

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 1120

GENERAL NOTICE

REGISTER NOTICE

SAN # 2017-03

Final State Plan for the Regulation of Air Emissions from Municipal Solid Waste Landfills

1. TITLE OF THE REGULATIONS:

State Plan for the Regulation of Air Emissions from Municipal Solid Waste Landfills (State Plan)

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

On August 29, 2016, the EPA promulgated two regulations applicable to municipal solid waste landfills (MSWLs). The EPA promulgated 40 CFR Part 60 Subpart XXX; Subpart XXX regulated the emissions from new MSWLs. The EPA promulgated 40 CFR Part 60 Subpart Cf; Subpart Cf mandated state agencies to develop plans to regulate emissions from existing MSWLs. The purpose of the approved amendment to Regulation 1120 was to incorporate the federal requirements in Subpart XXX by reference as a new Section 30 and to expand the applicability of Section 30 to include both existing and new MSWLs. This amendment satisfied Delaware's State Plan requirements under Subpart Cf to regulate the emissions of existing MSWLs.

The proposed State Plan was published in the Delaware *Register of Regulations* as a General Notice in the April 2017 issue and a public hearing was conducted on April 24, 2017.

3. REVISIONS TO THE PROPOSED STATE PLAN:

The final version of the State Plan contains several non-substantive revisions that were made to the State Plan version proposed on April 1, 2017. The revisions included:

- Revisions to the "Design Capacity" and "Estimated NMOC Emissions" numbers that described the affected MSWLs in the Section IV table. These revisions were warranted as the Delaware Solid Waste Authority submitted new numbers during the public comment period that better characterized their MSWLs. These new numbers were not available at the time the proposed State Plan was submitted to the Delaware Registrar.
- Adding the missing documentation in Appendix C. Appendix C provides documentation that demonstrates that Delaware met all Delaware and federal public noticing and public hearing requirements. These documents were not available at the time the proposed State Plan was submitted to the Delaware Registrar; the proposed Appendix C served as a placeholder for these documents.
- The State Plan date, this was necessitated by the above changes, and other grammatical corrections.

4. PREPARED BY:

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Final State Plan illustrating changes in [Bold Bracketed] format

State Plan for the Regulation of Air Emissions from Municipal Solid Waste Landfills- Revisions

Clean Final State Plan

Final State Plan for the Regulation of Air Emissions from Municipal Solid Waste Landfills

21 DE Reg. 59 (07/01/17) (Gen. Notice)