipment:

- 7 DE Admin. Code 1104 "Particulate Emissions from Fuel Burning Equipment"
- 7 DE Admin. Code 1105 "Particulate Emissions from Industrial Process Operations"
- 7 DE Admin. Code 1109 "Emissions of Sulfur Compounds from Industrial Operations"
- 7 DE Admin. Code 1114 "Visible Emissions"

A virtual public hearing will be held on Tuesday, August 27, 2024 beginning at 4 p.m. The weblink to the virtual hearing can be accessed through the DNREC Public Hearing site at <https://de.gov/dnrechearings>. If prompted for a password, please use: 478566. To access the audio-only portion of the virtual hearing, dial 1-646-931-3860 and enter the Meeting ID 837 6527 6725. Closed captioning in over 20 languages, including English and Spanish, is available to attendees via the Zoom platform utilized for all DNREC Public Hearings.

Those wishing to offer verbal comments during DNREC public hearings must pre-register no later than noon of the date of the virtual hearing at <https://de.gov/dnreccomments> or by telephone at 302-739-9001.

The proposed amendments may be inspected online starting August 1, 2024 at https://regulations.delaware.gov/services/current_issue.shtml, or in-person, by appointment only, by contacting Kelsey Pangman by phone at 302-323-4542 or by email at Kelsey.Pangman@delaware.gov.

The Department will accept public comment through Wednesday, September 11, 2024. Comments will be accepted in written form via email to DNRECHearingComments@delaware.gov, or by using the online form at <https://de.gov/dnreccomments>, or by U.S. mail to the following address:

Theresa Smith, Hearing Officer
DNREC – Office of the Secretary
89 Kings Highway, Dover, DE 19901

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View DNREC's non-discrimination policy at <https://de.gov/titlevi>
DNREC Notice No. AQ20240262

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