

Delaware Air Permitting Update December 6, 2018



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Blue Skies Delaware; Clean Air for Life

Overview

- Internal Processes Update
 - Staffing (Hiring and Retiring)
 - Upgrades (website, DNREctory, e-Permitting)
 - Rule Updates (Lead Paint Sandblasting, I&M)
- Permitting Updates
 - Formaldehyde from Engines
 - Tank Cleaning



Staffing Updates

- Recent Retirements Including:
 - Ali Mirzakhali (relocated to Oregon)
 - Ron Amirikian
 - Penny Gentry
 - Paul Foster
- Impending Retirements Including:
 - Ravi Rangan
 - Tom Postell
- New Staff
 - David Fees as Division Director
 - Angela Marconi as the head of Engineering & Compliance
 - Five new hire engineers



DNREC's New Website

- Conversion to an updated website is proceeding.
- Make sure to update your links to get the most recent versions of forms, addresses, contact information.



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Department of **Natural Resources and Environmental Control**

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Division of Air Quality



The Division of Air Quality monitors and regulates all emissions to the air. It issues permits to construct and permits to operate air contaminant sources. It maintains emission inventories from business and industry. It develops the State's implementation plan as required by the Clean Air Act. It adopts new regulations and supports enforcement of existing regulations. And it permits and inspects asbestos removal efforts.

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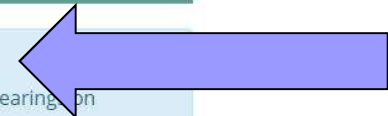
Mission: To continuously optimize Delaware's air quality by working with citizens and business to protect public health, welfare, and the environment.

Public Comment Opportunity: Delaware's Clean Air Act Petitions

[Comment here](#) on the EPA's proposal to deny Delaware's petitions to address upwind pollution that impacts Delaware's air quality.

Public Hearing Exhibits: Mountaire and Walan

Review [public hearing exhibits](#) from the Division's hearing on Mountaire and Walan.



Air Quality Monitoring

Learn how [Delaware monitors air quality](#) using stationary and [movable](#) monitors.

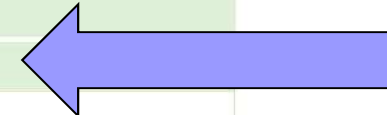
Residential Open Burning

Find out [what's allowed and what's not](#). Read the [Citizens Guide to Open Burning](#).

Mobile Sources

Permitting

- [Permitting FAQs](#)
- [Title V Committee](#)
- [Reg. 1102 Forms](#)
- [Air Contaminant Equipment Registration](#)
- [Air Permitting and Regulatory Programs](#)



Asbestos

Learn about the risks of [asbestos](#) and how to Delaware works to protect us.

Regional Greenhouse Gas Initiative

Find out how Delaware [works with other states](#) to improve air quality.



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DNREctory

- Online access to permits, applications etc.
- User friendly update to current system (docfinity).
- DAQ transitioning at present.
- *Confidentiality Procedures*

e-Permitting

- Will proceed over the next 2 years.
- System will be in place for entire Department, beginning with licenses (hunting/fishing etc.).



Confidentiality

- Oldie but Goodie...
- Procedures are not new, but compliance with them is becoming increasingly important
- DNREC is a public agency of the State of Delaware, and is, therefore, subject to Delaware's Freedom of Information Act ("FOIA"), 29 *Del. C.* Chapter 100.
- FOIA provides the public the right to access public records (the type of records maintained by the Department, or any state agency), in the interest of promoting an open form of government.
- The Department's FOIA Policy can be found in the *Delaware Administrative Code*, Title 8, Public Information (FOIA), Chapter 900.



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Confidentiality

Any information that companies submit to the Department is presumed to be, and treated as **public information**, unless the company submitting the information designates and substantiates, at the time of submission, that the information should be afforded confidential status.



Confidentiality

- Some examples of confidential information are:
 - Customer Lists
 - Tax Returns
 - Financial Information
 - Process Information
 - Patented Information
- Some examples of information that is not confidential are:
 - Emission Quantities
 - Chemicals Emitted
 - Information that is otherwise publically available



Confidentiality

- Requests for confidentiality *must* be made in writing at the same time the alleged confidential information is submitted and *must* include the following:
 - Substantiation
 - 2 public & 2 confidential versions
 - Notarized affidavit



Confidentiality

■ Public versions:

- The company should only redact the exact information alleged to be confidential as opposed to the entire page.
- The company should stamp or identify each page as “public”, the identifier “confidential” should not be on this version.

■ Confidential versions:

- Please be sure to stamp or identify each page as “**confidential**”, important in case pages become unattached in anyway



Confidentiality

- Things to remember:

- Anything a company submits to the Department is considered a public record unless otherwise identified in the manner prescribed by the Department in its FOIA Policy
- A unilateral assertion that a record is confidential is not acceptable as it is insufficient evidence to support the Secretary of DNREC in making a determination



Rule Updates

- Proposed Source Category Permit for the dry abrasive blasting of outdoor water tanks with lead-containing coatings
 - Hearing was held July 12, 2018
- Outer Continental Shelf (OCS) Updates
 - Hearing scheduled for Monday January 7, 2019
 - DAQ is proposing to amend 7 DE Admin Code 1150 to incorporate updates to 40 CFR Part 55.
 - These regulations apply to vessels when they are “attached” to the seabed or an OCS facility.



Rule Updates

■ RGGI updates

- Participating States of the Regional Greenhouse Gas Initiative (RGGI) conducted a program review process that lead to amendments to the Model Rule.
- The amendments included a change in the size and structure of the CO₂ allowance cap as well as other program modifications. The effective date of Regulation 1147 is December 11, 2018.



Formaldehyde from Engines

- Delaware has increasingly requested testing of engines for formaldehyde, including those burning natural gas.
- Varies substantially between tests
 - <1 to 1.6 lb/hr
 - FTIR testing (real time results)
- At present, biogas burning engines must include formaldehyde emissions in permit applications.
- Recent installations have included pre and post treatment.
- Updating to permitting of older facilities ongoing.



Tank Cleaning

- When/Why?
 - Petroleum product storage tanks require cleaning as a part of routine maintenance (10 yr frequency).
 - At the time of product change.
 - As a result of necessary repair.
- Typically utilizes No. 2 fuel oil as the “cleaner”.
- Emissions originate from the material cleaned not the “cleaner”.



Tank Cleaning

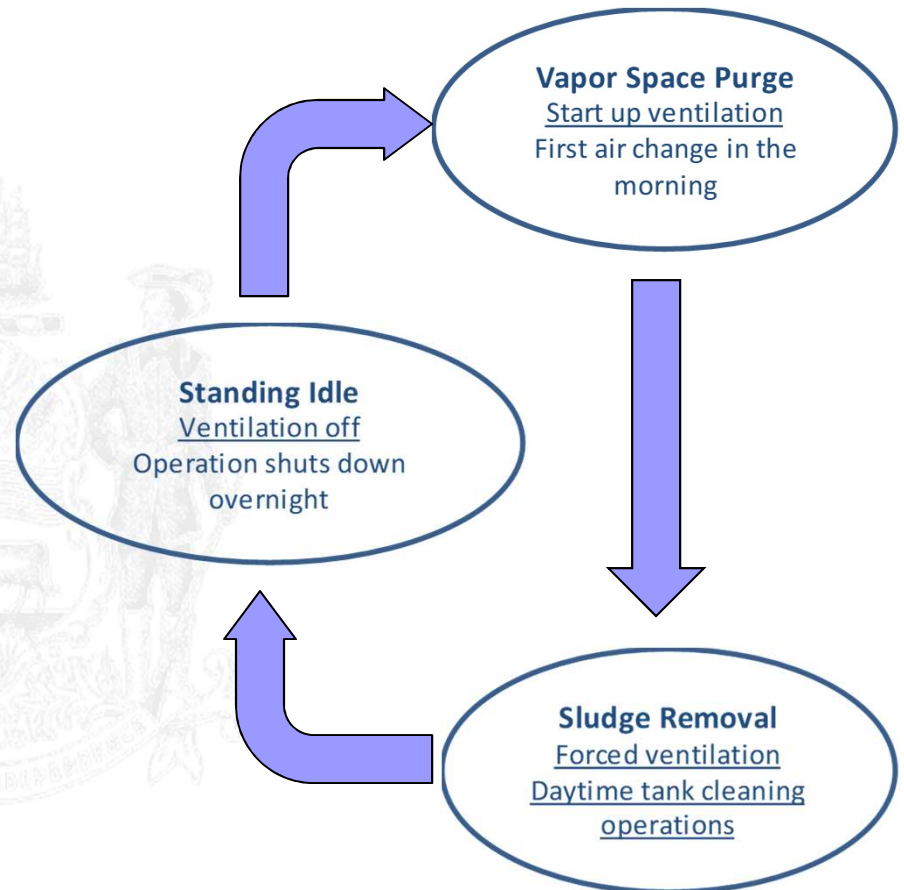
■ Emissions?

- API Technical Report 2568 “ Evaporative Loss from Cleaning of Storage Tanks” issued September 2007.
- EPA developed a proposed revision to AP-42 Chapter 7, Section 7.1 that includes an emissions estimating methodology for tank cleaning.
<https://www.epa.gov/air-emissions-factors-and-quantification/proposed-revisions-ap-42-chapter-7-section-71-organic>
- Emissions can be significant, and typically occur over only a few days.



The Process

1. Normal Pumpout
2. Standing Idle
3. Vapor Space Purge
4. Sludge Removal
- ... repeat 2 through 4 over several days
5. Clean/Empty Tank
6. Refilling



Tank Cleaning - Regulations

- Several States (NJ, MA, TX) and Air Quality Management Districts do have specific regulations to address emissions from tank cleaning.
- Delaware does not have specific tank cleaning regulations, but several parts of other rules that must be met.



Training Event is in the works...

- Delaware's Title V Committee (comprised of facility representatives, the Chamber of Commerce, environmental groups) has requested a "Back to Basics" air permit training event. We are beginning to plan that event.
- Let me know if you're interested in helping, or being notified.



Questions?

THANK YOU

For additional information please contact
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