



START ACTION NOTICE (SAN)

SAN # 2023-03

DOCKET # 2023-R-WH-0007

1. TYPE OF ACTION AND THE REGULATION NUMBER AND NAME:

Amending DE Admin. Code 1352, *Aboveground Storage Tanks*.

2. PURPOSE OF ACTION:

The Division of Waste and Hazardous Substances (DWHS) is proposing to amend regulatory requirements for owners/operators of aboveground storage tanks to: improve clarity for the regulated community, and to incorporate by reference three documents (Delaware Risk Based Corrective Action Protocol; Hydrogeologic Investigative Guidance; Vapor Intrusion Guidance) to be used as standards for soil sampling and analysis as well as for corrective action purposes.

3. STATUTORY BASIS:

7 **Del.C.** Chapter 74A, Section 7401A, The Jeffrey Davis Aboveground Storage Tank Act.

4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE.

This proposed regulatory action is not required as a result of federal statute or regulation.

5. DATE OF MOST RECENT AMENDMENT/REVIEW (please indicate if review was pursuant to 29 Del.C. §10407):

The most recent amendment/review for DE Admin. Code 1352 was dated April 1, 2017.

6. LIKELY AFFECTED PUBLIC:

Owners and operators of aboveground storage tanks that are subject to the requirements outlined in 7 **Del.C.**, Chapter 74A in the State of Delaware.

7. PROPOSED SCHEDULE OF ACTIVITIES:

Complete proposed amendments: March 2023
Publication in Register: May 2023
Public Hearing: July 2023


8. REVIEW COMMITTEE:

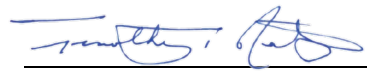
Compliance and Permitting Section staff
Remediation Section staff


9. RESPONSIBLE STAFF MEMBER (name, physical address, phone number and e-mail address):

Eileen M. Butler
391 Lukens Drive
New Castle, DE 19720
302-395-2520
Eileen.Butler@delaware.gov

10. APPROVALS:

2/28/23
Eileen M. Butler Date
Responsible Staff Member

3/1/23
Timothy T. Ratsep Date
Director, Division of Division of Waste & Hazardous
Substances

03/15/23
For Shawn M. Garvin Date
Secretary

September 2021