

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF AIR QUALITY

Statutory Authority: 7 Delaware Code, Chapter 60; (7 Del.C., Ch. 60)
7 DE Admin. Code 1104

PROPOSED

REGISTER NOTICE

SAN#: 2013-15

1. TITLE OF REGULATIONS:

Revision to 7 DE Admin. Code 1104, Particulate Emissions from Fuel Burning Equipment.

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

This revision to 7 DE Admin. Code 1104 was identified in an April 1, 2013 Department of Natural Resource and Environmental Controls (DNREC) report titled, "Executive Order 36 Report to The Office of the Governor." Revisions are proposed to clarify that the exemptions 1.2 and 1.4 of this regulation are for the capacity of the unit, and not the operating rate. The revised Regulation will also be submitted to the EPA as a revision to Delaware's State Implementation Plan (SIP).

3. POSSIBLE TERMS OF THE AGENCY ACTION:

None

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 Delaware Code, Chapter 60, Environmental Control

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL:

None

6. NOTICE OF PUBLIC COMMENT:

Interested parties may submit comments in writing to Ron Amirkian, Division of Air Quality, Blue Hen Corporate Center, 655 S. Bay Road, Suite 5N, Dover, DE 19901, and/or statements and testimony may be presented either orally or in writing at the public hearing to be held on Thursday, August 1, 2013, beginning at 6:00 p.m. in DNREC's Richards and Robbins Building auditorium, 89 Kings Hwy, Dover, Delaware 19901.

7. PREPARED BY:

Ron Amirkian (302) 739-9402 June 12, 2013 Email address: ronald.amirkian@state.de.us

1104 Particulate Emissions from Fuel Burning Equipment

~~02/01/1981~~ (Insert Revision Effective Date)

1.0 General Provisions

- 1.1 The emission of particulate matter from fuel burning equipment shall be controlled to a limit that shall meet the ambient air quality requirements.
- 1.2 The provisions of this Regulation shall not apply where the heat input to capacity of the equipment is less than 1,000,000 BTU per hour.
- 1.3 The provisions of this regulation shall not apply to equipment or operations whose emissions are controlled by 7 DE Admin. Code 1105 or 7 DE Admin. Code 1107 or 7 DE Admin. Code 1129.
- 1.4 For purposes of this Regulation, the heat input value shall be based upon the manufacturer's guaranteed maximum input or the Department's calculated input capacity.
- 1.5 The provisions of this Regulation shall not apply to the start-up and shutdown of equipment which operates continuously or in an extended steady state when emissions from such equipment during start-up and shutdown are governed by an operation permit issued pursuant to the provisions of 2.0 of 7 DE Admin. Code 1102.

02/01/1981

2.0 Emission Limits

No person shall cause or allow the emission of particulate matter in excess of 0.3 pound per million BTU heat input, maximum two-hour average, from any fuel burning equipment.

12 DE Reg. 347 (09/01/08)

17 DE Reg. 44 (07/01/13) (Prop.)