

*Presented below are water quality standards that are in effect for Clean Water Act purposes.*

*EPA is posting these standards as a convenience to users and has made a reasonable effort to assure their accuracy. Additionally, EPA has made a reasonable effort to identify parts of the standards that are not approved, disapproved, or are otherwise not in effect for Clean Water Act purposes.*

## Title 6 New York Codes, Rules and Regulations (NYCRR) Express Terms for Sections 701.26, 701.27, and 703.4

Effective December 20, 2024

The attached provisions are included as a supplement to the New York Water Quality Regulations posted on EPA's repository page because they have not yet been incorporated in the regulations. The attached express terms are in effect for Clean Water Act (CWA) purposes with the following exceptions:

### 6 NYCRR §§ 701.26

- The EPA took **no action** on the MS4 language at Section 701.26(a) because the state intends to remove this language in the spring of 2025.

### 6 NYCRR §§ 703.4

- The EPA **disapproved** revised coliform water quality criteria for Class I and Class SD surface waters because they are not scientifically defensible and not protective of the primary contact recreation designated use of Class I and Class SD saline surface waters.
  - Class I waters total coliform:
    - EPA disapproved the following: "The monthly median value and more than 20 percent of the samples, from a minimum of five examinations, shall not exceed 2,400 and 5,000, respectively."
    - The criteria that remain in effect for CWA purposes: "The monthly geometric mean, from a minimum of five examinations, shall not exceed 10,000."
  - Class I water fecal coliform:
    - EPA disapproved the following: "The monthly geometric mean, from a minimum of five examinations, shall not exceed 200."
    - The criteria that remain in effect for CWA purposes: "The monthly geometric mean, from a minimum of five examinations, shall not exceed 2,000."
  - Class SD waters total coliform:
    - EPA disapproved the following: "The monthly median value and more than 20 percent of the samples, from a minimum of five examinations, shall not exceed 2,400 and 5,000, respectively."
    - The criteria that remain in effect for CWA purposes: No applicable total coliform criterion
  - Class SD water fecal coliform:
    - EPA disapproved the following: "The monthly geometric mean, from a minimum of five examinations, shall not exceed 200."
    - The criteria that remain in effect for CWA purposes: No applicable fecal coliform criterion
- The EPA took **no action** on the addition of Class I enterococci criteria at Section 703.4(d). These criteria are not currently in effect for CWA purposes. Please refer to EPA's December 2024 Action Letter posted on EPA's repository for approved enterococci criteria.

6 CRR-NY 701.26  
NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE  
OF NEW YORK  
TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CHAPTER X. DIVISION OF WATER RESOURCES  
SUBCHAPTER A. GENERAL  
ARTICLE 2. CLASSIFICATIONS AND STANDARDS OF QUALITY AND PURITY  
PART 701. CLASSIFICATIONS—SURFACE WATERS AND GROUNDWATERS  
WET WEATHER LIMITED USE WATERS

6 CRR-NY 701.26

Section 701.26 is renumbered to section 701.27 and a new section 701.26 is added  
to read as follows:

701.26 Wet Weather Limited Use Waters (WW).

(a) The *symbol (WW)*, appearing in an entry in the "standards" column in the classification tables of Parts 800 through 941 of this Title, means that the classified waters in that specific item are influenced by wet weather discharges from combined sewer overflows (CSO) ~~and/or municipal separate stormwater sewer systems (MS4) effluents~~. Any water quality standard, guidance value, or thermal criterion that specifies a (WW) exception would apply to waters where the (WW) symbol is listed in the standard column, otherwise the base water quality standard, guidance value, or thermal criterion assigned to the Class are applicable.

EPA did not take action on the MS4 language at Section 701.26(a) because the state intends to remove this language. The text in ~~strikeout~~ is not in effect for CWA purposes.

Note that underlined text in Section 703.4 is new. Text in brackets and redline strikeout has been deleted. Changes are effective for CWA purposes as of December 20, 2025.

6 CRR-NY 703.4  
NY-CRR

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE  
OF NEW YORK

TITLE 6. DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
CHAPTER X. DIVISION OF WATER RESOURCES  
SUBCHAPTER A. GENERAL

ARTICLE 2. CLASSIFICATIONS AND STANDARDS OF QUALITY AND PURITY  
PART 703. SURFACE WATER AND GROUNDWATER QUALITY STANDARDS AND  
GROUNDWATER EFFLUENT LIMITATIONS

6 CRR-NY 703.4  
6 CRR-NY 703.4

703.4 Water quality standards for coliforms, enterococci, and E. coli.

Total and fecal coliform, enterococci, and E. coli standards for specific classes are provided in this section.

(a) Total coliforms (number per 100 ml).

<i><b>Classes</b></i>	<i><b>Standard</b></i>
AA	The monthly median value and more than 20 percent of the samples, from a minimum of five examinations, shall not exceed 50 and 240, respectively.
A, B, C, D, SB, SC, <del>I, SD</del>	The monthly median value and more than 20 percent of the samples, from a minimum of five examinations, shall not exceed 2,400 and 5,000, respectively.
SA	The median most probable number (MPN) value in any series of representative samples shall not be in excess of 70.
A-Special	The geometric mean, of not less than five samples, taken over not more than a 30-day period shall not exceed 1,000.
GA	The maximum allowable limit is 50.

(b) Fecal coliforms (number per 100 ml).

A, B, C, D, SB, SC, <del>I, SD</del>	The monthly geometric mean, from a minimum of five examinations, shall not exceed 200.
A-Special	The geometric mean, of not less than five samples, taken over not more than a 30-day period shall not exceed 200.
<u>SA</u>	<u>In any series of representative samples, the median (or geometric mean) MPN per 100 milliliters of sample shall not exceed 14 and no more than 10 percent of the samples shall have MPN per 100 milliliters of sample in excess of</u>

EPA disapproved revised coliform criteria for Class I and Class SD saline surface waters. The following remain in effect for Total coliforms:  
**Class I:** "The monthly geometric mean, from a minimum of five examinations, shall not exceed 10,000."  
**Class SD:** There are no applicable criteria.

EPA disapproved revised coliform criteria for Class I and Class SD saline surface waters. The following remain in effect for Fecal coliforms:  
**Class I:** "The monthly geometric mean, from a minimum of five examinations, shall not exceed 200."  
**Class SD:** There are no applicable criteria.

	49 when using a multiple dilution fermentation tube test <u>which examines three 10-milliliter sample portions, three one-milliliter sample portions and three one-tenth (0.1) milliliter sample portions.</u>
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(c) The total and fecal coliform standards for classes B, C, D, SB, SC and I shall be met during all periods:

(1) when disinfection is required for SPDES permitted discharges directly into, or affecting the best usage of, the water; or

(2) when the department determines it necessary to protect human health.

(d) Enterococci (number per 100 mL ~~[colony-forming units or most probable number]~~).

Classes	Standard
<del>[Coastal recreation waters of the following classes:] SA<sub>1</sub> <del>[and]</del> SB<sub>1</sub> SC</del>	The geometric mean of samples collected over any consecutive 30-day period shall not exceed 35, and no more than 10 percent of the samples collected in the same 30-day period shall exceed 130. <u>For waters with the wet weather (WW) standard designation, these standards will apply during periods of dry weather with exceedances allowed per an approved Use Attainability Analysis (UAA) as required by 40 CFR 131.10.</u>
<del>I</del>	<del>The geometric mean of samples collected over any consecutive 30-day period shall not exceed 72, and no more than 10 percent of the samples collected in the same 30-day period shall exceed 266.</del>

EPA did not take action on the addition of Class I enterococci criteria. These criteria are not in effect for CWA purposes.

(e) E. coli (number per 100 mL ~~[colony-forming units or most probable number]~~).

Classes	Standard
Coastal recreation waters of the following classes: A, A-Special, AA, AA-Special, and B	The geometric mean of samples collected over any consecutive 30-day period shall not exceed 126, and no more than 10 percent of the samples collected in the same 30-day period shall exceed 410.

(f)

(1) The enterococci standards for Class SA~~[and]~~, SB, and SC ~~[coastal recreation]~~ waters shall apply:

(i) during the period of May 1st through October 31st;

(ii) in any other instance where the department determines it necessary to protect human health or the best usages of the waters; and

(iii) where required by State or Federal law or interstate compact.

(2) The enterococci standards for Class I waters shall apply on a year-round basis.

~~[(2)]~~(3) The E. coli standards for Class A, A-Special, AA, AA-Special and B coastal recreation waters shall apply:

- (i) during the period of May 1st through October 31st;
- (ii) in any other instance where the department determines it necessary to protect human health or the best usages of the waters; and
- (iii) where required by State or Federal law or interstate compact.

Section 703.4(g) is repealed.