START ACTION NOTICE (SAN)

SAN # 2026-06

1. TYPE OF ACTION AND THE REGULATION NUMBER AND NAME: Amendments to 7 **DE Admin. Code** 1120 “New Source Performance Standards”.

2. PURPOSE OF ACTION:
The purpose of this action is to remove Sections of 7 **DE Admin. Code** 1120 “New Source Performance Standards” that were identified as no longer applicable to any existing sources or facilities in Delaware, during the regulatory review process required by 29.Del.C. §10407. Sections 3.0, 12.0,14.0 and 25.0 are proposed to be removed as a result of this review. In addition to removing these Sections, the Department is proposing to update the incorporation by reference dates for the remaining Sections in this regulation.

3. STATUTORY BASIS: 7 Delaware Code, Sections 6010(a) and 6010(c) (7 Del.C. §§ 6010(a) & 6010(c))

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): 07/01/2017

6. LIKELY AFFECTED PUBLIC:
The Department believes that the proposed amendments will not have any impact on the public, or any current or future facility in Delaware, as the dates of applicability for the Sections being removed have passed.

7. PROPOSED SCHEDULE OF ACTIVITIES: Public Hearing – Spring 2027, Effective Date – Summer 2027

8. REVIEW COMMITTEE: The Department believes that holding 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): Kevin Schwar, 100 W. Water Street, Suite 6A Dover, DE 19904. Phone: 302-739-9435. Email: kevin.Schwar@delaware.gov

10. APPROVALS:

Kevin Schwar 10/14/2026

Kevin Schwar Date
Responsible Staff Member

10/21/26

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

Nov. 22, 2026

Gregory Patterson Date
Secretary