

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

Q3 TP-550 HW
Assessment &
Fees
October 20

Q3 Stormwater
DMR
October 28

Cooling Tower
Annual
Certification
November 1

TSCA CDR
2024 Submittal
November 22

Q4 / 2nd Period
Annual Storm-
water Sampling
December 31

Q4 Stormwater
Visual Monitoring
December 31

Annual
Stormwater
CSCIERS
December 31

3636 N. BUFFALO
ROAD
ORCHARD PARK,
NEW YORK 14127
envadvantage.com



TSCA 2024 Chemical Data Reporting Cycle Extension



The United States Environmental Protection Agency (USEPA) has extended the submittal period for the Toxic Substances Control Act (TSCA) Chemical Data Reporting (CDR) 2024 cycle. Reports for the calendar years 2020 through 2023 must now be submitted via USEPA's CDX program by **November 22, 2024**. The TSCA CDR requires manufacturers and importers of chemical substances to report data on the manufacturing, processing, and use of certain chemicals to the USEPA every four years. Chemicals subject to reporting include those listed on the TSCA inventory which is a broad list of materials including hazardous substances and byproducts. In general, a facility which imports chemicals or mixtures containing certain chemicals over a specific threshold, must report that information in the 2024 reporting cycle. There are exemptions for particular chemicals and manufacturers that may be applied.

The USEPA extended the submission deadline due to technical issues regarding the 2024 reporting tool that have since been resolved. If you need assistance determining your facility's applicability to the TSCA CDR or if you need assistance completing your CDR, please contact us and we will gladly assist you.

USEPA Proposes Requirements to Reduce Exposure to N-Methylpyrrolidone

The chemical solvent, N-Methylpyrrolidone (NMP), can cause serious health effects when workers or consumers are exposed. NMP may be used in many processes including paint removal, plastic manufacturing, cleaning products, and material surface treatment. The U.S. Environmental Protection Agency (USEPA) is proposing stricter limits on NMP concentration, container size, labeling, workplace controls, and other safety measures. If your facility manufactures, imports, processes, and/or distributes NMP in commerce, this rule may apply to your facility. If you require assistance determining if this rule will affect your facility, please contact us for additional information.

NYSDEC Freshwater Wetlands Re-Classification

On July 10, 2024, the New York State Department of Environmental Conservation (NYSDEC) released a draft update to 6 NYCRR Part 664; redefining wetland classifications. The new regulations will take effect **January 1, 2025**.

The regulation will reduce the size requirement of freshwater wetlands from 12.4 acres to 7.4 acres starting **January 1, 2028**. Facilities that are currently located on unregulated wetlands may now be under regulation based on the new definitions outlined in the amendment and may require a permit prior to the implementation of any projects. EA suggests reviewing these regulations if they are applicable to your facility.

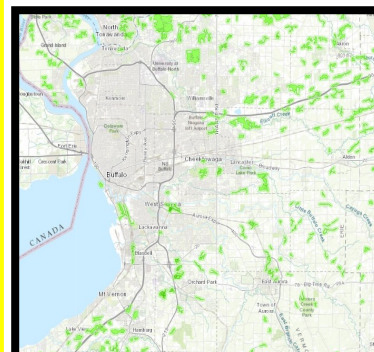


Figure 1. Current wetland areas in WNY

Permitting and Disadvantaged Communities Policy—December 2024



In May 2024, the New York State Department of Environmental Conservation (NYSDEC) issued a Program Policy, “Permitting and Disadvantaged Communities under the Climate Leadership and Community Protection Act (CLCPA).”

This policy outlines requirements and procedures for NYSDEC staff regarding permit applications related to sources and activities that may affect disadvantaged communities. The CLCPA goal is to reduce NYS greenhouse gas (GHG) emissions 40% below 1990 levels by 2030 and 85% below 1990 levels by 2050. This policy applies to projects, sources, and activities that result in direct or indirect GHG or co-pollutant emissions. This policy will help to determine if a project will or will likely have an effect on a disadvantaged community. If a project is determined to affect a community, an analysis must be performed to determine if a disproportionate burden will be placed on the community. The applicant must submit a written analysis to the NYSDEC which identifies the GHG/co-pollutant emissions and baseline data, evaluates how the emission would affect the community, describes actions taken to reduce or eliminate disproportionate burdens, and confirms a public participation plan. This policy may affect industries in the WNY area since the City of Buffalo and surrounding neighborhoods have multiple areas that are considered a designated disadvantaged community (Figure 2 (www.nyserda.ny.gov)). This program goes into effect December 30, 2024.

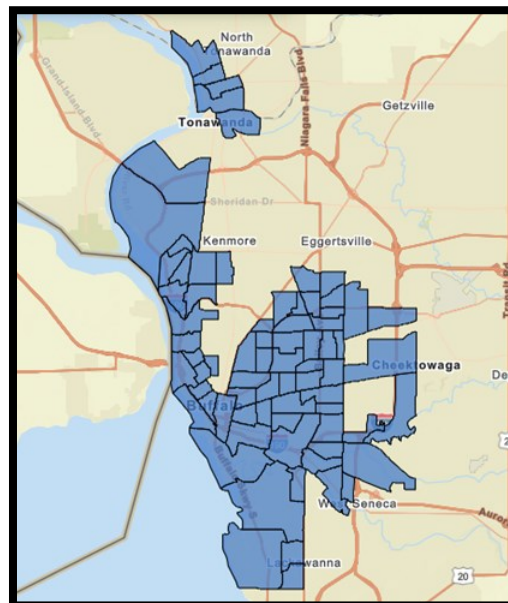


Figure 2. Disadvantaged areas Buffalo, NY

REMINDER IMPORTANT NOTICE - USEPA CDX Account Login Process Change

If you have a USEPA Central Data Exchange (CDX) account, you will need to adjust your login process. The USEPA uses CDX to house such programs as RCRAInfo (hazardous waste tracking, reporting), TRI-MEweb (SARA 313/Form R/ TRI reporting), RMP*eSubmit, Net DMR (SPDES MSGP reporting), and CSPP (TSCA reports). On August 17, 2024 USEPA transitioned the login system from CDX to Login.gov, for which users will have to create a login.gov account in order to access their accounts/programs. Be sure to note all new passwords and authentication information.

OSHA New Regulations—July 2024

On July 19, 2024, the Occupational Safety and Health Administration (OSHA) released new regulations for the Hazard Communication (HAZCOM) Standard which is included in 29 CFR 1910.1200. This regulation sets standards for companies that use chemical substances and requires employers to: identify workplace hazards, create labels and warnings for containers of hazardous chemicals, make Safety Data Sheets (SDSs) available for all employees, create a written hazard communication program, and provide appropriate chemical safety training to their employees. Chemical companies will need to update their SDS labels to include the following information:

- ◆ Information on the initial exposure dangers and the dangers of any possible chemical reactions;
- ◆ Change labeling requirements for small containers under 100 milliliters;
- ◆ Add new hazard classifications and categories.

Due to these changes, if your company manufactures, imports, distributes, stores, or uses chemical substances, you may be required to update your labeling/programs/etc. The deadline for **manufacturers** to update SDSs and container labels for **chemical substances** is **January 19, 2026**; and July 19, 2027 for chemical mixtures. The deadline for employers to have their HAZCOM program, training requirements, and chemical labels updated by July 20, 2026 for chemical substances and January 19, 2028 for chemical mixtures.

