



START ACTION NOTICE # 2021-05

DOCKET # 2021-R-A-0010

1. TYPE OF ACTION: To amend 7 **DE Admin. Code** 1102 Permits.
2. PURPOSE OF ACTION: The purpose of this action is to amend 7 **DE Admin. Code** 1102, subsections 12.3.2 and 12.4.2 for public notice publication requirements for general permits. In 2016, US Environmental Protection Agency (EPA) issued a final rule which updated the list of contents to be identified in the public notices for Title V facilities. The Division is proposing to amend the public notice requirements in 7 **DE Admin. Code** 1102, to ensure consistency with the specific wording of EPA's final rule and 7 **DE Admin. Code** 1130 Title V public notice requirements.
3. STATUTORY BASIS: 7 Del. C. Chapter 60 Environmental Control. §§ 6001(c) & 6010.
4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE. The link is <https://www.govinfo.gov/content/pkg/CFR-2019-title40-vol17/pdf/CFR-2019-title40-vol17.pdf>, Title 40 – Protection of the Environment, Part 70.7(h)(2).
5. DATE OF MOST RECENT REVIEW/AMENDMENT: July 11, 2006.
6. LIKELY AFFECTED PUBLIC: These requirements will affect industry that prepare and apply for operating permits for their sources of air pollution.
7. PROPOSED SCHEDULE OF ACTIVITIES: Public Hearing – Summer 2021
Effective Date – Fall 2021
8. REVIEW COMMITTEE: No review committee is necessary. The Department believes that holding of a public hearing will provide adequate opportunity for public education, review, and comment.
9. RESPONSIBLE STAFF MEMBER: Frank Gao, Ph.D., P.E., 715 Grantham Lane, New Castle, DE 19720. Phone: 302-323-4542; e-mail: Frank.Gao@delaware.gov.
10. APPROVALS:

Frank F Gao 04/22/2021
Frank Gao Date
Responsible Staff Member

David Fees 5/3/2021
David F. Fees Date
Director, Division of Air Quality

Shawn M. Garvin 7/5/21
Shawn M. Garvin Date
Secretary, DNREC