

Veolia North America

Regulatory Update - April 2026



ENVIRONMENTAL UPDATES

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- B. [EPA; Modification to the Start of the Submission Period for Perfluoroalkyl and Polyfluoroalkyl Substances \(PFAS\) Reporting and Recordkeeping Under TSCA 8\(a\)\(7\); Final Rule](#)
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TRANSPORTATION UPDATES

No Transportation Updates for April 2026

HEALTH & SAFETY UPDATES

No Health & Safety Updates for April 2026

MISCELLANEOUS UPDATES

- E. [DEA; Schedules of Controlled Substances: Rescheduling of Food and Drug Administration Approved Products Containing Marijuana From Schedule I to Schedule III; Corresponding Change to Permit Requirements; Final Rule](#)

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A. National Emission Standards for Hazardous Air Pollutants: Chemical Manufacturing Area Sources Technology Review; Final Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 04/01/2026

Effective Date: 04/01/2026

Summary

The Environmental Protection Agency (EPA) published a final rule that amends the National Emission Standards for Hazardous Air Pollutants (NESHAP) for the Chemical Manufacturing Area Source (CMAS) categories pursuant to a technology review under Clean Air Act (CAA) section 112(d)(6).

This final rule establishes new standards for leak detection and repair (LDAR) for equipment leaks and heat exchange systems in organic hazardous air pollutant (HAP) service. The final rule also adds standards for pressure relief devices (PRDs) and pressure vessels; require electronic reporting for notification of compliance status (NOCS), performance test reports, and periodic reports; and require continuous performance testing of non-flare air pollution control devices (APCD).

Equipment Leaks in Organic Hazardous Air Pollutants (HAP) Service

- EPA is finalizing the proposed instrument monitoring program (i.e., annual monitoring of pumps in LL service, valves in G/V and LL service, and connectors in G/V and LL service) using a leak definition of 10,000 ppmv. Additionally, the EPA is finalizing the Agency's proposal to incorporate all the requirements from 40 CFR part 63, subpart H for compressors, sampling connections systems, open-ended valves or lines, equipment in HL service, closed vent systems and control devices, and agitators.

Heat Exchange Systems in Organic Hazardous Air Pollutant (HAP) Service

- EPA is finalizing the proposed GACT standards, requiring owners and operators to conduct quarterly monitoring for new and existing heat exchange systems with flowrates greater than or equal to 8,000 gpm (after an initial six months of monthly monitoring if not already completed) using the Modified El Paso Method and repair leaks of total strippable hydrocarbon concentration (as methane) in the stripping gas of 6.2 ppmv or greater without changes.
- The EPA is also finalizing that owners and operators may use the current leak monitoring requirements for heat exchange systems at 40 CFR 63.104(b) in lieu of using the Modified El Paso Method, provided that 99 percent by weight or more of the organic compounds that could leak into the heat exchange system are water soluble and have a Henry's Law Constant less than $5.0E-6$ atmospheres-cubic meters per mole at 25 degrees Celsius.

Pressure Vessel

- Defined in 40 CFR 63.101 as a storage vessel that is used to store liquids or gases and is designed not to vent to the atmosphere as a result of compression of the vapor headspace in the pressure vessel during filling of the pressure vessel to its design capacity.

Pressure Relief Devices

- EPA is finalizing PRD management practices that require owners and operators to monitor PRDs in organic HAP service for leaks after placing a PRD into organic HAP service following a pressure release from the PRD.
- The final rule requires owners and operators to implement preventative measures, perform root cause analysis and corrective action if a PRD releases directly to the atmosphere, and monitor PRDs such that the time and duration of each pressure release can be recorded.

Closed Vent Systems with Bypass Lines

- Owners and operators may not bypass the Air Pollution Control Device (APCD) at any time and that doing so is a deviation from the emission standards. The use of a cap, blind flange, plug, or second valve on open-ended valves or lines is sufficient to prevent a bypass.
- Additionally, the final rule removes the exemption for gas streams exiting analyzers.

Process Vents

- EPA is revising the definition of “metal HAP process vent” to remove the 50 ppmv metal HAP concentration threshold, as proposed.

Storage tanks, wastewater streams, and transfer operations in the Chemical Manufacturing Area Source(s) (CMAS) categories

- EPA is finalizing its proposed determination in the technology review that there are no developments in practices, processes, and control technologies that warrant revisions to the GACT standards. The EPA notes that the Agency is finalizing standards for pressure vessels pursuant to CAA section 112(d)(5) (see section III.A of this preamble), which eliminates their exemption from the definition of “storage tank” in the CMAS NESHAP.

Other Changes to NESHAP:

- Requirement that owners or operators submit electronic copies of certain required performance test reports, NOCS, and periodic reports through the EPA’s CDX using the CEDRI.
- Requirement that owners and operators submit performance test results in the format generated through the use of the EPA’s Electronic Reporting Tool (ERT) or an electronic file consistent with the XML schema on the ERT website.
- Requirement that owners or operators submit NOCS as a PDF upload in CEDRI.
- Initial and recurring performance testing must demonstrate compliance with certain process vent and storage tank provisions.
- Removal of the design evaluation and engineering assessment options for process vents in organic HAP service or metal HAP service, respectively.
- Elimination of the affirmative defense provisions at 40 CFR 63.11501(e) and the definition of “affirmative defense” in 40 CFR 63.11502(b).

- Lastly, the EPA is finalizing many of the revisions that the Agency proposed for clarifying text or correcting typographical errors, grammatical errors, and cross-reference errors.

The final rule is estimated to reduce HAP emissions by approximately 160 tons per year and Volatile Organic Compounds (VOCs) emissions by 1,582 tons per year. The EPA estimates total capital costs of approximately \$18.4 million and annual costs of \$5.7 million. Present value costs over 2027-2041 are estimated at \$72 million (3% discount rate) or \$56 million (7% discount rate). The rule affects 251 CMAS facilities, with 55 small entities experiencing an average cost-to-sales ratio of 0.18% (or 0.14% with product recovery value).

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-04-01/pdf/2026-06304.pdf>

B. Modification to the Start of the Submission Period for Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) Reporting and Recordkeeping Under TSCA 8(a)(7); Final Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 04/13/2026

Effective Date: 04/13/2026

Summary

The Environmental Protection Agency (EPA) has published a final rule to modify the submission period to begin on January 31, 2027, or 60 days following the effective date of a forthcoming final rule on the substantive requirements of the PFAS Reporting Rule, whichever is earlier. TSCA section 8(a)(7) requires the EPA to create a rule compelling manufacturers of PFAS chemicals since January 1, 2011, to report specific information outlined in TSCA section 8(a)(2)(A)-(G).

This final rule establishes a backstop date relative to the November 13, 2025 proposed rule; however, the EPA anticipates finalizing the revised rule prior to the backstop date's implementation.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-04-13/pdf/2026-07062.pdf>

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C. EPA Issues Title V Permitting Guidance to Ensure Certainty for American Businesses and Alleviate Permitting Backlogs

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: April 17, 2026

Summary

On April 17, 2026 Environmental Protection Agency (EPA) issued a guidance to permitting authorities stating that they may no longer require additional information from applicants renewing unchanged permits, reducing unnecessary paperwork and bureaucratic delays.

The EPA has issued this guidance to promote the following benefits:

- Provide business certainty and reduce red tape
- Allow permitting agencies to focus resources on new or substantially changed permits
- Help alleviate permitting backlogs and improve efficiency

The guidance provides the following flexibilities:

- Applicants can resubmit prior applications with updated dates
- Previous application materials can be cross-referenced or incorporated
- Permitting authorities can streamline their "Statement of Basis" to focus on new requirements rather than rehashing existing ones

The EPA's new guidance maintains that permitting authorities retain the ability to request additional information when necessary to ensure compliance with other applicable requirements. The EPA aims to balance regulatory efficiency with environmental protection by eliminating redundant paperwork in permit renewals while preserving oversight capabilities for permits with substantive changes.

To read EPA's new guidance, please visit the Title V Operating Permit webpage:

<https://www.epa.gov/title-v-operating-permits/title-v-operating-permit-policy-and-guidance-document-index>

Reference/Link

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

<https://www.epa.gov/newsreleases/epa-issues-title-v-permitting-guidance-ensure-certainty-american-businesses-and>

D. Interim Guidance on the Destruction and Disposal of Perfluoroalkyl and Polyfluoroalkyl Substances and Materials Containing Perfluoroalkyl and Polyfluoroalkyl Substances—2026 Version; Interim Guidance

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 04/20/2026

Comments Due: 06/29/2026

Summary

As required by the National Defense Authorization Act for Fiscal Year 2020 (FY 2020 NDAA) the Environmental Protection Agency (EPA) has published an updated Interim Guidance on the Destruction and Disposal of Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) and Materials Containing Perfluoroalkyl and Polyfluoroalkyl Substances.

The EPA's interim guidance presents current information on the destruction and disposal of perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS-containing materials. The 2026 guidance focuses on updates on thermal treatment, landfill and underground injection. The guidance does not impose new regulations or have the force and effect of law. The intended audience for the interim guidance are decision-makers (e.g., managers of PFAS and PFAS-containing materials making decisions about destruction and disposal) who need to identify effective means for destroying or disposing of PFAS-containing materials and wastes.

In this recent update of the analysis the DoW identified RCRA and CAA permitted Hazardous Waste Incinerators (HWIs) with operating temperatures greater than 1100°C in the afterburner/secondary combustion chamber as an allowable destruction option. The DoW notes multiple incinerator companies that have completed testing to ensure the effectiveness of the treatment method.

DoW has identified the following options for the DoW Components to use for the commercial destruction or disposal of its PFAS- containing materials:

- Hazardous waste incinerators with environmental permits that meet certain temperature requirements
- Carbon reactivation units with environmental permits (for used granular activated carbon (GAC) only).
- Hazardous waste landfills with environmental permits.
- Solid waste landfills with environmental permits that have composite liners, and gas and leachate collection and treatment systems (not an option for AFFF concentrate)
- Underground injection control wells with environmental permits
- Thermal desorption units that use off-gas collection and thermal oxidation with Environmental Permits (for soils only)
- Other Destruction Technologies with Environmental Permits or Regulator Approval

Comments on this Interim Guidance are due on or before June 29, 2026.

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Reference/Link

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

<https://www.epa.gov/system/files/documents/2026-04/2026-interim-guidance-on-pfas-destruction-and-disposal.pdf>

E. Schedules of Controlled Substances: Rescheduling of Food and Drug Administration Approved Products Containing Marijuana From Schedule I to Schedule III; Corresponding Change to Permit Requirements; Final Rule

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 04/28/2026

Effective Date: 04/28/2026

Summary

The Drug Enforcement Administration, along with the Department of Justice, have issued a final rule to place drug products containing marijuana that have been approved by the Food And Drug Administration (FDA) in schedule III of the Controlled Substances Act (CSA). This final rule applies to marijuana as defined in the CSA, marijuana extracts, and delta-9-tetrahydrocannabinol and other compounds derived from the marijuana plant (other than the mature stalks and seeds) that falls outside the definition of hemp, to the extent that any of these are included in an FDA-approved drug product or are subject to a state-issued license to manufacture, distribute, and /or dispense marijuana or products containing marijuana for medical purposes(“state medical marijuana license”).

What Was Rescheduled:

- FDA-approved drug products containing marijuana (including marijuana extracts and naturally derived delta-9-tetrahydrocannabinol/D9–THC from the cannabis plant)
- Marijuana subject to a state medical marijuana license. These are moved from Schedule I to Schedule III of the Controlled Substances Act (CSA).

What Was NOT Rescheduled / Remains in Schedule I:

- Unlicensed bulk marijuana, marijuana crops, and marijuana extracts not yet incorporated into FDA-approved products
- Synthetically derived THC (e.g., delta-10-tetrahydrocannabinol)
- Previously rescheduled products (e.g., Marinol, Syndros) are unaffected

Hemp (as defined in 7 U.S.C. 1639o) is unaffected by this rule.

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New Regulatory Requirements for Schedule III Marijuana:

1. Registration: All handlers (manufacturers, distributors, dispensers, importers, exporters, researchers) must register with DEA
2. Disposal: Must follow 21 CFR Part 1317
3. Fees: Manufacturers: \$3,699/year; Distributors: \$1,850/year; Dispensers/Pharmacies: \$888 per 3-year registration
4. Prescriptions: Required prior to dispensing, issued for legitimate medical purposes
5. Records and Reports: All DEA registrants must maintain records and submit reports
6. Security: Must comply with DEA security requirements
7. Labeling and Packaging: Must meet Schedule III requirements
8. Inventory: Initial and biennial inventory required
9. Manufacturing and Distributing: Only for legitimate purposes under the FD&C Act and CSA
10. Liability: Unauthorized activities remain unlawful

State Medical Marijuana Licensee Registration:

- A new expedited registration pathway (§1301.13(k)) is established for state-licensed medical marijuana entities
- State licenses serve as conclusive evidence of state-law authorization
- DEA registration automatically suspends if the underlying state license is suspended, revoked, or expires
- Applications submitted within 60 days of publication must be processed within 6 months
- Early applicants may operate under state licenses during the pendency of review
- State-required records, labeling, packaging, disposal, and security standards are accepted in lieu of federal requirements (with some exceptions)
- A nominal-price purchase-and-resale mechanism is established to satisfy Article 23 of the Single Convention (DEA must serve as exclusive purchaser of cannabis production)

Import/Export Permit Requirement:

- 21 CFR §1312.30 is amended to add FDA-approved marijuana products and state-licensed medical marijuana to the list of Schedule III–V non-narcotic substances requiring an import and export permit, maintaining compliance with Article 31 of the Single Convention.

Tax Implications:

- State licensees will no longer be subject to the Section 280E deduction disallowance of the Internal Revenue Code, which previously applied to businesses trafficking in Schedule I or II controlled substances. The Administrator encourages the Treasury Secretary to consider retrospective relief from Section 280E liability.

Definitions Added (21 CFR §1300.01):

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- "Marijuana" — as defined in 21 U.S.C. 802(16)(A)
- "State medical marijuana license" — a license issued by a state, D.C., or federal territorial entity authorizing manufacture, distribution, and/or dispensing of marijuana for medical purposes

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-04-28/pdf/2026-08176.pdf>