



## START ACTION NOTICE (SAN)

SAN # 2024-03

DOCKET # 2024-R-WH-0004

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

Amendments to DE Admin. Code 1351, Underground Storage Tank Systems.

2. PURPOSE OF ACTION:

The Division of Waste and Hazardous Substances (DWHS) is proposing to amend regulatory requirements for underground storage tank systems to:

- Update standards as referenced in the regulations as identified in Part A, Section 3.0 Reference Standards, and align the regulations to those standards;
- Reorganize and consolidate regulatory requirements for clarity and efficiency;
- Amend regulatory requirements to reflect advances in underground storage tank system technology since the last UST regulatory revision in 2020.

3. STATUTORY BASIS:

7 **Del.C.** Chapter 60, Section 6010(a), and 7 **Del.C.** Chapter 74, Delaware Underground 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 for DE. Admin. Code 1351 was dated January 11, 2024.

6. LIKELY AFFECTED PUBLIC:

Owners and operators of underground storage tank systems that are subject to the requirements outlined in 7 **Del.C.** Chapter 74 in the State of Delaware.

7. PROPOSED SCHEDULE OF ACTIVITIES:

Re-establish Leaking Underground Storage Tank Committee – March, 2024  
Workshops – February, 2025  
Publication in Register – May, 2025  
Public Hearing – July, 2025

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:

 1/31/24

Eileen M. Butler                      Date  
Responsible Staff Member

 2/1/24

Tim Ratsep                              Date  
Director, Division of Waste and Hazardous  
Substances

 03/15/24

For Shawn M. Garvin                      Date  
Secretary

September 2021