



## START ACTION NOTICE (SAN)

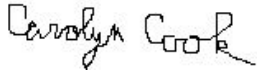
SAN # 2024-06

DOCKET # 2024-R-A-0009

1. TYPE OF ACTION AND THE REGULATION NUMBER AND NAME:  
Revise **7 DE Admin. Code** 1141 "Limiting Emissions of Volatile Organic Compounds from Consumer and Commercial Products."
2. PURPOSE OF ACTION:  
The purpose of this action is to amend **7 DE Admin. Code** 1141, Section 2.0, *Consumer Products*, to develop federally required contingency measures in relation to the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS), as referenced in Section 4 of this Start Action Notice, for Delaware portion of the Philadelphia-Wilmington-Atlantic City Non-Attainment Area (Philadelphia NAA). Contingency measures are control requirements that take effect or are "triggered" in the event that an NAA fails to attain a NAAQS by an applicable attainment date or fails to make reasonable further progress toward attainment. These contingency measure requirements are specified in Clean Air Act section 172(c)(9). The purpose of this action is to amend 7 DE Admin. Code 1141 to develop and incorporate federally required contingency measures.  
  
Delaware is proposing to establish new, lower, contingency measure related Volatile Organic Compounds (VOCs) emission standards in regulation 1141, Section 2.0. These contingency measure emission standards would only go into effect, or be "triggered," in the event that the Philadelphia NAA fails to meet applicable 2015 Ozone NAAQS attainment date deadlines. If the Philadelphia NAA meets applicable attainment date deadlines, the current emission standards in Regulation 1141 would remain effective in the regulations, indefinitely.  
  
In addition, Delaware is proposing to amend **7 DE Admin. Code** 1141, Section 4.0, *Adhesives and Sealants*, to incorporate minor technical clarifications related to low-solids adhesives and sealants. These amendments are based on recent proposed updates to the Ozone Transport Commission's Model Rule for "Adhesives and Sealants."
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.  
Yes: Environmental Protection Agency's Final Rule. 2015 Ozone NAAQS, Reclassification of Areas Classified as Marginal. EPA Final Rule. 87 FR 60897. October 7, 2022.
5. DATE OF MOST RECENT AMENDMENT/REVIEW (please indicate if review was pursuant to 29 Del.C. §10407): December 11, 2016.
6. LIKELY AFFECTED PUBLIC:  
Any person who applies, sells, offers for sale or manufacturers for sale consumer products.
7. PROPOSED SCHEDULE OF ACTIVITIES: Public Workshop – Summer 2024, Public Hearing - Fall 2024, Effective Date – Spring 2025
8. REVIEW COMMITTEE:  
A review committee will not be formed as the Department will develop a draft regulation based on the 2018 OTC model rule for consumer products, which underwent stakeholder review. Because this amendment impacts a broader stakeholder group, a public workshop will be conducted to receive comments on the draft proposal. The Department believes that a public workshop will provide ample opportunity for public review and comment.

9. RESPONSIBLE STAFF MEMBER (name, physical address, phone number and e-mail address):  
Carolyn Cook; Division of Air Quality-DNREC; 100 W Water St. Suite 6A, Dover, DE 19904; Phone:  
(302) 739-9402; Email: [carolyn.cook@delaware.gov](mailto:carolyn.cook@delaware.gov)

10. APPROVALS:



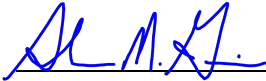
4/9/24

Carolyn Cook  
Responsible Staff Member



4/24/2024

Angela D. Marconi, P.E.  
Director, Division of Air Quality



6/12/24

Shawn M. Garvin  
Secretary

September 2021