

Veolia North America

Regulatory Update - May 2026



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A. EPA Permitting Authority Map; Memorandum

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 05/2026

Summary

The Environmental Protection Agency (EPA) has created an EPA Permitting Authority Map to assist in identifying which regulatory agency has the authority to review and approve permits corresponding to EPA's Permitting Programs and their supporting environmental statutes.

This will help stakeholders make a quick determination whether the permitting authority is with EPA or if there has been an approved delegation, primacy, or authorization given to a state, territory, Tribal nation, or local agency.

The EPA Permitting Authority Map should be used for planning purposes only and is not an official agency determination.

Reference/Link

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

<https://www.epa.gov/permits/epa-permitting-authority-map>

B. Definition of Hazardous Waste Applicable to Corrective Action for Releases From Solid Waste Management Units; Withdrawal of Proposed Rule

Agency

Environmental Protection Agency (EPA)

Dates

Published Date: 5/8/2026

Summary

The Environmental Protection Agency (EPA) has withdrawn its proposed rule entitled "Definition of Hazardous Waste Applicable to Corrective Action for Releases From Solid Waste Management Units."

The Agency concluded that the proposed revisions to the existing regulations would have complicated, rather than contributed to, efficient implementation of corrective action.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-05-08/pdf/2026-09179.pdf>

C. Restricting Drones Near Critical Infrastructure Sites; Proposed Rule

Agency

Federal Aviation Administration (FAA)
Department of Transportation (DOT)

Dates

Published Date: 05/06/2026

Comments Due: 07/06/2026

Summary

This Notice of Proposed Rulemaking (NPRM) from the Federal Aviation Administration (FAA) published on May 6, 2026, would establish a comprehensive regulatory framework for Unmanned Aircraft Flight Restrictions (UAFRs) under a new 14 CFR Part 74.

Purpose and Authority: The proposed rule implements Section 2209 of the FAA Extension, Safety and Security Act of 2016 (FESSA), as amended, which directs the FAA to create a process allowing operators and proprietors of certain fixed site facilities to request restrictions on unmanned aircraft operations in close proximity to those facilities.

Key Components:

1. Two Types of UAFRs:
 - a. Standard UAFR: Airspace with defined horizontal and vertical limits where unmanned aircraft operations are restricted unless they meet narrow exceptions. These are active either continuously (24/7 year-round) or part-time (up to 290 consecutive days per year).
 - b. Special UAFR: More restrictive airspace designation for highly sensitive federal sites and eligible fixed-site facilities with credible safety or security threats. These require both using agency permission and FAA Administrator approval for non-government operations.
2. Eligible Facilities: The rule limits UAFRs to fixed site facilities within 16 critical infrastructure sectors identified in National Security Memorandum 22 (NSM-22). Each sector has specific eligibility criteria.
 - a. Chemical sector

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- i. Criteria: A facility that uses, manufactures, stores, transports, possesses or distributes one or more hazardous-release chemicals at or above the minimum concentration percentages and screening threshold quantities. (Appendix A to Part 74)
- b. Commercial facilities (amusement parks, etc.)
- c. Communications
- d. Critical manufacturing
- e. Dams
- f. Defense industrial base
- g. Emergency services (including State prisons)
- h. Energy (electricity, oil refineries, natural gas)
 - i. Criteria: Energy facilities must meet minimum capacity thresholds
 - 1. 500 MW for power generation
 - 2. 500 kV for electrical substations
 - 3. 100,000 barrels per day for oil refineries
- i. Financial services
- j. Food and agriculture
- k. Government services and facilities
- l. Healthcare and public health
- m. Information technology
- n. Nuclear reactors, materials, and waste
- o. Transportation systems
 - i. Criteria:
 - 1. Surface Transportation
 - a. Rail facilities required by law to have a rail secure area.
 - b. Intermodal passenger transportation hubs that serve three or more of the following: ferries, commuter rail, heavy rail transit, Amtrak, intracity buses, and intercity buses.
 - c. Pipeline pump stations that are immediately upstream of mountain ranges.
 - d. Pipeline compressor stations that are just upstream of electric power generating plants or major metropolitan areas.
 - e. Electric substations providing power to pipeline pumping and compressor stations.
 - f. Electric substations providing power to railroad catenary systems.
 - g. Pipeline control stations/rooms that are sole source supply to cities, airports, and national defense infrastructure.
 - h. Highway bridges or tunnels that serve 50,000 or more vehicles daily and have a structure length of at least a half mile.

2. Maritime Transportation
 - a. The facility must be regulated by the Maritime Transportation Security Act and have a current active Facility Security Plan (FSP) or be covered by a Commandant approved Alternate Security Plan (ASP).
 - ii. Water and wastewater systems
 1. Criteria: Not yet developed for this sector. FAA seeks comments on the following.
 1. What types of drinking water and wastewater systems should be considered in development of gating criteria?
 2. What are the characteristics of drinking water and wastewater systems that should be considered in development of gating criteria?
 3. Should population served by a drinking water or wastewater system be considered in development of gating criteria, and if so, what are appropriate population thresholds?
 4. Should critical customers served by a drinking water or wastewater system be considered in development of gating criteria?
 5. Should a history of unauthorized drone flight over a drinking water or wastewater system be considered in development of gating criteria?
3. Application Requirements: Applicants must demonstrate:
 - The facility is a permanent, fixed site facility
 - It meets critical infrastructure definition
 - It meets sector-specific eligibility criteria
 - It has protective security measures (restricted access, designated security personnel, security monitoring, and Remote Identification sensing capability)
 - There is a documented safety or security need
 - Vulnerabilities to unmanned aircraft exist
 - Consequences of exploitation are significant
 - The UAFR would supplement existing security measures
 - Environmental impacts have been assessed
4. UAFR Characteristics:
 - Lateral boundaries must not exceed the facility's property line
 - Altitude ceiling limited to 400 feet AGL (may extend higher if facility structures exceed 300 feet AGL)
 - Cannot overlap with existing permanent airspace restrictions
 - Term limited to five years with renewal option

- Continuous or part-time activation options
5. Allowed Operations: Standard UAFRs permit operations by:
- Part 91 operators with airman certificates or Public Aircraft Operations
 - Part 107 operators with airman certificates
 - Part 108 operators (proposed BVLOS operations)
 - Part 135 operators (commercial air carriers)
 - Part 137 operators (agricultural operations)
- All allowed operations must:
- Broadcast Remote Identification per 14 CFR Part 89
 - Transit the UAFR in the shortest practicable time
 - Provide notification to the fixed site facility manager
6. Application Process:
- Applicant submits information demonstrating eligibility and need
 - FAA conducts initial evaluation and coordinates with Sector Risk Management Agencies (SRMAs)
 - If approved, FAA publishes Notice of Proposed Rulemaking in Federal Register
 - 30-day minimum public comment period
 - FAA makes final determination within 90 days
 - If approved, UAFR published in Federal Register and FAA Order JO 7400.12
 - If denied, applicant may petition for reconsideration within 30 days
7. Enforcement:
- Violations of standard UAFRs subject to civil penalties under 14 CFR Part 13
 - Violations of Special UAFRs issued for national security/homeland security may result in criminal penalties under 49 U.S.C. 46307
 - Penalties may include civil fines or certificate actions
8. Conforming Amendments:
- New § 91.134 prohibits unmanned aircraft operations within UAFRs except as permitted under Part 74
 - Revised § 107.45 adds UAFR restrictions to existing prohibited/restricted area language
9. Special Considerations:
- Remote ID sensing capability required at facilities to identify allowed operations
 - Environmental review conducted per NEPA
 - Privacy impact assessment completed
 - Regulatory Flexibility Act analysis included

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- Small business impacts assessed

Comment Period: Comments must be submitted by July 6, 2026, through regulations.gov or mail to FAA Docket Operations.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-05-06/pdf/2026-08943.pdf>

D. Schedules of Controlled Substances: Placement of CUMYL-PEGACLONE in Schedule I; Final Rule

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 05/13/2026

Effective Date: 05/13/2026

Summary

The Drug Enforcement Administration published a final rule that places 5-pentyl-2-(2-phenylpropan-2-yl)pyrido[4,3-b]indol-1-one (other names: CUMYLPEGACLONE; SGT-151), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible in schedule I of the Controlled Substances Act.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-05-13/pdf/2026-09566.pdf>

E. Specific Listing for Hexahydrocannabinol, A Currently Controlled Schedule I Substance; Final Rule

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 05/04/2026

Effective Date: 05/04/2026

Summary

The Drug Enforcement Administration (DEA) is establishing a specific listing and DEA Controlled Substances Code Number (drug code) for 6,6,9-trimethyl-3-pentyl-6a,7,8,9,10,10a-hexahydro-6Hbenzo[c]chromen-1-ol (also known as hexahydrocannabinol, and HHC) in schedule I of the Controlled Substances Act (CSA).

Hexahydrocannabinol is a schedule I controlled substance in the United States under drug code 7370 because it meets the definition of tetrahydrocannabinols, a schedule I hallucinogen. Therefore, DEA is amending the schedule I hallucinogenic substances list to separately include hexahydrocannabinol.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-05-04/pdf/2026-08595.pdf>

- F. Schedules of Controlled Substances: Temporary Placement of 2-Fluorodeschloroketamine in Schedule I; Temporary amendment; temporary scheduling order.**

Agency

Drug Enforcement Administration (DEA)

Dates

Published Date: 05/22/2026

Effective Date: 05/22/2026 until 05/22/2028. If this order is extended or made permanent, DEA will publish a document in the Federal Register.

Summary

The Drug Enforcement Administration (DEA) has issued a temporary order to schedule 2-(2-fluorophenyl)-2-(methylamino)cyclohexan-1-one (commonly known as 2-fluorodeschloroketamine or 2-FDCK), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, in schedule I of the Controlled Substances Act.

Reference/Link

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

<https://www.govinfo.gov/content/pkg/FR-2026-05-22/pdf/2026-10253.pdf>