

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF AIR QUALITY**

Statutory Authority: 7 Delaware Code, Sections 6010(a) and 6010(c) (7 **Del.C.** §§6010(a) & 6010(c))

GENERAL NOTICE

**REGISTER NOTICE
SAN # 2018-07**

State Implementation Plan (SIP) revision for the regulatory amendments to 7 DE Admin. Code 1124 Section 26.0 "Gasoline Dispensing Facility Stage I Vapor Recovery" and Section 36.0 "Vapor Emission Control at Gasoline Dispensing Facilities."

1. TITLE OF THE REGULATIONS:

State Implementation Plan (SIP) revision for the regulatory amendments to 7 **DE Admin. Code** 1124 Section 26.0 "Gasoline Dispensing Facility Stage I Vapor Recovery" and Section 36.0 "Vapor Emission Control at Gasoline Dispensing Facilities."

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

The Division of Air Quality (AQ), within the Department of Natural Resources and Environmental Control, will submit to US Environmental Protection Agency (EPA) a revision to Delaware State Implementation Plan (SIP), entitled "Decommissioning Stage II Vapor Recovery Systems and Requiring Stage I Enhanced Vapor Recovery Systems at Gasoline Dispensing Facilities." In the SIP revision, AQ (1) analyzes the regulatory impacts of the regulatory amendments to 7 **DE Admin. Code** 1124 Section 26.0 and Section 36.0 on Delaware's emissions of volatile organic compounds, and (2) demonstrates that the above regulatory amendments meet the anti-backsliding requirements of the federal Clean Air Act Sections 182(b)(2) and 110(l).

The proposed version of the SIP revision and the proposed regulatory amendments to 7 **DE Admin. Code** 1124 Section 26.0 and Section 36.0 were published in *Delaware Register of Regulations* on December 1, 2019. All notification and noticing requirements concerning the proposed SIP revision and regulatory amendments were met by the Department. Proper notice of the public hearing and adequate public review period were provided as required by law. On July 1, 2020, the final regulatory amendments to 7 **DE Admin. Code** 1124 Section 26.0 and Section 36.0 were published, under the Department Secretary's Order No. 2020-A-0017, in *Delaware Register of Regulations*. The SIP revision being published today is the final version under the same secretary's order. After publication, this final SIP version will be submitted to EPA for approval.

3. POSSIBLE TERMS OF THE AGENCY ACTION:

None.

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT:

7 **Del.C.** Ch. 60, Sections 6010(a) and 6010(c).

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

None.

6. NOTICE OF PUBLIC COMMENT:

A public hearing was held on January 08, 2020, beginning at 6:00 pm, in DNREC Auditorium, 89 Kings Highway, Dover, DE 19901. The comment period was open to the public for 15 days after the public hearing.

7. PREPARED BY:

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***Please Note: Due to the size of the SIP, it is not being published here. A PDF version is available at the following location:**

[DNREC DE VAPOR SIP - Final.pdf](#)

<http://regulations.delaware.gov/register/october2020/general/DNREC DE VAPOR SIP - Final.pdf>

