START ACTION NOTICE # 2019-06

1. TYPE OF ACTION: Amend 7 **DE Admin. Code** 1125, Requirements for Preconstruction Review

2. PURPOSE OF ACTION: The purpose of this action is to update references to EPA's Guideline on Air Quality Models (Guideline) in 7 **DE Admin. Code** 1125, Requirements for Preconstruction Review. In 1978, EPA published the Guideline and has subsequently made several revisions. 7 **DE Admin. Code** 1125 references the older 1978 version of the federal modeling guidance. Therefore, the Department is proposing to amend 7 **DE Admin. Code** 1125 to incorporate by reference the most recent revisions to the Guideline (Appendix W to 40 CFR Part 51 – Requirements for Preparation, Adoption, and Submittal of Implementation Plans).

3. STATUTORY BASIS: 7 *Del. C.* § 6010.

4. IS THIS PROPOSED REGULATORY ACTION REQUIRED AS A RESULT OF FEDERAL STATUTE OR REGULATION? IF SO, PROVIDE LINK TO FEDERAL MANDATE. https://www.govinfo.gov/app/collection/cfr Title 40 – Protection of the Environment, Part 51, Appendix W.

5. DATE OF MOST RECENT REVIEW/AMENDMENT: Most recently amended on December 11, 2016.

6. LIKELY AFFECTED PUBLIC: These requirements will affect industry that prepare permits for new sources of air pollution.

7. PROPOSED SCHEDULE OF ACTIVITIES: Public Hearing – Fall 2019
Effective Date – Winter 2019

8. REVIEW COMMITTEE: No review committee is necessary. The Department believes that holding of a public hearing will provide adequate opportunity for public education, review, and comment.

9. RESPONSIBLE STAFF MEMBER: Renae Held, 100 West Water Street, Suite 6A, Dover DE 19904, 302-739-9402, renae.held@delaware.gov

10. APPROVALS:

5-20-19

Renae Held — Date
Responsible Staff Member

David Fees 5/21/19

David F. Fees — Date
Director, Division of Air Quality

6/18/19

Shawn M. Garvin — Date
Secretary

(Rev. December 2017)