

Veolia North America

Regulatory Update - November 2025



ENVIRONMENTAL UPDATES

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HEALTH & SAFETY UPDATES

No Health & Safety Updates for November 2025

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The information contained herein is provided by Veolia North America for general informational purposes only. This information should not be construed as legal advice or a legal opinion on any specific facts or circumstances. If you should have any questions, please contact Kevin McGrath, Director, Environment at kevin.mcgrath@veolia.com or Nick Fiori, EHS Manager at Nicholas.fiori@veolia.com .

A. National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors: Residual Risk and Technology Review; Withdrawal of Proposed Revisions to Standards for Periods of Malfunction; Proposed Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 11/10/2025

Comments Due: 12/26/2025

Summary

The Environmental Protection Agency (EPA) published proposed revisions to the National Emission Standards for Hazardous Air Pollutants (NESHAP) From Hazardous Waste Combustors. EPA is proposing to establish emission limits and work practice standards for hydrogen fluoride and hydrogen cyanide emissions from HWC incinerators, cement kilns, solid fuel boilers, and liquid fuel boilers; eliminate the startup, shutdown, and malfunction (SSM) exemption; add a work practice standard for periods of SSM; add electronic reporting procedures and requirements; allow states to choose to exempt area sources from certain permitting requirements; and other clarifications and corrections.

The EPA is proposing the following:

- Hydrogen Fluoride (HF): Proposing to not establish standards for hazardous waste lightweight aggregate kilns and hydrochloric acid production furnaces because the EPA has no data showing that they emit HF; to establish numerical emission limits for solid fuel boiler major sources; and to establish work practice standards for major source hazardous waste incinerators, hazardous waste cement kilns, and hazardous waste liquid fuel boilers.
- Hydrogen Cyanide (HCN): Proposing to not establish standards for hazardous waste incinerators, lightweight aggregate kilns, and hydrochloric acid production furnaces because EPA has no data showing that they emit HCN; to establish numerical emission limits for hazardous waste cement kilns and solid fuel boilers; and to divide hazardous waste liquid fuel boilers by size into three (3) subcategories and establish emission limits for two of the subcategories.
- Revisions to the startup, shutdown, and malfunction provisions to remove the exemption and propose a work practice standard for those periods. The proposal would also require facilities to follow an approved plan for those three periods, to only burn approved, clean fuels during startup and shutdown, and to stop burning hazardous waste immediately if the hazardous waste combustor malfunctions.
- EPA is also proposing to allow states to exclude Hazardous Waste Combustors classified as “area sources” from the requirement to obtain a CAA Title V permit.

To view the EPA webpage on this rulemaking please click the following link:

<https://www.epa.gov/stationary-sources-air-pollution/hazardous-waste-combustors-national-emission-standards-hazardous>

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Reference/Link

The link below will allow you to view/print the Proposed Rule.

<https://www.govinfo.gov/content/pkg/FR-2025-11-10/pdf/2025-19815.pdf>

B. EPA; Methylene Chloride; Regulation Under the Toxic Substances Control Act (TSCA); Compliance Date Extension

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 11/13/2025

Comments Due: 12/15/2025

Summary

The Environmental Protection Agency (EPA) has issued an extension for the compliance date of the recent changes to the Methylene Chloride Workplace Chemical Protection Program (WCPP) and associated recordkeeping compliance dates for industrial or commercial laboratories under the Toxic Substances Control Act (TSCA.) With the new compliance date extension all non-Federal laboratories will share the same compliance dates with Federal and Federally contracted laboratories.

Laboratories under this final rule will have until:

November 9, 2026 - to conduct initial monitoring

February 8, 2027 - to establish regulated areas and ensure compliance with the Existing Chemical Exposure Limit (ECEL) and EPA Short-Term Exposure Limit (STEL)

May 10, 2027 - to develop and implement an exposure control plan.

Reference/Link

The link below will allow you to view/print the Compliance Date Extension.

<https://www.govinfo.gov/content/pkg/FR-2025-11-13/pdf/2025-19881.pdf>

C. **Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Data Reporting and Recordkeeping Under the Toxic Substances Control Act (TSCA); Revision to Regulation; Proposed Rule**

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 11/13/2025

Comments Due: 12/29/2025

Summary

The Environmental Protection Agency (EPA) is proposing amendments to the Toxic Substances Control Act (TSCA) to include reporting and recordkeeping requirements for perfluoroalkyl and polyfluoroalkyl substances (PFAS). EPA is proposing to incorporate certain exemptions and other modifications to the scope of the reporting regulation that was promulgated in October 2023. This would add an exemption from reporting on activities about which manufacturers are least likely to know or reasonably ascertain.

This action is being done as part of the Executive Order 14219, “Ensuring Lawful Governance and Implementing the President’s ‘Department of Government Efficiency’ Deregulatory Initiative,” which directs agencies to initiate a process to review existing rules for consistency with the best reading of the governing statute, Administration policy, cost-benefit balancing principles, and to rescind or revise regulations as appropriate.

The proposed amendments are as follows:

- De Minimis Exemption - EPA is proposing a de minimis concentration exemption for reportable PFAS in mixtures or articles under which PFAS concentrations below 0.1% would be exempt from reporting.
- Imported Articles. - EPA is proposing to exempt PFAS imported as part of an article from the scope of reportable activities. EPA recognizes that importing PFAS in articles between 2011–2022 is an activity about which manufacturers are unlikely to have known or reasonably ascertainable information.
- Byproducts, Impurities, and Nonisolated Intermediates - EPA is proposing to exempt the manufacture of PFAS as byproducts, impurities, non-isolated intermediates, or upon incidental exposure, or end use of another substance or mixture from the scope of reportable activities when such substances are manufactured under conditions described in 40 CFR 720.30(h).
- Research and Development (R&D) Chemicals - EPA is proposing to exempt PFAS manufactured (including imported) in small quantities for R&D purposes (see proposed 40 CFR 705.12). The proposed exemption, while limited to PFAS manufactured solely for R&D purposes, has no threshold limit. EPA notes that such quantities manufactured solely for R&D purposes are quantities no greater than reasonably necessary for those R&D activities (see 40 CFR 704.3, which defines small quantities for research and development as “quantities of a chemical substance manufactured, imported, or processed or proposed to be manufactured, imported,

or processed solely for research and development that are not greater than reasonably necessary for such purposes”).

Comments on this proposed rule are due on or before December 29, 2025.

Reference/Link

The link below will allow you to view/print the Proposed Rule.

<https://www.govinfo.gov/content/pkg/FR-2025-11-13/pdf/2025-19882.pdf>

D. Extension of Postponement of Effectiveness for Certain Provisions of Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA); Notification

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 11/14/2025

Extension Date: 02/17/2026

Summary

The Environmental Protection Agency (EPA) has extended the effectiveness of certain regulatory provisions of the final rule entitled “Trichloroethylene (TCE); Regulation Under the Toxic Substances Control Act (TSCA)” for an additional 90 days. Specifically, this postponement applies to the conditions imposed on the uses with TSCA section 6(g) exemptions.

The final risk-management rule under TSCA published on December 17, 2024, included extended phaseouts or TSCA section 6(g) exemptions to permit several uses to continue under workplace restrictions for longer periods. This final rule further extends the effectiveness of this section.

Reference/Link

The link below will allow you to view/print the Notification.

<https://www.govinfo.gov/content/pkg/FR-2025-11-14/pdf/2025-19887.pdf>

E. California - Updated Hazardous Waste Facility Permit Criteria for Additional Community Protections; Notice of Proposed Rulemaking

Agency

California Department of Toxic Substances Control (DTSC)

Dates

Published Date: 11/2025

Comments Due: 01/26/2026 (extended from 1/07/2026)

Public Hearing: 01/07/2026 1:00 PM – 3:00 PM PDT

Summary

The California Department of Toxic Substances Control (DTSC) has proposed regulatory action that would modify the permitting program for facilities that treat, store, or dispose (TSDF) of hazardous waste. The purpose of the proposed actions is to establish earlier opportunities for public input, consider community vulnerability and public input in permit conditions, and enforce health-protective setback distances.

The proposed regulation clarifies that sensitive receptor locations must be documented rather than “identified” as stated in the original text. The proposed regulation also requires a baseline Human Health Risk Assessment (HHRA) within 90 days based on the following considerations:

1. evidence of facility-wide onsite contamination or contamination has migrated beyond the facility boundaries;
2. normal management of hazardous waste results in the release, emission, or discharge of any pollutant or chemical of potential concern with offsite consequences;
3. there is a potential complete pathway between the chemical of potential concern and
4. foreseeable risk of upset scenarios may impact offsite receptors.

The HHRA will also have to include a HHRA Summary that includes information on Excess Lifetime Cancer Risk (ELCR), Non-cancer Hazard Index (HI), Maximally Exposed Individual Sensitive Receptor (MEISR) setback distance, Cancer Risk Map, and Non-Cancer Hazard index Map. The proposed regulation also focuses on Community Vulnerability with a Community Vulnerability Profile. The proposed regulations also include changes to the pre-application requirements, including a 30-day public notice of the pre-application meeting.

To view the proposed regulatory text please click the following link -

<https://dtsc.ca.gov/wp-content/uploads/sites/31/2025/11/R-2021-07R-02-Proposed-Regulatory-Text.pdf>

Reference/Link

The link below will allow you to view/print the California DTSC Webpage for this subject.

<https://dtsc.ca.gov/updated-hazardous-waste-facility-permit-criteria-for-additional-community-protections/>

F. Inspection and Enforcement Priorities; Memorandum

Agency

U.S. Department of Transportation (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA)

Dates

Published Date: 11/20/2025

Summary

The Pipeline and Hazardous Materials Safety Administration (PHMSA) Office of Hazardous Materials Safety (OHMS) published a memorandum to identify their inspection and enforcement priorities. This is being done to provide the greatest positive impact on hazardous materials safety.

The Inspection Priorities that will most impact Veolia's business are:

- General hazardous materials shippers: Routine oversight of shippers helps ensure that the foundational requirements of the HMR are consistently met.
- Cylinder requalification facilities: Proper cylinder maintenance and requalification are essential to preventing catastrophic failures during transportation.
- Cylinder manufacturing (both foreign and domestic entities): Ensuring compliance at the point of manufacture supports the safe distribution and use of cylinders throughout the supply chain.
- Drum manufacturing operations: Quality oversight at manufacturing facilities minimizes risks associated with packaging failures.
- Drum recertification entities: Verifying recertification processes protects the integrity of reused packaging and prevents unsafe containers from re-entering commerce.
- Follow-up inspections of companies with previous major safety violations (recidivism focus): Revisiting high-risk companies reinforces compliance expectations and helps deter repeat violations.
- Shippers of lithium batteries: Increased oversight in this rapidly growing sector helps prevent incidents associated with improperly packaged or declared batteries.
- Undeclared hazardous material shippers operating via e-commerce platforms: Targeting undeclared shipments strengthens our ability to address emerging risks in an evolving marketplace.

The OHMS conducts hazardous materials safety inspections and investigations and uses the following three enforcement actions to ensure regulated compliance with the hazardous materials safety laws and regulations.

- “Warning Letters - OHMS issues warning letters to notify regulated entities of probable violations of the hazardous materials safety law or regulations.”
- “Ticketing - OHMS issues tickets to regulated entities for alleged violations that do not have a direct or substantial impact on safety.”
- “Notices of Probable Violation (NOPVs) - OHMS issues NOPVs to regulated entities of alleged violations of the hazardous materials safety law or regulations.”

The memorandum identifies the following outreach priorities to improve industry engagement, increase awareness of regulatory requirements and to build a stronger compliance partnership:

- “Increasing communication and engagement with hazardous materials shippers: Strengthening dialogue with industry stakeholders promotes trust, encourages collaboration, and provides opportunities to address compliance issues before they result in enforcement actions.
- Supporting shipper understanding and compliance with hazardous materials package selection requirements: Clear guidance helps to reduce packaging-related violations, to mitigate the risk of leaks or spills during transportation, and to ensure the safe delivery of hazardous materials.
- “Promoting proper classification of materials prior to shipment: Accurate classification is fundamental to safe transportation. By reinforcing this requirement, we can reduce misclassified shipments, prevent serious safety hazards, and maintain a high level of industry accountability.”

The memorandum also identified the following enforcement priorities to advance safety by incorporating ongoing findings from inspection results and monitoring industry and individual practices:

- “Ensure Timely and Accurate Case Processing: All enforcement reports must be processed in accordance with the most current OHMS Operations Manual, with common warning letters and tickets closed or referred to collections in the Case Management System (CMS) within 180 days.
- Focus on Risk-Based Enforcement: Prioritize enforcement actions based on violations that present the highest risk to public safety, the environment, and national security.
- Promote National Consistency and Accountability: Regional leadership must apply penalty guidelines uniformly and monitor performance metrics to ensure consistent and transparent enforcement outcomes across all regions.
- Leverage Data to Drive Strategic Improvements: Use enforcement trends and CMS analytics to inform policy decisions, enhance compliance strategies, and proactively address recurring or emerging violations.”

Reference/Link

The link below will allow you to view/print the Memorandum.

<https://www.phmsa.dot.gov/sites/phmsa.dot.gov/files/2025-11/PHMSA%20Hazardous%20Materials%20Enforcement%20Priorities%20Memo.pdf>

G. DEA; Schedules of Controlled Substances: Placement of 4-Chloromethcathinone in Schedule I; Finale Rule

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 11/17/2025

Effective Date: 12/17/2025

Summary

The Drug Enforcement Administration (DEA) has placed 4- chloromethcathinone (4-CMC, 1-(4- chlorophenyl)-2-(methylamino)propan1-one), including its salts, isomers, and salts of isomers, in schedule I of the Controlled Substances Act.

This Final Rule imposes the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import export, engage in research, conduct instructional activities or chemical analysis with, or possess) or propose to handle 4-chloromethcathinone.

Reference/Link

The link below will allow you to view/print the Final Rule.

<https://www.govinfo.gov/content/pkg/FR-2025-11-17/pdf/2025-20004.pdf>