

**Important
Compliance
Dates &
Deadlines for
2024:**

Air Title V
Emissions
Statement
April 15

TP-550
Quarter 2
April 20

Stormwater DMR
Quarter 1
April 28

EPCRA Section
313 (Form R)
July 1

Hazardous Waste
Reduction Plan
July 1

TP-550
Quarter 1
July 20

Semi-Annual Air
Compliance
Reports
July 30

TSCA CDR 2024
September 30

3636 N. BUFFALO
ROAD

ORCHARD PARK,
NEW YORK 14127
envadvantage.com



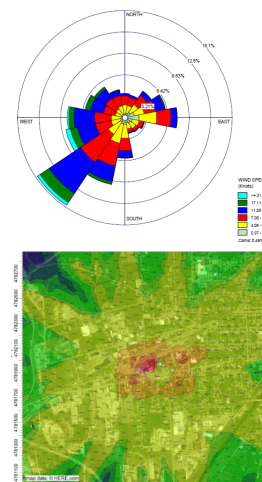
1,4 – Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products



The New York State Department of Environmental Conservation (NYSDEC) has proposed a new rule, an addition to 6 NYCRR Subpart 352-1, which became effective January 1, 2022, aimed at implementing the maximum allowable concentration of 1,4-dioxane in household cleaning, personal care, and cosmetic products sold or offered for sale in New York State. As per Article 35 of the Environmental Conservation Law, the proposed maximum allowable concentration is set at one (1) part per million. This proposed regulation implements the following: statutory limits on the amount of 1,4-dioxane allowed in products, details on how to apply for a waiver, and the required analytical method criteria. Manufacturers are able to request a waiver from the Department to allow additional time to develop methods to remove 1,4-dioxane from their products. Additionally, beginning May 2025 and every two years thereafter, the NYSDEC will conduct reviews to assess if maximum concentration limits should be further reduced. This may affect facilities that produce cleaning, personal care, cosmetic products, etc.

Air Dispersion Modeling—AERSCREEN & AERMOD

Over the past few years, it has become increasingly common for the NYSDEC to require air dispersion modeling as a supplement to a **renewal or modification application for an Air Facility Registration (AFR) certificate or Air State Facility (ASF) permit**. Air dispersion modeling is conducted with the use of software to determine off-site concentrations of contaminants, compliance with emissions standards, and potential exposure rates. AERSCREEN is generally perceived as the most conservative USEPA-approved model, as it can produce estimates of the “worst case” 1-hour, 3-hour, 8-hour, and annual concentrations at the property fence line from a single source without the use of meteorological or terrain data. AERMOD is a USEPA-approved Gaussian plume model which can incorporate multiple sources simultaneously. The inclusion of additional parameters with AERMOD, including the use of meteorological data and terrain data, plus the capability to factor in building downwash, and the ability to include various receptor locations give a truer representation of dispersion concentrations with AERMOD as opposed to AERSCREEN. EA has the knowledge and capability to conduct air dispersion modeling using either AERSCREEN or AERMOD.



USEPA Final Rule to Phasedown the Use of Hydrofluorocarbons as of October 2023



The United States Environmental Protection Agency (USEPA) published a final rule in October 2023 to phasedown the use of hydrofluorocarbons (HFCs) under the American Innovation and Manufacturing Act (AIM) of 2020. **Any facilities that manufacture, distribute, or use systems / products that use HFCs may be affected by this rule.** This rule specifically restricts the use of HFCs in aerosol, foam, refrigeration, air conditioning, and heat (RACHP) products and equipment. In general, the USEPA is setting a maximum global warming potential (GWP) limit on HFCs/HFC blends that can be used, and in some cases, bans specific HFCs. The USEPA is banning certain equipment based on GWP or specific HFC use, with most of the phasedowns occurring in the next six years. It does not restrict the current or continued use of existing products or RACHP systems. The new rule requires that any new products and components that use HFCs / RACHP products must be labeled, at the earliest by January 1, 2025. Further, the USEPA is requiring an annual online report which will be due 90 days after the end of each calendar year, beginning with 2025 data. The USEPA plans to host trainings as they plan the reporting provisions. The compliance deadlines range from January 1, 2025 to January 1, 2028 and will be determined based on the technology (RACHP) sectors. The sectors are further separated into subsectors based on additional classification of each technology.

What is a Hazardous Waste Reduction Planning Program?

The New York Hazardous Waste Reduction Planning Program, outlined in Section 27-0908 of the Environmental Conservation Law, mandates facilities releasing hazardous wastes and toxic substances to minimize waste volume and toxicity. Facilities must prepare and submit Hazardous Waste Reduction Plans (HWRPs) to the NYSDEC annually and update them biennially. These plans cover all hazardous wastes emitted into the air, discharged into waters, or treated and disposed of on-site or off-site. The HWRPs goal is to identify opportunities for waste reduction through feasible technologies, operational changes, material substitutions, or other means. Facilities required to comply include those generating over 25 tons of hazardous waste annually or holding a Part 373 hazardous waste storage, treatment, or disposal permit. The HWRPs generally include waste stream details, waste reduction measures, cost estimates, reduction goals, implementation schedules, and employee training programs. Compliance involves submitting an Annual Status Report including Hazardous Waste Generation Summaries, Reduction Program Summaries, and an estimated Progress Schedule as per outlined guidelines. These reports are due on or before **July 1st** for subject facilities.

Congratulations!

25-Year Work Anniversary to **Pete Bojczuk**, Certified Environmental Specialist (CES)



Pete has been a key component in environmental compliance and management for countless clients. EA is incredibly grateful for Pete's dedication and contributions over the years.

TRI List Update: Seven Additional PFAS Added January 2024

On January 9, 2024, the EPA added seven (7) Per- and Polyfluorinated Substances (PFAS) to the Toxic Release Inventory (TRI) Reporting with their Chemical Abstract Service Registration Number (CASRN) as follows:

- Ammonium perfluorohexanoate; CASRN 21615-47-4
- Lithium bis[(trifluoromethyl)sulfonyl] azanide; CASRN 90076-65-6
- Perfluorohexanoic acid (PFHxA); CASRN 307-24-4
- Perfluoropropanoic acid (PFPrA); CASRN 422-64-0
- Sodium perfluorohexanoate; CASRN 2923-26-4
- 1,1,1-Trifluoro-N-[(trifluoromethyl)sulfonyl] methanesulfonamide; CASRN 82113-65-3
- Betaines, dimethyl(.gamma.-.omega.-perfluoro-.gamma.-hydro-C8-18-alkyl); CASRN 2816091-53-7



These substances will be reportable starting with the 2024 reporting year. As a reminder, the TRI Reporting deadline for CY2023 is **July 1, 2024**. Contact EA with any TRI questions.

Reminder!

CFATS still on hold.

The Chemical Facility Anti-Terrorism Standards (CFATS) are still on pause; therefore, the Cybersecurity and Infrastructure Security Agency (CISA) cannot enforce compliance with CFATS regulations. EA recommends staying up to date with the status of the CFATS program and retaining chemical terrorism vulnerability information in accordance with CISA protocols.

13 Analytes Added to the Soil Vapor Indoor Air Decision Matrices

The New York State Department of Health (NYSDOH) has developed decision matrices for use when evaluating buildings for soil vapor intrusion. These matrices serve as risk management tools and are based on the sub-slab vapor and the indoor air concentration of a compound to help determine what action, if any, is recommended. Recently, the NYSDOH has added three new matrices which include thirteen (13) **volatile petroleum compounds**. This may affect current and/or future Brownfield/Superfund Site sampling. The following analytes have been added to the decision matrices:

- benzene
- ethylbenzene
- naphthalene
- cyclohexane
- isooctane
- 1,2,4-trimethylbenzene
- 1,3,5-trimethylbenzene
- o-xylene
- m-xylene
- p-xylene
- heptane
- hexane
- toluene

New Final Ruling

Clean Water Act

The USEPA has finalized Facility Response Plan (FRP) requirements for worst case discharges of Clean Water Act hazardous substances for subject facilities, effective May 26, 2024. This may or may not affect your facility if you store hazardous substances in large quantities. **The FRPs are to be submitted to the USEPA 36 months after the effective date.** More information on this new ruling will be outlined in our Summer Newsletter.

