



Proposed, Emergency, and Recently Adopted Regulations

This page lists rules and regulations that have been proposed or recently adopted and emergency regulations that are in effect. This page will be updated whenever new regulations are proposed or information changes.

Underlines contained in the text of proposed regulations denote new material. Brackets [] indicate material to be deleted.

Proposed Regulations Available for Public Comment

1. [Pre-proposal for Part 182.5-Listing of Endangered, Threatened, and Special Concern Species](#) - This pre-proposal is to revise the list of endangered, threatened, and special concern species. The public are invited to review the draft changes and the accompanying species status assessments. Comments will be accepted through January 24th, 2020.
2. [Proposed Part 351, Plastic Bag Reduction, Reuse, and Recycling](#) - The proposed rule sets forth the requirements of Titles 27 and 28 of Article 27 of the Environmental Conservation Law with respect to the prohibition on the distribution of film plastic bags; allowable reusable bags; and the recycling of film plastic by stores. The regulations also address the related requirements for manufacturers. Written public comments will be accepted through Monday, February 3, 2020.
3. [Parts 622, 620, 621 and 624](#) - The Department is proposing to repeal and replace Part 622, Uniform Enforcement Hearing Procedures, to clarify the hearing process for administrative enforcement proceedings. In addition, the Department proposes to amend the definition sections of Part 620, Procedures for Issuance of Summary Abatement Orders, and Part 624, Permit Hearing Procedures, to make the definitions of terms shared by Parts 620, 622 and 624 consistent. The Department also proposes to amend 6 NYCRR 621.10(a), 621.11(g) and 621.13(d) to require that a copy of a written request for a hearing made pursuant to those subdivisions be provided to the Chief Administrative Law Judge. Comments will be accepted through January 31, 2020.
4. [Parts 701.13 and 701.14](#) - This rule making will clarify the best usages of Class I and Class SD marine surface waters were, and remain to be, "secondary contact recreation and fishing" and "fishing," respectively. Comments will be accepted from October 23, 2019 through January 13, 2020.

Proposed Regulations Pending (Public Comment Period Closed)

1. [Part 1, Section 1.31 - Early bear hunting season in WMU 4W](#) - This rulemaking is necessary to reduce bear population growth in Wildlife Management Unit (WMU) 4W which includes parts of Delaware and Sullivan counties.
2. [Part 10 Section 11-0317-Amendments to Great Lakes sportfishery regulation in 6NYCRR Part 10](#) - This rulemaking's proposed amendments are intended to improve high quality sportfisheries and associated economic benefits.
3. [Part 40 - Commercial Scup](#) - This rulemaking is necessary to implement the required measures to remain consistent with National Oceanic and Atmospheric Administration Fisheries regulations.
4. [Part 41 - Sanitary Conditions of Shellfish Lands \(2019\)](#) - This rulemaking is necessary to prevent the harvest of shellfish from areas that do not meet water quality standard and protect the public health. This rulemaking also increases opportunities for shellfish harvest from areas whose water quality now meets standards.
5. [Part 69 and Part 101, Sections 11-0303, 11-0321 and 11-2101 - Regional Hunting Regulations](#) - This rulemaking is necessary to repeal regional hunting regulations.
6. [Parts 151, 153, 170, 174, 182; ECL Sections 11-0535, 11-0535-a, 11-0536, 11-1707, 11-1728, 11-1901, 11-903, 11-1905 and 11-1907 Omnibus changes to 6NYCRR](#) - This rulemaking brings regulations current with statutory changes and to improve application efficiency as part of the Governor's Lean initiative.
7. [Parts 151, 153, 170, 174, and 182 of Title 6 NYCRR](#) - Pertaining to possession of fur-bearing animals, preserve licenses, importation licenses, breeding and sale of cage birds, and sale of articles containing endangered or threatened species parts.
8. [Parts 151, 153, 170, 174, 182; ECL Sections 11-0535, 11-0535-a, 11-0536, 11-1707, 11-1728, 11-1901, 11-903, 11-1905, and 11-1907-Omnibus changes to 6NYCRR](#) - This rulemaking brings regulations current with statutory changes and to improve application efficiency as part of the Governor's Lean initiative.
9. [Part 180.1; ECL Section 11-0511](#) - This rulemaking is to expand the list of animals which pose a risk to health or welfare of the people of the state or indigenous fish and wildlife.
10. [Part 182; ECL Sections 3-0301 and 11-0535](#) - This rulemaking improves the review of projects by removing some project types from the review process that are known not to cause harm and continues to protect threatened and endangered species.
11. [Proposed Section 190.36 Northern Catskill Riparian Areas](#) - The purpose of this rule is to ensure public safety and protect natural resources on the Northern Catskill Riparian Areas.
12. [Part 205 Architectural and Industrial Maintenance \(AIM\) Coatings](#) - The purpose of this rulemaking is to reduce emissions from AIM coatings by reducing the volatile organic compound (VOC) content limits for some coating categories. In addition, this revision removes the quart exemption.
13. [Part 218-7, Aftermarket Parts](#) - The Department is proposing to amend Part 218 to incorporate revisions to aftermarket catalytic converter (AMCC) standards incorporated in the low emission vehicle (LEV) program; and to update various provisions incorporated by reference in Part 200.

14. [Proposed Part 219, Incinerators](#) - The Department is proposing to repeal and replace 6 NYCRR Subpart 219-4 and sunset Subparts 219-5 and 219-6. The Department is also proposing to add a new Subpart 219-10. Following adoption, Part 219 will be submitted to EPA as a revision to the State Implementation Plan for New York State.
15. [Part 222, Distributed Generation Sources](#) - The Department is proposing to adopt a new 6 NYCRR Part 222, "Distributed Generation Sources" to replace the rule adopted on November 1, 2016. The new rule would apply to demand response and price-responsive generation sources located in the NYC metropolitan area as defined at 6 NYCRR Part 200.1(a).
16. [Subpart 225-2, Fuel Composition and Use - Waste Oils](#) - The proposal will establish applicability criteria, composition limits, and permitting requirements for waste oils; establish monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allow for the burning of waste oils in space heaters at automotive maintenance/service facilities.
17. [Subpart 227-1, Stationary Combustion Installations](#) - Revisions include lowering PM emission limits for existing and new stationary combustion installations, correct minor typographical errors, and update the regulation to incorporate changes to the air permitting regulations.
18. [Subpart 227-3 Ozone Season Oxides of Nitrogen \(NOx\) Emission Limits for Simple Cycle and Regenerative Combustion Turbine](#). DEC is proposing to establish lower NOX emissions standards for simple cycle and regenerative combustion turbines during the ozone season.
19. [Parts 370-374 and 376](#) - DEC is proposing to revise the 6 NYCRR Parts 370, 371, 372, 373, 374, and 376 regulations to incorporate thirty-eight (38) federal rules and approximately eighty (80) state-initiated changes.
20. [Sections 10.1, 10.10, 11.2, 35.1, 35.3, 42.2, 43-1.1, 43-2.1, 45.1, 47.1, 576.2, and 591.3](#) - This proposal will amend 6 NYCRR Sections 10.1, 10.10, 11.2, 35.1, 35.3, 42.2, 43-1.1, 43-2.1, 45.1, 47.1, 576.2, and 591.3, to replace all references to the Tappan Zee Bridge with the name of the new bridge -- the Governor Mario M. Cuomo Bridge.

Emergency Regulatory Actions

1. [Part 40 - Commercial Scup](#) - This rulemaking is necessary to implement the required measures to remain consistent with National Oceanic and Atmospheric Administration Fisheries regulations. Comment period closed.
2. [Part 41 - Sanitary Conditions of Shellfish Lands \(2019\)](#) - This rulemaking is necessary to prevent the harvest of shellfish from areas that do not meet water quality standard and protect the public health. This rulemaking also increases opportunities for shellfish harvest from areas whose water quality now meets the standards.

Recently Adopted Regulations (Previous Twelve Months)

1. [Part 186 - Feeding of wild deer and moose, use of 4-PosterTM devices](#) - Adopted on December 24, 2019. Effective on December 24, 2019. The proposed regulation restricts unauthorized intentional feeding of wild deer and moose that can lead to environmental harm, public hazard, and increased wildlife disease risks. By permitting under specified conditions the use of automated feeding devices, in conjunction with use of 4-PosterTM Tickicide, the regulation allows the public to address local tick densities while mitigating potential deer-related problems.
2. [Part 189; ECL Sections 03-0301, 11-0325, and 11-1905-Chronic Wasting Disease](#) - Adopted on November 13, 2019. Effective on November 13, 2019. This rulemaking is to amend regulations to reduce risk of introductions of infectious material into New York.
3. [Adopted Part 227-3, Ozone Season Oxides of Nitrogen \(NOx\) Emission Limits for Simple Cycle and Regenerative Combustion Turbines](#) - Effective January 16, 2020. Subpart 227-3 establishes lower NOx emissions standards for simple cycle and regenerative combustion turbines during the ozone season.
4. [Subpart 227-2, Reasonably Available Control Technology \(RACT\) for Major Facilities of Oxides of Nitrogen \(NOx\) and Part 200, General Provisions](#) - Effective December 7, 2019. Subpart 227-2 will entail the removal of dated references, emission limitations, and practices. Part 200 will entail the updating of references. Subpart 227-2 will be submitted to EPA as a revision to the State Implementation Plan for New York State.
5. [Part 257, Air Quality Standards and Classifications](#) - Effective December 6, 2019. Part 257, Subparts 257-2 through 257-10, list the NYS Air Quality Standards (SAQS) promulgated by the Department over several decades. A number of these SAQS are outdated and have been superseded by Federal air quality standards and are proposed to be repealed or revised.
6. [Part 40 - Marine Fish - Recreational Scup](#) - Adopted on November 13, 2019. Effective on June 20, 2019. This rulemaking will provide a year-round open fishing season for recreational scup, and increases the part/charter boat possession limit to 50 fish per angler during Sept 1 - Oct 31.
7. [Part 226 Solvent Metal Cleaning Processes](#) - Effective November 1, 2019. The Department is revising Part 226, Solvent Metal Cleaning Processes and re-designating it Subpart 226-1, Solvent Cleaning Processes; adding a new Subpart 226-2, Industrial Cleaning Solvents; and making related changes to Part 201, Permits and Registrations.
8. [Part 208 Landfill Gas Collection and Control Systems for Certain Municipal Solid Waste Landfills](#) - Effective date: September 4, 2019. This proposal will revise Part 208 and attendant revisions to Part 200 to incorporate the new federal Emission Guideline for reducing emissions from MSW Landfills.
9. [Subpart 482-2 Operating Program Fee](#) - Effective date: June 19, 2019. This regulation establishes the fee to be paid by all facilities that are subject to the requirements of Title V of the Federal Clean Air Act (Act).
10. [Part 44 Jonah Crab](#) - Adopted June 5, 2019. Effective June 5, 2019 - This rulemaking is necessary to comply with the Jonah Crab Fisheries Management Plan.
11. [Part 251, CO2 Performance Standards for Major Electric Generating Facilities](#) - Effective on June 8, 2019 - The amendments to 6 NYCRR Parts 251 and 200 establish carbon dioxide (CO₂) emissions standards for non-modified existing major electric

generating facilities, while leaving unchanged the existing CO2 emission standards for new and modified major electric generating facilities, and update incorporated references to federal rules.

12. [Parts 700, 703 and 890 BEACH Act](#) - Adopted June 4, 2019, Effective date of November 1, 2019 - This rule making establishes new water quality standards for all coastal recreation waters to meet the requirements of the federal Beaches Environmental Assessment and Coastal Health (BEACH) Act of 2000 (P.L. 106-284). The amendments also reclassify certain Class I waters consisting of Upper New York Bay and a portion of Lower New York Bay to add the best usage of primary contact recreation to these waters.
13. [Part 40 Striped Bass](#) - Adopted on May 15, 2019. Effective on May 15, 2019 - This rulemaking proposes to open the commercial striped bass season two weeks earlier. There will be no changes to the commercial striped bass quota.
14. [Parts 243, 244, 245](#) - Effective on January 2, 2019. This rule making is in response to EPA comments and to conform to the federal CSAPR Update. They are technical corrections, clarifications, cross-reference revisions, and deadline adjustments.

More about Proposed, Emergency, and Recently Adopted Regulations:

[Air Pollution Regulatory Revisions](#) - Proposed, emergency and recently adopted regulations pertaining to air pollution

[Hearings and Mediation Services Regulatory Revisions](#) - Proposed, emergency and recently adopted regulations pertaining to Hearings and Mediation Services.

[Water Regulatory Revisions](#) - Proposed, emergency and recently adopted regulations pertaining to the Division of Water

[Fish and Wildlife Regulatory Revisions](#) - Express terms and regulatory impact statements for proposed and emergency Fish and Wildlife regulations.

[Marine Resources Regulatory Revisions](#) - Express terms and regulatory impact statements for proposed and emergency Marine Resources regulations.

[Lands and Forests Regulatory Revisions](#) - This page lists all laws and regulations proposed, emergency and recently adopted by the Division of Lands and Forests.

[Bulk Storage Regulatory Revisions](#) - Proposed and recently adopted regulations pertaining to Liquefied Natural Gas and Bulk Storage of Petroleum and Chemicals.

[Climate Change Regulatory Revisions](#) - Regulations promulgated under 6 NYCRR Chapter IV, Quality Services.

[Environmental Remediation Regulatory Revisions](#) - Adopted regulations pertaining to 6 NYCRR Part 375 - Environmental Remediation Programs.

[Hazardous Waste Management Regulatory Revisions](#) - General information about proposed and potential revisions to the Hazardous Waste Management regulations (6 NYCRR Parts 370-374 and 376).

[Radioactive Materials Regulatory Revisions](#) - Amendments to 6 NYCRR Part 380 - Prevention and Control of Environmental Pollution by Radioactive Materials

[Solid Waste Management Regulatory Revisions](#) - The existing regulations for solid waste management facilities are currently found in Part 360. A component of this proposed rulemaking is to subdivide the solid waste management facility regulations into groups that are similar in nature.

[General Regulatory Revisions](#) - Proposed, emergency and recently adopted General regulations