



START ACTION NOTICE (SAN)

SAN # 2025-01

DOCKET # 2025-R-WH-0005

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

Amendments to 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 aboveground storage tanks to:

- Update standards as referenced in the regulations 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;
- Update regulation to comply with Delaware Administrative Code Drafting and Style Manual.

3. STATUTORY BASIS:

Title 7 **Del.C.** Ch. 60, Environmental Control, and Title 7 **Del.C.** Ch. 74A, 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 (indicate if review was pursuant to 29 **Del.C.** §10407):

The most recent amendment/review for Admin. Code 1352 was dated January 1, 2024 and was not pursuant to 29 Del. C. §10407.

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:

Workshops – January 2026
Publication in Register – March 2026
Public Hearing – May 2026

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:

Eileen M. Butler

2/26/25

Eileen M. Butler
Responsible Staff Member

Smullyn, Peter

2/27/2025

Timothy Ratsep Date
Director, Division of Waste and Hazardous
Substances

[Signature]

March 30, 2025

Gregory Patterson
Secretary