




## START ACTION NOTICE (SAN)

SAN # 2026-03

1. TYPE OF ACTION AND THE REGULATION NUMBER AND NAME:  
Amendments to 7 **DE Admin. Code** 1134 “Emissions Banking and Trading Program”
2. PURPOSE OF ACTION: The purpose of this action is to amend Regulation 7 **DE Admin. Code** 1134 which establishes the creation of Emission Reduction Credits (ERCs), which are generated by the closure of permitted facilities or cessation of operation of individual units at those facilities. The proposed amendments will allow the Delaware Department of State, Division of Small Business to apply for unclaimed or relinquished ERCs.
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.  
No.
5. DATE OF MOST RECENT AMENDMENT/REVIEW (indicate if review was pursuant to 29 **Del.C.** §10407): 11/11/2018
6. LIKELY AFFECTED PUBLIC: The Division of Air Quality anticipates the affected stakeholders will be companies with permitted facilities and DSB.
7. PROPOSED SCHEDULE OF ACTIVITIES: Public Workshop – Fall 2026, Public Hearing – Spring 2027, Effective Date – Summer 2027
8. REVIEW COMMITTEE: The Department believes that holding of a public hearing will provide adequate opportunity for public education, review, and comments.
9. RESPONSIBLE STAFF MEMBER (name, physical address, phone number and e-mail address): Jasmine Steward, 100 W. Water Street, Suite 6A Dover, DE 19904. Phone: 302-739-9402. Email: [Jasmine.Steward@delaware.com](mailto:Jasmine.Steward@delaware.com)

10. APPROVALS:

 3/05/2026  
\_\_\_\_\_  
Jasmine Steward      Date  
Responsible Staff Member

 3/13/2026  
\_\_\_\_\_  
Angela Marconi, P.E.      Date  
Director, Division of Air Quality

 April 4, 2026  
\_\_\_\_\_  
Gregory Patterson      Date  
Secretary