

6 CRR-NY 701.26  
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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

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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.

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

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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>Classes</i>	<i>Standard</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, I, SD	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, I, SD	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>

	<u>49 when using a multiple dilution fermentation tube test 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
[Coastal recreation waters of the following classes:] SA <sub>2</sub> [and] SB <sub>2</sub> <u>SC</u>	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>
<u>I</u>	<u>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.</u>

(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.