



## START ACTION NOTICE (SAN)

SAN # 2023-05

DOCKET # 2023-R-WH-0009

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

Amendments to the scrap tire regulatory requirements within 7 DE Admin. Code 1301, *Regulations Governing Solid Waste (DRGSW)*.

2. PURPOSE OF ACTION:

The Division of Waste and Hazardous Substances (DWHS), Compliance and Permitting Section (CAPS) is proposing to modify DRGSW scrap tire regulatory requirements to eliminate redundancy of regulation with other programs, clear up inconsistencies, address scrap tire retreading, and make changes in organization and structure to improve readability. Additionally, the amendments will include corrections to ensure consistency with the *Delaware Administrative Code Drafting and Style Manual*.

3. STATUTORY BASIS:

7 Del. C. §6010(a)

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 was dated October 1, 2016.

6. LIKELY AFFECTED PUBLIC:

Those affected by the proposed amendments are new and used tire retailers, and owners and operators of other qualifying businesses that generate and accumulate scrap tires and whose primary purpose is not to receive, transfer, store, or otherwise manage scrap tires in the state of Delaware.

7. PROPOSED SCHEDULE OF ACTIVITIES:

Initiate SAN – March 2023  
Prepare draft proposed regulation – Spring 2023  
Hold public workshop – Summer 2023  
Publish in monthly Register of Regulations – Fall 2023  
Hold public hearing – Winter 2023


8. REVIEW COMMITTEE:


Compliance and Permitting Section (CAPS) staff

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

Eileen M. Butler  
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New Castle, DE 19720  
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Eileen.Butler@delaware.gov

10. APPROVALS:

  
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Eileen M. Butler                      3/8/23  
Responsible Staff Member                      Date

  
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Timothy T. Ratsep                      3/8/2023  
Director, Division of Division of Waste & Hazardous                      Date  
Substances

  
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Shawn M. Garvin                      4/20/23  
Secretary                      Date