

# DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL

## DIVISION OF AIR QUALITY

Statutory Authority: 7 Delaware Code, Chapter 60, Section 6010(a) and (c) (7 **Del.C.** Ch. 60, §6010(a) & (c))

7 **DE Admin. Code** 1150

### PROPOSED

#### REGISTER NOTICE

**SAN # 2018-11**

#### 1150 Outer Continental Shelf Air Regulations

**1. TITLE OF THE REGULATIONS:**

Proposed amendments to 7 **DE Admin. Code** 1150, Outer Continental Shelf Air Regulations.

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

The Division of Air Quality (DAQ) is proposing to amend 7 **DE Admin. Code** 1150 to incorporate updates to the federal Outer Continental Shelf (OCS) regulations at 40 CFR 55, which have been made since the regulation was adopted in 2010.

**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:**

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Monday, January 7, 2019 beginning at 6:00 PM at the Division of Air Quality's office located at State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904. Interested parties may submit comments in writing to: Mark A. Prettyman, DNREC - Division of Air Quality, State Street Commons, 100 W. Water Street, Suite 6A, Dover, DE 19904. Public comments will be received until close of business Tuesday, January 22, 2019.

**7. PREPARED BY:**

Mark A. Prettyman - [mark.prettyman@state.de.us](mailto:mark.prettyman@state.de.us) - 302-739-9402

#### 1150 Outer Continental Shelf Air Regulations

~~06/11/2010~~ ~~###/###/2019~~

**1.0 Applicability**

Upon delegation of authority by the Administrator of the EPA to the Department, this regulation shall apply to the owner or operator of any OCS source for which Delaware is the corresponding onshore area (COA) as authorized under Section 328 of the federal Clean Air Act Amendments (42 U.S.C. 7627) and 40 CFR Part 55 (July 1, ~~2009~~2018 ed.).

~~06/11/2010~~ ~~###/###/2019~~

**2.0 Requirements**

The provisions of Part 40 CFR Part 55 (July 1, ~~2009~~2018 ed.) are incorporated herein as 7 **DE Admin. Code** 1150. OCS sources shall comply with all requirements of 1100 Air Quality Management Section of Title 7 of the Delaware Administrative Code to the extent that they are incorporated by EPA into 40 CFR Part 55.14.

This rule incorporates the following provisions of 40 CFR Part 55:

#### Outer Continental Shelf Air Regulations

55.1	Statutory authority and scope.
55.2	Definitions.
55.3	Applicability.
55.4	Requirements to submit a notice of intent.
55.6	Permit requirements.
55.7	Exemptions.
55.8	Monitoring, reporting, inspections, and compliance.
55.9	Enforcement.
55.10	Fees.
55.13	Federal requirements that apply to OCS sources.
55.14	Requirements that apply to OCS sources located within 25 miles of states' seaward boundaries, by State.
55.15	Specific designation of corresponding onshore areas.
Appendix A to 40 CFR Part 55	Listing of State and Local Requirements Incorporated by Reference Into Part 55, by State

**13 DE Reg. 1560 (06/01/10)**

**22 DE Reg. 447 (12/01/18) (Prop.)**