



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION III  
 1650 Arch Street  
 Philadelphia, Pennsylvania 19103-2029

AUG 22 2017

The Honorable John C. Carney  
 Governor of Delaware  
 Tatnall Building  
 150 William Penn Street, 2nd Floor  
 Dover, Delaware 19901

Dear Governor Carney:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency’s (EPA’s) proposed designations for the State of Delaware (Delaware) for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO<sub>2</sub>). The designations for this NAAQS are an important part of EPA’s commitment to a clean, healthy environment. These proposed designations are a response to designations-related recommendations and information submitted by Delaware in letters dated June 13, 2011 and June 5, 2013.

On July 25, 2013, EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016 and November 29, 2016. No areas in Delaware were designated in these previous actions. Pursuant to a March 2, 2015 court-ordered schedule,<sup>1</sup> EPA must complete the remaining SO<sub>2</sub> designations by two specific deadlines: December 31, 2017 and December 31, 2020. Pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act, this letter is to notify you of EPA’s assessment regarding Delaware’s recommended designations. EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017.

After carefully considering Delaware’s recommendations and all available information, including current (2014-2016) air quality monitoring data, EPA is proposing to designate the following areas as indicated below. Delaware was not required to characterize air quality and EPA does not have information that suggests the area may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS.

<b>Proposed Unclassifiable/Attainment Area</b>	<b>Included Counties</b>
Delaware*	Kent, Sussex, and New Castle

An asterisk (\*) indicates that EPA’s proposed designation for this area represents a modification to the designation that you have most recently recommended.

<sup>1</sup> *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

The Technical Support Document for our proposed designations is available at <https://www.epa.gov/sulfur-dioxide-designations>. Section 4 of Chapter 2 of the document addresses the State of Delaware.

If you or your staff have additional information that EPA should consider prior to finalizing these designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at [www.regulations.gov](http://www.regulations.gov), and sending a copy to EPA Region III. EPA also will publish a notice in the *Federal Register* announcing a 30-day comment period for the public to provide input on EPA's proposed designations.

Thank you for Delaware's efforts throughout the designations process. We share your goal to provide cleaner air for citizens in Delaware, and we look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO<sub>2</sub> NAAQS. For additional information regarding designations under the SO<sub>2</sub> NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact Brian Hamilton of my staff at 215-814-5497 or [hamilton.brian@epa.gov](mailto:hamilton.brian@epa.gov).

Sincerely,



Cecil Rodrigues  
Acting Regional Administrator

cc: The Honorable Shawn M. Garvin, Secretary  
Department of Natural Resources and Environmental Control