

**Important
Compliance
Dates &
Deadlines for
2025:**

TSCA CDR
2025 Submittal
November 22

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

Q4 Stormwater
Visual Monitoring
December 31

Annual
Stormwater
CSCIER & Dry
Weather
Monitoring
December 31

Q4 TP-550 HW
Assessment &
Fees
January 20

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NPDES 2026 Issuance of the Multi-Sector General Permit for Stormwater Discharges



The United States Environmental Protection Agency (USEPA) has proposed a 2026 National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for stormwater discharges from industrial activity to replace the existing 2021 MSGP version on February 28, 2026. The NPDES permits are issued by the USEPA or a NPDES-authorized state (including New York) for industrial or municipal point source discharges. The new 2026 MSGP contains various updates from the 2021 MSGP including, but not limited to, the following changes:

Consideration of Stormwater Control Measure (SCM) Enhancements for Major Storm Events: The USEPA removed the word “temporary” from several considerations to indicate it is best practice to implement SCMs on a regular basis. The USEPA is not requiring operators to implement additional controls if they are deemed unnecessary, but they are requiring operators to consider the benefits of control measures which reduce risk to their facility and the potential impact of pollutants in stormwater discharges caused by major storm events.

Water Quality-Based Effluent Limitations and Other Limitations: The USEPA is updating the water quality-based effluent limitation language for more clarity including that discharges must not contain, or result in observed deposits of, “floating solids, scum, sheen, or substances; an observable film or sheen upon or discoloration from oil and grease; or foam or substances that produce an observable change in color.”

Monitoring Changes:

- The USEPA proposed a new provision that requires certain operators to conduct “report-only” monitoring for per- and polyfluoroalkyl substances (PFAS). “Report-only” indicates there is no benchmark threshold and does not require follow-up actions.
- Additional monitoring requirements are being updated for subsectors E3, I1, L2, N2, O1, P1, R1, U3, Y2, AB1, and AD1.
- The benchmark monitoring schedule is being updated based on certain parameters. The 2021 MSGP indicated if an operator does not exceed the four-quarter annual average for a given parameter during the first and fourth years, the monitoring could be discontinued. However, the 2026 MSGP will be updated so that if the operator does not exceed the four-quarter annual average at any time during the first three years of coverage, the operator can discontinue that monitoring parameter for the remainder of the permit term.

Impaired Waters Monitoring: The current 2021 MSGP requires annual monitoring in the first and fourth years of the permit for any pollutant for which the water body is impaired. The 2026 MSGP updated the sampling time requirements to be quarterly monitoring for the entire permit term for any pollutant for which the water body is impaired. If exceedances are found, corrective actions are required.

Additional Implementation Measures (AIM): The 2026 MSGP AIM indicates how the operator should generally respond based on the cause and frequency of identified exceedances. The 2026 MSGP includes revisions to the AIM requirements to ensure enough data is being collected on the cause of exceedances and to track their progress.

New York State will likely update their State Pollutant Discharge Elimination System (SPDES) to follow suit with the federal NPDES. EA will continue to stay up-to-date on any changes with the release of the new permit and how it may affect your facility.

Amendments to New York Water Withdrawal Regulations—6 NYCRR Part 601

On October 15, 2025, the New York State Department of Environmental Conservation (NYSDEC) published a Notice of Adoption of several amendments to 6 NYCRR Part 601 pertaining to water withdrawal permitting, reporting, and registration. The following revisions are currently in effect:

- A permit application is required for all permits and permit modifications. Engineer reports that are submitted with permit applications must be signed and stamped by an engineer licensed to practice engineering in New York State.
- The recordkeeping period has been extended from five (5) years to ten (10) years – the maximum duration of a water withdrawal permit.
- The NYSDEC is allowing alternative monitoring methods to estimate water withdrawal quantities, if approved by the Department. Furthermore, if the Department determines that the installation of a water level measurement apparatus is impractical or unnecessary, the permittee may utilize alternative measurement methods or forgo water level measurement as approved by the Department.
- General clarification is provided regarding water withdrawal permit exemptions for the following: agricultural withdrawals, Federal Energy Regulatory Commission projects, withdrawals from saline waters, reconstruction of facilities or works, redundant wells, and withdrawals at remediation sites.
- There are new water withdrawal permit exemptions for certain mineral washing operations, specific recirculation pumps, fire suppression system maintenance, and increased drinking water tank or water tower storage capacity when the source water withdrawal is not increased.

New York Proposed Rule Making on Mandatory Greenhouse Gas Reporting—6 NYCRR Part 253



Department of
Environmental
Conservation

In 2019, the Climate Leadership and Community Protection Act (CLCPA) was signed into law in New York State to create legally binding climate and clean energy targets in the United States. The United States Environmental Protection Agency (USEPA) has required the New York State Department of Environmental Conservation (NYSDEC) to promulgate final state regulations by February 6, 2026. This regulation requires the NYSDEC to evaluate statewide greenhouse gas (GHG) emissions. The NYSDEC has proposed to establish 6 NYCRR Part 253 (NY GHG Rule) requiring emitters of GHG to report annual emissions. Generally, the following facilities would be subject to these regulations:

1. Owners and operators of facilities within New York that emit over 10,000 metric tonnes (MT) or more of carbon dioxide equivalents (CO₂e) per year (previously, facilities were only subject if they emitted 25,000 metric tons CO₂e or more per year);
2. Fuel suppliers;
3. Waste haulers and transporters with estimated emissions from solid wastes transported to landfills or combustion facilities outside of New York exceeding 10,000 MT CO₂e per year;
4. Electric power entities;
5. Suppliers of agricultural lime and fertilizer; and
6. Anaerobic digestions and liquid storage of waste facilities.

If a facility meets or exceeds the limits in any emission year from 2023 through 2025, they are required to report its emissions to the NYSDEC. Facilities subject to report will need to develop and retain a GHG Monitoring Plan (GHGMP) by December 31, 2026, with the first emissions data report due June 1, 2027. EA recommends that facilities evaluate their applicability to the rule by calculating their GHG emissions from 2023 through 2025, to see what applies their facility.

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