



Technical Memo

New York State Regulatory Standards & Limits

Updated: February 12, 2014

New York WATER Standards

New York refers to the guidance document *Division of Water Technical and Operational Guidance Series (TOGS) (1.1.1)* for water quality standards. The purpose of TOGS 1.1.1 is to provide a compilation of ambient water quality guidance values and groundwater effluent limitations for use where there are no standards (in 6 NYCRR 703.5) or regulatory effluent limitations (in 703.6). The regulatory standards in 703.5 and groundwater effluent limitations in 703.6 are included in the TOGS 1.1.1 document. The values in TOGS 1.1.1 are used in NYSDOH/NYSDEC programs, including the SPDES permit program. TOGS 1.1.1 contains five tables, two of which contain regulatory/guidance limits:

- TOGS Table 1* – New York State Ambient Water Quality Standards (NY AWQS)
- TOGS Table 3** – Partial List of Substances Not Regulated by the Principal Organic Contaminant (POC) Groundwater Standard
- TOGS Table 5 – New York State Groundwater Effluent Limitations (NY GWEL)

- * Supplemented by Table 2, Explanation of Basis Codes in Table 1
- ** No regulatory limits
- *** Table 4 is Definitions for Principal Organic Contaminant Classes, excerpted from 700.1, no regulatory limits provided on this table

TOGS 1.1.1 became effective October 23, 1993. Four revisions have been made since the original issue of the document was released. These revisions were made in June 1998, January 1999, April 2000, and June 2004. The revisions were made to table designations and limits for certain compounds.

The limits IAL will report on its Regulatory Comparison Sheet (RCS) are based on the standards for Source of Drinking Water for both Surface Water and Ground Water for TOGS Table 1, AWQS. These limits are designated with type H(WS) and classes A, A-S, AA, AA-S and/or GA.

IAL recommends using **TCL/TAL + 30 TICs + 8011 + (8270D) SIM + Herbicides, Cyanide, and Hexavalent Chromium** for initial sampling of either the Tables 1 or 5.

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New York SOIL Standards

Part 375 applies to the following:

- The development and implementation of remedial programs for inactive hazardous waste disposal sites, specifically under subpart 375-2, including, but not limited to, sites listed in the Registry which are either on the national priorities list (NPL) or are being addressed by the department of defense or the department of energy.
- The development and implementation of remedial programs for brownfield sites, specifically under subpart 375-3.
- The development and implementation of remedial programs for environmental restoration sites, specifically under subpart 375-4.
- The soil cleanup objectives for remedial programs, specifically under subpart 375-6.

CP-51 is applied only after the following:

- A site is fully investigated to determine the nature and extent of contamination;
- All sources of contamination are addressed consistent with the hierarchy according to 6 NYCRR 375-1.8(c) or the RCRA Corrective Action Program (as appropriate);
- Groundwater, if contaminated, has been evaluated for appropriate remedial actions consistent with 6 NYCRR 375-1.8(d) or the RCRA Corrective Action Program (as appropriate); and
- Impacts on adjacent residential properties, surface water, and aquatic ecological resources are evaluated, as well as indoor air, soil vapor, vapor intrusion and other appropriate media.

Part 375 contains two sets of regulatory limits and CP-51 contains three sets of regulatory limits:

Part 375-6.8(a) –	Unrestricted Use Soil Cleanup Objectives
Part 375-6.8(b) –	Restricted Use Soil Cleanup Objectives
CP-51 Table 1 –	Supplemental Soil Cleanup Objectives
CP-51 Table 2 –	Soil Cleanup Levels for Gasoline Contaminated Sites
CP-51 Table 3 –	Soil Cleanup Levels for Fuel Oil Contaminated Soil

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(continued)

Part 375 became effective December 14, 2006 & CP-51 became effective December 3, 2010:

- CP-51 serves as a replacement for TAGM 4046 & STARS #1.
- CP-51 Table 2 lists the analytes and cleanup levels for Gasoline Contaminated Sites.
- CP-51 Table 3 lists the analytes and cleanup levels for Fuel Oil Contaminated Sites.
- The analytes listed in Table 1 of CP-51 are intended to compliment the analytes in Part 375. Many of the analytes in CP-51 are not found in Part 375, while others have alternate limits. IAL will combine CP-51 Table 1 and Part 375-6.8(b) for its RCS.

IAL recommends using **TCL/TAL + 30 TICs + 8011 + Herbicides, Cyanide, and Hexavalent Chromium** for initial sampling.

Links to Guidance Documents:

- TOGS 1.1.1 - http://www.dec.ny.gov/docs/water_pdf/togs111.pdf
- Part 375 - http://www.dec.ny.gov/docs/remediation_hudson_pdf/part375.pdf
- CP-51 - http://www.dec.ny.gov/docs/remediation_hudson_pdf/cpsoil.pdf

NOTES:

IAL is unable to reach certain criteria listed in both the Soil & Water regulations/guidance. For example, the TOGS/Part 703 limit for 1,2-Dibromoethane (EDB) is 0.000006ppb. Even using SW-846 Method 8011, meant for finding this compound at low levels, IAL cannot meet the regulatory limit. As per NYSDEC:

“When the Guidance Value or standard is below the detection limit, achieving the detection limit will be considered acceptable for meeting the Guidance Value or standard.”

Thank you for your continued use of IAL's services.

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